

**Dance halls. Ordinances governing the conduct of public dances and dance halls, city of Buffalo. Issued by the Common council. Daniel J. Sweeney, city clerk..**

DANCE HALLS ORDINANCES GOVERNING THE CONDUCT OF PUBLIC DANCES  
AND DANCE HALLS CITY OF BUFFALO ISSUED BY THE COMMON COUNCIL

Ordinances, etc

DANIEL J. SWEENEY, City Clerk

ROOM 4, CITY HALL

[1914]

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A.R.R. 4/28/27 G V 1623 .B8

**DANCE ORDINANCES OF THE CITY OF BUFFALO**

CITY CLERK'S OFFICE, Room No. 4, City and County Hall, Buffalo, Dec. 14, 1914.

I, D. J. Sweeney, City Clerk, do hereby certify that at a session of the Board of Aldermen of the City of Buffalo, held Monday, Dec. 7, 1914, an ordinance, of which the following is a correct copy, was duly adopted and that the same was duly approved by the Board of Councilmen at a session thereof held Dec. 9, 1914, viz.:

Resolved that Chapter XLVII of the Ordinances of the City of Buffalo, relating to public dance halls and dances, be and the same is hereby amended so as to read as follows:

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## CHAPTER XLVII.

### Public Dance Halls and Dances.

Section 1—The term “public dance” or “public ball,” as used in this chapter, shall be taken to mean any dance or ball to which admission can be had by payment of a fee, or by the purchase, possession or presentation of a ticket or token, or in which a charge is made for caring for clothing or other property; or any other dance to which the public generally may gain admission with or without the payment of a fee. The term “public dance hall,” as used in this chapter, shall be taken to mean any room, place or space in which a public dance or public ball may be held, and any hall or academy in which classes in dancing are held on instruction in dancing is given for hire. The term “private homes”, as used in this chapter shall be taken to mean only such buildings as are used exclusively for private dwelling purposes.

Sec. 2—On and after August 1st, 1914, it shall be unlawful to hold any public dance or public ball, or to hold classes in dancing or to give instruction in dancing for hire in any hall or academy within the limits of the City of Buffalo, until the dance hall in which the same shall be held shall first have been duly licensed for such purpose, pursuant to the provisions of this chapter. Such licenses shall be issued by the Mayor, and in every public dance hall its license shall be posted in a conspicuous place, near the main entrance. Each license granted hereunder shall expire on the 1st day of August, next following.

Sec. 3—The fee for such license, to be paid at the time of the issuing of the license, shall be at the rate of six dollars per annum for each one thousand square feet of floor space or major fraction thereof. For periods of less than one year a pro rata fee shall be paid, in no case, however, to be less than two dollars for each one thousand square feet of floor space or major fraction thereof. In computing floor space, only that part of the floor actually used or intended to be used for dancing shall be considered. All moneys received by way of such license fee shall be paid into the general fund of the city.

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Sec. 4.—No license for a public dance hall shall be issued until it shall be found that such hall complies with and conforms to all ordinances and regulations for the protection of the public health, for the safety of buildings and for the protection of the public from fire; that it is properly ventilated and supplied with sufficient toilet conveniences; that it is a safe and proper place for the purpose for which it is to be used; and that the owner, lessee or other person having actual control of the building and of the dance hall 4 is a person of good moral character. And no such license shall be Issued unless the Health Commissioner, the Chief Engineer of the Fire Department and the Deputy Building Commissioner shall each have previously certified to the Mayor in writing that such hall complies with all ordinances and regulations relating to the department or bureau over which he has charge and supervision.

Sec. 5—The license of any public dance hall may be revoked by the Mayor for disorderly or immoral conduct on the premises with the knowledge or consent of the owner or lessee of the hall or his agent in charge at any dance herd therein; or for the violation of any of the rules, regulations, ordinances and laws governing or applying to public dance halls or dances. Such license shall be revoked in the manner provided by the Charter of the City. If at any time the license of a public dance hall shall be revoked as herein provided, at least six months shall elapse before another license shall be given, or a permit shall be given for dancing on the same premises.

Sec 6—All public dance halls shall be kept at all times in a clean, healthful and sanitary condition, and all stairways and other passages and all rooms connected with a dance hall shall be kept open and well lighted at all times while dances or balls are being held.

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Sec. 7—The Inspector of dance halls, or in his absence, the Superintendent of Police, any police captain or lieutenant, or any member of the police force shall have the power and it shall be their duty respectively to cause a public dance hall where any dance is being held to be vacated whenever any provision of any ordinance with regard to dances and balls is

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being violated, or whenever any indecent or immoral act is committed, or whenever any disorder of a gross, violent or vulgar character takes place therein, with the knowledge or consent of the owner or lessee, or his agent, or other person in charge of the dance.

Sec. 8—Every public dance or ball shall be continuously attended and supervised by a uniformed member of the police force, or by a special patrolman in uniform, whose duty it shall be to preserve order and require compliance with all provisions of this ordinance. The owner or lessee of a dance hall shall pay to the City Treasurer the sum of three dollars for each public dance or ball held in such hall and attended by a uniformed member of the police force, which sum shall be paid before the issue by the Mayor of the permit for such dance or ball, and shall be deposited by the City Treasurer to the credit of the Incidental account of the Police Department and shall be applied to the payment of the salary or compensation of such member of the force. No such payment shall be required in cases where a special patrolman is kept in attendance at such dance or ball, 6 but in such cases the salary or compensation of such special patrolman shall be paid by the owner, lessee or other person giving or in charge of such dance or ball, and the uniform of such special patrolman shall also be paid for by such owner, lessee or other person. No special patrolman shall be permitted to attend or supervise any public dance or ball, as herein provided, until his employment for that purpose shall have been approved by the inspector of dance halls, nor shall any such special patrolman be retained in such employment after such continued employment shall have been disapproved by the Inspector of dance halls or by the Mayor.

Sec. 9—It shall be unlawful for any person or persons, society, club or organization to hold a dance or ball within the City of Buffalo except in private homes without having first obtained a permit therefor from the Mayor. Application for such a permit shall be made at least two days before the time of said dance or ball, and shall be in the following form, a copy of which may be secured from the Mayor:

APPLICATION NO. ...

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FOR DANCE PERMIT.

Buffalo, N. Y. ..., 191...

To the Mayor:

Sir—The undersigned, on behalf of ... hereby makes application for 7 a permit to give a dance at No. ... Street, on ... It is hereby expressly agreed that said dance shall be conducted in strict accordance with the laws and ordinances regulating dances and balls; and the undersigned agree that the permit is given and accepted subject to the provisions of this application and of Chapter XLVII of the Ordinances of the City of Buffalo, and that he shall be held responsible for any violation of any provision of law or ordinance regulating such dance. The owner or lessee of the premises in which such dance is to be held is ... No. ... Street

(Avenue).

(Name of applicant) ...

(Address) ...

(Occupation) ...

Sec. 10—All public dances and balls shall be discontinued, and all public dance halls shall be closed at or before the hour of 12 o'clock midnight provided, however, that upon the application of a bona fide society, club or organization as defined in Section 16 of this chapter, and after an Investigation by the inspector of dance halls the Mayor may grant to such society club or organization, a special permit to continue any dance or ball until a later hour.

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No tickets shall be sold for admission to any public dance or ball after 12 o'clock midnight, and no return check shall be given or Issued at any time.

Sec. 11.—It shall be unlawful after nine o'clock p.m. to permit any person to attend or take part in any public dance or ball who has not actually or apparently reached the age of 16 years, unless such person be in company with one of his or her parents or a suitable guardian. It shall be unlawful for any person to represent himself or herself to have attained the age of 16 years in order to obtain admission to a public trance hall or to be permitted to remain therein, when such person in fact is under 16 years of age; and it shall also be unlawful for any person to represent himself or herself to be a parent or guardian of any person, in order that such person may obtain admission to a public dance, or be permitted to remain at Such public dance, when the person making the representation is not in fact a parent or guardian of such minor person.

Sec. 12—No wine, beer or other malt, spiritous or intoxicating liquors shall be sold in or carried into any dance hall, or in any room directly opening into such dance hall, or upon the same floor upon which any public dance or ball is being held.

Sec. 13—The Mayor shall appoint an inspector of dance halls, whose duty it shall 9 be to examine all applications for dance hall licenses and to investigate each application, to determine whether or not the dance hall for which a license is sought complies with the regulations, ordinances and laws applicable thereto, and whether or not the person or persons making such application, or who is to have charge or supervision of the hall, is or are of good moral character. In making such investigation, the said inspector shall when desired have the assistance of the Department of Public Works, the Department of Health and the Fire Department. Such inspector shall furnish to the Mayor in writing the information derived from such investigation accompanied by a recommendation as to whether a license should be granted or refused. Such inspector shall have access at all times to all dances and dance halls except in private homes. He shall investigate complaints and shall inspect at intervals the dance halls within the city, and shall report in

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writing to the Mayor all violations of this chapter and of any ordinance or law. No license shall be renewed except after re-inspection of the premises in the manner provided herein for an original inspection.

Sec. 14—Any person, persons or corporations who, individually or as officers of any society, club or corporation, shall violate any of the provisions of this chapter or of any ordinance with reference to public dances or public balls or to public dance halls, shall, upon proof of such violation, be liable to a penalty of not less 10 than \$5.00, nor more than \$50 for each and every offense, to be recovered in a civil action, or upon being convicted thereof in a court of criminal jurisdiction such persons shall be subject to a fine of not less than \$5.00, nor more than \$50 for each and every offense; and in case the person so convicted does not immediately pay such fine, he or she shall be committed to the Erie County Penitentiary for the term of one day for each and every dollar of such fine not paid, not, however, exceeding thirty days. A judgment for any penalty hereunder may be enforced by execution, as provided in the City Charter; provided that no person shall be confined in the Erie County Penitentiary for more than thirty days for one offense

Sec. 15—Dances and private instruction in dancing given in private homes; dances given by a bona fide society, club or organization, where the attendance is restricted to the members of the society, club or organization, who have been such members for more than ten days before the date of any such dance (provided that where the membership of any such club, society or organization consists of men only, or of women only, persons of the other sex, to a number not exceeding the number of members of any such society, club or organization, may be admitted as guests), and where the dance is merely incidental to the purposes of such society, club or organization, shall be deemed to be private and not public dances; but notwithstanding 11 this section, no such private dance or ball, except in private homes, shall be held or given without a permit obtained as provided in Section 9 of this Chapter.

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Sec. 16—The provisions of section eight of this chapter shall not apply to any regular classes in dancing, held in licensed dance halls; nor shall the provisions of sections three or twelve, apply to any bona fide religious, benevolent, charitable, fraternal, singing, musical or labor society, club or organization, nor shall the provisions of sections three or eight apply to a bona fide social settlement or social center, nor to a bona fide club formed in connection with such a social settlement or social center: and which shall hold or give a dance or ball as merely incidental to the purposes for which it is formed. Provided, however, that all dances given by any such society, club or organization shall be given or held in a licensed dance hall, and provided further, that buildings owned by the City of Buffalo, in which dancing shall be authorized or permitted, shall be deemed licensed dance halls for the purposes of this chapter.

Sec. 17—The provisions of this chapter shall have no application to dances held in State Armories by the members of the organizations quartered therein.

Sec. 18—No permit shall be issued for a public dance or public balls to be held on Sunday.

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Sec. 19—The Mayor may make and publish reasonable rules and regulations governing the manner in which public dances or balls shall be conducted, subject to the provisions of law and of the ordinances of the city.

D. J. SWEENEY, City Clerk.