

Edwards,Michelle

From: Felling,Darrell
Sent: Thursday, April 26, 2018 3:10 PM
To: DeBaun,Curtis; Bennett,Duke A; Azar, George; Auler,Amy; Crossen,Martha; Elliott,Earl; Nasser,Karrum; Don.Morris@terrehaute.in.gov; Nation,Todd; Garrison,Neil; Edwards,Michelle; Drummy, Robin
Cc: Meeks,Molly
Subject: Dance Permits
Attachments: Dance Permit Memo.pdf

All,

Please see the attached memo on the dance ordinance. It should be helpful if you have any questions from the public. Please let me know if you have any questions.

Best,

Darrell "Eddie" Felling II
City Attorney
City of Terre Haute Legal Department
812-244-2373

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City of Terre Haute Legal Department

City Hall, Second Floor 17 Harding Avenue, Terre Haute, Indiana 47807
Darrell E. Felling II, City Attorney

MEMORANDUM

TO: City Administration and Council

FROM: City Legal, Eddie Felling

DATE: April 26, 2018

RE: *Dance Permits*

Due to recent media coverage, my office has received several inquiries into dance permit requirements and violations. The purpose of this memo is to alleviate any confusion regarding when a dance permit is required and the purpose of the original legislation requiring a dance permit in certain instances. Please feel free to contact me with any further questions or concerns you may have regarding this matter.

Prior to the passage of the dance permit ordinance, the THPD noticed a considerable increase of violent crimes that occurred during large gatherings of individuals at poorly organized "dance parties." This trend was verified by other large communities throughout the state that also indicated similar problems with those types of events. While exploring possible legal solutions to our specific problem, my office was made aware of an ordinance that was passed in Indianapolis that required permits to host certain events and which considerably helped curb violent crime related to unregulated parties. As a result, we created a substantially similar ordinance that went into effect December, 2016.

To date, we have seen a marked decrease in violent crime related to "dance parties" which we attribute directly to the enactment and enforcement of our dance permit ordinance. There remains, however, some uncertainty as to what types of events require a dance permit. While this memo does not seek to set forth every instance in which a permit may or may not be required, it is important to note several instances in which a permit is not required. Please also note that the dance ordinance is only applicable within the municipal boundaries of the City of Terre Haute.

A dance permit is generally not required for the following:

1. Any private gathering/dance that is *not open to the general public* and does not require a price for admission. Examples generally include traditional birthday parties, weddings and religious celebrations that meet the previously listed criteria.
2. Any business, school or dance, the purpose of which is to teach dance; and

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3. Any business that has a traditional license to sell alcohol for a period of one or two years and attendance is limited to individuals over 21. Examples would generally include bars or taverns.

While the above list is not exhaustive, it should provide guidance for the vast majority of concerns that have been voiced thus far. Please note that Chief John Plasse will be attending the City Council meeting on May 03 at 6:00 p.m. to provide a more in-depth analysis of the positive impact the dance ordinance has made in the City to-date.