Chapter 464

1955 REPLACEMENT PART

(1963 reprint)

Pool Rooms, Bowling Alleys, Dance Halls and Public Shows

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CROSS REFERENCES

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Discrimination on account of race, religion, color or national origin in places of public entertainment, 30.670

464.010

Minors playing pool or billiards, 167.295

464.110

Employment of minors in dance halls prohibited, 167.235

LICENSING OF POOLROOMS AND BOWLING ALLEYS

464.010 Necessity for poolroom license; fees; issuance; duration. (1) No person shall keep a billiard table or ball alley to let for hire without obtaining a license from the county court or the board of county commissioners of the proper county for that purpose.

(2) Any person wishing to keep a billiard saloon, billiard table or pool table outside the corporate limits of any city or town, providing all tables are kept in the same room, shall pay into the county treasury $10 per annum for each table, but in no event more than $50 per annum, and at the same rate for a shorter period.

(3) No license shall be granted for a shorter period than six months.

(4) When the applicant produces to the county court or board of county commissioners the receipt for the required sum the court or board shall grant to the applicant a license for the term to which his receipt may entitle him.

464.020 Bowling alley license; fee; duration; issuance. (1) Any person wishing to keep ball alleys, commonly called ninepin alleys, provided they are all kept in the same room, shall pay into the county treasury $50 per annum, and at the same rate for a shorter period.

(2) No license shall be granted for a shorter period than six months.

(3) Upon the production of the receipt of the county treasurer by the applicant for the required sum, the county court or board of county commissioners shall grant to the applicant a license for the term to which his receipt entitles him.

464.030 to 464.100 [Reserved for expansion]

LICENSING OF DANCE HALLS

464.110 Definition for ORS 464.110 to 464.190. As used in ORS 464.110 to 464.190, unless the context requires otherwise, "public dance hall" means any building, room, hall, pavilion, tent or other place within this state and outside of the corporate limits and boundaries of any incorporated town or city having a population of 500 or more, kept or maintained, or used for public dancing or where any class is given instruction in dancing for hire, or in which a social club, whether incorporated or not, is operated for profit by the owner, proprietor, lessee or manager thereof.

464.120 Necessity for license; dances at unlicensed halls or in disregard of license prohibited. (1) No public dance hall shall be used for dancing purposes until a license therefor is obtained.

(2) No person shall conduct or attend any dance held in any place, the licensing of which is provided for in ORS 464.110 to 464.190, unless and until such license has been obtained, and remains in full force and effect and unrevoked.

(3) No person shall conduct or attend any dance in any public dance hall where such dance is not conducted in strict compliance with the provisions and conditions of the license issued therefor.

464.130 Application; proof of good character; issuance; bond. (1) Application for a public dance hall license shall be made in writing to the county court or board of county commissioners of the county within which such hall is located at least 10 days before any dance is to be held in such hall.

(2) The application shall be signed by the applicant and by at least 12 freeholders residing in the school district in which such dance hall is located. The freeholders shall certify that applicant is of good moral character and request that license shall issue.

(3) If the county court or board of county commissioners is satisfied that the applicant will run an orderly house, it shall make an order that license issue to such applicant upon his filing with the clerk of the court or board a bond approved by the court or board in a sum not less than $500. However, the bond shall not be required of restaurants which are licensed under ORS 471.250 and thereby authorized to permit dancing as incidental to their restaurant business.

464.140 Conditions of bond; sureties. (1) The bond to be filed under ORS 464.130 shall be conditioned:

(a) That the applicant will at all times keep an orderly house.

(b) That the applicant will not permit dancing in the dance hall between 1:00 a.m. and 6 a.m.

(c) That the applicant will not permit any intoxicating liquor in or about the public dance hall.

(d) That, in case of violation of any of the conditions in this subsection, the appli-

cant will pay to the State of Oregon the amount of the bond.

(2) The bond shall be in such form as the county court or the board of county commissioners prescribes and shall have at least two sureties thereon who shall be freeholders of the school district in which the public dance hall is located. These sureties shall justify as bail on arrest.

[Amended by 1955 c.516 §1]

464.150 Issuance of licenses contrary to local ordinances prohibited; cancellation of licenses by local ordinance. (1) No license shall be granted for the operation of a public dance hall within the corporate limits of any town or village which has by ordinance prohibited the operation of a public dance hall.

(2) Any public dance hall license granted under ORS 464.130 to operate a public dance hall in any village or town may be canceled by ordinance of such town or village.

464.160 Temporary licenses. The county court or board of county commissioners may grant a temporary license, without requiring a fee or bond, to any person or organization for the conduct of a single or series of public dances for charity or for the entertainment of its own members or its invited guests. Such permits may prescribe that the dance may be operated after midnight but not exceeding the extension of one hour thereafter.

464.170 License fees. No public dance hall licenses shall be issued until the applicant has satisfied the county court or the board of county commissioners of his good moral character and his right thereto and until he has paid to the county clerk of the county within which the hall for which the license is applied for is located, the following fees:

(1) Where the dancing floor space is 2,500 square feet or less, $5.

(2) Where the dancing floor space is more than 2,500 but less than 5,000 square feet, $10.

(3) Where the dancing floor space is 5,000 square feet or more, $25.

464.180 Expiration of license; revocation; posting. (1) Each license issued under ORS 464.110 to 464.190 shall expire by limitation on December 31 following the date of issuance, but shall be revocable at any time, in the discretion, and by order of the county court or board of county commissioners authorizing the issuance thereof, and shall so state upon its face.

(2) The person to whom such license is issued shall forthwith post and keep the same at all times it is in force and effect in a conspicuous place in the hall to which the same is applicable. The license shall be forthwith removed whenever it has expired by limitation, or is revoked by order of the county court or board of county commissioners.

464.190 Contents of license; conditions and requirements. No license shall be issued under the provisions of ORS 464.110 to 464.190, which does not upon its face contain:

(1) The provisions for expiration by limitation and for revocation in ORS 464.180.

(2) Provisions requiring the dance hall to which it is applicable to be kept in a clean, healthful and sanitary condition at all times, and the hall and stairways, passages, and rooms and places connecting therewith, at all times open and well lighted.

(3) Provisions requiring the owner, proprietor, manager, lessee or operator thereof to at all times maintain good order in the public dance hall.

(4) The hours of each day within which dancing in the hall is prohibited. These hours shall be uniform and fixed by order of the county court or board of county commissioners made at the time of granting of such license.

464.200 [Reserved for expansion]

LICENSING OF PUBLIC SHOWS AND EXHIBITIONS

464.210 Necessity for license; application; issuance; exception. (1) Before exhibitors of any traveling public show, minstrel troupe, dramatic show, vaudeville show, motion picture show, musical comedy, opera, circus or other troupe traveling from place to place and not already prohibited by law, or any walkathon or other similar contest are allowed to exhibit, perform or give any entertainment outside the corporate limits of any incorporated city or town within this state, except when held in connection with any county fair, for any price, gain, reward or admission fee, they shall apply to the county clerk of the county in which they intend to show or exhibit or give any such entertainment, for a license.

(2) In all such cases, the county clerk

shall grant such license when ordered so to do by the county court or board of county commissioners after the applicants pay to the county clerk the fee required under ORS 464.220.

(3) It is not necessary to obtain such license from the county clerk when such exhibition, show or entertainment is given within the limits of an incorporated city or town and a license therefor has been secured from the proper municipal authorities therefor.

464.220 License fees; duration of license. (1) The fee for a license under ORS 464.210 shall be the same as that required by ordinance in the nearest incorporated city or town, but in the absence of such ordinance, the fee for such license shall be as follows:

(a) When the seating capacity of the building, tent, inclosure or other place in which the exhibition, show or entertainment is proposed to be given is not more than 500 seats, $20 per day.

(b) When the seating capacity is from 500 to 1,000 seats, $35 per day.

(c) When the seating capacity is over 1,000 seats, $65 per day.

(2) In estimating the seating capacity as the word is used in this section, 20 inches in width of seating space shall constitute a seat.

(3) No such license shall be granted for a longer period than six months.

464.230 Forfeiture for violation of ORS 464.210. Any person, corporation, association, company or troupe found violating ORS 464.210 shall forfeit and pay the sum of $250 for each violation thereof, to be recovered by action at law, in the name of the county, before any justice of the peace or any court of record having jurisdiction thereof. The moneys collected on such judgment, except the taxable costs, shall be paid to the treasurer of such county for the use of the common schools therein. Each day of exhibition, without procuring the license required by ORS 464.210 is a separate violation.

464.240 to 464.980 [Reserved for expansion]

PENALTIES

464.990 Penalties. (1) Violation of ORS 464.010 or 464.020 is punishable, upon conviction, by a fine of not more than $100.

(2) Any person who violates any of the provisions of ORS 464.110 to 464.190 shall forfeit any license theretofore granted him, and, upon conviction, shall be punished by a fine of not more than $250 or by imprisonment for not more than 60 days, or both.

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on October 15, 1955.

Sam R. Haley
Legislative Counsel