

FRIDLEY CITY CODE
CHAPTER 607. ENTERTAINMENT LICENSE
(Ref. 644, 773, 810)

607.01. ENTERTAINMENT DEFINED

Entertainment as herein used is defined to include, but not be limited to, music, singing, plays, dancing either by the public or performers, motion pictures, exposition, performance male or female reviews, fashion shows, TV other than regular public channels, concerts, or any other deliberate act intended to amuse or entertain patrons and/or employees.

607.02. ENTERTAINMENT LICENSE REQUIRED

1. No persons operating an establishment in the business of selling or permitting to be displayed or consumed an intoxicating liquor or non- intoxicating malt liquor shall permit any entertainment on the premises without having secured a license to permit such entertainment from the City Council.
2. Licenses issued pursuant to this Chapter are not transferable between persons. Such licenses may, however, be transferred to a new location under the same ownership upon approval by the City Council.
3. Entertainment licenses and fees shall be in addition to any licenses required for the establishment's operations. The annual license fee and expiration date shall be as provided in Chapter 11 of this Code.

607.03. RESTRICTIONS

Holders of an entertainment license shall be subject to all the regulations and restrictions contained in this Code and any violation may be grounds for the cancellation of said license if the City Council shall so determine.

607.04. ENTERTAINMENT PROHIBITIONS

It shall be unlawful and no entertainment license shall be held at any establishment in which any person is allowed to:

1. Remain in or upon the premises who exposes to public view any of his/her genitals or anus, except when the genitals or anus are covered with opaque clothing.
2. Perform or simulate sexual acts, or make physical contact with another's sexual parts of the human body.
3. Show films, or other visual reproduction depicting entertainment which if done by a person on the premises would be prohibited by this Chapter.
4. Expose to public view any portion of the female breast below the top of the areola except where the female breasts are covered with opaque material.

607.05. BONDS

1. Each application for an "on-sale", "off-sale" liquor license or on-sale" wine license shall be accompanied by a surety bond in the amount of \$3,000.00 running to the City of Fridley, or in lieu thereof, cash or United States Government bonds of equivalent market value, as provided in Minnesota Statutes, Section 340.12. The bond shall be in effect for the period covered by the license.
2. The bond's conditions are as follows:
 - A. The licensee will obey the laws relating to the licensed business.
 - B. The licensee will pay to the City, when due, all taxes, licenses, penalties, and other charges.
 - C. In the event of any violation of any liquor laws, the bond shall be forfeited to the City, as obligee.
3. Bonds for "on-sale" licenses shall be filed with the City Clerk and approved by the City Council. Bonds for "off-sale" licenses and lion-sale" wine licenses shall be filed with the City Clerk and approved by the City Council and the Commissioner of Public Safety.
4. All bonds shall be for the benefit of the City, as obligee, and all persons suffering damages by reason of the violation of the conditions of 607.05.2. Upon forfeiture of the bond for violation of the law the District Court of Anoka County may forfeit the bond's penal sum or any part thereof to the City.
5. Operation of a licensed business without having on file at all times with the City of Fridley effective security as required above shall be grounds for immediate revocation of the license. (Ref. 810)

607.06. LIABILITY INSURANCE

1. Every person licensed to sell at retail intoxicating liquor or non-intoxicating malt liquor at on-sale or off-sale or on-sale wine shall, after August 1, 1983, demonstrate proof of financial responsibility with regard to liability imposed by Minnesota Statutes, Section 340.95, to the City Clerk as a condition of the issuance or renewal of his or her license. Proof of financial responsibility may be given by filing:
 - A. A certificate that there is in effect for the period covered by the license an insurance policy or pool providing the following minimum coverages:

- (1) \$50,000 because of bodily injury to any one person in any one occurrence and, subject to the limit for one person, in the amount of \$100,000 because of bodily injury to two or more persons in any one occurrence, and in the amount of \$10,000 because of injury to or destruction of property of others in any one occurrence.
 - (2) \$50,000 for loss of means of support of any one person in any one occurrence, and, subject to the limit for one person, \$100,000 for loss of means of support of two or more persons in one occurrence; or
 - B. A bond of a surety company with minimum coverages as provided in clause (A) above, or
 - C. A certificate of the State Treasurer that the licensee has deposited with the State Treasurer \$100,000 in cash or securities which may legally be purchased by savings banks or for trust funds having a market value of \$100,000.
2. A liability insurance policy required by Section 607.06.1 shall provide that it may not be canceled for any cause, either by the insured or the insurance company without first giving ten (10) days notice to the City of Fridley in writing of the intention to cancel it, addressed to the City Clerk of the City of Fridley.
 3. A liability insurance policy required by Section 607.06.1 shall provide that the insurance company agrees to contact the City of Fridley in writing and addressed to the City Clerk of the City of Fridley, within ten (10) days of any claim made against the policy.
 4. A liability insurance policy required by Section 607.06.1 that contains annual aggregate limits of liability shall require the insured to buy additional coverage after any claim is made that reduces the coverage under the policy below the requirements of Section 607.06.1.
 5. The operation of a retail intoxicating or non-intoxicating malt liquor business at on-sale or off-sale or on-sale wine, without having on file at all times with the City of Fridley the liability insurance policy or other evidence of financial responsibility required under Section 607.06.1 shall be grounds for immediate revocation of the license. Notice of cancellation of a current liquor liability policy serves as notice to the licensee of the impending revocation and unless evidence of compliance with the financial responsibility requirements of Section 607.06.1 is presented to the City Clerk before the termination is effective, the license will be revoked instantly upon the lapse.
 6. The City Clerk shall submit the provided proof of financial responsibility to the Commissioner of Public Safety.

607.07. PENALTIES

1. Every person who produces promotes, prepares, solicits, manages, directs or participates in any entertainment contrary to the provisions of this Chapter shall be guilty of a misdemeanor and subject to all penalties provided for such violation under the provisions of Chapter 901 of this Code.
2. Violation of this Chapter shall be grounds for revocation or suspension of any and all licenses held on such premises.