



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

H-2

333 West Ocean Boulevard 7th Floor • Long Beach, CA 90802 • (562) 570-6200 • Fax (562) 499-1097

January 22, 2019

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing and grant an Entertainment Permit with conditions on the application of Black LB, LP, 1800 E. Broadway, for entertainment without dancing. (District 2)

DISCUSSION

The Long Beach Municipal Code (LBMC) requires an application be filed and a hearing be held before the City Council whenever this type of activity is requested and before an entertainment permit (Permit) is granted or denied.

The LBMC also requires the City Council to approve the issuance of the Permit if they find that: the issuance of the Permit at the proposed location is consistent with federal, state and local laws, rules, and regulations; it will not constitute an undue burden on the neighborhood; the applicant(s) or responsible persons have not been convicted of any misdemeanor involving moral turpitude or felony offense within the past five years; and, neither the applicant(s) or any responsible persons have a history of committing significant violations of the City code and have not provided false or misleading information on their application.

The City Council has the authority to approve the following options: 1) grant the Permit, with or without conditions; or 2) deny the Permit on the application. Once the Permit is granted, pursuant to LBMC 5.72.120.5, the Permit will be subject to an administrative review by the Financial Management Department every two years. This review process will consist of a multi-department analysis to determine compliance and identify if issues exist. This provision does not affect the City's ability to modify, revoke or suspend a permit at any time.

City departments have conducted their investigations in accordance with the LBMC. Attached are the departmental investigative reports, history, entertainment permit application, and floor plan.

HONORABLE MAYOR AND CITY COUNCIL

January 22, 2019

Page 2

The following summarizes departmental findings:

- The Police Department recommends the permit for entertainment without dancing be approved subject to conditions.
- The Fire Department finds the building/location meets department requirements for the proposed use.
- The Health and Human Services Department finds the building/location meets department requirements for the proposed use with the condition that the establishment remain in compliance with the Long Beach Noise Ordinance (LBMC Chapter 8.80).
- The Development Services Department finds the building/location meets department requirements for the proposed use.

The Financial Management Department, Business Services Bureau, has reviewed all submitted department documents and correspondence thoroughly and recommends that the permit for entertainment without dancing be approved subject to conditions (attached).

In the event that any of the recommended conditions are in conflict with other permits or licenses, the permittee shall adhere to the strictest of the applicable conditions. This location has been licensed as a Restaurant with Alcohol since April 2001. The business changed ownership to Black LB, LP, in April 2018.

This matter was reviewed by Deputy City Attorney Richard F. Anthony on December 31, 2018.

TIMING CONSIDERATIONS

The hearing date of January 22, 2019, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

FISCAL IMPACT

The following fees were collected with the application: Building Review \$22.45 and Zoning Review \$33.00 (Development Services), Police Investigation \$1,310.00 (Police Department), Mailing List \$90.00 and Temporary Entertainment Permit \$400.00 (Financial Management Department).

The following fees will be collected if the application is approved: Business License Annual Tax \$365.17, Employee Rate \$18.96 per employee, and Annual Entertainment Regulatory Fee \$322.00 (Financial Management Department).

HONORABLE MAYOR AND CITY COUNCIL
January 22, 2019
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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



JOHN GROSS
DIRECTOR OF FINANCIAL MANAGEMENT

JG:SP:ea
K:\FM-ADMIN\CITY COUNCIL LETTERS\BUSINESS SERVICES\2019\01-22-18 CCL - BLACK BAR HEARING\1-22-19 ccl - BLACK ENTERTAINMENT HEARING.DOCX

ATTACHMENTS

APPROVED:



PATRICK H. WEST
CITY MANAGER



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT
BUSINESS SERVICES BUREAU

333 WEST OCEAN BOULEVARD 7TH FLOOR • LONG BEACH, CA 90802 • (562) 570-6211

Recommended Conditions of Operation

Black LB LP DBA Black

1800 E. Broadway

Application for Entertainment Without Dancing

The Department of Financial Management recommends **approval** of the Permit subject to the following conditions:

I. STANDARD CONDITIONS OF OPERATION

- 1) The operation of the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by the City Council. Any change in the operation, which exceeds the conditions of the approved permit, will require that a new permit application be submitted to the City Council for their review and approval.
- 2) Unless separately applied for, reviewed, and approved, no adult entertainment, as defined by section 5.72.115(B) LBMC shall be conducted on the permitted premises.
- 3) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LMBC Chapter 8.80).
- 4) This Entertainment Permit is accessory to the primary business. The authorization to provide entertainment on-site is subject to the use remaining a bona fide eating place serving actual and substantial meals. Meals” means the usual assortment of foods commonly ordered at various hours of the day; the service of such food only as sandwiches or salads shall not be deemed compliant with this requirement. Meals must consist of food prepared on the premises. Hours of sales of alcohol shall be limited to the hours when meals are available.

The premises must be equipped and maintained in good faith. The premises must possess working refrigeration, cooking equipment, utensils, menus, and enough food to make substantial meals. In the event the primary business ceases operation, fails to operate as a bona fide eating place, fails to serve actual and substantial meals, or otherwise fails to comply with this condition, the Entertainment Permit becomes null and void.

- 5) Due to the proximity of neighboring businesses and residences, all door(s) and windows shall be kept closed at all times during any entertainment, except in cases of emergency and to permit deliveries. Said door(s) is not to consist solely of a screen or ventilated security door. **Sound shall not be audible beyond fifty feet (50') from the exterior of the premises in any direction.** Outdoor amplified entertainment is prohibited.
- 6) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 10:00 P.M. and 7:00 A.M.

- 7) Deliveries to and from the premises shall be limited to the hours of 8:00 A.M. to 10:00 P.M.
- 8) The permittee shall provide a minimum of one (1) uniformed security guard during all times that the entertainment activities are being conducted for crowds up to fifty (50) people. For crowds over fifty (50) people, the permittee shall provide a minimum of one (1) additional uniformed security guard per fifty (50) people. Patrons awaiting entry in a defined queue shall be counted toward the calculation of required security staffing levels.

The attire of each security guard shall clearly indicate the guard's affiliation with the establishment by means of a pin, shirt, or other visible form of identification. Should the permittee's operations give rise to a substantial increase in complaint/calls for police service, or trash left in the parking lot, the permittee shall increase security staff, implement the use of electronic metal detection equipment, increase outside lighting, or make other changes to the premises or operation as the Chief of Police determines are necessary to protect the safety of the public.

- 9) The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors and the parking lot, at all times while open for business. This should be done by use of security guards and signage indicating words to the effect of, "Please respect our neighbors" or something similar.
- 10) The permittee shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premises over which they have control.
- 11) The permittee agrees to reimburse the City for all costs associated with excessive police services, as determined by the Chief of Police, required as the result of any incident or nuisance arising out of or in connection with the permittee's operations.
- 12) Current occupancy loads shall be posted at all times, and the permittee shall have an effective system to keep count of the number of occupants present at any given time and provide that information to public safety personnel upon request. (LBMC section 18.48.320).
- 13) Any graffiti painted or marked upon the premises, or on any adjacent area under the control of the licensee, shall be removed or painted over within 24 hours of being applied.
- 14) The business, or agents, shall not distribute any advertising matter such as signs, posters, or promotional cards, in or upon any public property, or in or on any vehicle in any such place in the City. Distribution of any advertising matter upon private property shall adhere to the following guidelines: By placing the same matter in a receptacle, clip, or other device designed or intended to receive advertising matter. The permittee shall keep all promoter contracts, including

names, addresses, and phone numbers, on file at all times, and be available for inspection at any time.

- 15) At the conclusion of each event, the permittee shall take reasonable measures to ensure that exiting patrons walk directly to their vehicles, and not loiter in the front of the establishment, the parking lot or the immediate area.
- 16) The permittee shall install and maintain a video surveillance system that monitors no less than the front and rear of the business with full view of the public right-of-ways and any parking lot under the control of the permittee. The video system must be capable of delineating on playback the activity and physical features of persona and areas within the premises. Recordings shall be retained for a minimum of 30 days and be accessible via the Internet by the Long Beach Police Department. A Public Internet Protocol (IP) address and user name/password is also required to allow the Long Beach Police Department to view live and recorded video from these cameras over the internet. All video security cameras shall be installed to the satisfaction of the Chief of Police, Director of Technology Services, and Director of Development Services. At the discretion of the Chief of Police, the permittee may be required to add additional video cameras.
- 17) The permittee shall within ninety (90) days of an approved entertainment permit, submit proof of attending the LEAD program offered by the Department of Alcoholic Beverage Control. In the event that the LEAD program class is not offered within this ninety-day period, the permittee shall attend the next available class. Proof of completion shall be submitted to the Long Beach Police Department Vice Investigations Section.
- 18) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances, and stated conditions. In the event of a conflict with the requirements of this permit, your conditional use permit, or your Alcoholic Beverage Control license, the more stringent regulation shall apply.

II. ADDITIONAL CONDITIONS OF OPERATION

- 1) Entertainment activities indicated on Page 9 of your entertainment application **shall be restricted from 10:00 PM to 1:00 AM, Monday through Sunday.**
- 2) The permittee shall not convert the restaurant, or any portion thereof, into a dance/night club. All entertainment activities shall be conducted in conjunction with regular dining or pre-planned banquet activities. A banquet is defined as a function held at a bona fide eating place wherein complete and substantial meals are provided to the persons in attendance by the management of the restaurant where the function is being held. Fast food, snacks, and hors d'oeuvres shall not constitute a complete and substantial meal. The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub activities.

- 3) There shall be no queue allowed after 12:00 midnight, Friday and Saturday nights. All persons gathering outside after the allowed hours shall be considered to be loitering. The public right of way (sidewalk), or an entrance to any business shall not be blocked at any time.

III. In the event that any of the recommended conditions attached to any permit or license is in conflict, the permittee shall adhere to the strictest of the applicable conditions. In addition, please be advised that your permit is subject to administrative review every two years from the date this permit is issued. If grounds exist for modification, revocation, or suspension of the permit, a hearing will be held.



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

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SUMMARY OF APPLICATION FOR ENTERTAINMENT PERMIT

Attached for your review and action is an application for Black LB LP DBA Black. Also, attached are reports from various departments stating their recommended disposition of the subject application. These are summarized as follows:

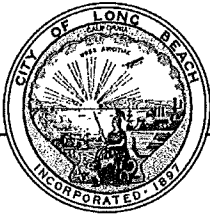
SUBMITTED FOR CITY COUNCIL ACTION

	<u>Without Concern</u>	<u>With Conditions</u>	<u>With Concerns</u>
Police Department		X	
Fire Prevention Bureau	X		
Health and Human Services Department/Noise Control		X	
Development Services Department	X		

Questions concerning the above may be directed to the following:

Police Department, Chief of Police	570-7301
Fire Department, Fire Prevention Bureau	570-2500
Health and Human Services Department, Noise Control.....	570-4130
Development Services Department.....	570-6623

Compiled by: Department of Financial Management
Business Services Bureau



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard 7th Floor • Long Beach, CA 90802 • (562) 570-6200 • Fax (562) 499-1097

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 1800 E. Broadway

Black LB LP
DBA: Black
Lic # BS21804608
7/18 – Pending

Entertainment without Dancing (Alcohol)

Black LB LP
DBA: Black
Lic # BU21802077
5/18 – Current

Restaurant & Ready to Eat Foods (Alcohol)

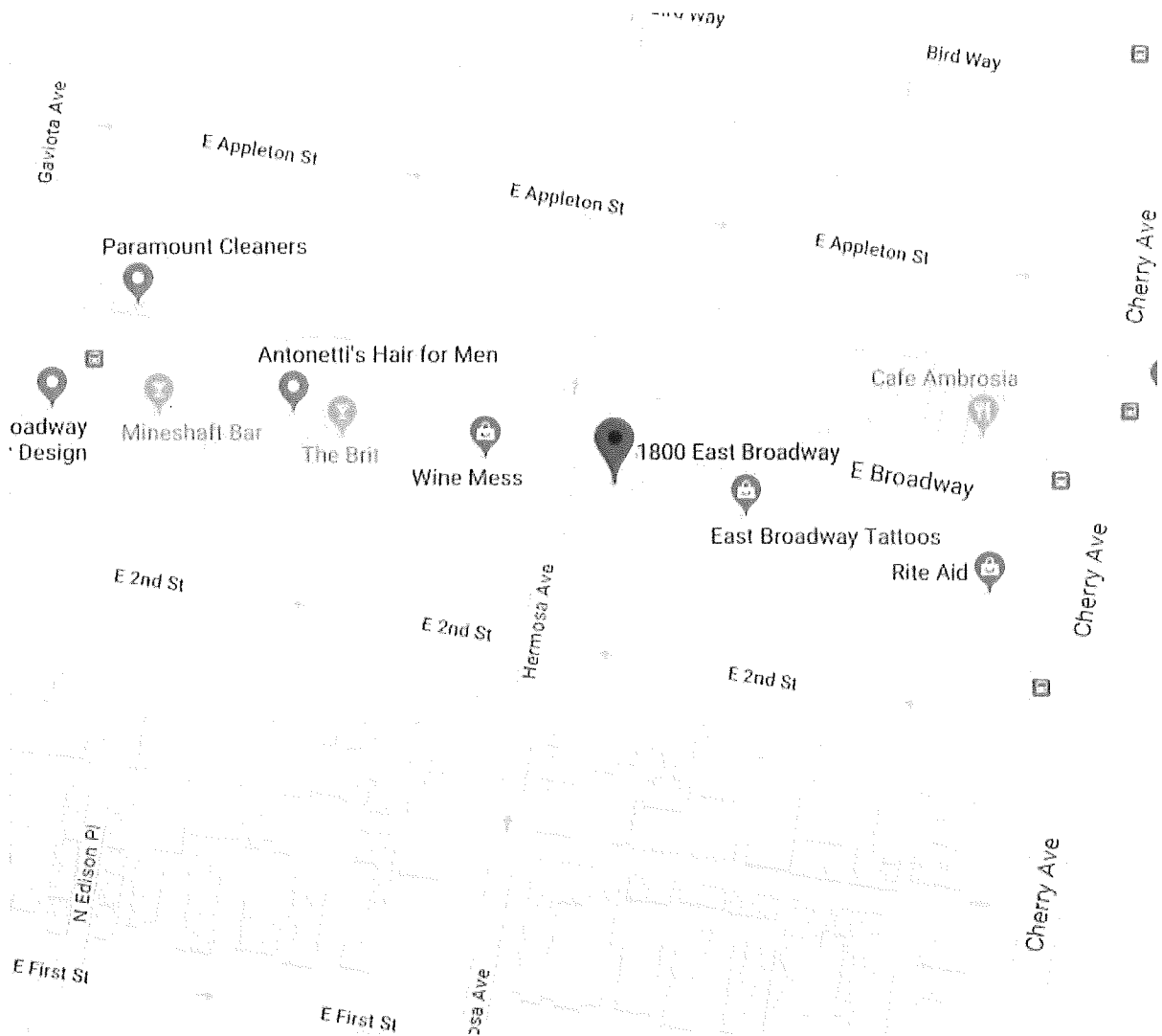
Molly Brown LLC
DBA: The Paradise
Lic # BS21304790
7/13 – 4/18

Entertainment without Dancing (Alcohol)

Molly Brown LLC
DBA: The Paradise
Lic # BU20901540
2/09 – 4/18

Restaurant & Ready to Eat Foods (Alcohol)

Black LB LP
DBA: Black
1800 E. Broadway





Accepted By: Emily Armstrong Date: 7/13/18
 Zoning Approval By: _____ Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information – Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): Black LB LP
 Business Name (DBA): Black Business Phone: (562) 676 4465
 Business Site Address: 1800 E Broadway, Long Beach 90802
 Date Business Proposes To Open: 6/23/18
 Days & Time Premises Are Open For Inspection: M & W 10am - 3pm

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing Other (explain) DJ/Live Music
 Entertainment/Tavern With Dancing Without Dancing
 Entertainment/Retail Social Club Pool/Billiard Hall

Explain briefly the proposed use of the rooms within the building:

Food & Beverage

Contact Person(s) Name (authorized agent, manager, etc.): Jessica DellaTorre
 Contact Person(s) Phone Number: (949) 812-6011

Type of Organization:

Corporation Partnership Individual Unincorporated Association or Club
 Trust LLC Other, explain: _____

OFFICE USE ONLY

Building Fire Health (Check Inspecting Department) Date Received: _____
 Building/Location meets Department Requirements for the proposed use.
 Building/Location meets Department Requirements for the proposed use subject to the following conditions:

 Building/Location does not meet Department requirements for the proposed use.
 Inspection Completed On (date): _____ By: _____

POLICE DEPARTMENT

Police Department finds no basis for denial Police Department finds basis for denial
 Police Department finds no basis for denial with conditions

Conditions or Basis for Denial: _____
 By: _____ Title: _____ Date: _____

GENERAL INFORMATION (All Applicants)

Principal place of business (if other than the address listed on page 1): _____

Fictitious business names(s) or dba(s) used: BLACK

Place and date of filing fictitious business name statement: Los Angeles

County(ies) in which fictitious name statement is (are) filed: Los Angeles

Names and address of all agents and employees authorized to negotiate or otherwise represent individual in connection with any transaction with the City of Long Beach:

Shannon McManis, [REDACTED] (Owner)

Bethany Black, [REDACTED] (Owner)

Jessica Dellatore, [REDACTED]

Name and address of person (agent) authorized to accept service of process in California:

Jessica Dellatore

State whether you are licensed by any governmental agency to engage in any business. If so, list each such license held, the city in which held, and expiration date thereof:

ABC # 47 591074

Is this applicant a subsidiary of a present corporation or business? YES NO
If yes, explain:

How long has the corporation or business been in operation? 3/11/16

Is the location: Owned? Rented/Leased?

If Rented/Leased, state the name and address of property owners:

Name: Jeff Darling

Address: 1950 Rosaline Ave, Suite C
Redding, CA 96001

IF APPLYING AS A PARTNERSHIP

Check One Box:

General Partnership

Limited Partnership

LLC (Limited Liability Co.)

Name of Partnership:

Black LB, LP

Federal Tax ID Number:

[REDACTED]

Seller's Permit Number:

103-239667

Percentage of Partnership

Name and residence addresses of *General Partners*:

Interest:

%

%

%

%

Names and residence addresses of *Limited Partners*:

Interest:

Bethany Black

41 %

Shannon McManus

41 %

Heath Kirchart

18 %

%

Place and date of filing Articles or Certificate of Partnership or Limited Partnership:

California, March 11, 2016

Los Angeles

Please Note:

Attach certified copies of *Articles of Partnership or Limited Partnership*, or other written evidence of partnership status and all amendments thereto this application.

IF APPLYING AS A PARTNERSHIP

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

PRINCIPAL PARTNER I

Name: Bethany Black Title: Owner

Residence Address: [REDACTED] Phone: [REDACTED]

Business Address: _____ Phone: _____

Race: [REDACTED] Sex: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED] Height: [REDACTED] Weight: _____

Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]

Driver's License Number: [REDACTED] Issuing State: [REDACTED]

PRINCIPAL PARTNER II

Name: Shannon McManus Title: Owner

Residence Address: [REDACTED] Phone: [REDACTED]

Business Address: _____ Phone: _____

Race: [REDACTED] Sex: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED] Height: [REDACTED] Weight: _____

Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]

Driver's License Number: [REDACTED] Issuing State: [REDACTED]

PRINCIPAL PARTNER III

Name: Heath Kirchart Title: Owner

Residence Address: [REDACTED] Phone: [REDACTED]

Business Address: 1800 E Broadway Long Beach CA 90802 Phone: 562 676 4465

Race: [REDACTED] Sex: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED] Height: [REDACTED] Weight: [REDACTED]

Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]

Driver's License Number: [REDACTED] Issuing State: [REDACTED]

PRINCIPAL PARTNER IV

Name: _____ Title: _____

Residence Address: _____ Phone: _____

Business Address: _____ Phone: _____

Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____

Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____

Driver's License Number: _____ Issuing State: _____

Attach a list for additional partners

GENERAL OPERATING CONDITIONS

Complete Each Question

ALCOHOL/FOOD/ADDITIONAL BUSINESSES

1. Will liquor be sold or consumed on the premises? YES NO

a. If Yes, complete the following box:

Check one box to indicate License Type	Alcohol Beverage Control License No.	Premises Type: (Club (restaurant) or Commercial (store))
On sale beer <input type="checkbox"/>	_____	_____
On sale beer and wine <input type="checkbox"/>	_____	_____
On sale distilled spirits <input checked="" type="checkbox"/>	<u>47-591074</u>	<u>Bar & Restaurant</u>

2. Is a bonafide-eating place provided on the premises? (Bonafide eating place means a place which is regularly used for serving meals for compensation, which has suitable kitchen facilities containing conveniences for cooking an assortment of foods for ordinary meals other than fast foods, sandwiches or salads. The kitchen must contain proper refrigeration for food and must comply with all applicable regulations of the Health and Human Services Department.

YES NO

a. If yes, list types of food sold: Burgers & Fries

b. If no, list any products (such as snacks sold): _____

3. Are non-alcoholic beverages sold? YES NO

4. How many tables for seating? 10 + Bar + stools

5. Are other types of businesses conducted on the premises? YES NO

a. If yes, list type(s): _____

6. Are pool tables provided? YES NO

a. If yes, indicate number: 1

7. Is there a license for the pool table? YES NO

a. If yes, license number: _____

8. Are amusement machine(s) and/or jukebox(es) provided? YES NO

a. If yes, indicate number and type: ~~1~~ Amusement Machines 1 Jukebox(es)

9. Is there a license for the amusement machine(s) and/or jukebox(es)? YES NO

a. If yes, decal number(s): _____

10. Owner of machine(s) and/or jukebox(es):

Name: Black LB, LP

Address: _____

Telephone No. () _____

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

SECURITY

11. Will security officers be provided? YES NO
a. If yes, number of security officers: 2-3
12. Is any other type of security provided? YES NO
a. If yes, describe type of security: _____

Days and hours security officers or other security will be provided (fill out completely):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of	6pm-2am	6pm-2am	6pm-2am	6pm-2am	6pm-2am	6pm-2am	6pm-2am
Security	1	1	1	1	2-3	2-3	2-

13. Will a private security firm be used? YES NO
a. If yes, provide the following information of the contracted security firm:
Name: ATF Private Security City Business License No.: _____
Address: 450 N Brand Blvd #600 Telephone No.: (323) 333-0600
Glendale, CA 91203

ADMISSION and/or MEMBERSHIP FEES CHARGED

14. Will minors be allowed on the premises? YES NO
15. Will the premises be open to the general public? YES NO
16. Will an admission fee be charged? YES NO
a. If yes, fee schedule: _____

17. Is there a private area for exclusive use of members and their guests only? YES NO
a. If yes, types of membership fees: _____

18. Will guests of members pay an admission fee or other charges? YES NO
a. If yes, describe the fee schedule and other charges: _____

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

HOURS OF OPERATION

Establishment hours of operation by day (fill out completely):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	6pm	6pm	6pm	6pm	6pm	12pm	12pm
Close	2am	2am	2pm	2am	2am	2am	2am

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses?

YES NO

a. What type? Retail Stores

20. Are there surrounding residences?

YES NO

a. Approximately how close? _____

PARKING FACILITIES AND ARRANGEMENTS

21. Is parking available?

YES NO

a. If no, what is the street address of the off-premises parking facility? _____

b. Describe the business arrangement made with owner of the parking facility if not part of business premises. (Please attach a copy of parking contract or deed restriction) _____

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From							
To							

d. How many individual parking spaces (approximately)? _____

END OF GENERAL OPERATING CONDITIONS SECTION – PLEASE CONTINUE TO NEXT SECTION

ENTERTAINMENT FACILITY AND ACTIVITY

Entertainment - Restaurant Entertainment - Tavern (bar) Entertainment - Other

Does the Proposed Activity have:

- Outdoor Entertainment? Y N
- Dancing by patrons, guests, customers, participants, attendees? Y N
- Dancing by performers? Y N
- Live music by more than two (2) performers? Y N
- Amplified music (live)? Y N
- Amplified music (recorded)? Y N
- Disc Jockey? Y N
- Karaoke? Y N
- Adult Entertainment as defined by LBMC Section 21.15.110? Y N
- Adult Entertainment as defined by LBMC Section 5.72.115 (B)? Y N
- Will the establishment serve as a family pool/billiard hall as provided in Section 5.69.090 of the LBMC? Y N
- Any other type of entertainment not listed above? Y N

If yes, briefly describe the entertainment activity. _____

Describe entertainment by performers: Live Bands & DJs

Dance Floor? Y N Stage? Y N

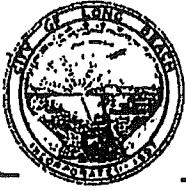
If yes, provide dimensions and type of material of dance floor. L _____ X W _____ = _____ sq ft.

If yes, provide dimensions and type of material of stage. L _____ W _____ H _____

Describe floor material and surface type: Hard wood

Schedule of entertainment. Please provide days of the week and time of day. If entertainment is not provided the same days and times every week, please provide a detailed schedule of specific dates and times of entertainment. Attach an additional sheet if necessary: (Fill Out Completely)

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Entertainment Type					DJ	DJ	
Start Time					10pm	10pm	
End Time					1:30am	1:30am	



CITY OF LONG BEACH

DEPARTMENT OF HEALTH AND HUMAN SERVICES

100 W BROADWAY STE 400 | LONG BEACH, CA 90802 | 562-570-6513 FAX 562-570-6930

ENVIRONMENTAL HEALTH
NOISE OFFICE

DEPARTMENT OF HEALTH AND HUMAN SERVICES ENTERTAINMENT PERMIT APPLICATION REQUIREMENTS

Date: 6/21/18

Name of Business (DBA): BLACK

Name of Business Owner: Bethany Black

Business Address: 1800 E Broadway
90802

Dear New Business Owners:

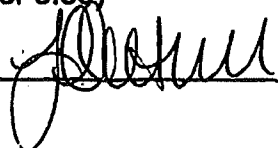
The Entertainment establishment must abide by the Long Beach Municipal Code Noise Ordinance, Chapter 8.80.

You must make sure that the noise generating inside your business is not impacting adjacent residences.

If loud music is to be played as part of the entertainment permit, you must also post a sign in the customer area in a conspicuous location that states:

Warning: Sound Levels Within May Cause Permanent Hearing Impairment.

I understand that in order to provide Entertainment, my establishment must comply with the Long Beach Noise Ordinance (LBMC Chapter 8.80)

Owner or Authorized Agent Signature(s) 

Title General Manager

Phone # 562-676-4405

FAX # _____

To form a limited partnership in California, you can fill out this form, and submit for filing along with:

- A \$70 filing fee.
- A separate, non-refundable \$15 service fee also must be included, if you drop off the completed form or document.

Important! LPs in California may have to pay a minimum \$800 yearly tax to the California Franchise Tax Board. For more information, go to <https://www.ftb.ca.gov>.

Note: Before submitting the completed form, you should consult with a private attorney for advice about your specific business needs.

FILED *JK*
 Secretary of State
 State of California
 MAR 11 2016 *JF*

icc This Space For Office Use Only

For questions about this form, go to www.sos.ca.gov/business/be/filing-tips.htm.

LP Name

① **Black LB, L.P.**

Proposed LP Name

The name must end with: "Limited Partnership," "LP," or "L.P.," and may not contain "bank," "insurance," "trust," "trustee," "incorporated," "inc.," "corporation," or "corp." For general entity name requirements and restrictions, go to www.sos.ca.gov/business/be/name-availability.htm.

LP Addresses

② a. **6202 Santa Monica Blvd., Los Angeles, CA 90038**

Initial Street Address of Designated Office in CA

City (no abbreviations)

State Zip

b. _____
Initial Mailing Address of LP, if different from 2a City (no abbreviations) State Zip

Service of Process (List a California resident or an active 1505 corporation in California that agrees to be your initial agent to accept service of process in case your LP is sued. You may list any adult who lives in California. You may not list an LP as the agent. Do not list an address if the agent is a 1505 corporation.)

③ a. **Farhad Novlan**

Agent's Name

b. **1801 Century Park East, Suite 1201, Los Angeles, CA 90067**

Agent's Street Address (if agent is not a corporation)

City (no abbreviations)

State Zip

General Partners (List the name and address of each general partner. Attach additional pages, if necessary.)

④ a. **Third Bar, LLC 6202 Santa Monica Blvd., Los Angeles, CA 90038**

General Partner's Name

Address

City (no abbreviations)

State Zip

b. _____
General Partner's Name Address City (no abbreviations) State Zip

Read and sign below: This form must be signed by all of the general partners listed in Item 4. If a trust, association, attorney-in-fact, or any other person is signing, go to www.sos.ca.gov/business/be/filing-tips.htm for more information. If you need more space, attach extra pages that are 1-sided and on standard letter-sized paper (8 1/2" x 11"). All attachments are part of this certificate. Signing this document affirms under penalty of perjury that the stated facts are true.

[Signature]

General Partner - Sign here

Bethany Black, Manager of Third Bar, LLC, General Partner to Black LB, L.P.

Print your name here

General Partner - Sign here

Print your name here

Make check/money order payable to: **Secretary of State**
Upon filing, we will return one (1) uncertified copy of your filed document for free, and will certify the copy upon request and payment of a \$5 certification fee.

By Mail
Secretary of State
Business Entities, P.O. Box 944225
Sacramento, CA 94244-2250

Drop-Off
Secretary of State
1500 11th Street, 3rd Floor
Sacramento, CA 95814

LLC-1

Articles of Organization of a Limited Liability Company (LLC)

To form a limited liability company in California, you can fill out this form, and submit for filing along with:

- A \$70 filing fee.
- A separate, non-refundable \$15 service fee also must be included, if you drop off the completed form or document.

Important! LLCs in California may have to pay a minimum \$800 yearly tax to the California Franchise Tax Board. For more information, go to https://www.ftb.ca.gov.

LLCs may not provide "professional services," as defined by California Corporations Code sections 13401(a) and 13401.3.

Note: Before submitting the completed form, you should consult with a private attorney for advice about your specific business needs.

This Space For Office Use Only

For questions about this form, go to www.sos.ca.gov/business/be/filing-tips.htm.

LLC Name

1 THIRD BAR, LLC

Proposed LLC Name

The name must end with: "LLC," "L.L.C.," "Limited Liability Company," "Limited Liability Co.," "Ltd. Liability Co." or "Ltd. Liability Company;" and may not include: "bank," "trust," "trustee," "incorporated," "inc.," "corporation," or "corp.," "insurer," or "insurance company." For general entity name requirements and restrictions, go to www.sos.ca.gov/business/be/name-availability.htm.

Purpose

2 The purpose of the limited liability company is to engage in any lawful act or activity for which a limited liability company may be organized under the Beverly-Killea Limited Liability Company Act.

LLC Addresses

3 a. 5531 Coldwater Canyon Ave Sherman Oaks CA 91401
Initial Street Address of LLC City (no abbreviations) State Zip

b. Initial Mailing Address of LLC, if different from 3a City (no abbreviations) State Zip

Service of Process (List a California resident or an active 1505 corporation in California that agrees to be your initial agent to accept service of process in case your LLC is sued. You may list any adult who lives in California. You may not list an LLC as the agent. Do not list an address if the agent is a 1505 corporation.)

4 a. Farhad Novian

Agent's Name

b. 1801 Century Park East, Suite 1201 Los Angeles CA 90067
Agent's Street Address (if agent is not a corporation) City (no abbreviations) State Zip

Management (Check only one.)

5 The LLC will be managed by:

- [] One Manager [x] More Than One Manager [] All Limited Liability Company Member(s)

This form must be signed by each organizer. If you need more space, attach extra pages that are 1-sided and on standard letter-sized paper (8 1/2" x 11"). All attachments are made part of these articles of organization.

Organizer - Sign here

Farhad Novian
Print your name here

Make check/money order payable to: Secretary of State
Upon filing, we will return one (1) uncertified copy of your filed document for free, and will certify the copy upon request and payment of a \$5 certification fee.

By Mail
Secretary of State
Business Entities, P.O. Box 944228
Sacramento, CA 94244-2280

Drop-Off
Secretary of State
1500 11th Street., 3rd Floor
Sacramento, CA 95814

To form a limited partnership in California, you can fill out this form, and submit for filing along with:

- A \$70 filing fee.
- A separate, non-refundable \$15 service fee also must be included, if you drop off the completed form or document.

Important! LPs in California may have to pay a minimum \$800 yearly tax to the California Franchise Tax Board. For more information, go to <https://www.ftb.ca.gov>.

Note: Before submitting the completed form, you should consult with a private attorney for advice about your specific business needs.

FILED *JK*
 Secretary of State
 State of California
 MAR 11 2016 *JF*

icc This Space For Office Use Only

For questions about this form, go to www.sos.ca.gov/business/be/filing-tips.htm.

LP Name

① **Black LB, L.P.**

Proposed LP Name

The name must end with: "Limited Partnership," "LP," or "L.P.," and may not contain "bank," "insurance," "trust," "trustee," "incorporated," "inc.," "corporation," or "corp." For general entity name requirements and restrictions, go to www.sos.ca.gov/business/be/name-availability.htm.

LP Addresses

② a. **6202 Santa Monica Blvd., Los Angeles, CA 90038**

Initial Street Address of Designated Office in CA

City (no abbreviations)

State Zip

b. _____
Initial Mailing Address of LP, if different from 2a City (no abbreviations) State Zip

Service of Process (List a California resident or an active 1505 corporation in California that agrees to be your initial agent to accept service of process in case your LP is sued. You may list any adult who lives in California. You may not list an LP as the agent. Do not list an address if the agent is a 1505 corporation.)

③ a. **Farhad Novian**

Agent's Name

b. **1801 Century Park East, Suite 1201, Los Angeles, CA 90067**

Agent's Street Address (if agent is not a corporation)

City (no abbreviations)

State Zip

General Partners (List the name and address of each general partner. Attach additional pages, if necessary.)

④ a. **Third Bar, LLC 6202 Santa Monica Blvd., Los Angeles, CA 90038**

General Partner's Name

Address

City (no abbreviations)

State Zip

b. _____
General Partner's Name Address City (no abbreviations) State Zip

Read and sign below: This form must be signed by all of the general partners listed in Item 4. If a trust, association, attorney-in-fact, or any other person is signing, go to www.sos.ca.gov/business/be/filing-tips.htm for more information. If you need more space, attach extra pages that are 1-sided and on standard letter-sized paper (8 1/2" x 11"). All attachments are part of this certificate. Signing this document affirms under penalty of perjury that the stated facts are true.

[Signature]

General Partner - Sign here

Bethany Black, Manager of Third Bar, LLC, General Partner to Black LB, L.P.

Print your name here

General Partner - Sign here

Print your name here

Make check/money order payable to: Secretary of State
Upon filing, we will return one (1) uncertified copy of your filed document for free, and will certify the copy upon request and payment of a \$5 certification fee.

By Mail
Secretary of State
Business Entities, P.O. Box 944225
Sacramento, CA 94244-2250

Drop-Off
Secretary of State
1500 11th Street, 3rd Floor
Sacramento, CA 95814

DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

CALIFORNIA STATE BOARD OF EQUALIZATION

SELLER'S PERMIT



ACCOUNT NUMBER

05/01/2018 SR AA 103-239667

BLACK LB LP
1800 E BROADWAY
LONG BEACH, CA 90802-3924

NOTICE TO PERMITTEE:
You are required to obey all Federal and State laws that regulate or control your business. This permit does not allow you to do otherwise.

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION. THIS PERMIT IS VALID ONLY AT THE ABOVE ADDRESS.

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE. IF YOU SELL YOUR BUSINESS OR DROP OUT OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES OWED BY THE NEW OPERATOR OF THE BUSINESS.

Not valid at any other address

**For general tax questions, please call our Customer Service Center at 1-800-400-7115 (TTY:711).
For information on your rights, contact the Taxpayers' Rights Advocate office at 1-888-324-2798 or 1-916-324-2798.**

BOE-442-R REV. 16 (11-14)

A MESSAGE TO OUR NEW PERMIT HOLDER

As a seller, you have rights and responsibilities under the Sales and Use Tax Law. In order to assist you in your endeavor and to better understand the law, we offer the following sources of help:

- Visiting our website at www.boe.ca.gov
- Visiting a field office
- Attending a Basic Sales and Use Tax Law class offered at one of our field offices
- Sending your questions in writing to any one of our offices
- Calling our toll-free Customer Service Center at 1-800-400-7115 (TTY:711)

As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. You also have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,

- You have the right to seek reimbursement of the tax from your customer
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the California State Board of Equalization (BOE)
- You are responsible for following the regulations set forth by the BOE

As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a BOE representative when requested. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a BOE office, or giving it to a BOE representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with the BOE, please contact the Taxpayers' Rights Advocate office for help by calling toll-free, 1-888-324-2798 or 1-916-324-2798. Their fax number is 1-916-323-3319.

Please post this permit at the address for which it was issued and at a location visible to your customers.



FIRE PREVENTION FORM	
NO. 3.006	07/16

OCCUPANT LOAD CERTIFICATE

DBA BLACK Permit Number FP06191801

Address 1800 EAST BROADWAY, LONG BEACH CA 90802

The accompanying Occupancy Load Sign has been issued to your establishment. The posting of an occupancy load sign is required in all public assembly rooms or areas where there is no fixed seating and the occupant load exceeds 49 persons **Section 1004.3, CFC**. The public assembly areas in your establishment have been measured and an occupant load calculated in accordance with Table 1004.1.2 of the CFC.

The Long Beach Fire Department **Approved Occupancy Load Sign** shall be posted in a conspicuous location near the main entry of each room(s) or area(s) where the public is allowed to gather.

A misdemeanor citation will be issued if the occupancy load sign is not posted in the proper location. If any room or area is found to be over occupied at the time of inspection, the establishment will be evacuated and a misdemeanor citation will be issued to the person in charge.

If the occupancy load sign issued to your establishment is lost or stolen, a replacement can be obtained from the Bureau of Fire Prevention for a \$15.00 charge, prior to a building inspection to avoid a misdemeanor citation.

I, THE UNDERSIGNED, HAVE READ COMPLETELY AND FULLY UNDERSTAND THE REQUIREMENTS OF THIS FORM WHICH APPLY TO THIS FIRE DEPARTMENT REGULATION.

Print Name Shannon McManus Date 6.20.18

Applicant's Signature [Signature] Title Co-owner

Issued By J. FRASER Title FIRE INSPECTOR Date 06/15/2018

Occupant Load Issued TOTAL: 100

OCCUPANT LOAD

THIS FORM IS TO BE FILLED OUT BY THE OCCUPANT OF THE PREMISES AT THE TIME OF THE OCCUPANCY SURVEY. IT IS TO BE USED TO DETERMINE THE OCCUPANT LOAD OF THE PREMISES AT THE TIME OF THE OCCUPANCY SURVEY.

DATE OF OCCUPANCY SURVEY

NAME OF OCCUPANT

100

IN ACCORDANCE WITH
THE NATIONAL FIRE DEPARTMENT
AND THE INTERNATIONAL FIRE CODE
THIS IS A CONSTRUCTION, PLEASE REFER TO THE CODE FOR MORE DETAILS



VALID FROM

Mar 29, 2018

BLACK LB, L.P.
1800 E BROADWAY
LONG BEACH, CA 90802-3924

EXPIRES

Feb 28, 2019

TYPE NUMBER DUP

47 591074

AREA CODE

PER From:
47-473072

1932 03

BUSINESS ADDRESS DBA: BLACK
(IF DIFFERENT)

CONDITIONS

OWNERS: BLACK LB, L.P.

7



IMPORTANT INFORMATION

EFFECTIVE PERIOD: This license is effective only for the operating period shown above. A new license will be sent 4 to 6 weeks after the expiration date on your license if payment is timely. Your license status will remain in good standing for 60 days after the expiration date if the renewal payment was received timely. To check the status of your license, visit <http://www.abc.ca.gov/datport/LQSMenu.html>.

RENEWAL NOTICES: Renewal notices are sent to premises address unless a specific mailing address is requested. If a notice is not received 30 days before expiration date shown above, contact the nearest ABC office. To assure receipt of notices, advise your local ABC office of any change in address.

RENEWAL DATES: It is the licensee's responsibility to pay the required renewal fee by the expiration date shown above.

A Penalty is charged for late renewal and the license can be automatically revoked for failure to pay.

RENEWAL PAYMENTS: Renewal payments can be made in person by visiting your local office or sent by mail to ABC Headquarters, 3927 Lennane Drive, Suite 100, Sacramento, CA 95834. If you do not have your renewal notice, your license number and the reason for payment (ex. "renewal") must be clearly indicated on the check. You can contact your local ABC office for your renewal fee amount.

SEASONAL LICENSES: It is the licensee's responsibility to pay the required renewal fee prior to the next operating period.

POSTING: Cover this license with glass or other transparent material and post it on premises in a conspicuous place.

CONDITIONS: A copy of all applicable conditions must be kept on premises.

LICENSEE NAME: Only 10 names will be printed on each license. If there are more names associated with the license, they will be indicated by "AND XX OTHERS". All names are on file and available upon request from your local ABC office.

DBA: If you change your business name please notify your local ABC office.

If you have any questions regarding this license, contact your local ABC office. You can find the contact information for each district office at <http://www.abc.ca.gov/distmap.html>.

NOTE: CONTACT YOUR LOCAL ABC OFFICE IF YOUR LICENSED PREMISES WILL BE TEMPORARILY CLOSED FOR MORE THAN 15 DAYS OR WILL BE PERMANENTLY CLOSED.

<http://www.abc.ca.gov>



@ca_abc



CaliforniaABC



California Department of Alcoholic Beverage Control
 License Query System Summary as of 07/12/2018

License Information	
License Number:	591074
Primary Owner:	BLACK LB, L.P.
ABC Office of Application:	03 - LB/LAKEWOOD

Business Name
BLACK

Business Address
1800 E BROADWAY LONG BEACH, CA. 90802
County: LOS ANGELES Census Tract: 5766.02

Licensee Information	
Licensee: BLACK LB, L.P.	
Company Information	
OFFICER: THIRD BAR, LLC (GENERAL PARTNER)	

License Types	
1) License Type:	47 - ON-SALE GENERAL EATING PLACE
License Type Status:	ACTIVE
Status Date:	30-MAR-2018 Term: 12 Month(s)
Original Issue Date:	29-MAR-2018 Expiration Date: 28-FEB-2019
Master: Y Duplicate: 0 Fee Code: P40	
License Type was Transferred On:	29-MAR-2018 From: 47-473072
License Type was Transferred On:	To:

Operating Restrictions
At all times the licensee is exercising the licensed privileges, full and complete meals must be served whenever the privileges of the license are being exercised. The quarterly gross sales of alcoholic beverages shall not exceed the quarterly gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sale of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Department on demand. Entertainment provided shall not be audible beyond the area under the control of the licensee(s) as defined on the ABC-257 dated (date) and ABC-253 dated (date).

Disciplinary Action
... No Active Disciplinary Action found ...

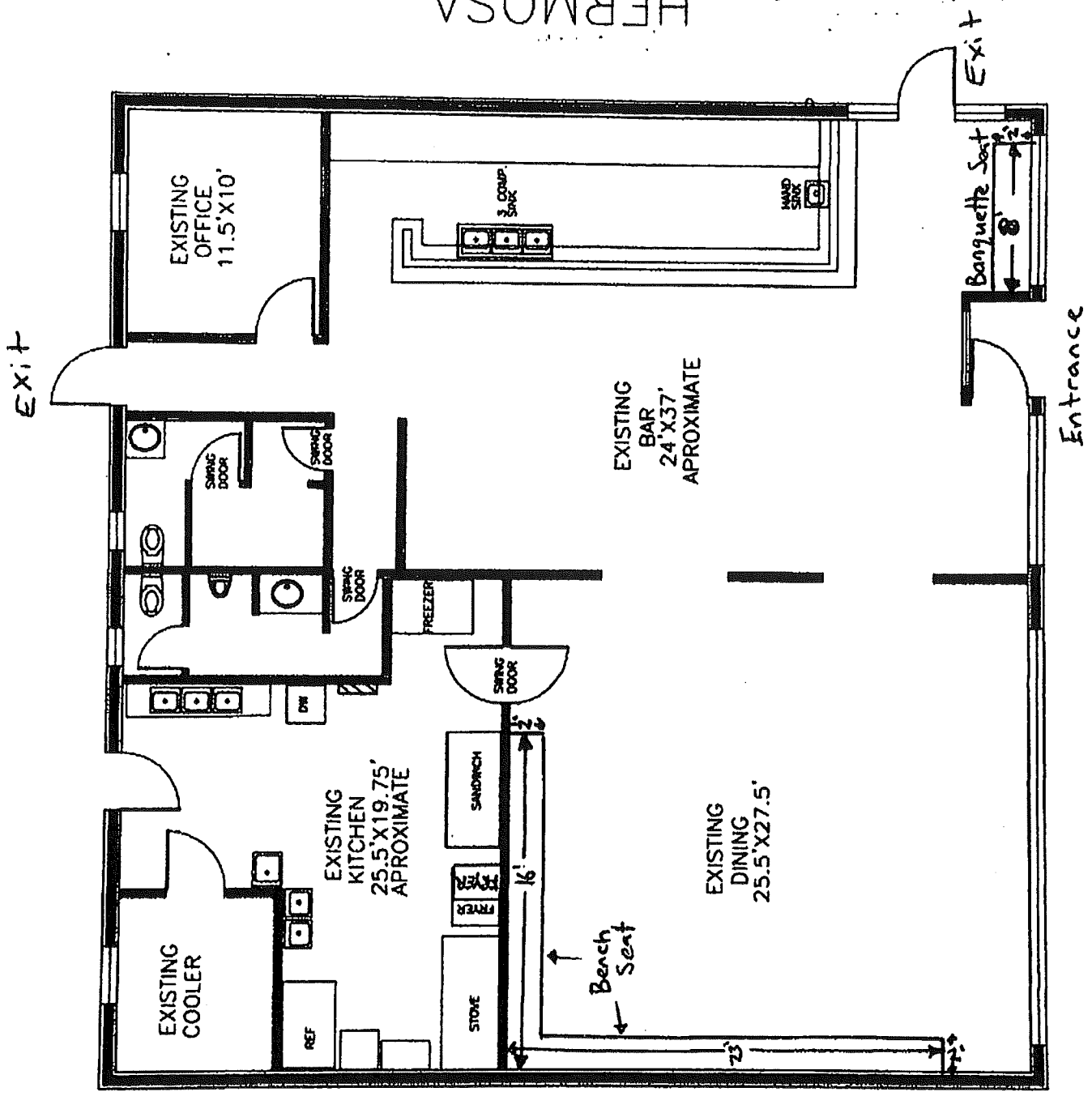
Disciplinary History
... No Disciplinary History found ...

Holds
... No Active Holds found ...

Escrows
... No Escrow found ...

For a definition of codes, view our glossary.

HERMOSA



E. BROADWAY



12/20/2018 15:25

INFORMATION - LICENSE # BS21804608

License Type BS
Application Type Secondary Business License
Description
Primary Applicant
Primary Applicant Last Name BLACK LB LP
Address Location 1800 E BROADWAY LONG BEACH CA 90802
 License is Pending.
 Current milestone is Council Approval.
 Current unpaid amount of \$0.00.
 Account: BS21804608

License Description

Status Dates

Processed Date 7/13/2018 14:03
by EMILY ARMSTRONG
Start Date 6/23/2018 00:00
by EMILY ARMSTRONG
Inactive Date
by
Last Renewal
by
Next Renewal Expires
Grace Exp
End Date
by EMARMST
Last Modified 12/19/2018 15:05

License Description

Property Type COM
License Category 300508
Business Name BLACK LB LP
DBA Name
 Detailed Description of Business Activities
 ENTERTAINMENT WITHOUT DANCING (NO ALCOHOL)
Application Reason NEWLICENSE
Description Entertainment Without Dancing (Alcohol)
HH/MH: Total # Units 0
Census Tract 0
Council District 2

License Details

(Tab Not Loaded)

Endorsements

(Tab Not Loaded)

Reviews

Record Results

Reviews

#	Result	Comments	Completed	Started
---	--------	----------	-----------	---------

Review #	Review Type	Add Date	Result	By	Completed By	Review Description	Started By	Due Date
53653	BUSLIC	1 7/13/2018	APPROVED	EMARMST	12/19/2018 15:05	EMARMST	Business License	10/5/201
54671	BUILDING	1 8/1/2018	APPROVED	TAVU	9/17/2018 09:26	TAVU	Building Dept Review	9/12/201
54672	FIRE	1 8/1/2018	INSPECT	SYSTEM	8/1/2018 14:07		Fire Dept Review	10/24/20
54673	HEALTH	1 8/1/2018	INSPECT	SYSTEM	8/1/2018 14:07		Health Dept Review	10/24/20
54674	POLICE	1 8/1/2018	INSPECT	SYSTEM	8/1/2018 14:07		Police Dept Review	10/24/20
54675	PLANNING	1 8/1/2018	APPROVED	JORAMIR	8/21/2018 14:57	JORAMIR	Planning Dept Review	9/12/201
59837	COUNCIL	1 12/19/2018					Council	
59838	HEARINGPRE	1 12/19/2018					Hearing Prep	

Inspections

Record Results

Inspections

Add Date	Inspection #	Inspection Type	Inspection Description	#	Result	Comments	Resulted By	Completed	Call	Due Date	Time Preference	At
9/17/2018	70009	FIRE	Fire	1	APPROVED		dazinne	9/20/2018 13:13		11/16/2018 00:00		da:
9/17/2018	70010	HEALTH	Health	1	APPROVED	ENTERTAINMENT LICENSE APPROVED PROVIDED ALL PROVISIONS OF THE CITY'S NOISE ORDINANCE, LONG BEACH MUNICIPAL CODE 8.80, ARE ABIDED BY.	MIYAMAD	9/20/2018 14:43		11/16/2018 00:00		MI'
9/17/2018	70011	POLICE	Police	1	APPRWCOND		JEARZOL	12/11/2018 15:03		11/16/2018 00:00		JE

Periodic Inspection Schedules
(No Data)

Conditions

(Tab Not Loaded)

Fees

(Tab Not Loaded)

Applicants

(Tab Not Loaded)

Sites

(Tab Not Loaded)

Employees

(Tab Not Loaded)

Related Records

(Tab Not Loaded)

Logs (Tab Not Loaded)
Attachments (Tab Not Loaded)



Date: November 13, 2018
To: Sandy Palmer, Bureau Manager, Business Relations Bureau
From: Robert G. Luna, Chief of Police *R. Luna*
Subject: **APPLICATION FOR AN ENTERTAINMENT PERMIT WITHOUT DANCING BY PATRONS AT BLACK -1800 EAST BROADWAY**

In response to your request for a recommendation regarding the above named permit application for Entertainment without Dancing, the Police Department recommends **approval**, subject to the following conditions of operation:

Black is a restaurant/bar located on the south side of Broadway between Hermosa Avenue and Cherry Avenue. Black LB, L.P., dba Black has been operating on a One-Year Short-Term Entertainment Permit without Dancing by Patrons.

The business is owned and operated by Shannon McManus and Bethany Black who currently holds a Type 47 (On-Sale General Eating Place) Alcoholic Beverage Control license. The establishment serves American cuisine for lunch and dinner. On July 13, 2018, Black applied for an Entertainment Permit without Dancing by Patrons, requesting live music by more than two performers, live and recorded amplified music, a disc jockey, and karaoke.

Based upon the Police Department's investigation, the South Division Patrol Commander's recommendation, and the crime analysis, the Long Beach Police Department has determined the public peace, safety, and welfare would not be adversely impacted by the issuance of this permit, provided the appropriate conditions are imposed and observed by the applicant. The Police Department recommends approval of an Entertainment Permit without Dancing by Patrons.

CONDITIONS OF OPERATION

- 1) The operation of the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by the City Council. Any change in the operation, which exceeds the conditions of the approved permit, will require that a new permit application be submitted to the City Council for their review and approval.
- 2) Unless separately applied for, reviewed, and approved, no adult entertainment, as defined by section 21.15.110 LBMC shall be conducted on the permitted premises.

ENTERTAINMENT WITHOUT DANCING PERMIT
BLACK - 1800 EAST BROADWAY
Page 2

- 3) Entertainment activities indicated on page #9 of your entertainment application shall be restricted from 10:00 PM to 1:00 AM, Monday through Sunday.
- 4) This Entertainment Permit is accessory to the primary business, which is a restaurant. The authorization to provide entertainment on-site is subject to the use remaining as a restaurant, meaning a bona fide eating place serving actual and substantial meals.
- 5) "Meals" means the usual assortment of foods commonly ordered at various hours of the day; the service of such food only as sandwiches or salads shall not be deemed compliant with this requirement. Meals must consist of food prepared on the premises. Hours of sales of alcohol shall be limited to the hours when meals are available.

The premises must be equipped and maintained in good faith. The premises must possess working refrigeration, cooking equipment, utensils, menus, and enough food to make substantial meals.

In the event the primary business ceases operations, fails to operate as a bona fide eating place, fails to serve actual and substantial meals, or otherwise fails to comply with this condition, the Entertainment Permit becomes invalid.

- 6) The permittee shall not convert the restaurant, or any portion thereof, into a dance/night club. All entertainment activities shall be conducted in conjunction with **regular dining** or **pre-planned banquet activities**. A banquet is defined as a function held at a bona fide eating place wherein complete and substantial meals are provided to the persons in attendance by the management of the restaurant where the function is being held. Fast food, snacks, and hors d'oeuvres shall not constitute a complete and substantial meal.
- 7) The permittee shall comply with the requirements of LBMC Sec. 8.80 (Noise) at all times. In addition, in response to a complaint, the Police Department will enforce Penal Code Section 415 (disturbing the peace) and all other state and local provisions related to the "public peace." Permittee shall conduct all aspects of his or her operation, including before and after-hours deliveries and maintenance, in consideration of residences located nearby. Permittee agrees that the following standard is reasonable: Noise emanating from Permittee's premises shall not be audible from the middle of the street adjoining the premises.

ENTERTAINMENT WITHOUT DANCING PERMIT
BLACK - 1800 EAST BROADWAY
Page 3

- 8) Due to the proximity of neighboring businesses and residences, all door(s) and window(s) shall be kept closed at all times during any musical entertainment, except in cases of emergency, and to permit deliveries. Said door(s) shall not consist solely of a screen or ventilated security door. **Sound shall not be audible beyond fifty feet (50') from the exterior of the premises in any direction.**
- 9) Entertainment activities shall not be amplified with any portable speakers. Any live or recorded music shall only be played through the existing speakers throughout the restaurant and patio area. No additional speakers or amplifiers may be used at any time.
- 10) The permittee shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premises over which they have control.
- 11) The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors at all times while open for business. This should be done by utilizing security guards and signage with verbiage such as, "Please respect our neighbors", or something similar.
- 12) At the conclusion of each night, the permittee shall take reasonable measures to ensure that exiting patrons walk directly to their vehicles and not loiter in the parking lot or the immediate area.
- 13) Deliveries to and from the premises shall be limited to the hours of 8:00 a.m. to 10:00 p.m.
- 14) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 10:00 p.m. and 7:00 a.m.
- 15) Any graffiti painted or marked upon the premises, or on any adjacent area under the control of the licensee, shall be removed or painted over within 24 hours of being applied.
- 16) Outdoor amplified entertainment is prohibited.
- 17) No employee shall be permitted to accept any money or anything of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the permittee provide or make available, either gratuitous or for compensation, male or female persons who act as escorts, or companions for the customers.

ENTERTAINMENT WITHOUT DANCING PERMIT
BLACK - 1800 EAST BROADWAY
Page 4

- 18) During any entertainment activity listed on page #9 of the application, the permittee shall be responsible for maintaining an adequate security staff to supervise patrons inside the establishment. For crowds up to fifty (50) people, the permittee shall provide a minimum of one (1) security guard. For crowds over (50) fifty people, the permittee shall provide a minimum of one (1) additional security guard per fifty (50) people. Security guards must be identifiable as "Black's employees." Should the permittee's operations give rise to a substantial increase in complaints/calls for service, or trash left in the parking lot, the permittee shall increase staff, or employee uniformed licensed security guards, as directed by the Chief of Police.
- 19) There shall be no "queue" allowed after 12:00 midnight, Friday and Saturday nights. All persons gathering outside after the allowed hours shall be considered to be loitering. The public right of way (sidewalk), or an entrance to any business shall not be blocked at any time
- 20) Current occupancy loads shall be posted at all times, and the permittee shall have an effective system to keep count of the number of occupants present at any given time. This information shall be provided to public safety personnel upon request.
- 21) The permittee agrees to reimburse the City for all costs associated with excessive police services, as determined by the Chief of Police, required as the result of any incident or nuisance arising out of or in connection with the permittee's operations.
- 22) The permittee shall maintain full compliance with all applicable laws, ordinances, and stated conditions. In the event of a conflict with the requirements of this permit, the more stringent regulation shall apply.
- 23) Black, or its agents, shall not distribute any advertising matter such as signs, posters, or promotional cards, in or upon any public property, any vehicle or in any other such place in the City of Long Beach. Distribution of any advertising matter upon private property shall adhere to the following guidelines: By placing the same matter in a receptacle, clip, or other device designed or intended to receive advertising matter. The permittee shall keep all promoter contracts, including names, addresses, and phone numbers, on file at all times, and be available for inspection at any time.
- 24) The permittee shall ensure that all employees attend an alcohol awareness class such as TIPS or LEAD, within the first ninety (90) days of

employment. The permittee shall keep employees proof of completion on file and available for inspection at any time.

- 25) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances, and stated conditions. In the event of a conflict between the requirements of this permit, your conditional use permit, or your Alcoholic Beverage Control license, the more stringent regulation shall apply.
- 26) The permittee shall install and maintain a video surveillance system that monitors no less than the front and rear of the business with full view of the public right-of-way's and any parking lot under the control of the permittee. The video system must be capable of delineating on playback the activity and physical features of persona and areas within the premises. Recordings shall be retained for a minimum of 30 days and be accessible via the Internet by the Long Beach Police Department. A Public Internet Protocol (IP) address and user name/password is also required to allow the Long Beach Police Department to view live and recorded video from these cameras over the internet. All video security cameras shall be installed to the satisfaction of the Chief of Police, Director of Technology Services, and Director of Development Services. At the discretion of the Chief of Police, the permittee may be required to add additional video cameras.