CHAPTER 13

Dance Halls

**SECTION 52‑13‑10.** Operation on Sunday forbidden.

It shall be unlawful for any person to keep open or admit persons to any public dancing hall owned or operated by him or to allow any person to continue thereat between the hours of twelve o’clock, midnight, Saturday and twelve o’clock, midnight, Sunday, and all such places shall be and remain closed to the public between such hours. The violation of the provisions of this section shall subject the offender to a fine of not less than ten nor more than fifty dollars for the first offense and for the second offense not less than fifty dollars nor more than one hundred dollars or imprisonment for thirty days.

HISTORY: 1962 Code Section 5‑601; 1952 Code Section 5‑601; 1942 Code Section 1734; 1932 Code Section 1734; 1923 (33) 203.

CROSS REFERENCES

Working on Sunday generally, see Section 53‑1‑40.

LIBRARY REFERENCES

83 C.J.S., Sunday Section 18.

United States Supreme Court Annotations

Governmental regulation of place of amusement, entertainment, or recreation as violating rights of owner or operator under equal protection clause of Federal Constitution’s Fourteenth Amendment ‑ Supreme Court cases. 104 L Ed 2d 1078.

**SECTION 52‑13‑20.** Location near churches and cemeteries forbidden.

It shall be unlawful to operate or maintain outside the limits of any incorporated town or city within the State a dance hall within one fourth of a mile of a rural church with an active congregation or a rural cemetery that is either maintained as a cemetery or has been used for the burial of the dead within five years previous to the operation or maintenance of such dance hall. Every operation or maintenance of a dance hall within a period of twenty‑four hours shall be considered a separate and distinct offense if in violation of this section.

HISTORY: 1962 Code Section 5‑602; 1952 Code Section 5‑602; 1942 (42) 1736.

United States Supreme Court Annotations

Governmental regulation of place of amusement, entertainment, or recreation as violating rights of owner or operator under equal protection clause of Federal Constitution’s Fourteenth Amendment ‑ Supreme Court cases. 104 L Ed 2d 1078.

Attorney General’s Opinions

A National Guard armory used occasionally for dances is not a “public dancing hall” or “dance hall” within the meaning of Code 1962 Sections 5‑602 or 5‑601. 1963‑64 Op Atty Gen, No 1703, p 162.

**SECTION 52‑13‑30.** Counties not included in provisions of Section 52‑13‑20.

Notwithstanding the provisions of Section 52‑13‑20, in Aiken, Bamberg, Barnwell, Berkeley, Charleston, Colleton, Darlington, Florence, Georgetown, Jasper, Lexington, Newberry, Orangeburg and Sumter Counties the governing body of the county may, in its discretion, grant and revoke licenses for the operation and maintenance of dance halls at any location within the county outside the limits of any incorporated town or city and fix license fees for such businesses not to exceed ten dollars per annum for each such business. It shall be unlawful to operate or maintain outside the limits of any incorporated town or city within any such county a dance hall without first procuring the issuance of such license from the governing body of the county.

HISTORY: 1962 Code Section 5‑603; 1952 Code Section 5‑603; 1942 (42) 1736.

LIBRARY REFERENCES

40 C.J.S., Holidays Sections 3 et seq.

86 C.J.S., Theaters and Shows Section 20.

United States Supreme Court Annotations

Governmental regulation of place of amusement, entertainment, or recreation as violating rights of owner or operator under equal protection clause of Federal Constitution’s Fourteenth Amendment ‑ Supreme Court cases. 104 L Ed 2d 1078.

**SECTION 52‑13‑40.** Violations.

Any violation of the provisions of this article other than Section 52‑13‑10 shall be punishable for the first offense by a fine of not more than one hundred dollars nor less than twenty‑five dollars or by imprisonment for not more than thirty days and for a subsequent offense by a fine of not less than seventy‑five dollars nor more than one hundred dollars or by imprisonment for not less than twenty‑five days nor more than thirty days.

HISTORY: 1962 Code Section 5‑605; 1952 Code Section 5‑605; 1942 (42) 1736.

LIBRARY REFERENCES

86 C.J.S., Theaters and Shows Section 16.