

Guidelines for NIGHTCLUB

1. Definition

A “nightclub” means a place of entertainment providing music and space for dancing on its premises which is open to the public and serves refreshments including alcoholic drinks and optionally caters for food. Nightclub shall also include discotheques.

2. Layout

Every nightclub shall consist of a minimum of:

- a) a dancing floor
- b) a refreshment area
- c) Toilet facilities
- d) Parking space
- e) Storage area and scullery
- f) Storage area including a cleaner’s sink for cleaning equipment
- g) CCTV control room and Administrative office
- h) Emergency entry for rescue purposes (fire fighters, paramedical and police)

3.1 Location

3.1.1 Except for existing ones, new nightclubs shall be discouraged in residential zones or planned residential zones.

3.1.2 Tourist Enterprise Licenses for nightclubs (excluding Hotels) shall only be considered:

- (a) along the main road, within pre-defined stretches, in designated tourist areas namely :
 - i. Grand Baie (Chemin Vingt Pieds - opposite Le Rocher to Shell Filling Station and from Store 2000 to Mauritius Commercial Bank)
 - ii. Pte aux cannoniers (From Kapukai to Royal Supermarket)
 - iii. Mon Choisy (opposite Public Beach)
 - iv. Pereybere Coastal Road
 - v. Bain Boeuf Coastal Road
 - vi. Flic en Flac (From Passadena Complex to Ninety Degrees pub)
 - vii. Belle Mare (opposite public beach and from Jugroo Road to Ex-Belle Mare Sugar Factory)
 - viii. Mahebourg Waterfront

- (b) within shopping malls, commercial complexes or business areas;
- (c) outside a radius of 400 metres from any residential area and place of worship.

3.2 Clearances/Licenses/Permits

The following clearances/licenses/permits are prerequisites for the issue of a Tourist Enterprise Licence:-

- a) Building and Land Use Permit from local authorities
- b) Preliminary Environment Report (PER) approval issued by the Ministry of Environment and Sustainable Development.
- c) Fire Certificate issued by Fire Services;
- d) Health Clearance issued by Ministry of Health; and
- e) Police Clearance.

3.3 Capacity

3.3.1 The occupancy level shall be determined by the following;

- a) 0.5 m² per person for the dancing floor.
- b) 1.40 m² per person for the refreshment area.

The number of persons having access to the nightclub shall not exceed the above occupancy level.

3.3.2 Nightclubs shall not be located above the first level of a building as far as practicable.

3.4 Hours of business

The opening hours shall be from 20.00hrs to 05.00hrs.

3.5 Certificate of Morality

Management shall submit to the Tourism Authority a certificate of morality in respect of each and every employee prior to the operation of the nightclub. It shall be the responsibility of the management to ensure that prior to their employment all staff have a clean record and hold a valid certificate of morality. The staff of nightclub shall exclude those having been convicted for possession of drugs or drug dealing offences, sexual offences and grievous bodily harm.

3.6 Noise

Over and above health clearance, the promoter shall meet the following requirements:

3.6.1 Design Stage

3.6.1.1 At the design stage of new nightclubs, or the refurbishment of existing ones, consideration shall be given to the site layout, with a view to preventing noise disturbance. In particular, attention shall be paid to the location of entrances, exits, windows, car parks, and access roads;

3.6.1.2 The nightclub shall be rendered soundproof such that music being played therein is not perceived outside the nightclub and does not constitute a source of nuisance.

3.6.1.3 Noise emanating from any plant and machinery such as pumps, air-conditioning systems and standby generators shall be within permissible limits as per the Environmental Standards for Noise Regulations 1997.

3.6.2 Operational Stage

3.6.2.1 Management shall monitor the noise level in the nightclub during operating hours. A calibrated sound limiter or calibrated compressor shall be installed in the amplified sound system to ensure that the music volume does not exceed 100 decibels and shall have an automatic reading and an automatic button or interrupter or jumper. The system shall also provide an audit trail of the level of sound for the past 15 days and be made available for inspection by an authorised officer.

3.6.2.2 No outdoor activity shall be undertaken on the premises of the nightclub.

3.6.2.3 Sound level shall not exceed 100 decibels inside the nightclub.

3.6.3 Miscellaneous provisions to prevent nuisances

The Management of the nightclub shall adopt a proactive approach in obtaining the cooperation of its customers by:

- (a) sensitising them from driving under the influence of alcohol.
- (b) refusing to serve drinks to intoxicated patrons
- (c) providing appropriate signage; and
- (d) affixing a code of conduct at exit to request:
 - (i) the cooperation of patrons, in particular, to prevent making noise as far as practicable while leaving the premises; and
 - (ii) patrons to avoid grouping in the streets outside the premises and the parking areas.

3.7 Security

3.7.1 CCTV

- a) The service provider of CCTV shall be a security company duly approved by the Tourism Safety Panel.
- b) CCTV control room shall be manned by at least one operator, equipped with proper means of communicating with other security officers during operating hours.
- c) CCTV shall be of infrared type and shall cover parking areas, entrance and activity areas inside the nightclub, so as to monitor the nature of activities and number of occupants during operating hours.
- d) CCTV shall be recorded electronically and stored in the respective server. Stored data/images shall be retained for a minimum of one year from the date of recording, with labelling of date and time and be made available to police officers as and when required.

3.7.2 General

A metal detector shall be placed at the main entrance. Any person found with an offensive weapon, firearms, or any other sharp instrument capable of inflicting harm and injury shall be denied access.

3.7.3 Security Officers

- a) All security officers shall be employed from private service security companies licensed under the Private Security Services Act 2004.
- b) The number of security guards to be present at any one time during operating hours of a nightclub shall be as follows:

| Number of Persons | Security Guards required | Areas to be posted |
|-------------------|--------------------------|---|
| Up to 100 | 5 | Inside the nightclub, toilet area, entrance/exit door, parking area |
| 100 - 200 | 7 | |
| 200 - 400 | 11 | |
| 400 -600 | 15 | |
| Above 600 | 20 | |

3.8 Health

3.8.1 General Requirements

- a) There shall be a water storage tank of sufficient capacity to ensure a constant flow of running water in toilets and urinals especially during operating hours. All water storage tanks shall be kept clean and in good condition at all times.
- b) The establishment, its yard and surroundings shall be kept clean and free of offensive odour at all times.
- c) Floors, walls and ceilings shall be kept clean and in good condition at all times.
- d) Fly proof covered refuse bins shall be provided on the premises.
- e) The management shall submit a pest control certificate issued by a company registered with the Ministry of Health upon issuance and renewal of the Tourist Enterprise Licence. Disinfestations shall be carried out at least once every three (3) months.
- f) The management shall ensure strict compliance with the Public Health (Restrictions on Tobacco Products) Regulations 2008(GN No. 263 of 2008).

3.8.2 Ventilation and lighting

- (a) The establishment shall be adequately ventilated during operating hours.
- (b) The building shall be adequately provided with light to ensure the safe movement of patrons and staff.

3.8.3 Sanitary facilities

- a) Self-closing devices shall be fitted to all doors of water closets.
- b) All water closets shall be maintained at all times in a state of good repair and cleanliness and kept free from bad smell by provision of deodorant to the satisfaction of the Sanitary Department of the Ministry of Health and the Tourism Authority.
- c) Two full time sanitary attendants (one for male and one for female) shall be on duty during operating hours.
- d) All water closets shall be clearly indicated, properly lighted and ventilated.
- e) Separate sanitary facilities shall be provided as follows:

| Number of Sanitary Facilities | | | |
|--------------------------------------|---|--|---|
| | Urinals | Water Closets (WC) | Wash Hand Basins |
| MALE | 2 for up to 25 males, 1 additional for every 50 | 2 for up to 100 males, 1 additional for every 100 males. | 1 per WC and, in addition 1 per 3 urinals. Mirror facility to be provided. |
| FEMALE | Not applicable | 2 for up to 50 females; plus one for every additional 25. (including 1 disposal unit of sanitary dressing in every toilet) | 1 per toilet Mirror facility to be provided. |

3.9 Parking slots

3.9.1 Parking facilities shall be made available within walking distance of the nightclub

3.9.2 Parking space shall be provided using the following formula:

The maximum capacity of occupants of nightclub divided by 5

3.10 Safety

- a) The sound of the alarm system shall be 5 decibels above the sound system. The sound level inside the nightclub shall at no time exceed 100 decibels.
- b) Corridors and stairs shall be maintained in good condition and free from obstruction.
- c) The way leading to toilets, exits and staircase shall be adequately lighted.

3.11 Environment

The activities of the nightclub shall not cause any form of nuisance to the surrounding neighbourhood by way of noise, vibration, and ensure that its patrons do not indulge in anti-social, rowdy behaviour and vandalism, etc.

3.12 Fire

The applicant shall ensure strict adherence with the following:

- (a) Be holder of a valid Fire Certificate issued by the Fire Services Department for the building in which a nightclub is being operated;
- (b) Comply with all Fire Safety requirements for Nightclub/Private club and Discotheques as per Fire Services Guidelines dated 25/03/10;
- (c) Submit a Fire Emergency Plan approved by the Fire Services Department on application for Tourist Enterprise Licence;
- (d) Upon renewal of the Tourist Enterprise Licence for Nightclub, the operator shall submit a maintenance certificate for all fire fighting equipment and Fire Alarm approved by the Fire Services Department;
- (e) Submit an updated Fire Certificate and Fire Emergency Plan following any material /structural alteration and increase in capacity;
- (f) Carry out Evacuation Fire Drill twice yearly and records to be kept accordingly;
- (g) Installation of smoke and ventilation fan in accordance with ISO 21927-3:2006
- (h) Installation of smoke detectors complying with BS EN 54-20-2006;
- (i) Apply a fire retardant coating for all fixtures and furniture complying with BS 476 Part 7: 1997;
- (j) Installation of water sprinklers in accordance with ISO 6182-1: 2004; and
- (k) The location of fire exit signs shall be clearly indicated and displayed.

3.13 Occupational Safety and Health

Management shall comply with the provisions of Occupational Safety and Health Act 2005.

3.14 Police

3.14.1 Police shall carry an enquiry into the application for nightclub licence in any area taking into consideration public interest, public peace, public safety and public order.

3.14.2 Police shall consider the flow and fluidity of traffic in that area;

3.14.3 Police may object to the grant of a nightclub licence, if the enquiry has revealed that the grant of any such licence shall be detrimental to public interest, public peace, public safety and public order.

3.15 Operating Conditions

The Management shall ensure that:

- (i) There is a First-Aid Kit on the premises which shall be replenished as and when required and wherein no expired items shall be kept.
- (ii) No minor shall be authorised access to the nightclub at all time;
- (iii) All doors and windows are kept closed during operating hours;
- (iv) Employees are provided with photograph identification badges to be worn during operating hours; and
- (v) The music audio system of the nightclub shall be provided with an in-built switch that turns off the sound system in case of any emergency.