

## CHAPTER 6B.70

### ENTERTAINMENT/DANCING – LIQUOR SERVED

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#### **6B.70.020 Definitions.**

A. “Dancing place” means any room, place, space, or private club in the City open for the serving of the public or members, in which the members, guests, patrons, entertainers, or other persons are permitted to, dance in the connection with the business of directly or indirectly selling liquor for consumption on or within the premises.

B. “Entertainment” means an activity where the public, members, guests, patrons, entertainers, or other persons sing, perform, or otherwise engage in musical entertainment, presentation of recorded music played on equipment which is operated by an agent or contractor of an establishment, commonly known as a “DJ” or “disc jockey,” presentations by single or multiple performers, such as hypnotists, mimes, comedians; musical song or dance acts, plays, concerts, any type of contest; sporting events, exhibitions, carnival, rodeo or circus acts, demonstrations of talent; exhibitions, theatrical performances, shows, or similar amusements to which the public or members are invited or allowed to watch, listen, or participate or that is conducted for the purposes of holding the attention or, gaining the attention of or diverting or amusing guests or patrons in connection with the business of directly or indirectly selling liquor for consumption on or within the premises. “Entertainment” includes “dancing.”

C. “Establishment” means any indoor or outdoor room, place, space, or private club in the City open for the serving of the public or members that provides “entertainment.” Establishment includes parking spaces or parking lots provided for or used by the establishment’s customers and under the control of the licensee.

D. “Liquor” shall have the same meaning as in RCW 66.04.010.

E. “Musical entertainment,” as used in this chapter, shall not apply to phonographs, radios, or mechanical devices used for the reproduction of music for the listening enjoyment of the members or patrons only.

F. “Security personnel” shall mean a security guard, bouncer, door person, or any person performing similar duties who is present at an entertainment or dancing establishment to provide crowd control;

protect persons or property from harm or unlawful activity; deter, observe, and detect unlawful or unauthorized activity; or supervise entry and exit at the establishment.

G. "Temporary event" means an entertainment event in duration of less than 11 days.

H. "Training program" means a program approved by the Police Chief that includes, but is not limited to, training and information about necessary force, use of proper equipment, fire safety and evacuation, report writing, fake identification, emergency response procedures, and curriculum from the Washington State Liquor and Cannabis Board's Mandatory Alcohol Server Training that can be applied to security personnel.

I. "Written safety plan" means a written document submitted with the entertainment or dancing license that includes, at a minimum, the following information about the entertainment or dancing establishment:

1. When using security personnel, identify the number of security personnel and where they will be/are located throughout the establishment.

2. Procedures for verifying security personnel are properly licensed as outlined. All security personnel must be licensed as required by in this chapter. Records of current security personnel must be available upon request by a public official.

23. Procedures for checking identification and searching patrons;

34. Procedures for ensuring that only persons 21 years or older are served liquor or allowed in areas restricted to persons over 21 years;

45. Procedures for handling violent incidents, other emergencies, and calling the Tacoma Police Department;

56. A description of the training provided or completed by the security and other personnel, including conflict de-escalation training;

67. Procedures for crowd control and preventing overcrowding;

78. Procedures for disturbances outside the premises, including property adjacent to or in proximity to the establishment, from patrons entering and leaving the establishment, i.e. loitering, vandalism, noise, parking, and crowd dispersal;

89. Current hours of operation and anticipated hours of operation; and

910. Current contact information for the person or position responsible for addressing safety, security, or City code-related complaints by patrons or neighborhood residents.

1011. A detailed description of the type of entertainment activity occurring at the establishment.

#### **6B.70.040 Entertainment License fees.**

No person shall commence, conduct, manage, operate, or maintain any entertainment establishment or entertainment event without having a license to do so issued by the City. The license fees shall be as follows:

Entertainment/Dancing Class License	First Year	Renewal or Temporary
Class "A"	<del>\$2,400</del> <u>1,500</u>	<del>\$600</del> <u>1,000</u>
Class "B"	\$450	\$300
Class "C"	<del>\$180</del> <u>200</u>	<del>\$120</del> <u>150</u>

#### **6B.70.042 Hours**

All entertainment establishments shall be closed at or before 2:00 a.m. and shall remain closed until 6:00 a.m. on the same day unless authorized by the Director.

**6B.70.049 Requirements and term for security personnel license.**

A. No person may work as security personnel at an entertainment or dancing establishment without obtaining a security personnel license.

B. Prior to a license being issued, any person meeting the definition of “security personnel” is required to:

1. Consent to be fingerprinted for a state and federal criminal background check upon initial application and at least every ~~Applicants previously licensed and fingerprinted will not be required to again be fingerprinted if reapplication is received within five~~ four years of initial licensing;

2. Submit with the application, one current full-face digital photograph of the licensee, submitted electronically or consent to a full-face photograph taken by the Director;

3. Consent to a state and/or federal criminal background check at every license renewal; and

24. Submit payment of \$50 for the security personnel license.

C. Proof of attendance from a training program, as defined in this chapter, that is provided by the City, must be submitted within 10 days from initial application or proof of a training program recognized by the City may be submitted with the initial application.

D. When using security personnel at establishment, security personnel shall wear uniforms and be readily identifiable as private security personnel.

E. The security personnel license shall be effective as of the first day of the month regardless of the actual date of issue and shall expire two (2) years from the effective date.

**6B.70.050 Licensing prohibited.**

A. Security Personnel Licensing.

The Director may deny, suspend, or revoke any security personnel license ~~application~~ if the Director determines that:

1. Within seven years of the date of application, the applicant has had a felony conviction, bail forfeiture, or other final adverse finding involving crimes reasonably related to the ~~applicant's licensee's~~ ability to safely provide security, including but not limited to, homicide, assault, sex offenses, robbery, extortion, kidnapping, harassment, malicious mischief, firearms offenses, rendering criminal assistance, and violations of the uniform controlled substances act, or is required to register as a sex offender, pursuant to RCW 9A.44.130

2. Within three years of the date of application, the ~~applicant licensee~~ has had a misdemeanor conviction, bail forfeiture, or other final adverse finding involving crimes reasonably related to the ~~applicant's licensee's~~ ability to safely provide security, including but not limited to, assault, sex offenses, harassment, malicious mischief, rendering criminal assistance, obstructing a police officer, resisting arrest, and violations of the uniform controlled substances act or equivalent offenses under a municipal code;

3. Within three years of the date of application, the ~~applicant licensee~~ has been found, either through a criminal conviction, bail forfeiture, or other final adverse finding (including a civil suit or administrative proceeding) to have exhibited past conduct in working as security personnel which is reasonably related to the ~~applicant's licensee's~~ fitness or ability to work as security personnel;

4. Within three years of the date of application, the ~~applicant licensee~~ engaged in conduct which would lead the Director to reasonably conclude that the ~~applicant licensee~~ will not comply with the provisions of the chapter and the safe operation of the entertainment and dancing establishment.

5. For any reason in Section 6B.10.140 TMC.

#### B. Dancing and Entertainment Licenses.

1. The Director may deny, suspend, or revoke any dancing or entertainment license application for any of the reasons in subsection A.

2. The Director may deny, suspend, or revoke any dancing or entertainment license application if the Director reasonably concludes that the ~~applicant-licensee~~ will not comply with the provisions of the chapter or the ~~applicant's-licensee's~~ operation of the entertainment or dancing establishment will likely endanger public health or safety. The Director may consider any relevant matter including illegal activity associated with the ~~applicant's-licensee's~~ operation of any other similar business ~~activity~~ or the conduct of the ~~applicant's-licensee's~~ patrons inside or outside a similar business that ~~applicant-licensee~~ operated.

3. The Director may deny, suspend, or revoke any license if:

a. the business is conducted by a manager or agent and the manager or agent could be denied a license if they were the applicant;

b. the business is owned by a partnership and any of the partners could be denied a license; or

c. the business is owned by a corporation and a director, officer, or manager of the corporation could be denied a license.

C. Any ~~applicant-licensee~~ who is ~~issued~~~~denied~~ a denial, suspension, or revocation of a license under this chapter ~~or any licensee whose license is suspended or revoked~~ may appeal the denial, suspension, or revocation, as provided in Section 6B.10.140 TMC.

#### **6B.70.055 Activity not permitted at establishments – Inspection of premises.**

A. No business activity is permitted prior to license approval. ~~Existing Applicants shall allow the premises sought to be licensed under this Chapter inspected by the Director and/or public officials for the purpose of ensuring public safety and that the applicant meets all licensing and other legal requirements. buildings will be subject to inspection for compliance with the code requirements for places of assembly. Buildings not meeting the requirements for an entertainment or dancing occupancy, as adopted in Title 2 or Title 3 or Title 13, shall not be permitted to be used for these purposes. Failure to grant access shall result in denial of the license application and/or cause for summary suspension of the license.~~

B. Licensees shall provide the Director and/or public officials free access to any open public areas of the establishment whenever guests, patrons, or club members are present for the purpose of inspection in accordance with TMC 6B.10.180.

### **CHAPTER 6B.80**

#### **ENTERTAINMENT/DANCING – NO LIQUOR SERVED AND TEENAGE DANCE**

##### Sections:

6B.80.005 Purpose.

6B.80.010 License required.

6B.80.020 Definitions.

6B.80.030 License fees.

6B.80.035 Exemptions.

6B.80.037 Bona fide private club evidence.

6B.80.040 Reports to Chief of Police.

6B.80.041 Temporary events.

6B.80.045 Reports to the Fire Marshal.

6B.80.050 Condition of premises – Lighting.

- 6B.80.060 Hours.
- 6B.80.070 Attendance of minors at dances.
- 6B.80.080 Conduct and inspection.
- 6B.80.090 *Repealed.*
- 6B.80.100 *Repealed.*
- 6B.80.110 Teenage Dance Committee.
- 6B.80.120 Teen dance permit – Issuance.
- 6B.80.130 Teen dance permit applications – Requirements.
- 6B.80.140 Teen dance regulations.
- 6B.80.150 *Repealed.*

## **6B.80.020 Definitions.**

For the purpose of this chapter, the following definitions shall apply:

“Bona fide private club” means a person operating as a non-profit organization solely for objects of social or business purposes with an established membership, and when admission is not open to the public, and in which membership is by application and regular dues are charged, and the advantages of which club belong to members, and the operation of which is not primarily for monetary gain.

“Entertainment” means any single event or series of events or an ongoing activity or business, occurring alone or as part of another business, to which the public, members, guests, or other person is invited or allowed to watch, listen, or participate or that is conducted for the purposes of holding the attention or, gaining the attention of or diverting or amusing the public, members, guests or other person patrons, including but not limited to:

A. Dancing to live or recorded music;

B. The presentation of recorded music played on equipment which is operated by an agent or contractor of the establishment, commonly known as a “DJ” or “disc jockey”;

C. Presentations by single or multiple performers, such as hypnotists, mimes, comedians; musical song or dance acts, plays, concerts, any type of contest; sporting events, exhibitions, carnival, rodeo or circus acts, demonstrations of talent; shows, reviews and any other such activity, exhibition, or performance which may be attended by members of the public.

“Establishment” means ~~a business operating any as a~~ “public dance hall,” “skating rink,” “teenage dance”, ~~or indoor or outdoor room, place, space, or private club in the City open for the serving of the public or members, providing entertainment at a location, inside or outside, as defined in this chapter.~~ Establishment includes parking spaces, or parking lots provided for or used by the establishment’s customers and under the control of the licensee.

“Public dance” or “public skating party” means any organized dance or ball or any skating party to which the public generally may gain admission, with or without the payment of a fee.

“Public dance hall” means any building, room, hall, or cabaret in connection with any hotel dining room, restaurant or eating house, or any other place which is kept or used for public dancing or in which, for compensation paid directly or indirectly to the owner, proprietor, manager or operator thereof, men, women or children are permitted to engage in dancing, except that any public dance hall licensed as a cabaret pursuant to Chapter 6B.70 shall not be required to be licensed as a public dance hall.

“Security personnel” shall mean a security guard, bouncer, door person, or any person performing similar duties who is present at an entertainment, dancing or skating establishment to provide crowd control; protect persons or property from harm or unlawful activity; deter, observe, and detect unlawful or unauthorized activity; or supervise entry and exit at the establishment. ~~A commissioned law enforcement~~

~~officer or any person possessing a valid security guard license issued under chapter 18.170 RCW is not “security personnel” for the purposes of this chapter and is not required to obtain a “security personnel license.”~~

“Skating rink” means any building, room, auditorium, hall or other place which is maintained and used for public roller skating or public ice skating in which for compensation paid directly or indirectly to the owner, proprietor, manager or operator thereof, men, women or children are permitted to engage in roller skating or ice skating.

In the sections pertaining to teenage dances, the following words and phrases are defined and shall be construed as hereinafter set out unless it shall be apparent from the context that they have a different meaning:

“Sponsor or sponsoring group” shall mean any one or more of the following:

A. Duly accredited public or private schools.

B. Governmental agencies, entities, or political subdivisions.

C. Bona fide clubs, dance halls, fraternal orders, societies, organizations or groups of persons organized and existing for or devoted primarily to the purposes of promoting and carrying on youth activities and recreational and dancing facilities, provided that such club, dance hall, order, society, group or organization has been regularly and duly organized, active, and in existence for at least one year prior to the time of any application for a permit for a teenage dance.

“Teenage Dance Committee” means the committee hereinafter provided for.

“Teenage dance” shall mean a special dance held under a permit authorized by the Teenage Dance Committee and conducted in compliance with this chapter.

“Temporary event” means an entertainment event lasting in duration of less than 11 days.

“Written safety plan” means a written document submitted with the entertainment/dancing license that includes, at a minimum, the following information about the entertainment and dancing establishment:

1. When using security personnel, identify the number of security personnel and where they will be/are located throughout the establishment.

~~2. Procedures for verifying All~~ security personnel ~~are properly must be~~ licensed as required by chapter 6B.70. Records of current security personnel must be available upon request by a public official.

~~23.~~ Procedures for checking identification and searching patrons;

~~34.~~ Procedures for handling violent incidents, other emergencies, and calling the Tacoma Police Department;

~~45.~~ A description of the training provided or completed by the security and other personnel, including conflict de-escalation training;

~~56.~~ Procedures for crowd control and preventing overcrowding;

~~67.~~ Procedures for disturbances outside the premises, including property adjacent to or in proximity to the establishment, from patrons entering and leaving the establishment, i.e. loitering, vandalism, noise, parking, and crowd dispersal;

~~78.~~ Current hours of operation and anticipated hours of operation; and

~~89.~~ Current contact information for the person or position responsible for addressing safety, security, or City code-related complaints by patrons or neighborhood residents.

~~910.~~ Detailed description of the entertainment to be provided at the establishment.

### 6B.80.030 License fees.

A. The license fees for an entertainment establishment are hereby fixed as follows:

<b>Square feet of dancing or skating space</b>	<b>First Year Fee</b>	<b>Renewal or Temporary Fee</b>
<del>0 to 2,999</del> <u>Fee</u>	<del>\$150</del> <u>250</u>	<del>\$100</del> <u>150</u>
<del>3,000 to 6,000</del>	<del>\$220</del>	<del>\$170</del>
<del>Over 6,000</del>	<del>\$300</del>	<del>\$250</del>

B. Annual or temporary fees for charitable organizations as defined in 6B.10.030:

Charitable Organization	<del>\$25</del> <u>75</u>
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C. Fees for issuance of a teen dance permit:

Teen Dance Permit	\$125
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The Committee shall require payment of the fee from the applicant to cover the cost to the City before issuing any permit; provided, however, the Committee, within its discretion, may waive payment of this fee when all of the profits from such teenage dance are used exclusively by the sponsor for youth activities and recreation purposes.

### 6B.80.035 Exemptions.

The following types of entertainment and events are exempt from the license required by this chapter. This exemption does not relieve any establishment from complying with all other applicable laws, including, but not limited to, Title 6 and the laws related to noise levels and nuisances, particularly those contained in Title 8.

A. Athletic events sponsored or conducted by the Washington Interscholastic Athletic Association (WIAA) or an elementary or secondary school wherein the athletic participants are students in such school;

B. Motion picture theaters not providing live entertainment;

C. Temporary events that are operated within an establishment licensed under this chapter; provided that such temporary event must comply with the provisions in TMC 6B.80.041 below;

D. Entertainment sponsored by any local or state government;

E. Entertainment provided for members and their guests at a bona fide private club; ~~having an established membership when admission is not open to the public. For purposes of this section, private club means corporations or associations operated solely for objects of national, social, fraternal, patriotic, political, or athletic nature, in which membership is by application and regular dues are charged, and the advantages of which club belong to members, and the operation of which is not primarily for monetary gain;~~

F. Entertainment provided for invited guests at a private event such as a wedding reception, banquet, or celebration where there is no admission charge or required minimum charge at the event;

G. Special Events receiving a Special Event permit issued by the City of Tacoma or Metro Parks;

H. Performances by the students at educational institutions as defined by the Education Code where such performances are part of an educational or instructional curriculum or program;

I. Book readings, book signings, poetry recitations, and any other similar entertainment consisting of the spoken word, including plays;



J Entertainment limited to the use of a radio, music recording machine, juke box, television, video games, video programs, or recorded music by an establishment that does not permit dancing;

K. Entertainment consisting of ambient or incidental music provided for guests or patrons by singers or musicians such as a piano player, harpist, strolling violinist, mariachi band, guitarist or band. If there is an admission charge required to observe or attend such entertainment, the music will not be considered ambient or incidental;

~~L. Any establishment, venue or assemblage of forty-nine (49) persons or less, as described in the maximum occupancy load;~~

~~ML.~~ Entertainment lawfully conducted at any business licensed under Chapter 6B.30, Adult Entertainment or Chapter 6B.70, Entertainment/Dancing – Liquor Served.

~~NM.~~ Baseball, football or other athletic games.

#### **6B.80.037 Bona fide private club evidence.**

The exemption in 6B.80.035.E shall not be granted to a person until the clubs constitution, bylaws, house rules and any other information requested by the Director are submitted as evidence that the person meets the definition of a bona fide private club and is approved by the Director.

#### **6B.80.080 Conduct and inspection.**

A. No person maintaining, conducting, or carrying on any establishment or having charge or control thereof, nor any person employed in and about such a place, shall allow any person under the influence of illegal substances to enter or remain in any such establishment.

B. The licensee, business owner, manager, or other responsible party shall allow entry by ~~City of Tacoma~~ public officials for the purposes of ensuring for public safety at any time the ~~facility establishment~~ is open in accordance with TMC 6B.10.180. ~~Denial of entry is cause for summary suspension of the license.~~

#### **6B.80.130 Teen dance permit applications – Requirements.**

A. The application for a permit shall be accompanied by adequate proof that the place or premises where the dance is to be held has a valid Entertainment/Dancing – No Liquor Served license, or is not required to have such license but conforms with all safety regulations established by law, and must be filed with the Committee at least 30 calendar days prior to the time set for the intended dance.

B. The application for permit shall set forth therein the following minimum information:

1. The name and address of the applicant's officers.
2. The date upon which the dance is to be held.
3. The address of the place where the dance is to be held.
4. The approximate attendance expected.
5. The minimum number of adult supervisors who will be in attendance at all times during the holding of said dance, and the names and addresses of such adults.

C. Upon the filing of each application for a teenage dance, the Committee shall cause to be made such investigation as it deems proper; and shall either deny or approve the same. If the application is approved, the permit for such dance shall then be issued by the Director. A copy of the issued permit shall be filed with the Committee. If the application for such permit is denied by the Committee, the applicant shall have the same right of appeal as provided for in Section 6B.10.~~060~~140.



## **CHAPTER 6B.240**

### **AFTER-HOURS CLUB**

#### **Sections:**

6B.240.010	License required.
6B.240.020	Definitions.
6B.240.030	License fee.
6B.240.040	Security requirements.
6B.240.050	Reports to the Police Chief – Written Safety Plan.
6B.240.060	Licensing Prohibited.
6B.240.070	Activity not permitted.
6B.240.080	Inspection of premises.

#### **6B.240.10 License required.**

It is unlawful for any person to operate an after-hours club in the City without first obtaining a license pursuant to the provisions of this chapter.

#### **6B.240.020 Definitions.**

“After-hours club” means an establishment in which patrons, whether customers, guests, or club members, congregate for the purpose of socializing between the hours of 2 a.m. and 6 a.m. After-hours club does not include businesses whose principal purpose is operating as a restaurant.

“Establishment” means any indoor or outdoor room, place, space, or private club in the City open for the serving of the public or members. Establishment includes parking spaces, or parking lots provided for or used by the after-hours club customers and under the control of the licensee.

“Security personnel” shall mean a security guard, bouncer, door person, or any person performing similar duties who is present at an after-hours club to provide crowd control; protect persons or property from harm or unlawful activity; deter, observe, and detect unlawful or unauthorized activity; or supervise entry and exit at the establishment.

“Written safety plan” means a written document submitted with the after-hours club license that includes, at a minimum, the following information about the establishment:

1. The number of security personnel and where they will be/are located throughout the establishment.
2. Procedures for verifying security personnel are properly licensed as required in TMC 6B.70. Records of current security personnel must be available upon request by a public official.
3. Procedures for checking identification and searching patrons;
4. Procedures for handling violent incidents, other emergencies, and calling the Tacoma Police Department;
5. A description of the training provided or completed by the security and other personnel, including conflict de-escalation training;
6. Procedures for crowd control and preventing overcrowding;
7. Procedures for mitigating disturbances and nuisance activities occurring outside the premises, including property adjacent to or in proximity to the establishment, from patrons entering and leaving the establishment, i.e. loitering, vandalism, noise, parking, and crowd dispersal;
8. Hours of operation; and

9. Current contact information for the person or position responsible for addressing safety, security, or City code-related complaints by patrons or neighborhood residents.

10. Detailed description of the activity to be provided at the establishment.

**6B.240.030 License fee.**

The license fee for an After-Hours Club is hereby fixed at \$300.

**6B.240.040 Security requirements.**

An after-hours club shall:

A. Employ at least two security personnel during operating hours between 2 a.m. and 6 a.m. to maintain order and ensure compliance with laws and license requirements related to the operation of the business. All security personnel must be licensed as outlined in chapter 6B.70;

B. Operate video surveillance at each point of entry and maintain all recordings for at least 5 calendar days; and

C. Take steps such as metal detectors, metal-detecting wands, or pat-downs to detect weapons and prevent them from entering the establishment.

**6B.240.050 Reports to the Police Chief – Written Safety Plan.**

A. The licensee of any establishment shall file with the license application a written safety plan, as defined in this chapter.

B. Licensees shall file their Written Safety Plans upon initial application with the Director, who shall distribute them to the Tacoma Police Department. No licensee may open to the public without filing a Written Safety Plan in accordance with this section and receiving notification that the After-Hours Club license has been approved by the City.

C. Licensees shall make an updated copy of their Written Safety Plan available for review by their employees. The safety plan shall be made available upon request by public officials, patrons, or neighborhood residents.

D. The Written Safety Plan must be reviewed at least once every year by the licensee. If there are any changes from the original Written Safety Plan filed upon initial application, an updated Written Safety Plan must be submitted to the Director with the next annual license renewal.

**6B.240.060 Licensing Prohibited.**

The Director may deny, suspend, or revoke any after-hours club license if:

1. Within seven years of the date of application, the applicant has had a felony conviction, bail forfeiture, or other final adverse finding involving crimes reasonably related to the licensee's ability to safely operate or manage an after-hours club, including but not limited to, homicide, assault, sex offenses, robbery, extortion, kidnapping, harassment, malicious mischief, firearms offenses, rendering criminal assistance, and violations of the uniform controlled substances act, or is required to register as a sex offender, pursuant to RCW 9A.44.130

2. Within three years of the date of application, the licensee has had a misdemeanor conviction, bail forfeiture, or other final adverse finding involving crimes reasonably related to the licensee's ability to safely operate or manage an after-hours club, including but not limited to, assault, sex offenses, harassment, malicious mischief, rendering criminal assistance, obstructing a police officer, resisting arrest, and violations of the uniform controlled substances act or equivalent offenses under a municipal code;

3. Within three years of the date of application, the licensee has been found, either through a criminal conviction, bail forfeiture, or other final adverse finding (including a civil suit or administrative proceeding) to have exhibited past conduct in working at or operating or managing an after-hours club or similar establishment which is reasonably related to the licensee's fitness or ability to operate or manage an after-hours club;

4. Within three years of the date of application, the licensee engaged in conduct which would lead the Director to reasonably conclude that the licensee will not comply with the provisions of the chapter and the safe operation of the after-hours club.

5. The Director reasonably concludes that the licensee will not comply with the provisions of the chapter or the licensee's operation of the establishment will likely endanger public health or safety. The Director may consider any relevant matter including illegal activity associated with the licensee's operation of any other similar business activity or the conduct of the licensee's patrons inside or outside a similar business that licensee operated or managed.

6. For any reason in TMC 6B.10.140.

7. The Director may deny, suspend, or revoke any license if:

a. the business is conducted by a manager or agent and the manager or agent could be denied a license if they were the applicant;

b. the business is owned by a partnership and any of the partners could be denied a license; or

c. the business is owned by a corporation and a director, officer, or manager of the corporation could be denied a license.

B. Any licensee who is issued a denial, suspension, or revocation of a license under this chapter may appeal the denial, suspension, or revocation, as provided in TMC 6B.10.140.

C. If the City denies, revokes or suspends a license, the licensee or person in control of the business will be denied future application for a license under this chapter.

#### **6B.240.070 Activity not permitted.**

No after-hours club shall:

A. Be open between 6 a.m. and 10 a.m.;

B. Allow the entry of a person under 21 years of age;

C. Sell, give, or otherwise supply liquor to any person between the hours of 2 a.m. and 6 a.m.;

D. Allow the consumption of liquor on the premises between the hours of 2 a.m. and 6 a.m.; or

E. Provide or allow entertainment activity as defined in TMC 6B.70 and 6B.80 between the hours of 2 a.m. and 6 a.m.

#### **6B.240.080 Activity not permitted at establishments - Inspection of premises.**

A. No business activity is permitted prior to license approval. Applicants shall allow the premises sought to be licensed under this Chapter to be inspected by the Director and/or public officials for the purpose of ensuring public safety and that the applicant meets all licensing requirements. Failure to grant access shall result in denial of the license application and/or cause for summary suspension of the license.

B. Licensees shall provide the Director and/or public officials access to any open public areas of an after-hours club whenever guests, patrons, or club members are present for the purpose of inspection in accordance with TMC 6B.10.180.

