

CHAPTER 18

SPECIAL BUSINESS LICENSES AND EVENTS

Art. I Youth Club/Dance License, §18-1100 - §18-1114

Art. II Special Events, §18-2100

ARTICLE I. YOUTH CLUB/DANCE LICENSE

SEC. 18-1100. DEFINITION; LICENSE REQUIRED.

No person, firm or corporation, either as owner, lessee, manager, officer or agent, shall operate or permit to be operated on any premises in the City a club/dance where an admission is charged and where any of the participants are under the age of twenty-one (21) without first obtaining a license for use of said premises or said purposes.

SEC. 18-1101. APPLICATION.

To obtain a youth club/dance license, the applicant shall file an application with the accounts and finance officer upon a form provided by said officer, which shall contain, among other information, a petition signed by a majority of the property owners, representing at least a majority of the frontage within three hundred (300) feet in each direction of the proposed location on both sides of the street on which the proposed location shall front, signifying their willingness to have a license issued hereunder; providing that in any case if the property owners of at least forty (40) feet of the property immediately adjacent to or abutting on any side of the proposed location shall not appear as signers on said petition, no license shall be issued hereunder.

SEC. 18-1102. INVESTIGATION.

The accounts and finance officer, upon receipt of such application, shall cause the police department to investigate all the statements contained in each application, to include a criminal background check, and if upon investigation the accounts and finance officer shall be satisfied that the matters and things therein contained are true, and that the applicant has complied with all the requirements of this ordinance, said officer shall approve the same and upon receipt by said officer of the required license fee, issue a license in accordance with the provisions herein.

SEC. 18-1103. FEE.

An annual license fee for such license shall be five hundred dollars (\$500.00) which shall be paid to the finance director; provided, however, that no fee need be paid from any licensee which is a non-profit organization once the non-profit organization has provided proof of federal non-profit tax status satisfactory to said director. (Ord. No. 3011-2008; Sec. 18-1103 repealed; new Sec. 18-1103 enacted; 02/26/08)

SEC. 18-1104. TERM OF LICENSE.

Youth club/dance licenses shall be in effect for a term of one year and issued on May 1 of each year, expiring April 30th of the next year.

SEC. 18-1105. DISPLAY OF LICENSE.

Any person receiving a youth club/dance license under the provisions of this section shall display said license prominently in the licensed premises.

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SEC. 18-1106. ENFORCEMENT.

The licensee or agent shall permit any police officer or other official of the City free and unrestricted access to the licensed premises for the purposes of inspecting the same.

SEC. 18-1107. SUSPENSION/REVOCAION.

The chief of police may suspend or revoke any youth club/dance license granted hereunder if the operation of the licensed premises is found to be detrimental to the health or safety of the neighborhood, for failure of the licensee to comply with the requirements of this article, or if the licensee has been found to be guilty of the violation of any City ordinance or state law in the operation of the licensed premises. Said suspension or revocation shall occur after notice and an opportunity for hearing, as provided in Sec. 18-1108 herein below.

SEC. 18-1108. NOTICE; HEARING.

(a) Licenses issued pursuant to this article may be suspended temporarily by the chief of police, for failure of the licensee to comply with the requirements of this article.

Whenever a licensee under this article has failed to comply with any provision of this article, the licensee shall be notified in writing that said licensee's license is, upon service of the notice, immediately suspended, or that the suspension shall be effective on a specific future date and that an opportunity for a hearing will be provided, if a written request for a hearing is filed with the chief of police by the licensee within five (5) days after service of the notice.

(b) For serious or repeated violations of any of the requirements of this article, or for interference with any police officer or City official in the performance of said authority's duties, a license issued pursuant to this article may be permanently revoked after an opportunity for hearing has been provided by the chief of police, or designee. Prior to such action, the chief of police, or designee, shall notify the licensee in writing, stating the reasons for which the license is subject to revocation and advising that the permit shall be permanently revoked at the end of five (5) days following service of the notice, unless a request for a hearing is filed with the chief of police by the licensee within the five (5) day period.

(c) All notices required by this article to be served by the chief of police, or designee, may be served by the chief of police, or designee, on a licensee under this article personally, or by United States mail directed to the address of the youth club/dance establishment as the address appears on the license issued pursuant to this article.

SEC. 18-1109. APPEAL.

Any person aggrieved by the decision of the chief of police to revoke a license under this article shall have the right of appeal. An appeal must be filed within fifteen (15) days after notice of revocation by filing with the city Administrator a letter of appeal briefly stating therein the basis for the appeal. Failure to file a letter of appeal within the said fifteen (15) days shall constitute a waiver of the appellant's right to review. If the city administrator does not approve the decision of the chief of police, said official shall transmit that decision to the chief, who will comply with same.

SEC. 18-1110. JUDICIAL REVIEW.

Any person aggrieved by a decision of the city administrator pursuant to Sec. 18-1109 hereof, may appeal to the circuit court. Said appeal shall be subject to the Administrative Review Act.

SPECIAL BUSINESS LICENSES AND EVENTS

SEC. 18-1111. HOURS OF OPERATION.

All premises licensed under the provisions of this section shall be closed between the hours of 1:00 a.m. and 6:00 a.m. each day. It shall be the obligation of the owner or operator of said youth club/dance facility to clear all patrons from the premises fifteen (15) minutes after closing.

SEC. 18-1112. SUPERVISION.

It shall be the obligation of the owner, lessee, manager, officer or agent of said youth club/dance facility offering a dance to minors under the age of twenty-one (21) to provide one person twenty-one (21) years or older per each twenty-five (25) patrons to ensure proper supervision of said premises. The person or persons provided for supervision shall not be inclusive of anyone employed to dispense food, beverages, or other operational duties.

SEC. 18-1113. CURFEW.

The owner, lessee, manager, officer or agent of any youth club/dance facility shall cause any minor patrons to be removed from said premises one-half hour prior to curfew hours regulated by State law or City Code. For the purposes of this section, "curfew" shall be defined as in Section 22-1102, Moline Code of Ordinances.

SEC. 18-1114. PENALTY.

Any licensee or agent thereof violating the provisions of this section shall be subject to a penalty as provided in Section 1-1107 of the City Code and/or the revocation of the operator's license.
(Ord. No. 2000-05-05; new Chapter 18 "SPECIAL BUSINESS LICENSES" adopted, including adoption of new Article I "YOUTH CLUB/DANCE LICENSE"; 05/09/00)

ARTICLE II. SPECIAL EVENTS

SEC 18-2100. FEES.

A non-refundable fee will be charged for special event applications. The fee schedule is as follows:

- (1) Parades, Runs and Races.....\$25.00
- (2) All Other Events.....\$50.00

(Ord. No. 2002-06-23; new Article II, "SPECIAL EVENTS," enacted; 06/25/02; Ord No. 3048-2005; new Sec. 18-2100(3) enacted; 08/16/05; Ord. No. 3016-2006; Sec. 18-2100 repealed; new Sec. 18-2100 enacted; 04/04/06)