



Napa Music Industry: Music, Police & the Dance Permit

Commentary By Dalton J. Piercey 01-06-18

To Dance or Not To Dance that is the question? Many of us musicians over the years have been the victims of this legendary lore of a Municipal Code that requires a Dance Permit.

So here it is. Brace yourselves fellow musicians, ***THERE NEVER EVER WAS A CITY MUNICIPAL CODE THAT CONTROLLED THE ACT OF DANCING IN PUBLIC PLACES IN NAPA.***

Historically the origin or creation of a “Dance Permit” came from the 1950’s as a result of the advancement of Rockabilly and Rock-n-Roll, the satan music. And of course the “Elvis Pelvis”, a shocking display of dancing for which Ed Sullivan was forced only to display Elvis’s moves above the waist.

In previous City Code the term “dancing” appears in two municipality codes prior to 2012. NAPA CITY REGS 2002. Zoning Code 17.10.020 Land Use Regulations Descriptions, Night Club. Viewing Land Use Regulations you can see that a permit is required for a business if they have these elements, “-with or without accessory serving of beer or wine; -with a bar, live entertainment, or dancing.” You can aptly see and conclude that the original zoning was confusing, and left to the personal opinions of others to create multiple interpretations of the legal language resulting in the rumor that a dance permit was required for establishments that had live entertainment and served alcohol.

There is one fact for sure. There is a prohibitive regulation required in Napa County. Napa County Code 5.44.010, requires a dance permit. The story is that a local businessman opened a Strip Joint in Napa County. The county then moved to restrict dancing during certain hours.

Yet why do the Police show up at a private business establishment that is offering Live

the “Dance Permit” they were asked by the Police to put tables on the dance floor. To STOP the dancing. First time I saw this was at O’Sullivan’s, the second the Nite Cap and eventually a few times when I was performing, including one or two performances at Downtown Joe’s, the tables cutting into the dance floor.

But this crazy train, knee jerking activity really left hard feelings in the musician community and public community for many years. Presently, things have changed as a result of my effort’s and political advocacy with the City in concern of developing a better music industry. Now the “Entertainment District” emerges. But I still get reports from musicians that the tables still take the dance floor at times. Title 9 is a necessary law however it can flip into a obstructing barrier in our music industry.

Over the years rival music entrepreneurs have used the law to complain on each other. That includes promoters, club and restaurant owners and musicians too. And then there is the public. There was parent that was having management difficulty with a teen and did not want her child hanging out on the patio at one of the restaurant’s. Easiest solution call the Police and report an infraction. Dancing and music is stopped, all kids are carded and the night is over. The adults suffer the hand cuffs on their civil rights but a mama bear is happy?

Understanding Title 9 and the Noise Regulation, the requirement for a Outdoor Amplified Permit, these are all a part of the system put in place to help deal with problems when the arise. Who can argue against that. Yet myself and many of my

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professional peers have had to watch inexperienced individuals just starting out in working a music business fail, because they lack education and experience in these matters of running an entertainment/music business. I have been in our music environment for years and I can give a complete history of each and every music venue and demise.

The solution of course is good sensible laws that perpetuate a music industry not bowing to obstructionism. I would like to educate the City Of Napa in concern of the “Middleman Complex” for which at times they are serious gatekeepers allowing music to go threw the gate or not. The musicians are experiencing this obstruction again as a individual has moved into the Oxbow Commercial District and their residency is affecting the local musicians best liked music venue. As musicians we need our venues. The city needs to re-evaluate their protocols and processes.

Dalton

Image Below is the County Ordinance/Regulation prohibiting dancing between 2 A.M. and 10 A.M. I believe this deos not effect venues in the Cities jurisdiction.

5.44.010 - Permit—Required for dances during certain hours.



No person, firm or corporation shall permit or maintain or conduct any dance open to the public between the hours of two a.m. and ten a.m. of any day unless such person, firm or corporation shall have first obtained a written permit to do so as herein provided.

(Prior code § 8000)

5.44.020 - Permit—Application.



Application for a permit shall be made in writing to the clerk of the board of supervisors at least three weeks in advance of the day on which the proposed dance is to be held, and shall contain the following information with respect to the applicant: the name and address of the applicant or the firm, person or corporation whom he represents, together with the address at which the proposed dance is to be held and the date on which the proposed dance will be held.

(Ord. 912 § 1, 1989: prior code § 8001)

5.44.030 - Permit—Fee.



An application fee in that amount adopted by resolution of the board of supervisors shall be paid by each applicant at the time of submitting the application.

