

## CHAPTER 12

### Miscellaneous Business Licenses

7-12-1 Transient and Temporary Public Entertainments

#### SEC. 7-12-1 TRANSIENT AND TEMPORARY PUBLIC ENTERTAINMENTS.

(a) **License Required.**

- (1) No person shall maintain or operate any transient or temporary public entertainment within the City without first obtaining a license therefore as hereinafter provided.
- (2) This Section does not require a license for the giving of fairs, lectures, concerts, exhibitions or entertainments of a scientific, historical, political, literary or musical character for humane, religious, charitable or scientific purposes.

(b) **Definition.** A transient or temporary public entertainment is one to which the public may gain admission by payment of an admission charge. It includes shows, circuses, exhibitions, carnivals and vaudeville.

(c) **Application.** Application for carnival licenses shall be made by the applicant to the Common Council in writing at least ten (10) days before the planned event and all of the information regarding insurance, etc., shall be filed within ten (10) days and referred to the Council for examination of the qualifications, character and reputation of the applicant and into the desirability of permitting the carnival to operate, show or exhibit in the City.

(d) **Requirements.**

- (1) Insurance Required. No license shall be granted unless the applicant therefore shall have filed with the Clerk-Treasurer a public liability insurance policy in a sum as set by the Clerk-Treasurer from time to time, with the condition that the applicant shall indemnify and save harmless the City and its officers and agents and citizens against any injuries and damages resulting or arising from the conducting of any carnival for which the license is issued or from the performance by the applicant or his agents of any negligence incident to or connected with the conduct of such carnival and that the applicant shall pay all judgments, costs and charges that may be recovered against the City or any of its officers or agents by reason of the conduct of such carnival.
- (2) License Fees Required. No permit shall be issued unless the applicant shall pay a permit fee for the operation or maintenance of the public entertainment as follows:
  - Carnivals – Twenty-five Dollars (\$25.00).
  - Circuses – Twenty-five Dollars (\$25.00).
  - Public Entertainment – Ten Dollars (\$10.00) per day, Twenty-five Dollars (\$25.00) per week.

All public entertainments listed in Subsection (b) shall be exempt from any license fee if sponsored by a nonprofit organization.

- (3) Posting of License. Such permits when issued shall be prominently displayed while the carnival is in operation.
- (4) Inspection of Mechanical Devices. The applicant shall indicate the date of the last State inspection of rides, merry-go-rounds and other mechanical devices. The City reserves the right to require inspections of all mechanical devices that would be available to the public. All inspection costs shall be paid for by the licensee.

- (e) **Revocation.** Any license granted by the Common Council under the provisions of this Section may be revoked by the Mayor or Chief of Police, including when the person who maintains, owns, controls or operates such carnival permits the violation of any provisions of this Code of Ordinances or State laws or where, in the opinion of the Mayor or Chief of Police, the carnival is deemed undesirable or presents a threat to the public safety. Revocations or suspensions may be appealed to the Common Council.