

## **CHAPTER 53-02**

### **DANCES, DANCING PLACES, AND MUSICAL PERFORMANCES**

**53-02-01. Definitions.** In this chapter, unless the context or subject matter otherwise requires:

1. "Music festival" means a musical performance by one or more groups held out of doors with the audience being present primarily for the purpose of listening to music.
2. "Person" means a natural person, firm, association, corporation, or limited liability company.
3. "Public concert" means a musical performance by one or more groups held indoors where the audience is seated by reserve or general admission with the audience being present primarily for the purpose of listening to music and the location of such musical performance having a seating capacity of at least one thousand people.
4. "Public dance" means any dance where the public may participate and is present primarily for the sole purpose of dancing and where the location of the dance has a capacity of at least one hundred people.
5. "Public dancing place" means a room, place, or space, which has a capacity of at least one hundred people, open to public patronage where dancing in which the public may participate is carried on and where the public is present primarily for the sole purpose of dancing.

**53-02-02. Permit for public dance, music festival, or public concert required - Exception.** Repealed by S.L. 1983, ch. 544, § 3.

**53-02-03. Who shall issue permits - Permit not transferable.** Repealed by S.L. 1983, ch. 544, § 3.

**53-02-04. Refusal of permit - Reasons in writing - Appeal.** Repealed by S.L. 1983, ch. 544, § 3.

**53-02-05. Application for permit - Special permits.** Repealed by S.L. 1983, ch. 544, § 3.

**53-02-06. Inquiry by governing body as to granting a permit.** Repealed by S.L. 1983, ch. 544, § 3.

**53-02-07. Public dancing place - Restrictions.** Repealed by S.L. 1983, ch. 544, § 3.

**53-02-08. Officer of law to be in attendance at public dance, music festival, or public concert.** The sheriff in any county in which any public dance, music festival, or public concert is held outside of an incorporated city, and the chief peace officer of the city where the dance, music festival, or public concert is held within the limits of a city, may police the dance, music festival, or public concert so that law and order are there maintained. The sheriff or the chief peace officer shall determine the number, if any, of deputy sheriffs, special officers, or licensed private security officers needed to police the dance, music festival, or public concert properly. The person conducting the dance, music festival, or public concert, before the dance, music festival, or public concert is held, shall pay to the sheriff, peace officer, or licensed private security provider the expense of any deputy sheriff, special officer, or licensed private security officer required for the proper policing of the dance, music festival, or public concert, and no dance, music festival, or public concert may be permitted to proceed unless the officer or officers are present and the fees are paid. The holding of a dance, music festival, or public concert without giving notice of the dance, music festival, or public concert to the sheriff of the county or the peace officer of the city, and without making provision for the policing of the dance, music

festival, or public concert, is unlawful. No person, directly or indirectly interested or concerned in the giving, holding, or conducting of a public dance, music festival, or public concert, or connected with the person conducting the same, is eligible to appointment under this section as a special officer.

**53-02-09. Refusal and revocation of permit for cause.** Repealed by S.L. 1983, ch. 544, § 3.

**53-02-10. Admission of certain minors to public dance prohibited - Exception.** Repealed by S.L. 1973, ch. 402, § 1.

**53-02-11. Notice as to minors - Posting required.** Repealed by omission from this code.

**53-02-12. Dancing prohibited on premises adjacent to premises where liquor sold - Penalty.** Repealed by S.L. 1963, ch. 342, § 1.

**53-02-13. Failure of officers to enforce - Ground for removal.** Repealed by omission from this code.

**53-02-14. Penalty.** Repealed by omission from this code.

**53-02-15. General penalty.** Except as otherwise may be provided, any person violating any provision of this chapter is guilty of a class B misdemeanor.