

SCHOOLCRAFT TOWNSHIP  
KALAMAZOO COUNTY, MICHIGAN

ORDINANCE NO. 182

ADOPTED: February 10, 1998

EFFECTIVE: March 20, 1998

PUBLIC ENTERTAINMENT ORDINANCE

An ordinance to protect and secure the public health, safety and general welfare by the regulation and licensing of certain forms of commercial entertainment within the Township of Schoolcraft, Kalamazoo County, Michigan; and prescribing the sanctions for violation of the ordinance.

TOWNSHIP OF SCHOOLCRAFT  
KALAMAZOO COUNTY, MICHIGAN

ORDAINS:

SECTION I

TITLE

This ordinance shall be known and cited as the Schoolcraft Township Public Entertainment Ordinance.

SECTION II

PURPOSE

The purpose of this ordinance is to regulate "live" entertainment involving dancing, monologues, pantomimes, and other personal body exhibitions, contortions or displays, conducted for a commercial purpose, and to license and regulate establishments within the Township where such commercial entertainment takes place.

### SECTION III

#### ENTERTAINMENT LICENSE.

A. License Requirements. No person or entity shall engage in, present, permit, promote, and/or aid or abet live commercial entertainment within the purpose of this Ordinance, except in an establishment for which an annual entertainment license has been issued by the Township Board as provided in this Ordinance.

B. License Application Process; Renewal; Fees.

1. A license applicant shall submit a completed application for an annual public entertainment license to the Township Clerk, along with any required fee established by the Township Board.
2. Upon receipt of a completed application the Township Clerk shall send copies of the application to the Township Building Official, Township Fire Chief, and the Township Zoning Administrator. Those officials shall then inspect the premises identified in the application as the site for the public entertainment to determine if the premises comply with the Township Building Code, Fire Code, Zoning Ordinance, and the physical requirements set forth in this Public Entertainment Ordinance. Each official shall prepare a written report of their investigation including a determination of whether the premises comply with said codes and ordinances and this Ordinance and deliver the report to the Township Board within 30 days of their receipt of the application from the Township Clerk. The Township Board may, for good

cause, extend the official's time for submitting a written report, and order the official to submit the report within a further specified reasonable time.

3. An applicant shall provide the Township Building Official, Township Fire Chief, and the Township Zoning Administrator with access to the subject premises for purposes of allowing each official to complete the required investigations. All investigations shall be conducted during normal business hours. An applicant's failure, refusal or neglect to allow such investigations shall constitute grounds for denial of the application.
4. Upon receipt of the various official's reports as provided herein the Township Board shall hold a hearing on the application at either a regular or special meeting. The Township Clerk shall provide the applicant with at least five days written notice of the hearing date.
5. At the completion of the hearing the Township Board shall approve the application and issue an annual public entertainment license if the following standards are satisfied:
  - a. The application form has been fully and accurately completed.
  - b. The premises comply with all applicable Building Code provisions.
  - c. The premises comply with all applicable Fire Code provisions.

- d. The premises comply with all applicable Zoning Ordinance provisions.
- e. The premises comply with the specific provisions applicable to premises conducting public entertainment as set forth in this Ordinance.

If the Township Board determines that these standards are not met the Township Board shall deny the application.

6. All annual entertainment licenses shall expire on May 1st of each year, and may be renewed on an annual basis. Renewal applications shall be submitted to the Township Clerk on the same form as an initial license application, and shall be subject to all conditions and procedures contained in this Ordinance for an initial application.
7. The Township Board may provide by motion or resolution for license application and renewal fees to defray the costs of administering and enforcing this Ordinance, and may similarly adjust those fees from time to time to reflect changes in administration/enforcement costs.

#### SECTION IV

##### ESTABLISHMENT AND PERFORMER REGULATIONS

- A. Health and Safety Regulations. Any establishment required to be licensed under this Ordinance, and the entertainers working therein, shall at all times comply with the following health and safety regulations:
  1. All entertainers within any establishment where alcoholic beverages are served shall be at least 21 years of age.

2. The establishment shall be equipped with separate male and female dressing rooms adequate in size to comfortably accommodate the entertainers, and located in close proximity to the area set aside for performances. In no event shall such dressing rooms be less than 64 square feet in area.
3. The area utilized for performances shall be separated from the area occupied by patrons and customers by either a raised stage, railing, or other permanent divider-type construction.
4. No entertainers shall be allowed to dance, mingle, eat, or drink with patrons or customers in the establishments during the period of their employment in the establishment, and the proprietor shall be responsible for enforcing compliance with such regulation.

#### SECTION V

#### SAVING CLAUSE

The provisions of this Ordinance are hereby declared to be severable, and if any portion is declared void or unenforceable for any reason by a court of competent jurisdiction the remaining portions of the ordinance shall not be affected.

#### SECTION VI

#### ENFORCEMENT AND SANCTIONS

Any person or entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan statute, punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
--- 1st offense within 3-year period*	\$ 75.00	\$500.00
--- 2nd offense within 3-year period*	150.00	500.00
--- 3rd offense within 3-year period*	325.00	500.00
--- 4th or more offense within 3-year period*	500.00	500.00

\*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Schoolcraft Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 be ordered.

Any violation of this Ordinance shall also constitute a basis for revocation of a license issued under this Ordinance and/or injunctive relief against the violator, restraining and prohibiting continuation of the violation, in addition to any other relief or sanction herein set forth or allowed by law.

SECTION VII

EFFECTIVE DATE

This Ordinance shall take effect 30 days after publication as required by law.

Kathleen Cook

Schoolcraft Township Clerk