

**REDLINE OF CULVER CITY MUNICIPAL CODE AMENDMENTS TO DISSOLVE THE COMMITTEE ON  
PERMITS AND LICESES AND REMOVE REFERENCES TO COPL-ISSUED PERMITS FOR VARIOUS  
BUSINESSES**

**TITLE 7 AMENDMENTS**

Section 7.02.310.B is amended as follows:

§ 7.02.310 LENGTH AND WIDTH RESTRICTIONS.

B. Width. No person may operate any vehicle or combination of vehicles in excess of ninety-six (96) inches in width on any street within the City of Culver City, without first obtaining a permit from the City Engineer~~Committee on Permits and Licenses~~.

## TITLE 9 AMENDMENTS

Subchapter 9.06.100 PARADES is amended as follows:

### **PARADES**

#### § 9.06.100 DEFINITIONS.

For the purpose of this Subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

~~COMMITTEE. The Committee on Permits and Licenses as established by § 11.01.510.~~

**PARADE.** Any march or procession consisting of persons, animals or vehicles, or combination thereof, upon any public street, sidewalk, alley or other public place which does not comply with normal and usual traffic regulations or controls.

#### § 9.06.105 PERMIT COMPLIANCE WITH CONDITIONS REQUIRED.

A. No person shall conduct, manage or participate in any parade without a ~~written~~ special event permit from the CommitteeCity.

#### § 9.06.110 APPLICATION FOR PERMIT.

A. Any person desiring to conduct or manage a parade shall not less than forty (40) nor more than one hundred and eighty (180) days before the date on which the parade is proposed to be conducted file a verified application for a special event permit with the Secretary of the CommitteeCity pursuant to section § 17.520.025.

C. The CommitteeCity Manager or their designee shall have authority, upon a showing of good cause, to consider any application for a permit to conduct a parade which is filed less than forty (40) days before the date such parade is proposed to be conducted.

#### § 9.06.115 PERMIT FEES.

Any applicant for a parade permit shall pay a fee, as established by resolution, at the time of filing any application for a parade permit.

#### § 9.06.120 INVESTIGATION BY POLICE DEPARTMENT.

Upon the filing of the application, it shall be referred ~~by to~~ the Secretary of the Committee to the Police DepartmentPolice Chief or their designee for investigation, report and recommendation. The investigation shall be completed and a report and recommendation made in writing to the Committee City Manager or their designee ~~within fourteen (14) days after the filing of the application, unless the applicant requests or consents to an extension of the time period.~~ If the report recommends denial of the permit to the applicant, the grounds for the recommended denial shall be set forth. At the time of the filing of the report and recommendation with the CommitteeCity Manager or their designee, a copy thereof shall be served personally or by certified mail on the applicant, ~~accompanied by a notice that the applicant may request to be heard when the Committee considers the application and report.~~

#### § 9.06.125 ALTERNATIVE PLAN; ~~REQUEST FOR HEARING.~~

If the report and recommendation for denial of a permit prepared pursuant to § [9.06.120](#) is based in whole or in part, on the date, hour, or route of travel, the applicant may submit ~~, with a request to be heard,~~ a proposed alternative date, route of travel or hours.

§ 9.06.130 ~~RESERVED HEARING AND DECISION BY COMMITTEE.~~

~~—A. The Committee shall consider the application and any suggested alternative plan at a hearing held at a regularly scheduled meeting on or before the seventh (7th) day after the filing of the report and recommendation referred to in § 9.06.115.~~

~~—B. Notice of the time and place of the hearing shall be given to all parties at least three (3) days prior to the hearing.~~

~~—C. Any interested party shall be heard upon a reasonable request.~~

~~—D. The City shall have the burden of proof to show the permit should be denied.~~

~~—E. The decision of the Committee to grant or deny the parade permit shall be in writing and if adverse to the applicant shall contain findings of fact and a determination of the issues presented.~~

~~—F. Unless the applicant agrees in writing to an extension of time, the Committee shall make its order denying or granting the application within 24 hours after completion of the hearing on the application for a permit and shall notify the applicant of its action by personal service or certified mail.~~

~~—G. Any member of the Committee who was absent from the hearing or who has not read or heard the record of the proceeding shall not vote on the decision.~~

§ 9.06.135 CONDITIONS OF GRANTING PERMIT.

A. The ~~Committee~~[City](#), when granting a [special event](#) permit [for a parade](#), shall uniformly impose reasonable conditions concerning:

1. The assembly area and time therefor;
2. The starting time;
3. The minimum and maximum speeds;
4. The route of the parade;
5. The portions of streets to be traversed that may be occupied by such parade;
6. The maximum number of platoons or units and the maximum and minimum interval of space to be maintained between the units of such parade;
7. The maximum length of such parade in miles or fractions thereof;
8. The disbanding area and time;
9. The number of persons required to monitor the parade;
10. The number and types of vehicles, if any;
11. The material and maximum size of any sign, banner, placard or carrying device therefor;

12. Such other requirements as are found by the Committee-City to be reasonably necessary for the protection of persons or property.

B. When a parade permit is granted, the Committee-City shall also impose the following conditions:

1. Permittee shall advise all participants in the parade, either orally or by written notice, of the terms and conditions of the permit, prior to the commencement of such parade;

2. The amplification of sound permitted to be emitted from sound trucks, or bull horns be fixed and not variable;

3. The parade continues to move at a fixed rate of speed and that any willful delay or willful stopping of the parade, except when reasonably required for the safe and orderly conduct of the parade, shall constitute a violation of the parade permit; and

4. Permittee agrees, in writing, to comply with all the conditions for such permit.

C. Each permit shall contain such conditions in writing.

#### § 9.06.140 GRANTING OF PERMIT.

Upon standards uniformly applied under similar conditions, the Committee-City shall issue the special event permit unless ~~such Committee~~the City finds that:

A. The time, route and size of the parade will disrupt to an unreasonable extent the movement of other traffic; or

B. The parade is of a size or nature that requires the diversion of so great a number of police officers of the City to properly police the line of movement and the areas contiguous thereto, as to prevent reasonable police protection to the City; or

C. The permittee has not provided for the services of monitors to control the orderly conduct of the parade in conformity with such permit; or

D. The permittee has failed to provide reasonable means for informing all the persons participating therein of terms and conditions of such permit; or

E. The concentration of persons, animals and vehicles at assembly and disbanding areas and along the parade route will prevent proper fire and police protection or ambulance service; or

F. Such parade will not move from its assembly area to its disbanding area expeditiously or without stopping enroute except when reasonably required for the safe and orderly conduct of the parade; or

G. Such parade will interfere with another parade for which a permit has been granted; or

H. Such parade is proposed to be held for the sole purpose of advertising any product, goods, wares, merchandise, or event, and is to be held for private profit.

#### § 9.06.145 DENIAL OF PERMIT.

The Committee-City Manager or their designee shall deny such permit only when:

A. The Committee-City makes any finding specified in § 9.06.140 as cause for not issuing such permit; or

~~B. The applicant fails to appear at the hearing; or~~

B€. The statements contained in the application are found to be false; or

CD. The applicant refuses to agree to abide by or comply with all conditions of the permit.

#### § 9.06.150 ALTERNATIVE PERMIT.

When the Committee-City Manager or their designee denies an application, it may authorize the conduct of such parade on a date, or an hour, or over a route different from that requested by the applicant. If the applicant desires to accept the proposed date, time and route, a written notice of acceptance shall be filed within three (3) days ~~after notice of the action of the Committee~~. The Committee-City Manager or their designee shall thereupon issue a permit. Such permit shall conform to the requirements of § 9.06.125.

#### § 9.06.155 OFFICIALS TO BE NOTIFIED.

Immediately upon the granting of a parade permit, the Committee-City Manager or their designee shall send notice thereof to:

A. The ~~Municipal Services Director~~Public Works Director;

B. The general manager or administrative head of each public transportation utility, the regular routes of which will be affected by the route of the parade;

C. The Postmaster of the Culver City Post Office;

D. The Fire Chief; and

E. The Police Chief.

#### § 9.06.160 INTERFERENCE WITH PARADE.

No person shall join or participate in any permitted parade without the consent of the permittee, nor in any manner interfere with its progress or orderly conduct.

#### § 9.06.165 ~~APPEALS~~NOTICE OF RIGHT TO APPEAL; PROCEDURE

The decision on an application for a special event permit for parade may be appealed as provided in Section 17.520.040.

~~—A.— Notice of right to appeal. An applicant shall be notified of the right to appeal a Committee decision at the same time and in the same manner as such applicant is notified of the Committee's decision.~~

~~—B.— Appeal to City Council; procedure.~~

~~—1.— An applicant may appeal a Committee decision as provided in § 11.01.535 of this Code.~~

~~—2. The City Council shall consider the applicant's appeal and make its decision thereon not later than fourteen (14) days after the date the notice of appeal is filed. The Council's decision shall be made based upon its own written findings.~~

~~—3. At the hearing on appeal, the City Council shall exercise its independent judgment in determining whether the findings of the Committee are supported by the weight of the evidence.~~

~~—4. At the hearing on appeal, the City shall have the burden of proof to show the Committee's decision should be upheld.~~

#### § 9.06.170 REVOCATION OF PERMIT.

Any permit for a parade issued hereunder may be summarily revoked by the ~~Committee~~City at any time when by reason of disaster, public calamity or other emergency, the ~~Committee~~City determines that the safety of persons or property demands such revocation. ~~Notice of any meeting of the Committee for such purpose shall be given to applicant in the same manner as the members of the Committee are notified.~~

Section 9.07.055.C is amended as follows:

#### § 9.07.055 AMPLIFIED SOUNDS.

C. Permits. Every user of sound amplifying equipment on public or private property, except block parties which have obtained a permit from the Chief of Police or activities in public parks which have obtained a permit for use of amplifying equipment from the Parks, Recreation and Community Services Department shall file an application with the ~~Committee on Permits and Licenses~~City at least ten (10) days prior to the day on which the sound amplifying equipment is to be used.

## **TITLE 11 AMENDMENTS**

Section 11.01.230 is amended as follows:

### **§ 11.01.230 EXEMPTIONS.**

A. *Exemption from business license tax.* The following businesses and organizations shall be required to obtain a business tax certificate and any necessary permits, but shall not be required to pay a business license tax:

1. *Charitable organizations.* Any organization conducting a business or activity for charitable purposes; which presents proof of its designation as a tax-exempt organization for charitable purposes, in a form which is satisfactory to the City Treasurer. ~~For purposes of this Section, the Committee may also make a determination that an organization or business is conducting an activity which has a charitable purpose.~~
2. *Parks, recreation and community services contractors.* Any persons contracting with the City to perform recreation-related services for the Parks, Recreation and Community Services Department, including, but not limited to, teaching classes and other similar activities ~~as determined by the Committee.~~

B. *Employees.* Any person engaged in any profession, business, calling, trade or occupation covered by this Subchapter, as an employee, whether on salary, commission, or other compensation basis, shall not be required to obtain a business tax certificate, nor to pay any business tax.

C. *Homeowners' association.* Any bona fide homeowner's association is neither required to maintain a business tax certificate, nor to pay any business license tax.

Subchapter 11.01.300 CERTIFICATES OF COMPLIANCE; PERMIT REQUIREMENTS is amended as follows:

### ***CERTIFICATES OF COMPLIANCE; PERMIT REQUIREMENTS***

### **§ 11.01.300 CERTIFICATES OF COMPLIANCE AND PERMITS.**

A. The following abbreviations for categories of certificates of compliance and permits are hereby established and designated as follows:

1. LAHD Certificate of compliance from the Los Angeles County Health Department.
2. CCFD Certificate of compliance from Fire Prevention/ Building and Safety Division.
3. CCPD Certificate of compliance from Police Department.
- ~~4. CPL Permit from the Committee on Permits and Licenses.~~

B. No person shall engage in any business which is designated in this Subchapter as requiring a certificate of compliance or a permit without first obtaining such certificate or permit.

**§ 11.01.305 SCHEDULE OF BUSINESSES REQUIRING ADDITIONAL CERTIFICATION. ~~CERTIFICATE OF COMPLIANCE OR PERMIT.~~**

**Business****~~Certificate of Compliance or  
Permit~~Additional Certification  
Requirements**~~Ambulance service~~~~CPL~~~~Amusement machines~~~~CPL~~~~Animal hospitals, kennels and boarding stables~~~~CPL~~

Animal shows when performance involved and/or admission charged

~~CPL~~Special Event Permit (see section  
[17.520.025](#))

Art/antique show

~~CPL~~Special Event Permit (see section  
[17.520.025](#))~~Arcade, amusement~~~~CPL~~

Automobile repair

CCFD

~~Bankruptcy sales or close-out sales~~~~CPL~~~~Beer bars, beer and cocktail~~~~CPL~~~~Billboards~~~~CCFD~~~~Billiard halls~~~~CPL~~~~Bowling alleys~~~~CPL~~~~Bridge club card rooms~~~~CPL~~~~Bus service, charter or otherwise~~~~CPL~~

Carnivals

~~CPL~~Special Event Permit (see section  
[17.520.025](#))~~Car wash, automatic~~~~CPL~~~~Child nurseries, private schools~~~~LAHD~~Christmas trees, decorations and miscellaneous merchandise sales  
other than in connection with a business already paying a tax  
hereunder

CCFD

Detective agencies, private police agencies, watchmen, and security  
guard agencies~~CPL~~CCPD

Drycleaning plant, cleaning and pressing shop	CCFD
<del>Entertainment provided in connection with a beer bar, cocktail bar, or bona fide restaurant, except for adult uses regulated by Chapter 11.13 of this Code</del>	<del>CPL</del>
<del>Food storage establishments, whether retail, wholesale or manufacturing</del>	<del>LAHD</del>
<del>Fortune telling</del>	<del>See sections <a href="#">11.06.200</a> - <a href="#">11.06.235</a></del>
<del>Golf course or golf driving range</del>	<del>CPL</del>
<del>Health clubs, spas or other similar types of establishments, excluding massage establishments</del>	<del>CPL</del>
<del>Hospitals</del>	<del>CPL</del>
<del>Junk dealers and collectors</del>	<del>CPL</del>
Klieg light operators	<del>CCPD</del> <a href="#">Special Event Permit (see section 17.520.025)</a>
Laundries	CCFD
Laundromats, when operated as a business located in a hotel, motel, apartment house and multiple unit structures	CCFD
Laundromats and all other forms of self-service clothes washing and drying	CCFD
Lectures, limited time performances, or shows	<del>CPL</del> <a href="#">Special Event Permit (see section 17.520.025)</a>
Locksmiths	CCPD
<del>Machine shops</del>	<del>CCFD</del>
Manufacturing establishments not otherwise listed	CCFD
Massage establishments (including health clubs, spas or other similar types of establishments that offer massage services)	See <a href="#">Chapter 11.07</a>
<del>Mortuaries</del>	<del>CPL</del>
Newsracks	See sections <a href="#">9.08.600</a> - <a href="#">9.08.675</a>
Oil storage tank station	CCFD

Oil well operations	See <a href="#">Chapter 11.12</a>
Pawnbrokers	<del>CPL</del> CCPD
<del>Pool halls</del>	<del>CPL</del>
Production businesses, television and motion picture:	
Itinerant motion picture/television producers	CCFD
Motion picture/television production on City streets or other public places or on locations other than a motion picture/television studio	CCFD & CCPD
<del>Public parking in lots or garages</del>	<del>CPL</del>
<del>Rentals:</del>	
<del>Motor vehicles, including campers, motor homes, trucks, trailers and any other means of transportation when self-propelled by an engine or motor</del>	<del>CPL</del>
<del>Personal property</del>	<del>CPL</del>
Apartments, rooming houses, hotels, motels, trailer park spaces and commercial property	CCFD
Repair shops	CCFD
Restaurants, <a href="#">all types</a> <del>smoking</del>	LAHD, CCFD/ <del>BD</del>
<del>Restaurants, nonsmoking</del>	<del>LAHD, CCFD/BD</del>
<del>Restaurants serving beer, wine or distilled spirits, smoking</del>	<del>LAHD, CPL, CCFD/BD</del>
<del>Restaurants serving beer, wine or distilled spirits, nonsmoking</del>	<del>LAHD, CPL, CCFD/BD</del>
<del>Restaurants with a seating capacity of more than twenty-five (25) seats, which were lawfully doing business in Culver City within one (1) year prior to March 14, 1991</del>	<del>LAHD</del>
<del>Restaurants serving beer, wine or distilled spirits with a seating capacity of more than Twenty-five (25) seats, which were lawfully doing business in Culver City within one (1) year prior to March 14, 1991</del>	<del>LAHD, CPL</del>
<del>Rest homes</del>	<del>CPL</del>
<del>Retail establishments:</del>	

<del>Food, drugs, and farm products</del>	LAHD
<del>Rinks, ice skating, and roller skating</del>	CPL
<del>Sanitariums</del>	CPL
<del>Satellite master antenna system companies</del>	See <a href="#">Chapter 15.02</a>
<del>Second hand dealers</del>	CPL
Service stations, gasoline, diesel	CCFD
<del>Soliciting or distributing handbills and promotional materials and other canvassing</del>	CCPD
Street vending	See sections <a href="#">11.09.200</a> - <a href="#">11.09.215</a>
Studios, motion picture/television/radio	CCFD
Taxicabs	See <a href="#">Chapter 11.10</a>
<del>Telephone solicitation</del>	CPL
Theatres and temporary entertainment provided under a tent or temporary structure	<a href="#">Special Event Permit (see section 17.520.025)</a> <del>CPL</del>
<del>Theatres for plays and motion pictures, except for adult uses regulated by <a href="#">Chapter 11.13</a> of this Code</del>	CPL
Towing service	<del>CPL</del> <a href="#">CCPD</a>
Trade shows, commercial promoters	<del>CPL</del> <a href="#">Special Event Permit (see section 17.520.025, also see section 11.01.310)</a>
<del>Used cars, trailers, or mobilehomes, wholesale or retail sales</del>	CPL
<del>Van and storage, including personal property movers</del>	CCFD
<del>Vending machines:</del>	
<del>Dispensing any food, drink or other edibles or merchandise (except bulk)</del>	LAHD
<del>Dispensing in bulk unsorted confections, nuts, or merchandise at random without selection by the customer</del>	LAHD
<del>Vendors</del>	CPL

Warehouses not used in connection with established businesses in the City CCFD

~~Wholesale establishments:~~

~~For food, drugs and farm products LAHD & CCFD~~

~~All others CCFD~~

Woodworking shops CCFD

~~Wrecking yards or dismantling yards CPL~~

§ 11.01.310 SPECIAL REQUIREMENTS FOR TRADE SHOWS.

No permit issued for a trade show shall allow an event to continue for more than the thirty (30) consecutive days unless the event is to take place wholly within a building not used to provide access to various retail establishments. A permit issued to the same permittee, trade show or promoter subject to the thirty (30) day limitation shall not be renewed, nor shall another permit be issued for the same building used to provide public access to various retail establishments unless not less than thirty (30) calendar days have elapsed since the expiration of the prior permit. The complete application for the permit must be submitted to the ~~Committee-City~~ at least fifteen (15) days prior to the show unless the ~~Committee-City~~ determines otherwise.

§ 11.01.315 ENCLOSED BUILDING REQUIREMENT.

A tax certificate shall not be issued to conduct any business which is not carried on entirely within a completely enclosed building until a permit therefor has been issued by the ~~Committee on Permits and Licenses~~City or the City Council has authorized such permit to be issued. This section shall not be applicable to the outdoor display of goods as permitted in § 9.08.040 and the Zoning Code, as set forth in Title 17 of this Code.

§ 11.01.320 PERMITS REQUIRED FOR CERTAIN BUSINESSES.

It is unlawful for any person to engage in any business which is designated in this Chapter as requiring a permit without first obtaining a permit in accordance with the provisions of this Subchapter.

§ 11.01.325 APPLICATION FOR PERMIT.

G. Such further information as required by the ~~Chief Financial Officer Tax Collector or the Committee on Permits and Licenses~~or the City Council.

§ 11.01.330 INVESTIGATION OF APPLICATION AND DECISION.

Immediately upon filing a properly executed application for a permit, the ~~Chief Financial Officer Tax Collector~~ shall refer one copy to the City Manager and one copy to the Department Head, whose duty it is to inspect the type of business involved. Such Department Head shall make such investigation of the applicant and of the statements set forth in the application, as ~~he they~~ shall deem sufficient, and make a written report thereof to the ~~Chief Financial Officer Tax Collector, who shall refer such report and recommendation, together with a copy of the application to the Committee on Permits and Licenses for~~

~~a hearing set at a certain day, not more than 30 days from the date of filing the application. The Chief Financial Officer shall approve the application and issue a permit unless the Chief Financial Officer finds that the application or activity does not comply with the requirements of any applicable laws. At such hearing any person interested shall be entitled to be heard and to file objections, protests or recommendations, relative to the subject matter.~~

#### § 11.01.335 REVOCATION OF PERMIT.

The Chief Financial Officer may revoke any permit for any reason for which the granting of such permit might lawfully be denied.

#### ~~§ 11.01.335 NOTICE OF HEARING ON APPLICATION.~~

~~The Tax Collector shall notify the applicant in writing of the time and place of the hearing before the Committee on Permits and Licenses or the City Council, which shall be given at least three days prior thereto, unless the applicant waives such notice in writing. Whenever the Committee on Permits and Licenses or the City Council deems that a public notice should be given of a special hearing with respect to the application, the applicant shall pay to the City Clerk a fee, as established by resolution, before such notice is given, which payment shall not be in lieu of any license fee or other tax otherwise imposed by law.~~

#### ~~§ 11.01.340 BASIS OF DETERMINATION AND CONDITIONS GRANTING APPLICATION.~~

~~—A.—Determination. The Committee on Permits and Licenses or the City Council shall deny the application for any permit if it shall appear to its satisfaction that the applicant is not a fit and proper person, morally or otherwise, to conduct or maintain the proposed business applied for or that he has not complied with this or any other regulation of the City appertaining to his application, or that the activity for which permit is sought is itself objectionable or detrimental to the public health, morals, safety or general welfare; or that it conflicts with any City, State or Federal law.~~

~~—B.—Conditions. The Committee on Permits and Licenses or the City Council may grant a permit subject to such conditions as in its judgment the public interest may require.~~

#### ~~§ 11.01.345 ISSUANCE OF PERMIT.~~

~~In the event the Committee on Permits and Licenses or the City Council approve the application, a written permit in a form approved by the City Attorney shall be delivered to the applicant.~~

#### ~~§ 11.01.350 ASSIGNMENT OF PERMIT.~~

~~No permit required under this Chapter shall be assigned or transferred without the express permission of the Committee on Permits and Licenses or the City Council.~~

#### ~~§ 11.01.355 REVOCATION OF PERMIT.~~

~~Any permit granted pursuant to the provisions of this Subchapter may be revoked by the Committee on Permits and Licenses or the City Council for any reason for which the granting of such permit might lawfully be denied, or on any other ground specifically set forth in the herein Code, or which, in the judgment of the Committee or the City Council is sufficient for the protection of the public interest.~~

#### ~~§ 11.01.360 HEARING ON REVOCATION.~~

~~Every permittee shall be given at least five days' notice of a hearing on the proposed revocation of his permit, together with written notification of the grounds of complaint against his business or himself personally. The hearing, when convened, may be continued over from time to time, and the findings of the Committee on Permits and Licenses or the City Council shall be final and conclusive on the matter involved.~~

#### ~~§ 11.01.365 SUSPENSION OF PERMIT.~~

~~The right to operate any business or other activity for which a permit is required under this Chapter may be suspended forthwith without notice and without hearing, in the event such suspension is necessary for the preservation and protection of the public health, morals, safety or general welfare, if so determined by the Fire Chief, Police Chief, Health Officer, Building Inspector, Superintendent of Streets, City Manager, Committee on Permits and Licenses or the City Council; provided that no such suspension shall continue for more than 15 days unless an order to show cause why such permit should not be revoked shall be issued, as provided in § 11.01.360.~~

#### ~~§ 11.01.370 AUTHORITY OF COMMITTEE TO PURSUE WITHDRAWALS, SURRENDERS, SUSPENSIONS, AND EXPIRATIONS AND THE LIKE.~~

~~—A. The withdrawal of an application for a permit or license after it has been filed with the Committee on Permits and Licenses shall not, unless the Committee on Permits and Licenses has expressly consented in writing to the withdrawal, deprive the Committee on Permits and Licenses of its authority to institute or continue a proceeding against the applicant for the denial of the permit or license upon any ground provided by the Code, or for violation of any law or rule which relates to the suitability of the permittee or licensee to have such permit or license.~~

~~—B. The suspension, expiration, cancellation or forfeiture by operation of the Code of a permit or license, or its surrender without the express written consent of the Committee on Permits and Licenses, shall not deprive the Committee on Permits and Licenses of its authority to institute or continue a suspension or revocation proceeding against the permittee or licensee upon any ground provided by the Code, or for violation of any law or rule which relates to the suitability of the permittee or licensee to have such permit or license.~~

Subchapter 11.01.500 COMMITTEE ON PERMITS AND LICENSES is deleted.

#### ~~§ 11.01.500 PURPOSE.~~

~~It is the purpose and intention of this Chapter to provide a procedure to expedite the processing of various applications for permits and business licenses, in order to avoid encumbering the Councilmanic agenda with such routine matters.~~

#### ~~§ 11.01.505 ESTABLISHMENT; MEMBERSHIP.~~

~~There is created and established the Committee consisting of the City Manager, the Chief of Police, the Fire Chief, the City Planner, the Parks, Recreation and Community Services Director (as a nonvoting ex-officio member), and the City Treasurer, or each of their designees, to be known as the "Committee on~~

Permits and Licenses”, and to which Committee all applications for permits covering business operations or other miscellaneous activities shall be heard, except as otherwise provided in this Code.

#### ~~§ 11.01.510 ORGANIZATION OF COMMITTEE.~~

~~The City Manager or his designee, in his absence, shall act as Chairman of the Committee. Three members of the Committee shall constitute a quorum to consider application for permits and such other businesses as may probably come before it. However, a lesser number may adjourn from time to time.~~

#### ~~§ 11.01.515 AUTHORITY OF CITY MANAGER TO APPROVE OR DENY PERMIT.~~

~~Notwithstanding any other provisions of this Chapter, when, in the opinion of the City Manager and the City Treasurer, an application for a permit requires immediate attention, and a special meeting of the Committee cannot be convened, the City Manager, in consultation with the City Treasurer, may approve or deny a permit. A decision of the City Manager, pursuant to this Section, shall be considered the same as a decision of the Committee. When used herein, the City Manager and the City Treasurer shall include each of their designees.~~

#### ~~§ 11.01.520 MEETINGS.~~

~~The Committee shall meet at least once each week, as determined by the Committee, and may hold special meetings on call of the Chairman or three members of the Committee, and any matter properly coming before it may be considered by said Committee at a regular or special meeting. Written notice of a special meeting shall be delivered to each member at least three (3) hours before the time specified for the proposed meeting.~~

#### ~~§ 11.01.525 INVESTIGATION OF APPLICATIONS.~~

~~The Committee may cause such other investigations to be made of the applicant and the subject matter as it may determine is necessary in order to protect the public interest and to preserve the rights of the applicant. It may request the presence of witnesses, and may require that notices be posted, published, or mailed to residents or owners of property in the neighborhood of the proposed operation, and may follow any other procedure which it deems desirable to protect the interests of all concerned with relation to said application.~~

#### ~~§ 11.01.530 APPEALS.~~

~~The applicant or any person aggrieved or dissatisfied with the determination of the Committee, relative to any application for permit or license filed hereunder, or the revocation or suspension of any permit, may appeal to the City Council from said determination; provided a written notice of appeal is filed with the secretary of the Committee not later than five (5) days from date of the notice to applicant of the action taken on his application. In the event that such appeal is filed, all proceedings shall be stayed until the matter has been disposed of by the City Council, and the secretary of the Committee shall forthwith transmit to the City Clerk the complete file of the proceedings relating to said application, including a copy of the minutes of the meeting at which said application was considered, which file shall, following the completion of consideration by the City Council of said matter, be returned to the secretary of said Committee, with a copy of the record of the action of the City Council thereon.~~

#### ~~§ 11.01.535 APPLICATIONS MAY BE SUBMITTED TO COUNCIL.~~

~~If, in the judgment of the Committee, the facts and circumstances relating to any application for permit or license are such that the public interest or the rights of the applicant would be better served by consideration of the subject matter thereof by the City Council, then the Committee may order that the said application be transmitted to the City Council for consideration at its next regular or subsequent regular meetings.~~

~~§ 11.01.540 SECRETARY TO KEEP RECORDS.~~

~~The secretary shall keep a record of all proceedings had before the Committee and prepare minutes of said meetings, recording therein the disposition of all applications. If the application for permit is approved by the Committee, a permit, approved as to form by the Committee and to which may be attached such conditions as the Committee may require, will be executed by the City Manager and delivered to the applicant. In all cases wherein a permit is required prior to the issuance of a business license, a copy of said permit shall be forthwith transmitted to the Business Tax Collector, with letter of transmittal authorizing him to issue said business license on payment of the required license fee.~~

~~§ 11.01.545 REPORTS TO COUNCIL.~~

~~Prior to each regular meeting of the City Council, the Committee shall cause to be delivered to each member of the City Council a list of the applications processed since the preceding regular Council meeting, and the disposition thereof.~~

Section 11.05.005 is amended as follows:

§ 11.05.005 DEFINITIONS.

For the purposes of this Chapter, the following words are defined and shall be construed as hereafter set forth unless it is apparent from the context that they have a different meaning:

CHARITABLE. Includes the words philanthropic, social service, benevolent, patriotic, welfare, civic, educational, or fraternal, either actual or proposed.

~~COMMITTEE. The Committee on Permits and Licenses, as established by § 11.01.510 of this Code.~~

CONTRIBUTION. Includes the words alms, food, clothing, money, property or donations under the guise of a loan of money or property.

SOLICIT or SOLICITATION. To request, directly or indirectly, money, property, including discarded household furnishings, newspapers, magazines, cast-off material, or financial assistance of any kind including donations; or to sell, to offer for sale, or to exhibit any thing or object whatever to raise money, including any article, toy, service, emblem, publication, ticket, advertisement or subscription; or to secure or attempt to secure money or donations or other property by promoting any bazaar, sale, dance, card party, supper or entertainment.

Section 11.05.010 is amended as follows:

§ 11.05.010 POWERS OF CHIEF FINANCIAL OFFICER.

The ~~Committee~~ Chief Financial Officer shall have the following powers:

- A. To investigate the statements in any Notice of Intention to Solicit or any statement or report;

B. To investigate, at any time, the methods of making or conducting any solicitation;

C. To issue, upon the filing of a Notice of Intention to Solicit, solicitor's information cards, which card shall show that such card is issued as information for the public and is not an endorsement, unless the ~~Committee~~Chief Financial Officer ~~City Treasurer~~ expressly endorses such charitable association;

Section 11.05.015 is amended as follows:

§ 11.05.015 NOTICE OF INTENTION TO SOLICIT.

No person shall solicit, nor shall any officer or member of any association authorize any person to solicit, any contribution for any charitable purpose unless at least ten (10) days prior to the beginning of such solicitation, there shall have been filed with the ~~Chief Financial Officer~~ ~~Committee~~ ~~City Treasurer~~ by such person or association upon whose behalf such solicitation is made, a written Notice of Intention to Solicit. The Notice shall be on forms furnished by the ~~Committee~~City and shall contain the following information:

Section 11.05.020 is amended as follows:

§ 11.05.020 FILING SOLICITOR'S AGREEMENT; REQUEST FOR ADDITIONAL INFORMATION.

There shall be filed with the ~~Committee~~Chief Financial Officer ~~City Treasurer~~ with such Notice of Intention to Solicit, a statement of any agreement made with any agent, solicitor, promoter, manager or conductor of such solicitation, together with a copy of each agreement which may be in writing. Within twenty-four (24) hours after any change in any such agreement or the making of any new or further agreement, a true copy of such change or agreement, if in writing, or if not, written details thereof shall be filed with the ~~Committee~~City. Whenever, in the opinion of the ~~Chief Financial Officer~~~~Committee~~City Treasurer, the Notice of Intention to Solicit filed with the ~~Committee~~City does not disclose sufficient information for the public concerning the facts hereinabove required to be stated in such Notice of Intention to Solicit or concerning the person or association making such solicitation or on whose behalf such solicitation is made, then, upon the request of ~~said Committee~~the City, there shall be filed, in writing, within forty-eight (48) hours after such request, such additional information as may be required by ~~said Committee~~the City upon the foregoing subjects. Provided, however, that the ~~Chief Financial Officer~~~~Committee~~City Treasurer, for good cause, may extend the time for filing such additional information. The Notice of Intention to Solicit and such additional information, if requested, shall be signed by such person intending to make such solicitation, or if by or on behalf of any association, by at least two officers of such association and shall be open to the inspection of the public.

Section 11.05.035 is amended as follows:

§ 11.05.035 SOLICITATION ON PUBLIC AND PRIVATE PROPERTY.

A. Solicitation on public property.

1. No person shall solicit any charitable contribution by means of any receptacle, upon, over or in any public street, sidewalk or way, or in any public park or in any publicly-owned or controlled place without:

a. First having complied with the provisions of this Chapter;

b. First having received written permission from the [Committee-City](#) for the location of such receptacle; and

c. First having provided on the receptacle in legible and clearly visible writing the solicitors name and address, a statement that information regarding the purpose of the receptacle is on file in the City Treasurer's Office of Culver City and the address of City Hall.

2. In granting or denying such permission the [Committee-City](#) shall be concerned only with the time, place and manner such receptacle will be used.

B. Solicitation on private property. No person shall solicit any charitable contribution, or any contribution for any real or purported charitable purpose, by means of any receptacle, on any private property immediately abutting upon any public sidewalk or way, in any place of business open to the public, in any room, hallway, corridor, lobby or entranceway, or other place open to or accessible to the public, or in any place of public resort, without complying with the provisions of this Chapter except that the [Committee-City](#) approval of the location is not required, provided however, a list of each location shall be provided to the [CommitteeCity](#).

Section 11.05.040 is amended as follows:

§ 11.05.040 WRITTEN PERMISSION REQUIRED TO USE CHARITABLE ASSOCIATION'S NAME.

No person shall use the name of any association in charge or control of any charitable activity in any solicitation without having written permission from two (2) of the officers of such association, to use its name or the name of or reference to such charitable activity, which written permission must be for a specific event or a specified period of time and a copy of such permission must be filed with the [Committee-City](#) prior to any such use.

Section 11.05.050 is amended as follows:

§ 11.05.050 REPORT OF EXPENSES AND USES.

Every person soliciting any contribution for any charitable purpose must file with the [Committee-City](#) within thirty (30) days after the close of any such solicitation or within thirty (30) days after a demand therefor by the [CommitteeCity](#), a report to the [Chief Financial Officer](#) Committee [City Treasurer](#) stating the contributions secured from or as a result of any such solicitation, and in detail all expenses of or connected with such solicitation, and showing exactly for what uses and in what manner all such contributions were or are to be disbursed or distributed. Every such report shall be made on forms to be furnished by the [CommitteeCity](#), and signed by the persons or association filing or obligated to file the Notice of Intention to Solicit, and such report, if made by any such association, shall be signed by at least two (2) officers thereof, provided, that when any such solicitation is made by any such association such report need be filed only by such association and not by an individual solicitor engaged in any such solicitation.

Section 11.05.055.B is amended as follows:

§ 11.05.055 RECEIPT FOR CONTRIBUTIONS.

B. No receipt need be given or tendered, if donation of money is made by placing the same in a locked receptacle, of a kind previously approved by the Committee-City pursuant to § 11.05.035, in such manner that it is impracticable to ascertain either the amount donated or the name of the donor.

Section 11.06.010 is amended as follows:

§ 11.06.010 MUSICAL ENTERTAINMENT AND DANCING.

It shall be unlawful for any person, firm or corporation, required to be licensed or otherwise regulated under the provisions of Chapter 11.01 of this Code, to conduct or in any manner participate in dancing or musical type entertainment of any kind between the hours of 2:00 a.m. of one day and 6:00 a.m. of the same day, except by a special permit for one day only, issued by the Committee on Permits and Licenses of the City.

Section 11.06.115.9 is amended as follows:

§ 11.06.115 APPLICATION.

9. A statement that the applicant understands that the application shall be considered by the Committee on Permits and Licenses City and the City Council only after a full investigation and report have been made by the Chief of Police, Building Official, Fire Department, and all other affected departments of City Government; and

Section 11.06.135 is amended as follows:

§ 11.06.135 PERMIT APPLIES TO ONE LOCATION ONLY; SCOPE.

A permit issued for a particular location shall authorize the permittee to conduct the permitted business at such location only, and such permit shall not be used for conducting such business at any other location without the written consent of the Committee on Permits and Licenses City Manager or their designee or the City Council, and without the payment of a fee as established by City Council resolution.

Subchapter 11.06.200 Fortune-Telling is deleted in its entirety.

~~§ 11.06.200 DEFINITIONS.~~

~~For the purpose of this Subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

~~—COMMITTEE. The Committee on Permits and Licenses as established by § 11.01.505.~~

~~—FOR PAY. A fee, reward, donation, loan or receipt of anything of value.~~

~~—FORTUNE-TELLING. Telling of fortunes, forecasting of futures, or furnishing of any information not otherwise obtainable by the ordinary process of knowledge, by means of any occult, psychic power, faculty, force, clairvoyance, clairaudience, cartomancy, psychology, psychometry, phrenology, spirits, tea leaves or other such reading, mediumship, seership, prophecy, augury, astrology, palmistry, necromancy, mind reading, telepathy, or other craft art, science, cards, talisman, charm, potion, magnetism, magnetized article or substance, gypsy cunning or foresight, crystal gazing, oriental mysteries or magic of any kind or nature.~~

~~§ 11.06.205 PERMIT REQUIRED; COMPLIANCE.~~

~~—A. No person shall conduct, engage in, carry on, participate in, or practice fortune telling or cause the same to be done for pay without having first obtained a permit from the Committee City and without having posted and maintained in full force and effect a surety bond as required in § 11.06.225.~~

~~§ 11.06.210 APPLICATION.~~

~~—Every natural person who, for pay, actively conducts, engages in, carries on, or practices fortune telling shall file a separate verified application for a permit with the Secretary of the Committee City. The application shall contain:~~

- ~~—A. The name, home and business address, and home and business phone number of the applicant.~~
- ~~—B. The record of conviction for violations of the law, excluding minor traffic violations.~~
- ~~—C. The fingerprints of the applicant on a form provided by the Culver City Police Department.~~
- ~~—D. The address, city and state, and the approximate dates where and when the applicant practiced a similar business, either alone or in conjunction with others.~~

~~§ 11.06.215 INVESTIGATION.~~

~~—Upon the filing of the application, it shall be referred by the Secretary of the Committee to the Police Department for investigation, report and recommendation. The investigation shall be conducted to verify the facts contained in the application and any supporting data. The investigation shall be completed and a report and recommendation made in writing to the Committee City Manager or their designee within fourteen (14) days after the filing of the application, unless the applicant requests or consents to an extension of the time period. If the report recommends denial of the permit to the applicant, the grounds for the recommended denial shall be set forth. At the time of the filing of the report and recommendation with the Committee, and a copy thereof shall be served personally or by certified mail by the Committee Secretary on the applicant, accompanied by a notice that the applicant may request to be heard when the Committee considers the application and report.~~

~~§ 11.06.220 HEARING AND DECISION BY THE COMMITTEE.~~

- ~~—A. The Committee shall consider the application and the report and recommendation at a hearing held at a regularly scheduled meeting on or before the seventh day after the filing of the report and recommendation referred to in § 11.06.215.~~
- ~~—B. Notice of the time and place of the hearing shall be given to all parties by the Committee Secretary at least three (3) days prior to the hearing.~~
- ~~—C. Any interested party shall be heard upon a reasonable request.~~
- ~~—D. City shall have the burden of proof to show the permit should be denied.~~
- ~~—E. The decision of the Committee to grant or deny the permit shall be in writing, and if adverse to the applicant, shall contain findings of fact and a determination of the issues presented.~~

~~—F. Unless the applicant agrees in writing to an extension of time, the Committee shall make its order denying or granting the application within twenty four (24) hours after completion of the hearing on the application for a permit and shall notify the applicant of its action by personal service or certified mail.~~

~~—G. Any member of the Committee who is absent from the hearing or has not read or heard the record of the proceedings shall not vote on the decision.~~

#### ~~§ 11.06.225 ISSUANCE OF PERMIT.~~

~~—A. The Committee shall approve the issuance of the permit if they find:~~

~~—1. All the information contained in the application and supporting data is true.~~

~~—2. The applicant has not, within the previous six (6) months, been convicted of any violation of this Subchapter or any law relating to fraud or moral turpitude.~~

~~—3. The applicant appeared in person at the hearing.~~

~~—4. The applicant agrees to abide by and comply with all conditions of the permit and this Subchapter.~~

~~—B. The Committee shall deny the permit only if it cannot make each of the findings set forth above.~~

~~—C. If the Committee approves the permit, the City Treasurer shall thereafter issue the permit when:~~

~~—1. The fee required by § 11.01.315 has been paid.~~

~~—2. The applicant has posted with the City Clerk, surety bond in the principal sum amount of Ten Thousand Dollars (\$10,000.00) executed as surety by a good and sufficient corporate surety authorized to do a surety business in the State of California and as a principal by the applicant. The form of the bond shall have been approved by the City Attorney and shall have been given to insure good faith and fair dealing on the part of the applicant and as a guarantee of indemnity for any and all loss, damage, theft, or other unfair dealings suffered by any patron of the applicant within the City during the term of the permit.~~

~~—D. The term of the permit shall be for no more than the term of a regular business tax certificate. A renewal application shall be filed no later than thirty (30) days prior to the expiration of the permit and shall be processed in the same manner as a new application.~~

#### ~~§ 11.06.230 PERMIT REVOCATION.~~

~~—Upon the discovery of any false or misleading statement in the application or any misrepresentation by the applicant in procuring the permit or upon the termination of the bond required hereunder or upon the applicant's violation of any provision of this Subchapter, the Committee may conduct a hearing upon five (5) days written notice to the applicant to determine whether the permit should be revoked.~~

#### ~~§ 11.06.235 EXCEPTIONS.~~

~~—A. The provisions of this Section shall not apply to any person solely by reason of the fact that he or she is engaged in the business of entertaining the public by demonstrations of mindreading, mental telepathy, thought conveyance, or the giving of horoscopic readings, at public places and in the~~

~~presence of and within the hearing of other persons and at which no questions are answered, as part of such entertainment, except in a manner to permit all persons present at such public place to hear such answers.~~

~~—B. No person shall be required to pay any fee or take out any permit for conducting or participating in any religious ceremony or service when such person holds a certificate of ordination as a minister, missionary, medium, healer, or clairvoyant, hereinafter collectively referred to as minister, from any bona fide church or religious association maintaining a church and holding regular services and having a creed or set of religious principles that is recognized by all churches of like faith; provided that:~~

~~—1. Except as provided in Paragraph 3. hereof, the fees, gratuities, emoluments, and profits thereof shall be regularly accounted for and paid solely to or for the benefit of the bona fide church or religious association, as defined in this Subsection B.~~

~~—2. The minister holding a certificate of ordination from such bona fide church or religious association, as defined in this Subsection B., shall file with the Secretary of the Committee a certified copy of the minister's certificate of ordination with the minister's name, age, street address, and phone number in this City where the activity set forth in this Subsection B. is to be conducted.~~

~~—3. Such bona fide church or religious association, as defined in this Subsection B., may pay to its ministers a salary or compensation based upon a percentage basis, pursuant to an agreement between the church and the minister which is embodied in a resolution and transcribed in the minutes of such church or religious association.~~

Chapter 11.08 FIGURE STUDIOS AND FIGURE MODELING is deleted in its entirety.

§ 11.08.005 DEFINITIONS.

~~—For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

~~—A. FIGURE STUDIO.~~

~~—1. Any premises on which there is conducted the business of furnishing figure models who pose for the purpose of being observed or viewed by any person or of being sketched, painted, drawn, sculptured, photographed or otherwise similarly depicted in the nude or semi-nude for persons who pay a fee, or other consideration or compensation, or a gratuity, for the right or opportunity so to depict the figure model, or for admission to, or for permission to remain upon, or as a condition of remaining upon the premises.~~

~~—2. Any premises where there is conducted the business of furnishing or providing or procuring for a fee or other consideration or compensation or gratuity, figure models to be observed or viewed by any person or to be sketched, painted, drawn, sculptured, photographed or otherwise similarly depicted in the nude or semi-nude.~~

~~—B. FIGURE MODEL. Any person, male or female, who poses to be observed, viewed, sketched, painted, drawn, sculptured, photographed, or otherwise similarly depicted.~~

~~—C. IN THE NUDE OR SEMI-NUDE. Completely without clothing or covering, or with partial clothing or covering but with any pubic area exposed or with any portion of the crease of the buttocks exposed or~~

with the breasts exposed by a female so that the nipples or that portion of the breast which has a different pigmentation than the main portion of the breast are exposed.

~~—D.— COMMITTEE. The Committee on Permits and Licenses as constituted pursuant to § 11.01.505 of the Culver City Municipal Code.~~

#### ~~§ 11.08.010 FIGURE STUDIO LICENSE REQUIRED.~~

~~—A person shall not operate a figure studio without first having obtained a written license from the License Collector.~~

#### ~~§ 11.08.015 APPLICATION.~~

~~—An applicant for a figure studio license shall file a verified application therefor with the Chief of Police on such forms and containing such information pertinent to the business as the Chief of Police may require and shall pay the required license fee to the License Collector.~~

#### ~~§ 11.08.020 AGE REQUIREMENTS.~~

~~—A figure studio license shall not be issued to any person under twenty-one (21) years of age or to a corporation any of whose officers are under twenty-one (21) years of age.~~

#### ~~§ 11.08.025 REFERRAL NOTICES.~~

~~—The License Collector shall transmit a copy of every license fee referral memo for any license under this Chapter to the Chief of Police and to such other City Departments as the Committee directs.~~

#### ~~§ 11.08.030 EXCEPTIONS FOR CERTAIN SCHOOLS.~~

~~—No license shall be required, however, for any studio which is operated by any state college, or public junior college or school wherein the persons, firm, association, partnership, or corporation operating it has met the requirements established in Cal. Educ. Code §§ 94300 et seq. for the issuance or conferring of, and is in fact authorized thereunder to issue and confer a diploma or honorary diploma. Nor shall a license be required for any premises where there is conducted the business of furnishing, providing or procuring figure models solely for any studio which is operated by any state college, or public Junior college or school wherein the persons, firm, association, partnership or corporation operating it has met the requirements established in Cal. Educ. Code §§ 94300 et seq. for the issuance of conferring of and is, in fact, authorized thereunder to issue and confer a diploma or honorary diploma.~~

#### ~~§ 11.08.035 FEE.~~

~~—The fee for the figure studio license shall be set by City Council resolution.~~

#### ~~§ 11.08.040 PUBLIC HEARINGS.~~

~~—The Committee shall hold a public hearing pursuant to the Municipal Code of the City of Culver City to ascertain all facts or evidence bearing on the place where the proposed figure studio is to be located and the character, reputation and moral fitness of the licensee and those who will be in charge.~~

#### ~~§ 11.08.045 LICENSE DENIAL OR REVOCATION.~~

~~—A.—Moral character. The Committee shall deny or revoke a license required by or issued pursuant to this ordinance upon the finding that the applicant or licensee is not of good moral character. Anyone convicted of an offense involving moral turpitudes including, but not limited to all offenses listed in Cal. Penal Code § 290, any subsection of §§ 311 et seq. and § 647(a), (b) and (d), or any offenses involving prostitution shall be deemed not to be of good moral character for the purposes of this Section.~~

~~—B.—Violation deemed grounds. The Committee shall revoke any license issued pursuant to this Chapter upon a finding that the licensee has violated any of the general regulations for the conduct of figure studios as related in this Chapter.~~

#### ~~§ 11.08.050 FIGURE MODEL LICENSING REQUIREMENTS.~~

~~—A.—License required. A person eighteen (18) years of age or over shall not perform as or act in the capacity of a figure model in any premises licensed pursuant to this Chapter without first having obtained a written license from the License Collector.~~

~~—B.—Referral notices. The License Collector shall transmit a copy of every license fee referral memo for any figure model license to the Chief of Police.~~

~~—C.—Denial or revocation. In addition to the grounds set forth in § 11.08.045 A., the Committee shall deny or revoke a figure model license upon a finding that the applicant or licensee is not of good moral character. Anyone convicted of an offense involving moral turpitudes including, but not limited to all offenses listed in Cal. Penal Code § 290, any subsection of § 311 et seq. and § 647(a), (b) and (d), or any offenses involving prostitution shall be deemed not to be of good moral character for the purposes of this Section.~~

### ~~REGULATIONS~~

#### ~~§ 11.08.100 HOURS OF OPERATION.~~

~~—The licensee shall not conduct or operate a figure studio between the hours of 10:00 p.m. and 10:00 a.m. of any day.~~

#### ~~§ 11.08.105 SUPERVISION.~~

~~—The licensee or a manager previously fingerprinted and approved by the Police Department shall be present on the licensed premises at all times when the establishment is in operation.~~

#### ~~§ 11.08.110 VISIBILITY.~~

~~—The licensee shall not permit conditions to exist wherein the interior of a figure studio shall be visible from the outside of the premises.~~

#### ~~§ 11.08.115 INSPECTION.~~

~~—A licensee shall be responsible for and shall provide that any room or area used for the purpose of figure modeling shall be readily accessible at all times and shall be opened to view in its entirety for inspection by any law enforcement officer.~~

#### ~~§ 11.08.120 FIGURE MODELING CONDUCTED ON LICENSED PREMISES ONLY.~~

~~—The licensee shall not permit or conduct figure modeling on any premises other than that to which the license has been issued except those studios listed as exceptions under § 11.08.030, or except wherein the figure model is furnished to a patron who is pursuing a course of study which includes the artistic portrayal of the nude or semi-nude human form, or who engages in the artistic portrayal of the nude or semi-nude form as a means of livelihood and the licensee has in his possession a written record of such patron's complete and true name, age, address, phone numbers, occupation, business name and address the location at which such figure modeling is to take place, the time, date and duration of such appointment and the city license number issued to the figure model being employed.~~

~~§ 11.08.125 LICENSEE TO MAINTAIN RECORDS.~~

~~—The licensee shall maintain a current file of all figure models employed by licensee or using licensee's premises. This file shall contain true name and aliases used by the figure model, age, birthdate, height, weight, color of hair and eyes, home address, phone numbers, social security number and date of employment and termination. Inactive file cards shall be maintained on the premises for the period of one (1) year following termination. The licensee shall make all records available immediately upon demand of any Peace Officer.~~

~~§ 11.08.130 FIGURE MODEL TO BE LICENSED.~~

~~—The licensee shall not permit any person to function as a figure model on the licensed premises unless such figure model has in his possession a current and valid figure model license issued to him or her by the License Collector. This Section shall not apply to any figure model under the age of eighteen (18) years who, while so engaged, is accompanied at all times by his or her parent, guardian, or spouse over twenty-one (21) years of age.~~

~~§ 11.08.135 LICENSEE TO MAINTAIN REGISTER OF PATRONS.~~

~~—A. The licensee shall maintain a complete and current register of all patrons. It shall contain, but is not restricted to, the following information:~~

- ~~—1. Time, date and duration of appointment.~~
- ~~—2. Complete and true name of patron.~~
- ~~—3. Age.~~
- ~~—4. Address.~~
- ~~—5. Phone numbers.~~
- ~~—6. Occupation.~~
- ~~—7. Business name and address and/or school's name and address.~~
- ~~—8. Name of figure model used and his or her City license number.~~

~~—B. The licensee shall keep the register in numerical sequence with a new registration for each appointment. Registration shall not be removed from the register. The licensee shall make this register available immediately upon demand of any Peace Officer.~~

~~§ 11.08.140 COMMUNICATION DEVICES.~~

~~—The licensee shall not permit communication devices to be installed or used in any manner on licensed premises so as to interfere with or hinder inspections by Peace Officers.~~

~~§ 11.08.145 POSTING REGULATIONS ON PREMISES.~~

~~—The licensee shall post and continuously keep posted a copy of the ordinance codified herein in a conspicuous place inside the licensed premises.~~

Section 11.09.015 is amended as follows:

§ 11.09.015 APPLICATION FOR PERMIT.

Written application for permit shall be filed with the ~~Committee on Permits and Licenses~~City, stating therein the address and full name of the person, or the firm, and of each member thereof, or of the corporation and the president, secretary and manager thereof, making such application, and the location where applicant proposes to conduct such business.

Section 11.09.020 is amended as follows:

§ 11.09.020 INVESTIGATION OF APPLICANT.

Upon receipt of such application, an investigation shall be made of the applicant and the location proposed for said business. Thereafter the ~~Committee on Permits and Licenses~~City Manager or their designee may, in its discretion, issue a permit to the applicant.

Section 11.09.025 is amended as follows:

§ 11.09.025 APPROVAL SUBJECT TO CONDITIONS.

In exercising its discretion, the ~~Committee on Permits and Licenses~~City Manager or their designee may take into consideration all facts as it may deem pertinent and proper, and before issuing any permit it must specifically be found that the following conditions exist, namely:

- A. That the granting of said permit will not be detrimental to the safety, public morals or general welfare of the City;
- B. That the granting of said permit will not be detrimental or injurious to other businesses located adjacent to or in the general vicinity of said proposed business;
- C. That the granting of said permit will not be injurious to property or land values in the vicinity of said proposed business.

Section 11.09.030 is amended as follows:

§ 11.09.030 REVOCATION OF PERMIT.

Permit to act as a pawnbroker may be revoked by the ~~Committee on Permits and Licenses~~City Manager or their designee or the City Council, following a hearing with respect thereto, upon a showing of violation of the regulations of this Chapter or any other law.

Section 11.09.035 is amended as follows:

§ 11.09.035 PROCEDURES FOR REVOCATION.

Before a permit may be revoked, a copy of the charges and allegations supporting revocation, together with notice of time and place for hearing, shall be served, at least three (3) days prior to date of hearing upon the person, firm or corporation involved, or their agent or employee. Upon a hearing wherein the grounds of such complaint are sustained, the ~~Committee on Permits and Licenses~~ City Manager or their designee or the City Council shall revoke permit and no further permit shall be issued to the same person, firm or corporation for a period of six (6) months.

Section 11.09.200 is amended as follows:

§ 11.09.200 DEFINITIONS.

For the purpose of this Subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

~~—COMMITTEE. The Committee on Permits and Licenses, as established by § 11.01.505.~~

STREET. Any highway, roadway, parkway, sidewalk and alley and any center divider or median strip, therein.

STREET VENDING. The commercial peddling, hawking, displaying, or offering for sale of any goods, wares, merchandise, food or beverage of any kind on any public street within the City.

Section 11.09.320 is amended as follows:

§ 11.09.320 POWER TO REVOKE PERMIT.

The ~~Committee on Permits and Licenses~~ City Manager or their designee or City Council shall have the power to revoke any permit whenever such sale is being conducted in violation of the provisions of this Subchapter or in such manner as to deceive or defraud the public.

Section 11.10.320 is amended as follows:

§ 11.10.320 TAXI DRIVER PERMIT.

H. Appeal from revocation or refusal to renew. Any person whose taxi driver permit has been revoked or renewal refused by the Chief of Police may, within ten (10) days after receipt of notice thereof, appeal to the ~~Committee on Permits and Licenses~~ City Council for a hearing thereon. The Chief of Police shall set forth in writing his reasons for the revocation or for the refusal to renew a taxi driver permit and shall transmit a copy thereof to the ~~Committee on Permits and Licenses~~ City Council and to the permittee. If a timely appeal is filed with the ~~Committee~~ City the matter shall be set ~~on the next regular agenda~~ for hearing within fourteen (14) days. At the hearing the permittee and the Police Department may present evidence orally or in writing. The ~~Committee~~ City Council shall make findings on the evidence presented and shall determine that the action of the Police Department should be sustained, reversed or modified. The action of the ~~Committee on Permits and Licenses~~ City Council shall be final. If no appeal is filed within the time period provided herein by the applicant the action of the Chief of Police shall be final.

Section 11.11.010 is amended as follows:

§ 11.11.010 PERMIT REQUIRED TO OPERATE TOWING SERVICE.

No person shall engage in, manage or operate a towing operation without a written permit to do so from the ~~Committee on Permits and Licenses~~City and without complying with all regulations adopted by resolution of the City Council relating to a towing operation.

Section 11.13.200 is amended as follows:

§ 11.13.200 REQUIREMENTS.

A. No adult use may be established within the City by right - all persons wishing to establish or expand an adult use within the City must apply for and receive an Adult Use Development Permit (AUDP) under this Chapter before opening to the public.

B. It is the burden of the applicant to supply evidence to justify granting an AUDP.

C. Any person desiring to operate, establish or expand an adult use within the City shall file with the Planning Division an AUDP application on a standard application form supplied by the Planning Division.

~~D. No certificate of compliance or permit from the Committee on Permits and Licenses shall be required for any proposed adult use.~~

Section 11.15.050.A is amended as follows:

§ 11.15.050 LICENSE SUSPENSION AND REVOCATION; ADMINISTRATIVE FINES.

A. In addition to any criminal or other penalty authorized by this Code and other applicable law, a tobacco retailer license may be suspended or revoked by the ~~Committee on Permits and Licenses~~City Manager or their designee, as set forth herein, based on one or more of the following findings:

### **TITLE 13 AMENDMENTS**

Section 13.03.020 is amended as follows:

§ 13.03.020 MUSICAL ENTERTAINMENT AND DANCING - AFTER HOURS.

It shall be unlawful for any person, firm or corporation, required to be licensed or otherwise regulated under the provisions of Chapter 11.01 of this Code, to conduct or in any manner participate in dancing or musical type entertainment of any kind between the hours of 2:00 a.m. of one day and 6:00 a.m. of the same day, except by a special permit for one day only, issued by the ~~Committee on Permits and Licenses of the~~ City.

## **TITLE 15 AMENDMENTS**

Section 15.02.610.C.2 is amended as follows:

§ 15.02.610.C.2 NONCOMMERICAL NONPARABOLIC ANTENNAS.

2. Unless a finding is made that a proposed antenna poses an actual threat to the public health or safety, the Building Official ~~or Committee on Permits and Licenses on appeal~~, shall have the authority to grant a use permit to modify the regulations and design standards of Subsection C.1. paragraphs a., b., c., or e. of this Section, if topographical conditions, nearby tall structures or other factors unreasonably obstruct or otherwise unreasonably interfere with effective transmission or reception of the type desired, and the cause of such obstruction or interference was not created by the applicant.

a. An application for a use permit and for a building permit shall be reviewed upon payment of fees for each application as established by resolution of City Council.

b. As a condition of approval of a use permit to modify the design standard of Subsection C.1. paragraph b. of this Section, an antenna structure shall be required to be retractable to thirty-five (35) feet.

c. In cases where topographical conditions surrounding the antenna structure or the presence of nearby tall structures physically impede retracting an antenna to thirty-five (35) feet, the Building Official ~~or Committee on Permits and Licenses on appeal~~, may allow an antenna structure to be retracted to a height greater than thirty-five (35) feet.