

Chapter 318, PUBLIC ASSEMBLY

[HISTORY: Adopted by the City Council of the City of Binghamton as indicated in article histories.
Amendments noted where applicable.]

GENERAL REFERENCES

Alcoholic beverages -- See Ch. 170.

Amusements -- See Ch. 173.

Bingo and games of chance -- See Ch. 189.

Curfew -- See Ch. 211.

ARTICLE I, Bowling [Adopted 10-5-1970 (Ch. 3, Art. III, §§ 3-36 through 3-40, of the 1970 Code)]

§ 318-1. Licensing.

- A. Required; exception. No person within the limits of the City shall keep or maintain any public bowling alley or any room in which games of bowling are carried on for the playing of which any compensation, direct or indirect, shall be demanded or received, without first having secured a license therefor. No person shall permit any room or building owned or controlled by him or her to be used for the purpose of a public bowling alley unless the same shall be licensed as herein provided. The provisions of this section shall not apply to any club or organization formed in good faith, the privileges of which shall be enjoyed only by members thereof who pay for such privilege a stated sum as a membership fee, and by their invited guests.
- B. Issuance. The license required hereunder shall be issued by the City Clerk, in his or her discretion, upon payment by the person applying therefor of the fee fixed in Subsection C hereof.
- C. Fee. The fee for a license required under the provisions of this article shall be as set from time to time. For fractions of a year such fee shall be prorated upon the basis of the number of months remaining to January 31 following, and for such prorating a part of a month shall be counted as a full month.
- D. Expiration. All licenses issued under the provisions of this article shall expire on the 31st day of January succeeding the issuing thereof.
- E. Revocation. Any license issued under the provisions of this article may be cancelled by the Mayor upon a violation of any of the provisions of this article by the person to whom such license shall have been issued.

§ 318-2. License not to issue to certain persons.

No license required under § 318-1 shall be issued to any person under the age of 21 years, nor shall such license be issued to any person who has been convicted of a felony, nor to any person who, having been previously licensed to conduct a bowling alley, shall have had said license revoked during the year immediately preceding the time of making the application for such license.

§ 318-3. Gambling prohibited.

No person licensed as prescribed in this article shall permit or suffer any gambling to be carried on in the licensed premises.

ARTICLE II, Dance Halls [Adopted 10-5-1970 (Ch. 3, Art. V, §§ 3-68 through 3-75, of the 1970 Code)]

§ 318-4. License required. [Amended 12-4-2006 by L.L. No. 2-2006]

No dance for which admission can be had by paying for the right to be admitted or to which admission can be had by the purchase, possession or presentation of a ticket or token, or to which admission can be had by the purchase of liquid refreshments to be consumed on or off the premises, or at which a charge is made for caring for clothing or other property or at which a charge is made for any purpose in lieu of an admission charge shall be conducted within the corporate limits of the City unless a license therefor has first been obtained from the City Clerk, to conduct the same at a place designated therein and subject to the conditions contained in this article.

§ 318-5. Issuance of license; fee. [Amended 12-4-2006 by L.L. No. 2-2006]

The City Clerk shall issue licenses to the persons and under the conditions set forth in this article, and the license shall be in writing, stating the time and place of the dance so licensed and the City Clerk shall require a fee as set from time to time for the issuance of each license, which fee shall be paid over by the City Clerk to the City Treasurer (See Exhibit J).

§ 318-6. Yearly license. [Amended 12-4-2006 by L.L. No. 2-2006]

- A. Issuance authorized; license nontransferable; expiration. The City Clerk may grant to any such person a license to be known as a "yearly license," which shall entitle the licensee to conduct public dances on any or all days of the calendar year of the issuance of said license, excepting Sundays, in a hall or other place to be specified in such license. This license shall not be transferable and shall apply to and cover only the calendar year in which it is issued from the date thereof to December 31 of the same year.
- B. Fees; disposition. The City Clerk shall require a fee as set from time to time for the issuance of each yearly license (See Exhibit J).

§ 318-7. Character of license applicant. [Amended 12-4-2006 by L.L. No. 2-2006]

The City Clerk may at any time grant to any person who shall produce to him or her satisfactory evidence of good character a license authorizing the conduct of a dance as set forth in this article.

§ 318-8. Conduct of dance without license prohibited; use of premises other than those designated in license.

It shall be unlawful for any person, directly or indirectly, to conduct a dance without being duly licensed, nor shall any person conduct a dance in any building or on any premises other than the building or premises designated in the license issued pursuant to the provisions of this article.

§ 318-9. Revocation of license.

The City Clerk shall have full power and authority to revoke any license issued under the provisions of this article.

§ 318-10. Frequenting of dances by certain persons prohibited.

It shall be unlawful for any person licensed hereunder to permit any person of bad character, prostitute, gambler, intoxicated person, or procurer to frequent or attend any dance held pursuant to the license obtained under the provisions of this article.

§ 318-11. Minors attending dances.

No person to whom a license has been issued under the provisions of this article shall permit any person under the age of 18 years to frequent or attend any dance unless accompanied by parent or guardian.

ARTICLE III, Theaters [Adopted 10-5-1970 (Ch. 12, § 12-3, of the 1970 Code)]

§ 318-12. Theater licenses. [Amended 10-1-1973 by Ord. No. 196-73; 11-18-1974 by Ord. No. 243-74]

- A. Fees for annual licenses. The annual license fees for the operation of the theaters hereinafter named, operated on weekdays only, and also the license fees for theaters which also operate on the first day of the week, commonly known as Sunday, shall be as set from time to time by the City Council (See Exhibit J).
- B. Expiration of annual license. All licenses issued under the provisions of Subsection A shall expire on the 31st day of January in each year.
- C. Daily licenses. In lieu of obtaining the annual license and paying the fee as set forth in Subsection A, the owner of a theater can obtain a license to operate the theater on certain days only. The license fee for the operation of a theater on a daily license is as set from time to time. Said license shall be obtained at least three days prior to the date or dates for which said license shall be issued, and the license fee shall be paid upon the issuance of the license. The license issued hereunder shall be valid only for such days as mentioned in the license.