

Chapter 6B.70

ENTERTAINMENT/DANCING – ALCOHOL SERVED

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6B.70.005 Purpose.

The purpose of this chapter is to regulate the operation of entertainment and dancing establishment where alcohol is served for the protection of the public welfare, health, and safety of those that attend and patronize these establishments by:

- A. Requiring licenses for entertainment or dancing establishments where alcohol is served;
- B. Requiring reports to the Fire Marshal;
- C. Requiring reports to the Police Chief; and
- D. Requiring security personnel to be licensed when an entertainment or dancing establishment uses security personnel to provide crowd control; protect persons or property from harm or unlawful activity; deter, observe, or detect unlawful or unauthorized activity; or supervise entry and exit at the establishment.

(Ord. 27853 Ex. A; passed Dec. 8, 2009; Ord. 27588 Ex. B; passed Feb. 20, 2007)

6B.70.010 License required.

It is unlawful for any person to operate or engage in the business of operating an entertainment or dancing establishment in the City without first obtaining a license pursuant to the provisions of this chapter. For purposes of this chapter, this license is referred to as an “dancing/entertainment/dancing” license.”

(Ord. 27853 Ex. A; passed Dec. 8, 2009; Ord. 27297 § 1; passed Nov. 23, 2004)

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

B. “Entertainment” means ~~an activity where any room, place, space, or private club in the City open for the serving of the public or member, in which the public,~~ members, guests, patrons, entertainers, or other person ~~are permitted to 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~~the 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, ~~except shows licensed under Chapter 6B.230,~~ 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. ~~“Liquor” shall have the same meaning as in RCW 66.04.010.~~ “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 a business that provides ~~“dancing” or~~ “entertainment.”

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

~~ED.~~ “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.

~~FE.~~ “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. 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.”

G. “Temporary event” means an entertainment event in duration of less than 11 days, held at an establishment that does not have a valid entertainment license issued under chapter 6B.70.

~~FH.~~ “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 Control Board’s Mandatory Alcohol Server Training that can be applied to security personnel.

~~IG.~~ “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. All security personnel must be licensed as required by this chapter.
2. Procedures for checking identification and searching patrons;
3. Procedures for ensuring that only persons 21 years or older are served alcohol or allowed in areas restricted to persons over 21 years;
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 disturbances outside the premises from patrons leaving the establishment, i.e. loitering, vandalism, noise, parking, and crowd dispersal;
8. Current hours of operation and anticipated 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.

(Ord. 27905 Ex. A; passed Jul. 20, 2010; Ord. 27853 Ex. A; passed Dec. 8, 2009; Ord. 27588 Ex. B; passed Feb. 20, 2007; Ord. 27297 § 1; passed Nov. 23, 2004)

6B.70.040 Entertainment License fees.

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

Entertainment/Dancing Class License	First Year <u>or</u> <u>Temporary</u>	Renewal
Class ”A”	\$2,400	\$600

Class "B"	\$450	\$300
Class "C"	\$180	\$120

(Ord. 27853 Ex. A; passed Dec. 8, 2009; Ord. 27297 § 1; passed Nov. 23, 2004)

6B.70.043 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. Entertainment sponsored by any local or state government;
- B. Special events receiving a Special Event permit issued by the City of Tacoma or Metro Parks; or
- C. Entertainment provided for invited guests at a private event such as a wedding reception, banquet, or celebration where there is no admission charge.

6B.70.045 Reports to the Fire Marshal.

A. The licensee, owner, or operator of any establishment with a building occupancy of more than 99 persons that offers entertainment ~~or dancing~~, as defined in this chapter, shall file with the license application the following:

1. Building information regarding square feet and number of exits;
2. Operational plan and scope of event or business activities;
3. A fire evacuation and fire safety plan for the building, as required in section 404 of the International Fire Code;
4. A plan for quarterly fire drills by employees, as required in section 405 of the International Fire Code; and
5. Any other required reports upon renewal of the Annual Assembly Permit, as defined in Section 3.09.038 TMC.

~~B. Updated reports must be submitted annually with the license renewal.~~

(Ord. 28023 Ex. A; passed Oct. 11, 2011; Ord. 27905 Ex. A; passed Jul. 20, 2010; Ord. 27853 Ex. A; passed Dec. 8, 2009; Ord. 27588 Ex. B; passed Feb. 20, 2007)

6B.70.047 Reports to the Police Chief.

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

B. Establishments shall file their written safety plans upon initial application with the Director, who shall distribute them to the Tacoma Police Department. ~~For existing establishments, safety plans shall be filed within forty five (45) days of the effective date of this ordinance. New establishments shall file safety plans with the initial application. No establishment may open to the public without filing a written safety plan in accordance with this section and receiving notification that the Entertainment/Dancing license has been approved by the City.~~

C. Establishments shall make an updated copy of their safety plan available for review by the establishment's employees. The safety plan shall be made available upon request by the City, patrons, or neighborhood residents.

~~D. The written safety plan must be reviewed at least once every year by the business owner. If there are any changes from the original written safety plan filed upon initial application An updated safety plan must be submitted to the Director with the next annual license renewal. annually with the license renewal.~~

E. Temporary events as defined in this chapter shall, at least 15 business days prior to the start of the event, file a written safety plan with application to the Director, who shall distribute to the Tacoma Police Department. No temporary event may open to the public without filing a written safety plan in accordance with this section and receiving notification that the Entertainment/Dancing license has been approved by the City.

(Ord. 27853 Ex. A; passed Dec. 8, 2009)

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

A. 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, ~~and submit with his or her application a current full face digital photograph of the applicant or consent to a full face photograph taken by the director, size of two inches square.~~ Applicants previously licensed and fingerprinted will not be required to again be fingerprinted if reapplication is received within five years of initial licensing; and

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

B. Proof of attendance from a training program, as defined in this ~~chapter, that~~ chapter, that is provided by the City ~~or recognized by the City~~ must be submitted within ~~90-10~~ days ~~of from initial application or proof of a training program recognized by the City may be submitted with the initial application. received or license will be denied.~~

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

D. No person may work as security personnel at an entertainment or dancing establishment without obtaining a security personnel license; ~~PP~~ Provided, however, that persons may perform these functions without a security personnel license at a private club that has a valid “club license” issued by the Washington State Liquor Control Board and complies with all requirements of RCW 66.24.450 and chapter 314-40 WAC.

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.

(Ord. 28023 Ex. A; passed Oct. 11, 2011: Ord. 27853 Ex. A; passed Dec. 8, 2009)

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 ten 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 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 has had a misdemeanor conviction, bail forfeiture, or other final adverse finding involving crimes reasonably related to the applicant’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 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 his or her fitness or ability to work as security personnel;

4. Within three years of the date of application, the applicant engaged in conduct which would lead the Director to reasonably conclude that the applicant 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 or Section 6B.10.170 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 will not comply with the provisions of the chapter or the applicant'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 operation of any other similar business or the conduct of the applicant's patrons inside or outside a similar business that applicant 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 he or she 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 who is denied 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.

(Ord. 28023 Ex. A; passed Oct 11, 2011; Ord. 27853 Ex. A; passed Dec. 8, 2009; Ord. 27297 § 1; passed Nov. 23, 2004)

Chapter 6B.80

ENTERTAINMENT/DANCING – ~~NO ALCOHOL SERVED AND TEENAGE DANCE OR~~ ~~SKATING RINKS – ALL AGES~~

Sections:

- 6B.80.005 Purpose.
- 6B.80.010 License required.
- 6B.80.020 Definitions.
- 6B.80.030 License fees.
- 6B.80.035 Exemptions.
- 6B.80.040 Reports to Chief of Police.
- 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 Use of intoxicants or narcotic substances.
- 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 Teen Dance Committee may make rules and regulations.

6B.80.005 Purpose.

The purpose of this chapter is to regulate the operation of ~~public dance halls~~, entertainment and dancing establishments ~~where no alcohol is served, roller or ice skating rinks~~ for the protection of the public welfare, health and safety of those that attend and patronize these establishments by:

- A. Requiring licenses for ~~public dance halls~~, entertainment and dancing establishments where alcohol is not served, ~~roller skating or ice skating rinks~~;
- B. Establishing minimum standards for adequate lighting and sanitary conditions of the premises;
- C. Requiring reports to the Chief of Police and Fire Marshall;
- D. Requiring permits for teen dances; ~~and~~
- E. Establishing teen dance regulations; and;

F. Requiring security personnel to be licensed when an entertainment or dancing establishment uses security personnel to provide crowd control; protect persons or property from harm or unlawful activity; deter, observe, or detect unlawful or unauthorized activity; or supervise entry and exit at the establishment.

(Ord. 28024 Ex. A; passed Oct. 11, 2011; Ord. 27588 Ex. C; passed Feb. 20, 2007)

6B.80.010 License required.

It shall be unlawful for any person to conduct or engage in the business of operating ~~a public dance hall, an~~ entertainment establishment, ~~roller skating rink or ice skating rink~~ in the City without having first obtained a license pursuant to the provisions of this chapter.

It shall be unlawful to conduct or sponsor any teenage dance in the City without having first obtained a written permit to do so authorized by the Teenage Dance Committee, and except in full compliance with all of the conditions and provisions herein provided for.

(Ord. 27588 Ex. C; passed Feb. 20, 2007; Ord. 27297 § 1; passed Nov. 23, 2004)

6B.80.020 Definitions.

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

“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 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 guests or 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 as a “public dance hall,” “skating rink,” “teenage dance” or providing entertainment at a location, inside or outside, as defined in this chapter.”

“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, held at an establishment that does not have a valid entertainment license issued under chapter 6B.70 or 6B.80. means an event that is open to the public for a period not to exceed ten consecutive days.

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

1. When using security personnel, identify the number of security personnel and where they will be/are located throughout the establishment. All security personnel must be licensed as required by chapter 6B.70.
2. Procedures for checking identification and searching patrons;
3. Procedures for handling violent incidents, other emergencies, and calling the Tacoma Police Department;
4. A description of the training provided or completed by the security and other personnel, including conflict de-escalation training;
5. Procedures for crowd control and preventing overcrowding;
6. Procedures for disturbances outside the premises from patrons leaving the establishment, i.e. loitering, vandalism, noise, parking, and crowd dispersal;
7. Current hours of operation and anticipated hours of operation; and
8. Current contact information for the person or position responsible for addressing safety, security, or City code-related complaints by patrons or neighborhood residents.

(Ord. 28024 Ex. A; passed Oct. 11, 2011: Ord. 27588 Ex. C; passed Feb. 20, 2007: Ord. 27297 § 1; passed Nov. 23, 2004)

6B.80.030 License fees.

A. The license fees for ~~public dance halls, an entertainment~~ establishments, ~~roller skating rinks, or ice skating rinks~~ are hereby fixed as follows:

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

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

Charitable Organization	\$25
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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.

(Ord. 28024 Ex. A; passed Oct. 11, 2011: Ord. 27588 Ex. C; passed Feb. 20, 2007: Ord. 27406 § 7; passed Aug. 30, 2005: Ord. 27297 § 1; passed Nov. 23, 2004)

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 a theater, permanent building, or auditorium licensed under this chapter;~~

~~DC.~~ Entertainment sponsored by any local or state government agency of the city of Tacoma, the county of Pierce, the various boards of education, or by any other political subdivision of the state of Washington;

~~ED.~~ Entertainment provided for members and their guests at a 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;

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

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

~~HG.~~ 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;

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

~~JL~~ 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;

~~KJ.~~ Entertainment consisting of ambient or incidental music provided for guests or patrons by 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;

~~LK.~~ 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 6B.30, Adult Entertainment or; 6B.70, Entertainment/Dancing – alcohol served; ~~or 6B.230, Temporary Licenses – Sales or shows.~~

M. Baseball, football or other athletic games.

(Ord. 28024 Ex. A; passed Oct. 11, 2011; Ord. 27588 Ex. C; passed Feb. 20, 2007)

6B.80.040 Reports to Chief of Police.

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

B. Establishments shall file their written safety plans upon initial application with the Director, who shall distribute them to the Tacoma Police Department. ~~For existing establishments, safety plans shall be filed within forty-five (45) days of the effective date of this ordinance. New establishments shall file safety plans with the initial application.~~ No establishment may open to the public without filing a written safety plan in accordance with this section and receiving notification that the Entertainment/Dancing license has been approved by the City.

C. Establishments shall make an updated copy of their safety plan available for review by the establishment's employees. The safety plan shall be made available upon request by the City, patrons, or neighborhood residents.

D. The written safety plan must be reviewed at least once every year by the business owner. If there are any changes from the original written safety plan submitted upon initial application ~~An updated safety plan must be submitted to the Director with the next annual license renewal annually with the license renewal.~~

~~E~~The owner or operator of any establishment not open or operated on a regular schedule shall file with the Chief of Police not less than 48 hours prior to the time of holding or opening such establishment a notice of such intention to so open and conduct such an operation. ~~Temporary events as defined in this chapter shall, at least 15 business days prior to the start of the event, file a written safety plan with application to the Director, who shall distribute to the Tacoma Police Department. No temporary event may open to the public without filing a written safety plan in~~

accordance with this section and receiving notification that the Entertainment/Dancing license has been approved by the City.

(Ord. 28024 Ex. A; passed Oct. 11, 2011; Ord. 27588 Ex. C; passed Feb. 20, 2007; Ord. 27297 § 1; passed Nov. 23, 2004)

6B.80.045 Reports to the Fire Marshal.

A. The licensee, owner, or operator of any establishment with a building occupancy of more than 99 persons that meets the definition for establishment ~~„public dance hall, or skating rink,~~ as defined in this chapter, shall file with the license application the following:

- (a) Building information regarding square feet and number of exits;
2. Operational plan, and scope of business or event activity;
3. A fire evacuation and fire safety plan for the building, as required in section 404 of the International Fire Code;
4. A plan for quarterly fire drills by employees, as required in section 405 of the International Fire Code; and
5. Any other required reports upon renewal of the Annual Assembly Permit, as defined in Section 3.09.038 TMC.

B. No business activity is permitted prior to the license approval. Existing buildings will be subject to inspection for compliance with the code requirements for places of assembly. Buildings not meeting the requirements for an entertainment establishment, public dance hall, or skating rink occupancy, as adopted in Title 2 or Title 3, shall *not* be permitted to be used for the same purposes.

(Ord. 28024 Ex. A; passed Oct. 11, 2011; Ord. 27588 Ex. C; passed Feb. 20, 2007)

6B.80.050 Condition of premises – Lighting.

Every ~~public dance hall and skating rink~~ entertainment establishment shall at all times be kept in a clean, healthful, sanitary condition, and all stairways, halls, passages, and rooms connected with such ~~dance hall or skating rink~~ establishment shall be kept open and well lighted. During hours of darkness, every ~~dance hall and skating rink~~ establishment shall be lighted in such a manner and to such an extent as is usual or customary for lighting of halls or rooms of like dimensions during the hours of darkness for public assemblies before any person is admitted thereto and before any ~~dancing or skating~~ entertainment is commenced therein; provided, however, that a minimum level of 30 lux horizontal measured at 30 inches from the floor on 10-foot centers shall be established for all areas thereof; such lighting or illumination shall be maintained thereafter throughout the entire time while such ~~dance hall or skating rink~~ establishment is open or ~~dancing or skating~~ entertainment is in progress therein and during any recess or other intermission, without diminution and without interruption until such activity is concluded and until such ~~hall or skating rink~~ establishment is cleared and closed.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.80.060 Hours.

All ~~public dances~~ entertainment establishments shall ~~be discontinued and all public dance halls and skating rinks shall be closed before 2:00 a.m. and shall remain closed until 6:00 a.m. on the same day unless authorized by the Director;~~ provided that, upon the application of a bona fide and reputable organization or society and for good cause shown, the Director may grant permission to such organization or society to hold or continue a dance after 2:00 a.m. if it shall find that the same may be conducted without undue annoyance to any considerable number of people; provided, further, that on December 31, the hour of opening shall not be earlier than 6:00 a.m., and the hour of closing next following shall not be later than 3:00 a.m. New Year's Day; provided, further, that upon the application of a bona fide and reputable organization or society and for good cause shown, the Director may grant permission to such organization or society to hold or continue a dance after 3:00 a.m. on New Year's Day if it shall find that the same may be conducted without undue annoyance to any considerable number of people.; provided, further, that the above hours of operation for public dances and public dance halls shall not apply to those conducted or operated in the following zoning districts of the City: Urban Center Mixed Use District ("UCX"); Urban Center Mixed Use District Tacoma Dome ("UCX TD"); Downtown Commercial Core District ("DCC"); Warehouse/Residential District ("WR"); and Downtown Mixed Use District ("DMU").

(Ord. 28024 Ex. A; passed Oct. 11, 2011; Ord. 27297 § 1; passed Nov. 23, 2004)

6B.80.080 Conduct and inspection.

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 or permit any prostitution or disorderly conduct, nor shall allow~~ any person under the influence of ~~illegal~~intoxicating or narcotic substances ~~be allowed~~ to enter or remain in any such establishment. ~~No dance or manner of skating of a gross or vulgar character shall be permitted in any dance hall or skating rink, and no person shall be permitted to conduct himself or herself in a disorderly manner in such a place. No undue familiarity between partners shall be permitted. Inspectors detailed by the Chief of Police shall have full power to decide what is proper or permissible in this connection, and upon notice to the person in charge of the establishment of disorderly conduct, such person shall at once cause such conduct to cease.~~ The licensee, business owner, manager, or other responsible party shall allow entry by City of Tacoma officials for the purposes of ensuring for public safety at any time the facility is open. Denial of entry is cause for summary suspension of the license.

(Ord. 28024 Ex. A; passed Oct. 11, 2011; Ord. 27588 Ex. C; passed Feb. 20, 2007; Ord. 27297 § 1; passed Nov. 23, 2004)

~~**6B.80.090 Use of intoxicants or narcotic substances.**~~

~~No intoxicating beverages or narcotics shall be sold, consumed, or available at any public dance hall, except as may be authorized in a cabaret duly licensed pursuant to Chapter 6B.70, or skating rink.~~

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.80.110 Teenage Dance Committee.

A committee, which shall be known as the Teenage Dance Committee, is hereby established. The Committee shall consist of four members, one of whom shall be the Chief of Police of the City or his or her designated representative; one of whom shall be the Director of Finance or his or her designated representative; one of whom shall be the ~~Executive Director of the Human Rights and Human Services~~Director of Neighborhood and Community Services Department or his or her designated representative; and one of whom shall be appointed by the Office of the City Manager.

(Ord. 27297 § 1; passed Nov. 23, 2004)

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 ~~public dance hall license~~eEntertainment/Dancing – No Alcohol 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 ~~15 days prior to any dance; provided, however, any sponsor or applicant applying for such a permit for the first time shall be required to submit such initial application 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.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.80.140 Teen dance regulations.

A. No minor admitted to a teenage dance shall be permitted to leave and thereafter re-enter the dancing premises during the course of the event, and no pass-out checks shall be issued except in emergencies and when authorized specifically by the person in charge of said dance.

B. No ~~illegal substances intoxicating beverages or narcotics~~ shall be sold, consumed, or available on the premises in or about which any teenage dance is held.

C. Admission to a teenage dance shall be denied to any person under the influence of any ~~intoxicating or narcotic~~ illegal substance, or having any such substance in his or her possession.

D. Sufficient adult supervision shall be provided by the sponsor at all teenage dances to insure that accepted standards of social conduct are followed.

E. No dancing at any teenage dance shall be permitted after the hour of 12:00 midnight unless the permit issued for that dance specifically authorizes the continuance for a later hour. Authorization to continue dancing after the hour of 12:00 midnight may be approved within the discretion of the Committee.

F. No person of the age of 21 years or more and no person under the age of 16 years shall attend any teenage dance as a participant; provided, however, that any person having satisfactory proof of current senior high school attendance shall be eligible to attend such dance as a participant. This does not prohibit the attendance of chaperons and parents or others who do not participate in the dancing, nor does it prohibit persons employed as entertainers or musicians at such dances.

G. It shall be unlawful and constitute a violation of this chapter for any person who is not eligible for admittance to a teenage dance to loiter around or about the premises at which such dance is being held.

H. The provisions and conditions contained in Sections 6B.80.050 and 6B.80.080, both inclusive, and as they may be amended, shall likewise apply to teenage dances when such provisions are applicable and not in conflict with the provisions herein contained. Teenage dances shall in no way be construed as public dances.

(Ord. 27406 § 8; passed Aug. 30, 2005; Ord. 27297 § 1; passed Nov. 23, 2004)

~~6B.80.150 — Teen Dance Committee may make rules and regulations.~~

~~The Committee is hereby authorized and empowered to adopt such rules and regulations not inconsistent herewith as it may deem necessary to carry out the purpose of this chapter.~~

Chapter 6B.230

TEMPORARY ~~EVENT – MULTIPLE VENDOR LICENSES– SALES~~ ~~OR SHOWS~~

Sections:

6B.230.010 License ~~required.~~

6B.230.020 Definitions.

6B.230.030 License fees – ~~List of vendors.~~

~~6B.230.040 Special event exclusions.~~

~~6B.230.050 Exemptions.~~

~~6B.230.060 Special event requirements.~~

6B.230.010 License ~~required.~~

~~A. Show. It shall be unlawful for any person to operate, conduct, present or stage any temporary show without first obtaining a license pursuant to the provisions of this chapter.~~

~~B. Special event. It shall be unlawful for~~ Any person ~~acting to act as a promoter vendor of in~~ a temporary ~~show event without first obtaining the necessary~~ may obtain a multiple vendor's license ~~in lieu of each vendor obtaining a license as required under TMC 6B.20 and remitting tax as required under TMC 6A.30.~~

~~C. Transient stock. It shall be unlawful for any person to sell or offer for sale any transient stock of goods in the City without first obtaining a license pursuant to the provisions of this chapter.~~

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.230.020 Definitions.

As used in this chapter, the following terms have the meanings indicated:

“Event” means ~~any show in duration not more than one week an event open to the public for a period not to exceed seven consecutive days that is a congregation of five or more vendors. Examples of multiple vendor events include, but are not limited to, trade shows, festivals, fairs, arts and crafts shows, home shows, recreational vehicle shows, boat shows, or antique shows open to the public.~~

“Promoter” means any person engaged in the business of offering to any vendor, directly, or indirectly, ~~a sales area~~ within at a an special event location for the purpose of using such area during the term of the ~~special event license event.~~

“Sales area” means any stall, booth, stand, space, section, unit, or specified floor area ~~within at any special an event location~~ where goods or services are offered ~~or displayed~~ by a vendor for the purpose of ~~sale, trade, barter, exchange or advertisement engaging in business.~~

~~“Show” means any temporary public exhibition of entertainment, including, but not limited to, any circus, carnival, festival, motocross, motor sport, rodeo, trained animal show, dance performance, play, or other organized performances and/or exhibitions.~~

“Special event” means the congregation of a minimum of 15 vendors who are dealers, demonstrators, sellers or traders who rent, lease, purchase or otherwise obtain a sales area from a promoter for the purpose of selling, bartering, exchanging, trading or displaying goods or services.

“Special event location” means any area open to the public wherein vendors, dealers, sellers, traders or advertisers congregate for the purpose of participating in a special event.

“Temporary” means an event that is open to the public for a period not to exceed ten consecutive days.

“Transient stocks” means any stock of goods, wares or merchandise brought into the City temporarily for disposal, as distinguished from stocks of goods, wares and merchandise brought into the City in connection with operation of a merchandising business permanently operated in the City or in connection with an organized public Ex. or show, convention, conference activity or trade show, all in which multiple vendors participate and the duration of which is ten consecutive days or less.

“Vendor” means any person who ~~exhibits goods or services in a multiple sales area at any multiple sales location for the purpose of selling, bartering, trading, exchanging, or advertising such goods or services.~~ rents, leases, purchases or otherwise obtains a sales area from a promoter for the purpose of engaging in business at an event. The term “vendor” does not include:

(a) organizations that confine its activities to distributing literature and products that have no intrinsic value or soliciting donations of services of volunteers, (b) persons licensed under TMC 6B.20 during the term of the event, (c) persons exempt under TMC 6B.20, (d) farmers as defined in TMC 6A.30, and (e) persons exempt from licensing pursuant to RCW 73.040.050.

(Ord. 27406 § 26; passed Aug. 30, 2005; Ord. 27297 § 1; passed Nov. 23, 2004)

6B.230.030 License fees – List of vendors.

A. The license fee shall be \$5 per vendor per day.

B. The license fee shall be collected by the promoter and shall be submitted to the Department at least three calendar days prior to the commencement of the event, along with a list of the total number of vendors participating at the event for which the license is sought, to include the vendor's name, business address, and phone number, and a general description of the goods and/or services offered by each vendor.

Type of license	Fee
Special event, per vendor per day	\$5
Transient stock, per day	\$200
Show, per event	\$50
Show, per year	\$260

(Ord. 27406 § 27; passed Aug. 30, 2005; Ord. 27297 § 1; passed Nov. 23, 2004)

6B.230.040—Special event exclusions.

~~Vendors excluded from the provisions of this chapter and the licensing requirements of this chapter are those who participate in a show at which attendance is restricted and which show is not open to the public. Also excluded are vendors at flea markets, swap meets, transient stock vendors licensed under this chapter, and dealers of secondhand merchandise who are licensed under Chapter 6B.160 (not including vendors at antique shows).~~

~~(Ord. 27297 § 1; passed Nov. 23, 2004)~~

6B.230.050—Exemptions.

~~Vendors licensed under Chapters 6A.30 and 6B.20 are exempt from the provisions for the term and activity for which the license was issued. In addition, the following are exempt:~~

~~A. Amateur or other exhibitions given solely for the benefit of any charitable organizations, or literary organization, and amateur or little theater productions.~~

~~B. Baseball, football, and other athletic games.~~

~~C. Motion picture theaters.~~

~~D. Temporary events that are operated within a theater, permanent building, or auditorium licensed under this chapter.~~

~~E. Holders of entertainment and dancing licenses issued pursuant to Chapters 6B.70 or 6B.80.~~

~~(Ord. 27297 § 1; passed Nov. 23, 2004)~~

6B.230.060—Special event requirements.

~~The promoter shall submit to the Department a list of the total number of vendors participating at the event for which the license is sought, which list shall include the vendor's name, address, and business phone number, along with a general description of the goods and/or services offered by each vendor.~~

~~The license fee shall be collected by the promoter and held in trust for the City. It shall be remitted to the Department three days prior to the commencement of the event. There shall be personal liability for any sums collected, or any sum which should have been collected on the part of the person ultimately responsible for collection or payment of the license fee.~~

~~If any corporation required to collect or remit a tax amount due to the City under the provisions of this chapter fails, for any reason, to make such collection or payment, any of its officers or employees having control or supervision of or charged with the responsibility of making such collection or payment shall be personally liable for such failure. The dissolution of a~~

~~corporation shall not discharge an official's or employee's liability for a prior failure of the corporation to collect or pay the amount due.~~

~~(Ord. 27297 § 1; passed Nov. 23, 2004)~~