

February 13, 1951.  
County and Township Affairs.

**House File 411**  
By BROWN, MUNGER, FREY and  
WESTON.

Passed House, Date .....

Vote: Ayes..... Nays.....

Passed Senate, Date.....

Vote: Ayes..... Nays.....

Approved .....

## A BILL FOR

An Act relating to drive-in theatres, providing for the issuance of license and control thereof, and providing a penalty for the violation of the provisions of this Act.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. The term drive-in theatre, when used in  
2 this chapter, shall be held to mean any place where or in  
3 which moving pictures and/or theatrical performances of any  
4 kind are exhibited, and may be seen from a motor vehicle  
5 brought to a stop.

1 Sec. 2. No person, firm, or corporation shall carry  
2 on or conduct a drive-in theatre without first procuring a  
3 license as herein provided, and paying the license fee  
4 therefor.

1 Sec. 3. Before any license shall be issued, under the  
2 provisions of this chapter, the party applying therefor shall  
3 apply by written petition to the township trustees, and/or  
4 city council, which shall state the place where the drive-in  
5 theatre is to be located, the name of the person, firm or

6 corporation to whom the license shall be issued, and a complete  
7 set of plans from a licensed engineer showing all entrances,  
8 exits and construction data of all buildings and grades, with  
9 a certificate from the highway commission approving the  
10 location of said drive-in theatre.

1 Sec. 4. The township trustees or city council, upon  
2 receipt of the application, as set forth in section 5, shall  
3 file said application, and cause the applicant to publish,  
4 at his expense, in some weekly newspaper published in the  
5 county, for three (3) consecutive weeks the intention of  
6 establishing a drive-in theatre, the location thereof and the  
7 name of the owner. Any one objecting to the location of said  
8 drive-in theatre shall, within ten (10) days after the last  
9 publication, file the objection in writing with the township  
10 trustees or city council, who shall consider both the application  
11 and the objection or objections, and either grant or deny the  
12 applicant a permit upon payment of the license fee as herein  
13 set.

1 Sec. 5. The fee to be paid for licenses required under  
2 this chapter shall be twenty-five dollars (\$25.00) per year.

1 Sec. 6. Drive-in theatres shall be located only where two  
2 (2) sides of property are joined by a road.

1 Sec. 7. Highway blinker system shall be installed and  
2 located one hundred (100) feet before approach to exit and  
3 entrance lanes. Entrance and exit lanes shall be adequately  
4 lighted by flood lights during hours of operation.

1     Sec. 8. The tower of all drive-in theatres shall be located  
2 at a minimum of two hundred (200) feet from the highway lane  
3 and constructed so that the screen surface cannot be seen from  
4 the most heavily traveled highway or road adjacent thereto.  
5 Such tower shall be built to withstand a minimum of thirty-five  
6 (35) pounds pressure.

1     Sec. 9. The area in which cars shall be parked to view the  
2 motion picture shall be equipped with lighting facilities to  
3 give a minimum of one (1) foot candlepower in all parts thereof  
4 during the operation of the theatre; it shall be equipped with  
5 rest rooms and toilet facilities to conform with modern  
6 sanitation; it shall be equipped with a speaker system of an  
7 in-car type, and the projection booths shall be equipped with  
8 two (2) doors located at opposite sides, and adequate toilet  
9 facilities.

1     Sec. 10. There shall be a parking area between entrance  
2 to the theatre and the highway to accommodate at least one-half  
3 ( $\frac{1}{2}$ ) of the theatre capacity and shall be covered with gravel,  
4 crushed stone or paved with concrete or bituminous surfacing  
5 material and dust proofed.

1     Sec. 11. Before any construction starts the applicant  
2 must submit a certificate from an engineer that the plans comply  
3 with the requirements of this chapter.

1     Sec. 12. The Iowa state highway commission is hereby  
2 given the power to determine whether any drive-in theatre  
3 located in this state complies with the provisions of this

4 chapter, and shall so certify its findings to the township  
5 trustees or city council.

1 Sec. 13. The provision of this chapter shall not apply  
2 to any drive-in theatre already built, or already under  
3 construction on the effective date of this Act.

1 Sec. 14. Any person, firm or corporation, or any officer,  
2 agent or employee of any person, firm or corporation violating  
3 any of the provisions of this chapter shall be deemed guilty  
4 of a misdemeanor, and upon conviction therefor, shall be  
5 fined not less than ten dollars (\$10.00), nor more than one  
6 hundred dollars (\$100.00), or imprisoned in the county jail  
7 for not more than thirty (30) days.

1 Sec. 15. Any person, firm or corporation, or any officer,  
2 agent or employee of any person, firm or corporation conducting  
3 a drive-in theatre in violation of any provision of this  
4 chapter, may be restrained by injunction from operating such  
5 drive-in theatre until the provisions of this chapter are  
6 complied with. No injunction shall issue until after the  
7 defendant has had at least five (5) days notice of the application  
8 therefor, and the time fixed for hearing thereon.

1 Sec. 16. The county attorney in each county shall assist  
2 in the enforcement of the provisions of this chapter.

#### EXPLANATION OF H. F. 411

The purpose of this bill is to provide regulation and control for drive-in theatres (similar to those regulations and controls now provided in the Code of Iowa for regular indoor theatres) in the interest of the safety, comfort and convenience of the public patronizing drive-in theatres, and to eliminate insofar as is possible the extra hazard often caused by drive-in theatres on the highways and roads adjacent thereto.