ORDINANCE NO. 18245

AN ORDINANCE introduced by Mayor James A. McClinton relating to billiard and
dance halls, amending City of Topeka Code §§ 14-51, 14-52, 14-
53, and 14-114 and repealing the original sections.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. Topeka City Code § 14-51, Location requirements, is hereby
amended to read as follows:

Location requirements Definitions.

(a) Every billiard hall, pool room, bowling alley or skating rink operated as a
public place of amusement in the city shall be located on the first or second floors only
of any building in the city. Such billiard hall, pool room, bowling alley or skating rink shall
have an entrance from a public street or avenue of the city and if any such billiard hall,
pool room, bowling alley or skating rink is operated on both the first and second floors,
each floor of such billiard hall, pool room, bowling alley or skating rink shall have an
entrance from a public street or avenue of the city. The term "first floor" as used in this
section shall be construed to mean the street floor and the term "second floor," the floor
immediately above the street floor; provided, that billiard halls, pool rooms, bowling
alleys or skating rinks may be located on the basement floor, first or second floor of any
hotel in the city that has 150 rooms or more. The windows and doors of every billiard
hall, pool room, bowling alley or skating rink operated as a public place of amusement in
the city shall be kept free and clear of any obstruction, either temporary or permanent,
that interferes or shuts off the view from the street of the inside of the billiard hall, pool
room, bowling alley or skating rink. There shall be no back room in connection with any
billiard hall, pool room, bowling alley or skating rink, except that such billiard hall, pool
room, bowling alley or skating rink may have a compartment for a water closet or toilet
purposes.  *Billiard hall.* A billiard hall shall mean any establishment having more than
two (2) billiard or pool tables available to patrons for playing billiards or pool, with or
without consideration.

(b) The provisions of this section relating to the location of billiard halls, pool
rooms, bowling alleys and skating rinks shall be supplemental to the provisions of the
comprehensive zoning regulations of the city as found in appendix C of this Code.

Section 2.  Topeka City Code § 14-52, Hours of closing for pool and billiards, is
hereby amended to read as follows:

**Hours of closing for pool and billiards Location requirements.**

It shall be unlawful for any person owning or in control of or employed in or
operating as agent of any billiard hall or pool room as a public place of amusement in
the city to keep such billiard hall or pool room open between the hours of 12:00 midnight
and 6:00 a.m. of the next day:

(a)  *Every billiard hall, pool room, bowling alley or skating rink operated as a
public place of amusement in the city shall be located on the first or second floors only
of any building in the city. Such billiard hall, pool room, bowling alley or skating rink shall
have an entrance from a public street or avenue of the city and if any such billiard hall,
pool room, bowling alley or skating rink is operated on both the first and second floors,
each floor of such billiard hall, pool room, bowling alley or skating rink shall have an*
entrance from a public street or avenue of the city. The term "first floor" as used in this section shall be construed to mean the street floor and the term "second floor," the floor immediately above the street floor; provided, that billiard halls, pool rooms, bowling alleys or skating rinks may be located on the basement floor, first or second floor of any hotel in the city that has one hundred fifty (150) rooms or more. The windows and doors of every billiard hall, pool room, bowling alley or skating rink operated as a public place of amusement in the city shall be kept free and clear of any obstruction, either temporary or permanent, that interferes or shuts off the view from the street of the inside of the billiard hall, pool room, bowling alley or skating rink. There shall be no back room in connection with any billiard hall, pool room, bowling alley or skating rink, except that such billiard hall, pool room, bowling alley or skating rink may have a compartment for a water closet or toilet purposes.

(b) The provisions of this section relating to the location of billiard halls, pool rooms, bowling alleys and skating rinks shall be supplemental to the provisions of the comprehensive zoning regulations of the city as found in appendix C of this code.

Section 3. Topeka City Code § 14-53, Reserved, is hereby amended to read as follows:

**Hours of closing for pool and billiards.**

It shall be unlawful for any person owning or in control of or employed in or operating as agent of any billiard hall or pool room to allow billiard or pool tables to be used between the hours of 2:00 a.m. and 6:00 a.m.
Section 3. Topeka City Code § 14-114, Closing, is hereby amended to read as follows:

Closing.

All public dances shall be discontinued and all public dancehalls shall be closed between the hours of 42:00 a.m. and 6:00 a.m. of any day.

Section 4. That original City of Topeka Code §§ 14-51, 14-52, 14-53, and 14-114 are hereby specifically repealed.

Section 5. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

PASSED AND APPROVED by the Council of the City of Topeka May 18, 2004

SEAL OF TOPEKA
CAPITAL CITY INCORPORATED
KANSAS

ATTEST:

James A. McClinton, Mayor

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 5-5-04
TO BE CODIFIED
NOT TO BE CODIFIED

VYORD/BILLIARDDANCEHOURS
04/21/04