

or administrative proceeding has been commenced, in good faith, questioning the amount or validity of such taxes, assessments or other financial claims, the Council may, upon application, waive strict compliance with this requirement.

**Subd. 6. Disqualification Because of Prior Conviction.** No person shall be disqualified from obtaining a license solely or in part because of a prior conviction of a crime or crimes, unless the crime or crimes for which convicted directly relate to the occupation or activity for which the license is sought. In determining if a conviction directly relates to an occupation or activity for which a license is sought, the City shall consider the factors and evidence of rehabilitation referred to in Minn. Stat. §364.03.

**Subd. 7. Fixing License Fees and Insurance/Bond Amounts.** Except as otherwise herein provided, all fees for licenses under this Chapter and all required insurance or bond amounts shall be fixed and determined by the Council, adopted by resolution, and uniformly enforced. Such fees and amounts may, from time to time, be amended by the Council by resolution. A copy of the resolution setting forth currently effective fees and amounts shall be kept on file in the office of the Clerk and open to inspection during regular business hours. For the purpose of fixing such fees and amounts, the Council may subdivide and categorize licenses under a specific license requirement, provided that any such Subdivision or categorization shall be included in the resolution authorized by this Section.

#### **SECTION 402.01. SHOWS AND LARGE ASSEMBLIES.**

**Subd. 1. License Required.** No person shall present, sponsor, promote, participate in or permit any public show, circus, theatrical or other performance or exhibition or assembly of 200 or more persons at one time in a single location, for any purpose, to which the public is invited, (any of which is hereafter referred to as a “Large Assembly”) without first having obtained a license therefor from the City.

**Subd. 2. Application.** The application for a license shall set forth the name and address of the person who is to conduct and sponsor the Large Assembly, state the times and places where the Large Assembly is to be held or conducted, and state the nature of the activity. The application shall also contain such other information as is reasonably requested by the Council or the Clerk.

**Subd. 3. Maximum Size.** It is unlawful for any licensee to admit a larger number of people than the maximum fixed by the Council at the time of issuance of the license.

**Subd. 4. Overnight Camping Prohibited; Food Preparation Restricted.** It is unlawful for any licensee to permit any participant, spectator or customer to camp or sleep overnight at the location of a Large Assembly. It is also unlawful for any licensee to permit any participant spectator or customer to prepare food at the location of the Large Assembly, unless that person is a concessionaire. This Section does not apply to security officers performing their duties as such.

**Subd. 5. Investigation Fee.** In addition to the license fee the Council may fix an investigation fee commensurate with the cost of the investigation.

**Subd. 6. Permitted Area; Factors.** Large Assemblies shall be permitted only after a finding by the Council that the character of the proposed Large assembly is compatible with the character of the surrounding neighborhood considering the problems of noise, lighting, traffic, sanitation, congestion and other factors affecting the public health, safety and welfare of the entire area, and compliance with this code or ordinances.

**Subd. 7. Exemptions.** The following activities and performances are exempt from compliance with this subchapter:

- A. Performances of athletic, musical or theatrical events sponsored by public or private schools, located on school-owned property, and utilizing only student athletes or performers;
- B. A performance sponsored by a bona fide religious or nonprofit organization located within the City, provided that the organization shall have been incorporated for purposes other than the performance, the performance is exclusively for the members of the religious or nonprofit organization, and the performance occurs on organization-owned property.
- C. Any Large Assembly sponsored by the City.

**Subd. 8. Display of License.** Each license issued under this Section shall be kept conspicuously posted at the location for which the license is issued and shall be exhibited to any person upon request.

#### **SECTION 403.01. DANCES.**

**Subd. 1. Definitions.** As used in this Section, the following words and terms shall have the meanings stated:

- A. “Public dance” applies to any place where dancing may be or is carried on, other than a private residence, whether an admission fee is charged or not.
- B. “Incidental dance” means a public dance which is incidental to the regular business at the premises.
- C. “Single event dance” means any public dance which is not an incidental dance.

**Subd. 2. Conditions Applicable to All Public Dances.**

- A. It is unlawful for any person to hold a public dance without a license issued by the City.