



City of Long Beach
Working Together to Serve

Memorandum

Date: December 10, 2013

To: Honorable Mayor Foster and Members of the City Council

From: Gary DeLong, Councilmember, Third District

Subject: 5100 East 2nd street, dba Panama Joe's, Inc., Entertainment with Dancing

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) Entertainment activities indicated on page #7 of your entertainment application shall be restricted to no later than 12:30AM each day of the week. Entertainment can begin at 7:00PM Monday through Friday and 1:00PM on Saturday and Sunday.
- 4) Entertainment on the following holidays is permitted until 1:00AM: New Year's Eve, New Year's Day, St. Patrick's Day, Cinco De Mayo, Memorial Day Eve, July 3rd, Labor Day Eve, and Halloween Night.
- 5) The permittee shall not allow patrons to enter the establishment after 12:45AM. Entrance closure does not restrict normal hours of operation.
- 6) Patrons under twenty-one (21) years of age shall not be permitted to enter, nor to remain on the premises, after the restaurant (food services) portion of the establishment has closed, or 10:00PM, whichever occurs first. Private functions not open to the public are exempt from this condition.
- 7) Patrons awaiting entry in a defined "queue" shall be restricted to East 2nd Street and the line must extend east of the business. There shall be no "queue" allowed after 12:30AM each day of the week. 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.

- 8) 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.

“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 the 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 null and void.

- 9) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LBMC Chapter 8.80). If any noise or disturbance complaints can be attributed to speaker volume, the permittee shall modify or remove existing speakers at the direction of the Chief of Police.
- 10) Due to proximity of existing businesses and residences, all door(s) and windows shall be 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.
- 11) The permittee shall be responsible for maintaining an adequate security staff to supervise patrons inside the establishment and those waiting to enter. Potential patrons awaiting entry in a defined “queue” shall be counted toward the calculation of required security staffing levels. For crowds up to fifty (50) patrons, the permittee shall provide a minimum of one (1) uniformed security guard. For crowds over fifty (50) patrons, the permittee shall provide a minimum of one (1) additional uniformed security guard per fifty (50) people. Security guards must be identifiable as “Panama Joe’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 or adjacent property, the permittee shall increase security staff, 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.
- 12) The permittee shall ensure that a security guard monitor and check the property adjacent to, and the parking lots on each side of Granada Avenue every 30 minutes after 8:00PM, each night of the week. Security shall maintain order and prevent the unlawful consumption of alcohol. Security shall prevent any activity that would interfere with the quiet enjoyment of any nearby residential property. Security guards must be identifiable as “Panama Joe’s” employees.

- 13) One security staff shall be in the back parking lot at midnight to ensure there is no loitering and the noise level is minimal. Should the noise level become audible beyond the building, security staff shall notify the manager on duty. A second security staff shall be positioned in the parking lot across the alley at 1:00AM. At last call, a manager and one staff member shall be posted at the parking lot, and an additional staff shall be at the building corner to caution pedestrians walking into the neighborhood to minimize the noise level.
- 14) Drinks will not be allowed in the patio after 10:00pm.
- 15) The permittee shall not allow any employee, patron, or entertainer, to exit or loiter near the side door on Granada Avenue, or the two rear kitchen doors, after 8:00PM, except in the case of an emergency.
- 16) The side door on Granada Avenue and the two rear kitchen doors shall not be used for any type of deliveries, including loading or unloading of any performer's equipments, between the hours of 8:00 PM and 8:00 AM.
- 17) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 10:00PM and 7:00AM.
- 18) 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 parking lot or the immediate area.
- 19) The permittee agrees to reimburse the City of Long Beach whenever excessive police services, as determined by the Chief of Police, are required as a result of any incident or nuisance arising out of, or in connection with the permittee's operations.
- 20) All independent contractors and promoters must have, or obtain a City of Long Beach Business License, prior to conducting entertainment activities governed by this permit. The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters or independent contractors.
- 21) The permittee must provide all promoters, or independent contractors hired to conduct entertainment activities, with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
- 22) Panama Joe's, its promoter, 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 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 agent and promoter contracts, including names, addresses, and phone numbers, on file at all times, and be available for inspection at any time.
- 23) 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 username/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.

- 24) An identification card scanner shall be used for all patrons entering the establishment after 10:00PM for the sole purpose of verifying patron age and/or authenticity of a patron's driver's license or identification card.
- 25) Any graffiti painted or marked upon the premises, or any adjacent area under the control of the licensee shall be removed or painted over within 24 hours of being applied.
- 26) Current occupancy loads shall be posted at all times, and the permittee shall have an effective system to keep count of all the number of occupants present at any given time. This information shall be provided to public safety personnel upon request (LBMC section 18.48.320).
- 27) 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, the conditional use permit, or the Alcoholic Beverage Control license, the more stringent regulation shall apply.

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