

ORDINANCE NO. 2025-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA AMENDING TITLES 7, 9, 13 AND 15 OF THE CULVER CITY MUNICIPAL CODE TO DISSOLVE THE COMMITTEE ON PERMITS AND LICENSES AND TO REMOVE REFERENCES TO COPL-ISSUED PERMITS FOR VARIOUS BUSINESSES

WHEREAS, the Committee on Permits and Licenses (COPL) was originally established in Culver City Municipal Code (CCMC) Section 11.01.500, et seq. for the purpose of providing “a procedure to expedite the processing of various applications for permit and businesses licenses, in order to avoid encumbering the Councilmanic agenda with such routine matters” with one of its primary functions over the years being the issuance of special event permits;

WHEREAS, the original purpose of the COPL has become antiquated and inefficient many COPL functions are now covered through the special event permit process and the business license process;

WHEREAS, at the October 24, 2022 City Council meeting, the City Council authorized City staff to draft an ordinance dissolving the COPL; and

WHEREAS, the City Council desires to amend Titles 7, 9, 13 and 15 of the CCMC to reflect the dissolution of the COPL and related changes to various permits and licenses processes previously handled by the COPL.

NOW, THEREFORE, The City Council of the City of Culver City, California, DOES HEREBY ORDAIN as follows:

SECTION 1. The Committee on Permits and Licenses is hereby dissolved.

1 **SECTION 2.** Pursuant to the foregoing recitations, the City Council of the City
2 of Culver City, California, hereby amends Titles 7, 9, 13 and 15 of the CCMC as set forth
3 in Exhibit "A" attached hereto and made a part hereof.

4 **SECTION 3.** Pursuant to Section 619 of the City Charter, this Ordinance shall
5 take effect thirty (30) days after its adoption. Pursuant to Section 616 and 621 of the City
6 Charter, prior to the expiration of 15 days after the adoption, the City Clerk shall cause this
7 Ordinance, or a summary thereof, to be published in the Culver City News and shall post this
8 Ordinance or a summary thereof in at least three places within the City.
9

10 **SECTION 4.** The City Council hereby declares that, if any provision, section,
11 subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or declared
12 invalid or unconstitutional by any final action in a court of competent jurisdiction or by
13 reason or any preemptive legislation, then the City Council would have independently
14 adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases,
15 or words of this Ordinance, and as such they shall remain in full force and effect.
16
17

18
19 APPROVED and ADOPTED this ____ day of _____ 2025.
20
21

22 _____
23 DAN O'BRIEN, Mayor
24 City of Culver City, California

25 ATTESTED BY:

26 APPROVED AS TO FORM:

27 _____
28 JEREMY BOCCHINO, City Clerk

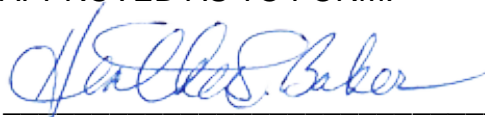
29 
30 _____
31 HEATHER BAKER, City Attorney

EXHIBIT A to Ordinance No. 2025-__

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.

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.

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 special event permit from the City.

§ 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 City pursuant to section § 17.520.025.

C. The City 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 to the Police Chief or their designee for investigation, report and recommendation. The investigation shall be completed and a report and recommendation made in writing to the City Manager or their designee. 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 City Manager or their designee, a copy thereof shall be served personally or by certified mail on the applicant.

§ 9.06.125 ALTERNATIVE PLAN.

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 a proposed alternative date, route of travel or hours.

§ 9.06.130 RESERVED.

§ 9.06.135 CONDITIONS OF GRANTING PERMIT.

A. The 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 City to be reasonably necessary for the protection of persons or property.

B. When a parade permit is granted, the 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 City shall issue the special event permit unless 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 City Manager or their designee shall deny such permit only when:

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

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

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

§ 9.06.150 ALTERNATIVE PERMIT.

When the 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. The 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 City Manager or their designee shall send notice thereof to:

A. The 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

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

§ 9.06.170 REVOCATION OF PERMIT.

Any permit for a parade issued hereunder may be summarily revoked by the City at any time when by reason of disaster, public calamity or other emergency, the City determines that the safety of persons or property demands such revocation.

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 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.

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.

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.

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.

Business

Additional Certification Requirements

Animal shows when performance involved and/or admission charged

Special Event Permit (see section 17.520.025)

Art/antique show

Special Event Permit (see section 17.520.025)

Automobile repair	CCFD
Carnivals	Special Event Permit (see section 17.520.025)
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	CCPD
Drycleaning plant, cleaning and pressing shop	CCFD
Klieg light operators	Special Event Permit (see section 17.520.025)
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	Special Event Permit (see section 17.520.025)
Locksmiths	CCPD
Manufacturing establishments not otherwise listed	CCFD
Massage establishments (including health clubs, spas or other similar types of establishments that offer massage services)	See Chapter 11.07
Newsracks	See sections 9.08.600 - 9.08.675
Oil storage tank station	CCFD
Oil well operations	See Chapter 11.12
Pawnbrokers	CCPD
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

Apartments, rooming houses, hotels, motels, trailer park spaces and commercial property	CCFD
Repair shops	CCFD
Restaurants, all types	LAHD, CCFD
Service stations, gasoline, diesel	CCFD
Street vending	See sections 11.09.200 - 11.09.215
Studios, motion picture/television/radio	CCFD
Taxicabs	See Chapter 11.10
Theatres and temporary entertainment provided under a tent or temporary structure	Special Event Permit (see section 17.520.025)
Towing service	CCPD
Trade shows, commercial promoters	Special Event Permit (see section 17.520.025, also see section 11.01.310)
Warehouses not used in connection with established businesses in the City	CCFD
Woodworking shops	CCFD

§ 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 City at least fifteen (15) days prior to the show unless the 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 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 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 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 they shall deem sufficient, and make a written report thereof to the Chief Financial Officer, 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.

§ 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.

Subchapter 11.01.500 COMMITTEE ON PERMITS AND LICENSES is deleted.

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.

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 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 Chief Financial Officer 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 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 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 Chief Financial Officer 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 City.

Whenever, in the opinion of the Chief Financial Officer, the Notice of Intention to Solicit filed with the 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 the City, there shall be filed, in writing, within forty-eight (48) hours after such request, such additional information as may be required by the City upon the foregoing subjects. Provided, however, that the Chief Financial Officer, 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 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 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 City approval of the location is not required, provided however, a list of each location shall be provided to the City.

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 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 City within thirty (30) days after the close of any such solicitation or within thirty (30) days after a demand therefor by the City, 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 City, 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 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 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 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 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.

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

Section 11.09.015 is amended as follows:

§ 11.09.015 APPLICATION FOR PERMIT.

Written application for permit shall be filed with the 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 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 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 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 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.

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 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 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 City Council and to the permittee. If a timely appeal is filed with the City the matter shall be set for hearing within fourteen (14) days. At the hearing the permittee and the Police Department may present evidence orally or in writing. The 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 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 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.

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 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 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 , 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 , may allow an antenna structure to be retracted to a height greater than thirty-five (35) feet.