



# City of Culver City

## Staff Report

File #: 16-264, Version: 1

Item #: C-10.

**CC - Adoption of an Ordinance of the City of Culver City, State Of California, (1) Repealing and Replacing Chapter 11.07 of Title 11 of the Culver City Municipal Code Pertaining to Massage Business Regulations; (2) Amending Section 11.01.305 of Chapter 11.01 of the Culver City Municipal Code Regarding the Schedule of Businesses Requiring a Certificate of Compliance or Permit; and (3) Terminating the Temporary Moratorium, Established by Ordinance No. 2015-001 and Extended by Ordinance Nos. 2015-002 and 2016-004, on the Issuance of Any New Permit, License, Approval or Entitlement Pertaining to New Massage Establishments or the Location or Relocation of Existing Massage Establishments within the City.**

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**Fiscal Impact:** Yes  No  **General Fund:** Yes  No

**Public Hearing:**  **Action Item:**  **Attachments:** Yes  No

**Commission Action Required:** Yes  No

**Public Notification:** (E-Mail) Meetings and Agendas - City Council (09/20/16);

**Department Approval:** Carol Schwab, City Attorney Department (09/20/16)

### **RECOMMENDATION:**

Staff recommends the City Council adopt the proposed ordinance (1) repealing and replacing Chapter 11.07 of Title 11 of the Culver City Municipal Code pertaining to massage business regulations; (2) amending Section 11.01.305 of Chapter 11.01 of the Culver City Municipal Code regarding the Schedule of Businesses Requiring a Certificate of Compliance or Permit; and terminating the temporary moratorium, established by Ordinance No. 2015-001 and extended by Ordinance Nos. 2015-002 and 2016-004, on the issuance of any new permit, license, approval or entitlement pertaining to new massage establishments or the location or relocation of existing massage establishments within the City (Attachment 1).

**BACKGROUND / DISCUSSION:**

At its meeting of September 12, 2016, the City Council (by a vote of 5-0) introduced, for first reading, an Ordinance (1) repealing and replacing Chapter 11.07 of Title 11 of the Culver City Municipal Code pertaining to massage business regulations; and (2) amending Section 11.01.305 of Chapter 11.01 of the Culver City Municipal Code regarding the Schedule of Businesses Requiring a Certificate of Compliance or Permit.

Included in the proposed Ordinance presented for adoption is additional language (Section 4) to clarify that the temporary moratorium is terminated upon the effective date of the new regulations. The intent of the City Council in adopting the temporary moratorium was to (1) allow the City time to thoroughly review and study new state law pertaining to local regulation of massage businesses, and to revise the Culver City Municipal Code to establish new regulations accordingly; and (2) upon the adoption and effective date of the new regulations, to terminate the temporary moratorium. Thus, this clarifying language does not constitute a substantive change and, therefore, reintroduction of the Ordinance is not required.

The Ordinance, as clarified, is presented this evening for adoption.

**FISCAL ANALYSIS:**

Since the adoption of the Moratorium in 2015, no new massage permits have been issued. Once the proposed ordinance is in effect, all existing and any proposed Massage Establishments will be required to submit an application in compliance with the new ordinance. Fees are in the process of being established to compensate the City for the resources expended to investigate and process the initial applications, renewal applications, etc. A fee resolution setting forth the proposed new fees will be brought forth to City Council prior to the effective date of the new ordinance.

**ATTACHMENTS:**

1. Proposed Ordinance

**MOTION:**

That the City Council:

Adopt an Ordinance (1) repealing and replacing Chapter 11.07 of Title 11 of the Culver City Municipal Code pertaining to massage business regulations; (2) amending Section 11.01.305 of Chapter 11.01 of the Culver City Municipal Code regarding the Schedule of Businesses Requiring a Certificate of Compliance or Permit; and (3) terminating the temporary moratorium, established by Ordinance No. 2015-001 and extended by Ordinance Nos. 2015-002 and 2016-004, on the issuance of any new permit, license, approval or entitlement pertaining to new massage establishments or the location or relocation of existing massage establishments within the City.