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5.20.010 Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

“Cabaret” means any place where the general public is admitted and where entertainment, including singing, dancing and vaudeville, is provided and where alcoholic beverages are sold.

“Dances for minors” means a public dance held or conducted exclusively for persons between the ages of 13 and 21 years and to which only such persons within a specified age group are admitted as participants.

“Dancehall” means any place where the holding or conducting of a public dance is carried on.

“Public dance” means a gathering of persons in or upon any premises or place where dancing is participated in and to which the public is admitted or invited with or without charge. (Prior code § 0501)

5.20.020 Chapter in Addition to Other Licensing Provisions.

The provisions of this Chapter are in addition to any other requirements for obtaining a business or other license. (Prior code § 0502)

5.20.030 Permit—Required.

It shall be unlawful for any person to conduct a public dance, dance for minors or dancehall in the City, and it shall be a misdemeanor for any person to conduct a cabaret in the City, unless a valid permit has been granted in accordance with the provisions of this Chapter. (Prior code § 0503)

5.20.040 Permit—Application.

Any person desiring to obtain a permit to conduct or operate a public dance, dance for minors or dancehall shall file a written application with the Chief of Police not less than 14 days prior to the date of the dance, and any person desiring to obtain a permit to conduct or operate a cabaret shall file a written application with the Chief of Police not less than 30 days prior to the providing of any entertainment. Such application shall set forth the following information:

- A. Name, mailing address, telephone number, driver’s license number and date of birth of the applicant, and in the case of a business, all persons having a financial interest of ten percent or more in the business. In the case of an application for a permit to operate a cabaret, the applicant may be required to be fingerprinted or photographed, or a combination of both, by the Lompoc Police Department.
- B. Date, hours and location where such dance or dancing is proposed.
- C. Names of the persons having the management or supervision of the dance or cabaret. In the case of an application for a permit to operate a cabaret, the persons having the management or supervision of the cabaret may be required to be fingerprinted or photographed, or a combination of both, by the Lompoc Police Department.
- D. Type of dance or operation to be conducted, to wit: public dance, dance for minors, dancehall or cabaret.
- E. Such other reasonable information as to the identity or character of the applicant and persons having the management or supervision of the dance or cabaret as the Chief of Police may reasonably require. (Prior code § 0504)

5.20.050 Permit—Fee.

The fee for a permit under this Chapter shall be established by the Council by resolution. (Prior code § 0505)

5.20.060 Permit—Investigation—Issuance or Denial—Appeal.

- A. The Chief of Police shall issue a permit within 30 days if it is found that:
1. The application is complete, accurate and truthful;
 2. Neither the applicant, any of the managers, nor, in the case of a business, those having any financial interest of ten percent or more in the business, has been convicted of a crime involving any controlled substance (as defined in Health and Safety Code Section 11007) other than personal possession, or prostitution, pimping, pandering, procurement of child for lewd or lascivious acts, obscene matter, or gaming or gambling (as defined in Title 9 of the California Penal Code), for which less than five years have elapsed since the latter of the date of release from confinement or the date of conviction, as of the date of the application;
 3. The business for which the application is made, and the building in which such business is to be conducted, conform to all Federal, State and local laws, including but not limited to building codes and zoning ordinances;
 4. A valid business tax certificate has been issued for the business;
 5. The applicant is 21 years of age or older;
 6. The applicant has not had a permit issued under this Section revoked, unless the Chief of Police finds that the reasons for such revocation are unrelated to the application.
- B. The permit shall state the type of dance or operation to be conducted, to wit: public dance, dance for minors, dancehall or cabaret.
- C. No operator or manager of a cabaret shall conduct or allow to be conducted on the premises any promotional or special entertainment event of a duration of less than 30 days without first obtaining an additional permit from the Chief of Police. Such additional permit shall be issued within 30 days from the time of application, provided that every such operator, manager or supervisor of such promotional or special entertainment event shall provide the information required by Section 5.24.040 of this Chapter, in addition to complying with all other applicable ordinances, laws and regulations.
- D. Any person denied a permit may appeal to the City Manager or designee by filing a notice of appeal in accordance with the requirements of Chapter 1.32 of this code. The decision of the City Manager may be appealed to the City Council by filing a notice of appeal in accordance with the requirements of Chapter 1.32 of this Code. (Ord. 1673(20) §§ 14, 43; prior code § 0506)

5.20.070 Permit—Revocation or Suspension.

The Police Chief may suspend or revoke any permit issued pursuant to this Chapter in the event that the permittee violates or permits any infraction of any applicable law, rule, regulation, ordinance or order, or any condition in any license or permit issued by the Department of Alcoholic Beverage Control, or any rule or regulation promulgated by the Department of Alcoholic Beverage Control. Upon recommendation of the Police Chief, the City Manager or designee may revoke any permit issued pursuant to this Chapter whenever, after a hearing before the City Manager or designee, any person to whom a permit has been granted shall be found to have violated any of the terms, conditions, regulations or provisions of this Chapter or of any rules and regulations adopted pursuant to this Chapter. Any appeal from such decision of the City Manager or designee may be made to the City Council by filing a notice of appeal in accordance with the requirements of Chapter 1.32 of this Code. (Ord. 1673(20) § 15; prior code § 0507)

5.20.080 Use of Security Guards.

The Chief of Police may make as part of any permit under this Chapter the requirement that the applicant employ security guards in such number as the Chief of Police shall reasonably determine are necessary to maintain the public peace and safety. (Prior code § 0508)

5.20.090 Regulations Governing Dances and Dancehalls.

The following regulations shall apply to all dancehalls, cabarets, public dances and dances for minors except as otherwise specifically provided.

- A. The cabaret, hall, ballroom or other public place in which dancing is done shall be kept clean and well lighted.
- B. No person shall appear in a state of nudity. "Nudity" shall mean the showing of the male or female genitals, pubic area, or buttocks with less than a fully opaque covering, the showing of the female breasts with less than a fully opaque covering of any part of the nipple, or the showing of covered male genitals in a discernable turgid state.
- C. No person under the influence of intoxicating liquor in such a condition that he or she is unable to exercise care for his or her safety or the safety of others, shall be permitted to remain in or be admitted upon the premises.
- D. No dancing shall be permitted after 1:00 a.m., in the case of dances for minors, and no dancing shall be permitted after 1:45 a.m., in the case of other public dances.
- E. Adequate toilet facilities shall be provided.
- F. A minimum of 200 square feet of floor space shall be provided. (Prior code § 0509)

5.20.100 Exemption for Private Dances of Clubs, etc.

Nothing in this Chapter shall apply to any dance given or conducted by any religious, charitable, civic, school, fraternal or patriotic organization when attendance is limited to members and their guests, from which the general public is excluded, and in which alcoholic beverages are not served. (Prior code § 0510)

5.20.110 Cabarets—Requirements Generally.

It shall be unlawful for any person operating, managing or supervising a cabaret in the City to erect, construct, maintain or cause or permit to be erected, construct or maintained within such cabaret any private booths, rooms or compartments or any closed stalls or alcoves of any nature, so arranged that the entire inner portion of the same shall not, at all times, be visible, or to permit any conduct in such place prejudicial to public morals or to permit any entertainment in such cabaret, except that which is furnished by entertainers employed by the management of such cabaret, or to permit any entertainer employed by such cabaret while on the premises to have any physical contact with any patron of such cabaret, or while engaged in an act of dancing, to be closer than ten feet from any such patron. (Prior code § 0511)

5.20.120 Cabarets—Hours for Dancing or Entertainment.

It shall be unlawful for any person operating a cabaret to permit any dancing, vaudeville or other entertainment between the hours of 1:45 a.m. and 9:00 a.m. (Prior code § 0512)

5.20.130 Cabarets—Admission of Minors.

It shall be unlawful for any person operating a cabaret to allow any minor to frequent such cabaret during such time as dancing, vaudeville or other entertainment is being conducted; except, that minors may be admitted in the following situations:

- A. If a minor is married to an adult person and is accompanied by the adult spouse;
- B. Unmarried minors, if accompanied at all times by their parents or guardian. (Prior code § 0513)

5.20.140 Dance for Minors.

If a permit is issued for a dance for minors pursuant to this Chapter, such dance shall be managed and supervised by one or more persons over the age of 21 years. No person under the age of 13 years or over the age of 21 years shall be

admitted to a dance for minors as a participant. No alcoholic beverages shall be sold or consumed on the premises at which said dance is conducted nor shall any person who has consumed any alcoholic beverages be admitted or readmitted to said dance. (Prior code § 0513.1)

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5.24.010 Permit—Required.

It shall be unlawful for any person to own, conduct, maintain, or participate therein or to cause or permit to be conducted, operated or maintained any dancing academy, studio or other place where dancing lessons are offered to the public, either with or without compensation therefor, unless there exists a valid police permit therefor. (Prior code § 0514)

5.24.020 Permit—Application.

Application for any permit required by this Chapter shall be filed with the Chief of Police on forms provided for that purpose. Such application shall contain such information as the Chief of Police deems necessary to enable him or her to properly process such application. (Prior code § 0515)

5.24.030 Permit—Factors Determining Issuance.

Prior to approving an application for a permit required by this Chapter, the Police Chief shall be satisfied that the conduct of such dancing academy will comport with the public welfare and for this purpose, he or she may consider any facts or evidence bearing on the place where the proposed dancing academy is to be located, the character, reputation and moral fitness of those who will be in charge and any other facts or evidence tending to enlighten the Chief of Police in this respect. (Prior code § 0516)

5.24.040 Permit—Fee—In Addition to Business License.

The fee for a permit under this Chapter shall be established by the Council by resolution. Such fee shall be in addition to any business license required pursuant to this Code or any ordinance of the City. (Prior code § 0517)

5.24.050 Permit—Revocation or Suspension.

The Police Chief may suspend any permit issued pursuant to this Chapter for a period not to exceed 30 days where the proprietor or person in charge of the permitted premises violates or permits any infraction of any law of the State or of this Code or any other ordinance or rule of the City. Upon recommendation of the Police Chief or upon its own motion, the City Council may revoke any permit issued pursuant to this Chapter whenever, after a hearing before the City Council, any person to whom a permit has been granted shall be found to have violated any of the terms, conditions, regulations or provisions of this Chapter or of any rules and regulations adopted pursuant to this Chapter. (Prior code § 0518)

5.24.060 Regulations Governing Operation.

It shall be unlawful for any person operating a dancing academy in the City, or any agent, employee or representative of such person, to permit any breach of the peace therein or any disturbance of the public order or decorum by riotous or disorderly conduct or otherwise, or to allow any form of alcoholic liquor to be sold or dispensed upon the premises, or to violate any of the regulations set forth in Section 5.20.090, or to violate any of the rules and regulations adopted by the City Council governing the conduct of dancing academies. (Prior code § 0519)

5.24.070 Record of Minors Attending.

In the case of minors under the age of 18 years being permitted at a dancing academy, a record shall to kept showing the name and address of the guardian or person having control of such minor and the times when such minor was present at the academy. (Prior code § 0520)

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5.28.010 Permit—Required.

It shall be unlawful for any person to own, conduct, maintain or participate therein, or to cause or permit to be conducted, operated or maintained, any skating rink within the City unless there exists a valid police permit therefor. (Prior code § 0521)

5.28.020 Permit—Application.

Application for any permit required by this Chapter shall be filed with the Chief of Police on forms provided for that purpose. Such application shall contain such information as the Chief of Police deems necessary to enable him or her to properly process such application. (Prior code § 0522)

5.28.030 Permit—Factors Determining Issuance.

Prior to approving an application for a permit required by this Chapter, the Chief of Police shall be satisfied that the conduct of such skating rink will comport with the public welfare, and for this purpose, he or she may consider any facts or evidence bearing on the place where the proposed skating rink, is to be located, the character, reputation and moral fitness of those who will be in charge and any other facts or evidence tending to enlighten him or her in this respect. (Prior code § 0523)

5.28.040 Permit—Fee—In Addition to Business License.

The fee for a permit under this Chapter shall be established by the Council by resolution. Such fee shall be in addition to any business license required pursuant to this Code or any ordinance of the City. (Prior code § 0524)

5.28.050 Permit—Revocation or Suspension.

The Chief of Police may suspend any permit issued pursuant to this Chapter for a period not to exceed 30 days where the proprietor or person in charge of the permitted premises violates or permits any infraction of any law of the State or of this Code or any other ordinance or rule of the City. Upon recommendation of the Chief of Police, or upon its own motion, the City Council may, revoke any, permit issued pursuant to this Chapter whenever, after a hearing before the City Council, any person to whom any permit has been granted shall be found to have violated any of the terms, conditions, regulations or provisions of this Chapter or of any rules and regulations adopted pursuant to this Chapter. (Prior code § 0525)

5.28.060 Regulations Governing Hours of Operation.

It shall be unlawful for any person operating a skating rink in the City, or any agent, employee or representative of such person, to permit any breach of peace therein or any disturbance of the public order or decorum by riotous or disorderly conduct or otherwise, or to allow any form of alcoholic liquor to be sold, used or otherwise dispensed upon the premises, or to violate any of the rules and regulations adopted by the City Council governing the conduct of such rinks. No skating rink shall be operated between the hours of 1:00 a.m. and 9:00 a.m. (Prior code § 0526)

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