



# CITY OF MANITOWOC

WISCONSIN, USA

[www.manitowoc.org](http://www.manitowoc.org)

November 27, 2018



18-1233

TO: FINANCE COMMITTEE

RE: Section 11.170 of the Municipal Code – Theater License

We currently have three theater license applicants and each has a different license year. It would be much easier to manage these licenses if they were all on a calendar year. Section 11.170 of the Municipal Code which regulates theater licensing only states the annual license fee for a theater shall be \$150. There is no mention of the license year.

I am seeking approval to move each of these licenses to a calendar year. I suggest pro-rating their license fees beginning with the expiration of their current licenses in June, July and October of 2019. Then in 2020 licensing them for the calendar year.

Thank you for your consideration in this matter.

Very truly yours,

DEBORAH NEUSER  
City Clerk

dan



(7 hits)

## 11.170 Theaters, Circuses and Carnivals.

### (1) Definitions.

**Carnival.** The term **carnival** shall mean an exhibition open to the public including amusement activities, rides, booths for the conduct of games of skill, or sideshows. The conduct of five or less carnival activities incidental to a picnic or similar gatherings shall not be included within the definition of **carnival** hereunder.

**Circus.** The term **circus** shall mean a public exhibition consisting of acts such as performing animals, acrobats, clowns or similar acts or exhibitions which is open to the public.

**Theater.** A **theater** is a building regularly used for live or filmed performances with a seating capacity of more than 50 people. The term shall not include school facilities or any other facility which is not regularly used for performances open to the public.

**(2) License Required.** Any person or persons owning, conducting, operating or managing for gain within the limits of the City of Manitowoc any theater, circus or carnival shall first obtain a license therefor under this section.

**(3) License Fee.** The annual license fee for a theater shall be \$150.00. The fee for a circus or carnival shall be \$100.00 per day, except that the fee for any circus or carnival sponsored by a bona fide nonprofit organization shall be \$50.00 per day.

**(4) Application.** Applications for a license required by this section shall be made on a form furnished by the City Clerk which shall be properly verified and shall contain the name, place of residence, age and occupation of the applicant or applicants, the purpose for which a license is being requested and the place where the licensed activity will occur. In the case of a circus or carnival, the application shall include the names of three places where the event was held within the previous 60 days and the three places where the event will next be held following its completion in the City of Manitowoc, as well as any other facts or information requested or required by any City department which is relevant to the regulation of the licensed activity. In the case of a circus or carnival the application shall also list any applicable admission charges, and, in the case of an event sponsored by a bona fide nonprofit organization, the application shall specify the nature of any financial benefit to the nonprofit organization as part of its sponsorship of the event.

**(5) Issuance.** No license shall be issued hereunder by the City Clerk until the applicant shall have first paid the amount of the license fee, inspection approvals or determinations of inapplicability have been received by the Police Department, Fire Department, and Building Inspection Department and required proof of insurance has been furnished.

**(6) Smoking Prohibited in Theaters.** No smoking shall be permitted in any theater while there is a performance of any kind being conducted in such theater.

**(7) Inspection.** Upon receipt of an application for a license hereunder, the Police Chief, Fire Chief, and Director of Building Inspection shall make or cause to be made such inspection as may be required to assure compliance with all applicable codes and ordinances. Each of the above-named departments shall report back to the City Clerk to inform the Clerk either that any applicable inspections have been made or that the event to be licensed does not require an inspection.

**(8) Insurance.** No license shall be granted for any theater, circus or carnival hereunder unless the licensee shall have procured and filed with the City Clerk a certificate showing in existence a general liability insurance policy with limits of not less than \$100,000 for injuries to any one person and not less than \$300,000 for injuries arising out of any one accident, as well as property limits of not less than

\$50,000 for any one accident. The certificate or insurance shall be on a form subject to approval by the City Attorney.

[Ord. 06-081 § 7, 2006. Prior code § 11.11]

**The Manitowoc Municipal Code is current through Ordinance 18-1082, passed October 15, 2018.**

Disclaimer: The City Clerk's Office has the official version of the Manitowoc Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

**Code Renumbering:** The City of Manitowoc reformatted their code in 2011. If you are looking for the text of an ordinance under the previous numbering system, please look to the cross-reference table (ManitowocOT/ManitowocOTA.html) .

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