

CODE OF ORDINANCES
Chapter 6 - AMUSEMENTS AND ENTERTAINMENTS
ARTICLE IV. DANCE ENTERTAINMENT PREMISES

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DIVISION 1. GENERALLY

Sec. 6-136. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Dance entertainment premises means anything located at the bar, club, and/or restaurant operation, which is operated for the use of the customers of the bar, club, or restaurant, and does not constitute more than ten percent of the total floor area of the bar, club, or restaurant as established under the city occupancy permit.

Dance entertainment permit means a permit for live, recorded, or amplified music or entertainment events issued by the City Clerk, based on approval by the Liquor License Review Commission (LLRC), and city manager or designee, which conforms to the procedures and regulations of this article.

Operator means anyone operating dance entertainment premises, including any lessee or manager. In the case of an unincorporated club, partnership or association, a member thereof shall be specifically designated by such organization as the operator for purposes of this article.

Sec. 6-137. Penalty for violation of article.

- (1) For all businesses that are required to file with the Michigan Liquor Control Commission (MLCC). Any person who shall violate any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished according to the provisions of [section 1-18](#).
- (2) For all businesses that are not required to file with the Michigan Liquor Control Commission (MLCC). Any person who shall violate any provision of this article shall be deemed to have their permit revoked following the guidelines outlined under Sec. 6-143 of this article.

Sec. 6-138. Rules and Regulations.

- (1) For the purposes of this rules and regulations section, the following definitions shall apply to any dance entertainment premises:

Daytime. Shall mean 7:00 a.m. through 10:00 p.m. Sunday through Wednesday; 7:00 a.m. through 12:00 a.m. Thursday through Sunday and holidays.

Downtown District. As the term defined in the zoning ordinance.

Holiday. Shall mean those holidays recognized by the federal government.

Night. Shall mean 10:00 p.m. through 7:00 a.m. Sunday through Wednesday; 12:00 a.m. through 7:00 a.m. Thursday through Saturday and holidays.

Noise control. The combined noise of live, recorded, or amplified music, employees and patrons shall not be so loud as to be audible beyond the boundaries of the dance entertainment premises.

Noise producing devices. All musical devices, radios, mechanical pianos, phonographs, orchestras, or any other noise-producing device including, without being in limitation of such musical devices, a public address system which may be operated in connection with the business of any permittee, shall be housed within an enclosed building and so operated so as not to become a nuisance and so as not to disturb the peace and dignity of the people in the city.

CODE OF ORDINANCES
 Chapter 6 - AMUSEMENTS AND ENTERTAINMENTS
 ARTICLE IV. DANCE ENTERTAINMENT PREMISES

- (2) No outdoor music shall be provided in the downtown district which causes the noise level when measured at or within the real property boundary line of the receiving land use to exceed:

	Residential	
	Daytime	Night
Downtown District	65 dB(A)	55 dB(A)
Non District	60 dB(A)	55 dB(A)

	Commercial	
	Daytime	Night
Downtown District	75 dB(A)	60 dB(A)
Non District	65 dB(A)	60 dB(A)

- (3) No outdoor music shall be performed or played between the hours of 2:00 a.m. and 8:00 a.m.
- (4) Sound level measurements pursuant to this section shall be made at the receiving property and in accordance with the policy adopted by the Northville Police Department.

Sec. 6-139. Permit Requirements.

- (a) Descriptions shall be required for any and all objects which will be used in connection with entertainment such as pianos, speaker systems, etc., including specifications for any equipment which will amplify music.
- (b) Each permittee shall, as a condition of maintaining said permit, comply with all applicable local and state building, zoning, fire, health and sanitation statutes, ordinances, and regulations.
- (c) The applicant is required to notify surrounding property owners within 72 hours of the intent to use noise producing devices.

Sec. 6-140. Operation Standards.

- (a) The application for a permit under this section shall contain the same information required by the Michigan Liquor Control Commission in an application for a dance entertainment permit under Rule 436.1407 and such other information as the city clerk shall require.
- (b) The city clerk shall transmit each application for a permit to the police chief, who shall investigate the facts and report their findings to the city clerk, together with their approval or disapproval. Any permit so obtained shall be subject to suspension and/or revocation upon the conditions provided in this division.

CODE OF ORDINANCES
Chapter 6 - AMUSEMENTS AND ENTERTAINMENTS
ARTICLE IV. DANCE ENTERTAINMENT PREMISES

Sec. 6-141. Application.

- (a) A Dance Entertainment permit application shall be designed by the city clerk and approved by the city manager or designee that provides guidelines and requirements for an applicant to operate Dance Entertainment. The city manager may amend the application if a change is required that does not impede or contradict the enforcement of the current Ordinance.
- (b) Application for approval of a dance, entertainment or dance-entertainment permit required by this chapter shall be made to the City Clerk in writing, signed by the applicant if an individual, or by a duly authorized agent thereof if a partnership, limited liability company or corporation, and shall contain the following statements and information:
- (c) Under the current city liquor ordinance, applicants will need to submit a new plan of operation and appear in front of the LLRC and council for approval.
- (d) A statement of the type of permit being applied for, whether dance, entertainment or dance-entertainment, and a description of the type of activity to be carried on at the premises.

Sec. 6-142. Fees.

- (a) *For MLCC license applicants.* No one shall operate a dance entertainment premises in the city without first obtaining a dance entertainment permit therefor. The city clerk shall issue a permit annually therefor upon authorization of the city manager or designee, based on the police department and LLRC approval of the applicant, as provided in this article, and upon payment of the proper fee as set by resolution of the city council from time to time.
- (b) *For non MLCC license applicants.* No one shall operate a dance entertainment premises in the city without first obtaining a dance entertainment permit therefor. The city clerk shall issue a permit annually therefor upon authorization of the city manager or designee, based on the approval of city administration, and upon payment of the proper fee as set by resolution of the city council from time to time.
- (c) Each permit issued under this article shall expire on April 30th of each year. No permit shall be transferable. The city clerk may renew an existing permit upon the authorization of the police department.

Sec. 6-143. Suspension and revocation.

- (a) *Notice of hearing.* The city manager or designee may recommend the suspension or revocation of a dance entertainment premises permit by written notice to the permittee. Such notice shall set forth the reasons for the suspension or revocation of the permit and shall set forth the date and time for a hearing to be held before the LLRC. This notice shall be sent by certified mail seven days prior to the hearing. At the hearing, the LLRC shall determine whether or not the suspension or revocation recommended by the city manager or designee shall stand, be modified or withdrawn. The permittee shall have the opportunity to attend the hearing with his legal counsel if he so desires.
- (b) *Action by LLRC for MLCC license applicants only.* Upon the occurrence of a third violation within any 12-month period, the licensee having three or more violations shall be reported to the LLRC, which shall hold a public hearing on the suspension of the permit. The LLRC may, after any public hearing pertaining to suspension or revocation of the permit, suspend the permit for not more than 90 days or revoke the permit.
- (c) *Action by City Council for non MLCC Applicants only.* Upon the occurrence of a third violation within any 12-month period, the permittee having three or more violations shall be reported to the City Council, which shall hold a public hearing on the suspension of the permit. The City Council may, after any public hearing pertaining to suspension or revocation of the permit, suspend the permit for not more than 90 days or revoke the permit.

CODE OF ORDINANCES
Chapter 6 - AMUSEMENTS AND ENTERTAINMENTS
ARTICLE IV. DANCE ENTERTAINMENT PREMISES

Secs. 6-144. Appeal process.

Any person whose permit is revoked or suspended, or any person whose application for a Permit is denied, shall have the right to a hearing before the city council, provided a written request therefore is filed with the city clerk within ten days following the delivery or mailing of the notice of revocation or suspension, or within ten days following the denial of the permit application. No person shall operate a Dance Entertainment premises during any time when the Permit therefore has been suspended, revoked, or canceled.

Sec. 6-145 - 6-150. Reserved.