



# Appeal of the Denial of Business License Application

JP23 Hospitality Company

Presented by the Department of Financial Management

City Council Meeting - August 23, 2022

CITY OF  
**LONG BEACH**

# Summary

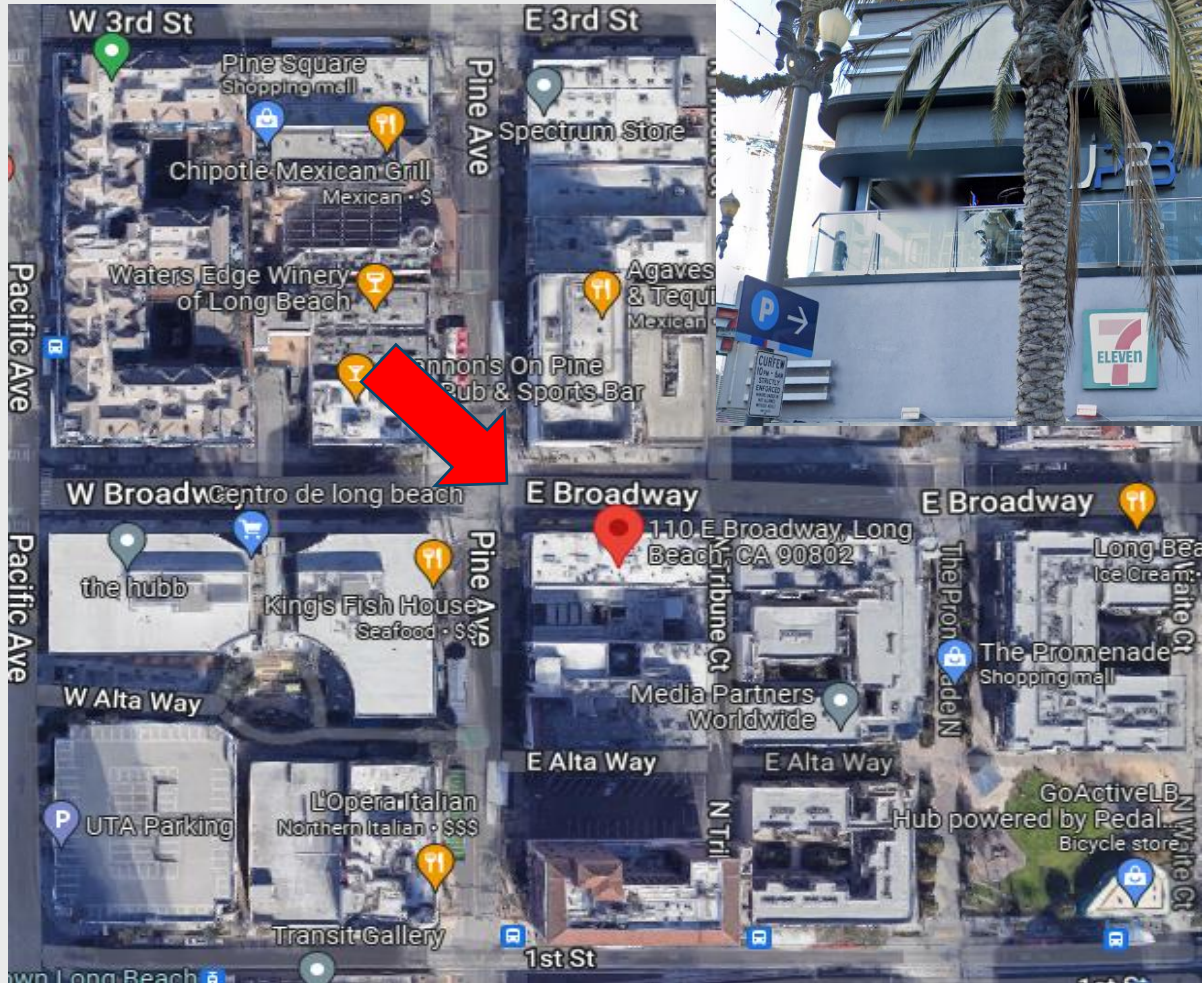
## Options for Action

“After review of the Hearing Officer's report, the City Council may **adopt**, **reject** or **modify** the recommended decision.” (LBMC Section 2.93.050 B 8)

## History

- 8 criminal citations and 2 safety violations with a cease-and-desist order, and many more instances of non-compliance
- Meetings, phone calls, emails with staff
- 4 letters provided to notify, educate and acknowledge non-compliant business activity
- Resident complaints include noise, littering, loitering, illegal parking, fighting, and others
- More than 30 Calls for Service to LBPD, including music disturbances (15), fights (5), battery (4), drunk in public, parking and others
- 7 City Departments communicating with this business

# Business Location and Physical Design



- 110 East Broadway, at the corner of Broadway and Pine
- Second Floor Unit, open air design
- Downtown Dining and Entertainment District (DDED)
- Downtown Plan Area



# Timeline: ABC and Initial Grand Opening Event

**January 23, 2018**

City Council action to receive and file the application of JP23 Hospitality Company, dba **JP23 Smokehouse BBQ & Sports Restaurant**, for a premise to premise and person to person transfer of an Alcoholic Beverage Control (ABC) license at 110 East Broadway.

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**August 3, 2021**

Public comment/complaint received at City Council meeting regarding several businesses on Pine including JP23.

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**September 1, 2021**

Received complaint from community member regarding **grand opening** advertised for September 3<sup>rd</sup> and 4<sup>th</sup>, 2021.

# Timeline: Labor Day Weekend 2021



- Event advertised and selling tickets for **September 3 & 4, 2021**
- Photos taken **September 1, 2021**



- Premises under construction and **no Temporary Occupancy Permit (TCO)**
- After contact with multiple departments, event posted as relocated

# Timeline: Fall 2021

**September 3 & 4, 2021**

An Event does occur and LBPD responds, and then later LBFD and LBPD respond just before 4am to false fire alarm call

**September 16, 2021**

JP23 Hospitality Co. submitted a **completed Business License Application**

**September 17, 2021**

**2 Notice of Violations** for occupancy without approval, and order to **cease and desist** all public use at the site until approved

**September 24, 2021**

JP23 Hospitality Co. submitted **application for Temporary Occupancy Permit (TCO)**

**October 9, 2021**

JP23 Hospitality began advertising open for business (TCO not issued until October 11, with still no Business License)

**October 14, 15, 16, 20, & 21, 2021**

**5 Misdemeanor Citations** - operating without a business license

# Timeline: Conditional Business License Issued on Nov 3rd



City of Long Beach  
Business Services Division  
411 W. Ocean Boulevard, 6<sup>th</sup> Floor  
Long Beach, CA 90802  
Website: [www.longbeach.gov/finance/business\\_license](http://www.longbeach.gov/finance/business_license)  
Phone: (562) 570-6211 Email: [LBBIZ@longbeach.gov](mailto:LBBIZ@longbeach.gov)

## CONDITIONAL BUSINESS LICENSE

This is a Conditional Business License, which is valid for a **maximum of 180 days** from date of application in accordance to Long Beach Municipal Code (LBMC) 3.80.421.1(B).

Application Date: September 16, 2021 Expiration: March 15, 2022

To: JP23 Hospitality Company DBA: JP23  
(Business Owner)

For: Operation of a Restaurant/Bar Account No.: \_\_\_\_\_  
(Business Type)

At 110 East Broadway In the City of Long Beach.  
(Location)

Conditions of Operation:	1. Complete all actions required to obtain a certificate of occupancy. 2. Comply with all applicable laws and regulations, including but not limited to, LBMC Chapters 3, 5 and 21. 3. Resolution of the Misdemeanor Citations that have been issued to date.
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This is **NOT** your permanent business license. Prior to the issuance of your permanent business license, you must make certain corrections or obtain specific permit/approvals from the following City Departments:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Development Services Department | <input type="checkbox"/> Health & Human Services Department |
| <input checked="" type="checkbox"/> Financial Management Department | <input type="checkbox"/> Police Department                  |
| <input checked="" type="checkbox"/> Fire Department                 |   |

**COMMENTS** | As per LBMC 3.80.421.1B, "the applicant may be rejected for failure to comply with applicable laws and regulations at any time." Please be sure to review the correction notices issued by City Departments and make all the necessary corrections prior to or by the date indicated above as the expiration of this license.

I have read and understand the above requirements and conditions of operation:

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Business Services Manager: [Signature] Date: 11/3/21

Director of Financial Mgmt. [Signature] Date: 11/03/2021

This Conditional Business License **MUST** be posted at your place of business so that it is clearly visible to the public.

## LBMC Section 3.80.421 - Investigation

### LBMC Section 3.80.421.1A

- ✓ Director of FM has a duty to ensure a business “**will comply** with applicable fire, building safety, zoning, health and other laws and regulations.”
- ✓ The application is transmitted to the appropriate depts (DV, Fire, Health, PD, FM) to ascertain compliance.

### LBMC Section 3.80.421.1B

Allows for operation while the investigation continues and expires 180 days after completed application was received.

**Conditions:** Complete all actions required to obtain a final CO, **comply with all applicable laws and regulations**, and resolve the misdemeanor citations.

“The applicant may be **rejected for failure to comply** with applicable laws and regulations at any time”

# Timeline: Fall 2021, Holiday Season and Winter 2022

<b>November 3, 2021</b>	<b>Virtual Meeting:</b> Discussed issuance of a <b>Conditional Business License Letter:</b> Provided during the meeting and answered questions
<b>December 9 and 23, 2021</b>	<b>2 Misdemeanor Citations:</b> Operating without an Entertainment Permit
<b>December 29, 2021</b>	<b>Letter:</b> Notice that <b>non-compliant activities</b> would impact business license
<b>January 25, 2022</b>	<b>Virtual Meeting:</b> Review of process & Entertainment Permit regulations
<b>January 28, 2022</b>	<b>Misdemeanor Citation:</b> Operating without an Entertainment Permit
<b>February 9, 2022</b>	<b>Letter:</b> Notice of <b>unpermitted live events</b> advertised for Super Bowl weekend, and action would be taken if events were to continue
<b>February 10, 11, 12, 2022</b>	Unpermitted live events occur and are documented



# Timeline: Super Bowl Weekend

## JP23 LONG BEACH SUPERBOWL WEEKEND EVENTS

Kick off Super Bowl Weekend with us: Busta Rhymes, Nelly & the one and only T-Pain.



**BUSTA RHYMES**  
THE BIG GAME PARTY  
**JP 23**  
LONG BEACH  
THURSDAY FEB 10TH  
DON'T DRINK AND DRIVE

BUY BIRTH TICKETS



**THE BIG GAME PARTY** FEB 11TH  
**JP23 LONG BEACH**  
**NELLY**  
**THE BIG GAME PARTY**  
BOTTLE SERVICE SUGGESTED  
VIP RESERVATIONS AVAILABLE  
VIP INFO @ 310.229.4831 JP23.COM/EVENTS

BUY BIRTH TICKETS



**BIG GAME PRE PARTY** FEB 12TH  
**JP23 LONG BEACH**  
**T-PAIN**  
**BIG GAME PRE PARTY**  
WE LOVE BEACH DRINKING  
JP23.COM/EVENTS

BUY T-PAIN TICKETS

Check out all Super Bowl Weekend Events

BUY EVENT TICKETS

# Timeline: Spring 2022

March 14, 2022	City <b>denied</b> business license application
March 23, 2022	Received <b>appeal</b> request timely
April 7, 2022	<b>Letter:</b> Nuisance warning to property owner
April 12, 2022	City Council referred to a hearing officer
April 28, 2022	<b>Inspection Report:</b> Unpermitted mezzanine and stage area, stop use order issued
May 4, 2022	<b>Letter:</b> Notice regarding unpermitted event
May 10 – June 8, 2022	<b>Hearing</b>
May 27, 2022	<b>Court order</b> to cease all entertainment
July 15, 2022	<b>Hearing Officer's Report issued</b>





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