

ORDINANCE NO. 16A-3

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 9, LICENSES, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, SPECIFIC BUSINESSES AND ACTIVITIES, SECTION 9-54, DANCE HALLS, ETC., OPEN TO PUBLIC AND BY ADDING A NEW SECTION, SECTION 9-54.1, DANCES SPONSORED BY NONPROFIT ORGANIZATIONS.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 9, Licenses, of the Code of the County of James City, Article II, Specific Businesses and Activities, be and the same is, hereby amended and reordained by amending Section 9-54, Dance Halls, Etc., Open to Public and by adding a new section, Section 9-54.1, Dances Sponsored by Nonprofit Organizations.

CHAPTER 9

LICENSES

Article II. Specific Businesses and Activities.

Section 9-54. Dance halls, etc., open for public.

Every person engaged in the operation of a dance hall or any commercial hall open to the general public where dancing is permitted, to which an admission fee is charged, or for which compensation is in any manner received, either directly or indirectly, by cover charge or otherwise, shall pay a license tax of fifty dollars (\$50) per annum, or twenty-five dollars (\$25) per dance.

No license shall be issued hereunder unless and until there is presented to the commissioner of the revenue a permit issued pursuant to Chapter 4, Dance Halls, from the County Administrator permitting or authorizing the operation of this business.

Section 9-54.1. Dances sponsored by nonprofit organizations.


No license tax shall be assessed or charged for any activity set forth in Section 9-54 provided such dance is sponsored, supervised and controlled by a nonprofit organization, and provided further that such organization shall first obtain a license for the privilege of doing business in the county.

No license shall be issued under this section until the County Administrator has first made or caused to be made an investigation of the organization involved and the nature of the sponsorship, supervision and control of the show or amusement and the County Administrator is satisfied that:

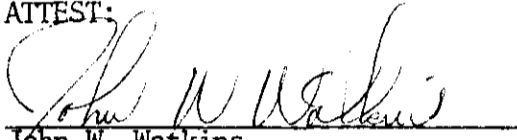
- 1) The organization is in fact a bona fide nonprofit organization not authorized to distribute its income to its members by charter, constitution or bylaws.
- 2) The show is under the direct sponsorship, supervision and control of the nonprofit organization.
- 3) If any person, firm or corporation connected with, pertaining to or in any manner involved with the activity involved herein receives compensation of any nature for services rendered, such compensation must be paid directly by the nonprofit organization or an affiliate organization of which it is a member.
- 4) No arrangement exists for sharing the profits, net income or gross receipts from such show with any person, firm or corporation; provided however, such profits may be shared with either or both of the following:

- (a) an affiliated organization of which the nonprofit organization is a member,
- (b) a property owner providing property upon which such show will be conducted.

This ordinance shall be in full force and effect from the day of its adoption.


John E. Donaldson, Chairman
Board of Supervisors
James City County, Virginia

ATTEST:


John W. Watkins
Clerk