

ORDINANCE NUMBER FIVE -38

A Bill for an Ordinance concerning dance halls, dancing licenses and providing penalties for the violation thereof.

Be it ordained by the Board of Trustees of the Town of Garden City:

Section 1. No person or persons, firm or corporation shall, without first having obtained a license therefor, carry on, conduct, maintain or permit, on any premises or within any building situate within the Town of Garden City, of which said premises said person or persons, firm or corporation shall be the owner, proprietor or lessee, and upon which said premises or within which building there is now conducted or shall hereafter be conducted, maintained, carried on or permitted the business of public or private dances or dancing of any nature or description.

Section 2. That the fee for any such license shall be the sum of fifty (\$50.00) dollars per annum.

Section 3. No such license shall be issued for any other period of time than six or twelve months as the applicant may designate in his application, nor until the whold of the license fee therefor shall have been paid, as herein provided.

Section 4. All applications for such license shall be made to the Board of Trustees of said Town and said Board shall have the right to refuse any applicant such license and such refusal may be made without giving the reasons therefor and shall be final.

Section 5. No such application shall be considered by said Board without being accompanied by a receipt from the Treasurer of said Town showing the payment of the license fee in full for the time mentioned in such application and also such application shall be accompanied by a bond in the penal sum of five hundred (\$500.00) dollars, payable to the People of the State of Colorado and the Town of Garden City, Colorado with sureties acceptable to the Board of Trustees of said Town and to be approved by said Board, the said bond to be conditioned, that the applicant will keep an orderly house, and that he will not violate any of the laws of the State of Colorado nor the ordinances of the Town of Garden City, and that he will pay any and all fines, penalties, forfeittr or damages adjudged against him for violation of said laws or ordinances.

NUMBER FIVE continued

Section 6. Any person, persons, firm or corporation, or any of their agents, servants or employees who shall carry on, conduct, maintain or permit any dance or dancing upon any such premises or in any such building as herein before described and in said town, without first having obtained a license as aforesaid or who shall violate any of the provisions of sections 1 to 5 inclusive of this ordinance, shall on conviction thereof, be guilty of a misdemeanor, and shall upon such conviction, be fined in a sum not less than fifteen (\$15.00) dollars and not more than one hundred (\$100.00) dollars for each and every such conviction, together with the costs of such conviction.

If any section, sub-section, paragraph, clause or phrase of this ordinance be held unconstitutional or invalid, it shall not affect the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed the remaining portions of said ordinance, notwithstanding the unconstitutionality or invalidity of such section, sub-section, paragraph, clause or phrase of this ordinance.

In the opinion of the Board of Trustees, an emergency exists; therefore, this ordinance shall take effect and be in force from and after its passage.

Passed and approved by the Board of Trustees of the Town of Garden City, Colorado, this 15th day of Sept, A. D. 1938.

APPROVED:

L. P. Norton
Mayor

ATTEST:

Walter E. Warner
Clerk