

CITY OF LONG BEACH

H-2

DEPARTMENT OF FINANCIAL MANAGEMENT

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

May 23, 2017

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing and grant an Entertainment Permit with conditions on the application of Shannon's On Pine, Inc., dba Shannon's On Pine, 201 Pine Avenue, for entertainment with dancing. (District 2)

DISCUSSION

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

The LBMC also requires the City Council to approve the issuance of the entertainment 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 one of 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 for your review are the departmental investigative reports, history, entertainment permit application, and floor plan. To review entertainment forms online, you may visit <http://www.longbeach.gov/finance/services-and-permits/entertainment-permit>.

HONORABLE MAYOR AND CITY COUNCIL

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The following summarizes departmental findings:

- The Police Department recommends the permit for entertainment with dancing be approved subject to the conditions.
- The Fire Department finds that the building/location meets department requirements for the proposed use.
- The Health and Human Services Department finds that 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 that the building/location meets department requirements for the proposed use, subject to conditions.

The Financial Management Department, Business Services Bureau, has reviewed all department documents and correspondence submitted and, after a thorough investigative process, recommends that the permit for entertainment with dancing permit be approved subject to conditions (attached).

If any of the recommended conditions 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 business category since June 2006.

This matter was reviewed by Deputy City Attorney Linda T. Vu on May 3, 2017.

TIMING CONSIDERATIONS

The hearing date of May 23, 2017, has been posted on the business location and the applicant and property owners within 300 feet have been notified by mail.

FISCAL IMPACT

The following fees were collected with the application: Building Review \$22.45 and Zoning Review \$16.50 (Development Services), Police Investigation \$1,255.00 (Police Department), and Mailing List \$90.00 (Financial Management Department).

The following fees will be collected if the application is approved: Business License Annual Tax \$348.68, Employee Rate \$18.11 per employee, and Regulatory Fee \$1,055.00 (Financial Management Department).

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May 23, 2017
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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



JOHN GROSS
DIRECTOR OF FINANCIAL MANAGEMENT

JG:ea
K:\EXEC\COUNCIL LETTERS\BUSINESS SERVICES\HEARING LETTERS\2017\05-23-2017 CCL - SHANNONS ON PINE - ENTERTAINMENT WITH DANCING.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

Shannon's On Pine, Inc. dba Shannon's On Pine

201 Pine Avenue

Application for Entertainment with Dancing Permit

The Department of Financial Management recommends **approval** of the permit subject to the following conditions associated with the Downtown Dining and Entertainment District:

"Entertainment" as used here shall have the same definition as "entertainment activity" contained in LBMC Section 5.72.115:

- A. "Entertainment activity" means any activity conducted for the primary purpose of diverting or entertaining a clientele in a premises open to the general public. Said activity shall include, but shall not be limited to, dancing, whether by performers or patrons of the establishment, live musical performances, instrumental or vocal, when carried on by more than two (2) persons or whenever amplified; musical entertainment provided by a disc jockey or karaoke, or any similar entertainment activity involving amplified, reproduced music.

Permittee understands and agrees that the conditions attached here are in addition to the requirements of LBMC Sections 5.72 and 21.115.110. In the event of a conflict between the permittee's ABC license and this permit, or between a conditional use permit and this permit, the more stringent conditions shall apply.

Permittee understands and agrees that he or she is excused from complying with the Tiered Conditions so long as his or her operation complies with all of the conditions in this permit as well as all other applicable laws and regulations. Failure to comply will result in the enforcement of increasingly more stringent Tiered Conditions and may result in a decision to suspend or revoke the Entertainment Permit.

This permit does not modify or limit in any way the authority of the Chief of Police to enforce Penal Code Section 415 (disturbing the peace) against any person or entity, or of the Chief of Police or the Fire Marshal to immediately take action in the event of an imminent threat to public health or safety.

CONDITIONS OF OPERATION

1. Individuals and business entities who apply for and obtain entertainment permits ("Permittees") shall comply with all applicable laws, regulations, ordinances and stated conditions. If Permittee fails to comply with the conditions of this permit, or if his or her operations result in excessive police service as defined below, Permittee will be required to operate under the more restrictive conditions described in Paragraph C, "Tiered Conditions," without further hearing.

2. When the Chief of Police determines that excessive police services are required as the result of any incident or nuisance arising out of or in connection with Permittee's operations, the cost of such services shall be billed to Permittee as an expense of an emergency response. "Expense of an emergency response" means those costs incurred by the City of Long Beach in making any appropriate emergency response to the incident, and shall be comprised of all costs directly arising because of the response to the particular incident, including, but not limited to, the costs of providing police, firefighting, rescue, and emergency medical services at the scene of the incident, as well as the salaries of the personnel responding to the incident.
3. Indoor entertainment and outdoor Ambient Music that otherwise conforms with the requirements of state and local laws and regulations may be offered until 2 a.m., seven (7) days a week.
4. Outdoor Amplified Music, including entertainment activity on rooftop patios or areas with sidewalk-occupancy permits, must be applied for and will be considered separately from indoor entertainment. Outdoor amplified entertainment, if permitted, will be subject to the following restrictions: a) sound amplifying equipment may be used only between 10 a.m. and 10 p.m. Sunday through Thursday, and 10 a.m. and midnight Friday and Saturday; b) in conjunction with an Occasional Event Permit, pursuant to Long Beach Municipal Code section 5.72.130; or c) in conjunction with a special events permit. Permittee agrees that the following standard is reasonable: Noise emanating from Permittee's premises shall not be unreasonably loud or disturbing in light of the facts and circumstances then prevailing within fifty feet (50') of the perimeter of the premises in all directions.
5. Permittees shall place or post conditions on the premises in a place easily accessible by City staff, including law enforcement personnel.
6. Each holder of an existing entertainment permit within the DDED and each new applicant for a DDED, including an applicant who acquires an existing business through a change of ownership, shall, within ninety (90) days of application, be required to acknowledge that he or she has read, understood and agreed to the conditions of the permit. Each new applicant for a DDED permit, including an applicant who acquires an existing business through a change of ownership, shall, within ninety (90) days of application, submit proof of attending the LEAD program offered by the Department of Alcoholic Beverage Control.
7. Permittees shall be responsible for all entertainment activities at the location, including those conducted by promoters. Each Permittee and promoter conducting business within the City of Long Beach shall obtain a City of Long Beach Business License prior to conducting entertainment activities governed by a DDED permit. Permittee shall provide all promoters and agents hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation. In addition, promoters must have or obtain a Promoter's License. Once the Promoter's License has been approved, the promoter will be added to a list of approved promoters in the City of Long Beach.
8. If Permittee utilizes an independent third party event promoter to provide entertainment related services resulting in any public safety call for service, the City reserves the right to remove and/or restrict the use of independent third party promoters.

9. The operation of the establishment shall be limited to those activities expressly indicated on the entertainment permit application and approved by the City Council. Any change in the operation that exceeds the conditions of the approved permit will require approval by City Council.
10. Permittee shall conduct all aspects of his or her operation, including before- and after-hours deliveries and maintenance, in consideration of residences located nearby.
11. Permittee agrees that the following standard is reasonable: Noise emanating from Permittee's premises shall not be unreasonably loud or disturbing in light of the facts and circumstances then prevailing within fifty feet (50') of the perimeter of the premises in all directions. Sound and amplification equipment shall be monitored during business hours to ensure that audible noise remains at acceptable levels in accordance with Long Beach Municipal Code Chapter 8.80.
12. On and after the date this ordinance takes effect, applicants for new entertainment permits in the DDED must cause an acoustical study to be prepared by a qualified, certified acoustical engineer, hired by the applicant and acceptable to the City, which shall demonstrate the sound emanating from the applicant's establishment meets the sound standards described in Long Beach Municipal Code Chapter 8.80. The study shall be reviewed and confirmed by the Health Department and the Development Services Department during their review of the permit application.
13. A new applicant for an entertainment permit in the DDED, including an applicant who acquires an existing business through a change of ownership, may be eligible to request a waiver of the requirement to conduct a sound study if the applicant meets one of the following criteria:
 - a. The location had an entertainment permit, and no more than twelve (12) months have elapsed since the permitted entertainment at that location ceased; or
 - b. Verifiable evidence that best sound mitigation practices were used in the construction or retrofitting of the location.
14. The waiver request shall be presented to a committee comprised of representatives of the City's noise office, business license bureau and zoning administration, who will conduct a hearing to determine if the sound study waiver is appropriate for the location. The committee shall consider but not be limited to the following: the previous use of the location, the history of sound-related complaints and violations at the location, proximity to residential development and the age and condition of the building, including sounds mitigation efforts. The committee shall determine if the waiver request shall be granted or denied.
15. Denial of a waiver request may be appealed to a City hearing officer pursuant to Long Beach Municipal Code Section 2.93.050.
16. No adult entertainment, as defined by Long Beach Municipal Code Section 5.72.115(B), shall be conducted on the permitted premises. Permittees shall not allow, permit, procure, or encourage, anyone to expose male or female genitals, cleft of the buttocks, the areola or any portion of the female breast below the areola, while at or inside the business.
17. Current occupancy loads shall be posted at all times, and 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, as required by Long Beach Municipal Code Section 18.48.200.

18. If Permittee's operations give rise to a substantial increase in complaints/calls for police service, 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. In the event of a conflict on this issue between the requirements of this permit and any permit issued by the Alcoholic Beverage Commission, the more stringent regulation shall control.
19. Permittee shall be responsible for maintaining an adequate security staff to supervise patrons 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 up to fifty (50) people inside (or in a defined queue waiting to enter) an establishment, the Permittee shall provide a minimum of one (1) uniformed licensed security guard per floor. There shall be one (1) additional guard for each subsequent increment or each partial increment of fifty (50), plus one (1) guard per each additional floor. The Chief of Police may relax these staffing levels during daylight hours, or during hours in which the primary activity in the establishment is dining, if he determines that a lower level of security staffing is consistent with the protection of public health and safety. The attire of each security guard shall clearly indicate the guard's affiliation with the establishment by means of a pin, shirt, or other clearly-visible form of identification.
20. Restaurants with alcohol and entertainment in the DDED must be operated and maintained as bona fide eating places, making actual and substantial sales of meals, during at least one (1) full normal mealtime, at least five (5) days a week. Normal mealtimes are 6:00 a.m. - 9:00 a.m., 11:00 a.m. -2:00 p.m., and 6:00 p.m. - 9:00 p.m, or as defined in the Permittee's ABC license. Minors are only allowed on the premises during mealtime hours.
21. Persons under eighteen (18) years of age shall not be permitted to enter nor permitted to remain on the premises after 10 p.m., unless accompanied by a parent or legal guardian.
22. Permittee shall establish a program to discourage loitering and littering outside any of the entrance/exit doors at all times open for business.
23. Permittee shall take steps to prevent patrons from loitering in the immediate area, littering or making excessive noise at the conclusion of each event and at closing time.
24. Permittee shall not distribute, post or attach, and shall be responsible for ensuring that its promoters and or agents do not distribute, post or attach, advertising matter on public property or on any vehicle on public property.
25. Any graffiti painted or marked upon the premises or on any adjacent area under the control of Permittee shall be removed or painted over within 24 hours of being applied.
26. 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 persons and areas within the premises. Recordings shall be retained for a minimum of thirty (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, Permittee may be required to add additional video cameras.

27. Insofar as is practicable, during the hours of operation, the front door of the establishment, or any door fronting on a public right of way, including an alley, shall remain closed at all times to minimize noise.
28. Windows shall not be obscured by the placement of signs, including signs advertising alcoholic products, dark window tinting, shelving, racks or similar obstructions.
29. Permittee shall install an alarm system at the exit doors.
30. No publicly accessible telephones shall be maintained on the exterior of the premise. Any existing publicly accessible telephones shall be removed prior to the issuance of the permit.
31. As a condition of any City approval, Permittee shall defend, indemnify and hold harmless the City of Long Beach, its agents, officers and employees from any claim, action or proceeding against the City of Long Beach or its agents, officers or employees to attack, set aside, void or annul the approval of the City concerning the processing of the permit or any action relating to or arising out of such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the permit applicant may be required in an amount sufficient to cover the anticipated litigation costs.
32. Permits may be administratively reviewed by the City within six (6) months from the date of issuance to monitor compliance with permit conditions.

ADDITIONAL CONDITION

1. Entertainment shall only be permitted in the 2nd floor banquet room and the existing street level restaurant with alcohol until building permit BRMD169900 is finalized and approved at which time the entertainment permit will apply to all the areas at 201 Pine Avenue.

TIERED CONDITIONS

Tiered Conditions. "Tiered Conditions" as set forth below consist of progressively more stringent regulations on entertainment and related activities in the DDED. By applying for an entertainment permit in the DDED, the applicant must agree to the conditions set forth below and must agree to waive a hearing if these conditions are applied. The City Council may add further conditions not listed here, or revoke the permit, if Permittee does not comply with the conditions imposed in this permit.

These conditions do not modify or limit in any way the authority of the Chief of Police to enforce Penal Code Section 415 (disturbing the peace) against any person, or of the Chief of Police or the Fire Marshal to immediately take action in the event of an imminent threat to public health or safety.

Tier 1 Conditions:

Permittee may have entertainment on the premises during the maximum hours permitted in the DDED, consistent with the conditions imposed in the entertainment permit, ABC requirements and with conditions imposed under a Conditional Use Permit (if applicable). As long as the primary requirements for safety and noise are met (Conditions 1-29), Permittee may choose the methods of meeting those requirements.

Noncompliance with Tier 1 conditions: When the City determines that Permittee has violated the terms of the permit, including Permittee's obligation to comply with all other laws and regulations, he or she may require Permittee to attend a meeting with the involved departments to address community concerns and discuss how the implementation of Tier 2 Conditions can be avoided.

Tier 2 Conditions:

A. Noise:

Following the receipt of three (3) or more noise complaints that require a response by the Police Department within a 30-day period and which are found to violate the noise standard prohibiting unreasonably loud sound fifty feet (50') from the perimeter of the premises, Permittee will be notified that his or her premises must comply with those Tier 2 Noise Conditions which the City determines are necessary to protect the public peace and to comply with the City's noise ordinance, from among the following list:

- i. Permittee must keep all doors and windows closed except while patrons are entering or exiting;
- ii. Permittees shall submit an acoustical study, performed by a qualified, certified acoustical engineer, hired by the applicant and acceptable to the City. The study shall be reviewed and confirmed by the Health Department and the Development Services Department. Based on the results of the acoustical study, appropriate mitigation measures may be required so that the noise emanating complies with the sound ordinance. Such measures must be completed and approved by the City before outdoor amplified entertainment will be permitted. If the Permittee did not previously perform and submit such an acoustical study and mitigation measures, the Permittee shall do so. Once a Permittee has been notified of Tier 2 status, the Permittee can no longer qualify for a waiver pursuant to Paragraph 13.;
- iii. Sound and amplification equipment shall be monitored during business hours to ensure that audible noise remains at acceptable levels in accordance with Long Beach Municipal Code Chapter 8.80.;
- iv. No entertainment of any kind will be permitted after 1 a.m.;
- v. No outdoor entertainment of any kind (amplified or non-amplified) will be permitted after 10 p.m.;
- vi. No queue will be permitted after midnight. Any persons gathering outside the establishment shall be considered to be loitering.

B. Security/Public Safety:

For the purposes of this Section, an "incident" means a complaint or occurrence that requires a Police or Fire Marshal response to Permittee's premises due to Permittee's

noncompliance with the terms and conditions of the Entertainment Permit. Following 3 or more incidents within a 3~day period, or a single incident involving violence, the Chief of Police or Fire Marshal may notify Permittee of additional measures and conditions to be implemented. These additional measures will be some or all of the following:

- i. Additional security personnel at hours determined necessary by the Chief of Police to prevent Permittee's operations from creating a public nuisance;
- ii. Additional security checks on incoming patrons;
- iii. No entertainment of any kind will be permitted after 1 a.m.;
- iv. No queue after midnight. Any persons gathering outside the establishment shall be considered to be loitering;
- v. Any additional measures deemed necessary by the Chief of Police or the Fire Marshall to protect health and safety.;
- vi. Upon the request of a Permittee who has been required to implement Tier 2 conditions, the Chief of Police, in consultation with the Fire Marshal and the Health Department, shall review Permittee's recent compliance history and determine whether some or all conditions can be returned to Tier 1 levels consistent with the protection of public health and safety.

Tier 3 Conditions:

The failure of a permittee to resolve noise and/or security/public safety issues as directed by the City within a period not to exceed thirty (30) days shall result in the implementation of Tier 3 conditions:

A. Noise:

- i. No outdoor entertainment of any kind will be permitted at any time;
- ii. Only Ambient Music will be permitted at any time OR Amplified Music will only be permitted until 10 p.m. any night;
- iii. All noise must be contained within the premises. No noise shall be audible outside the establishment;
- iv. Implement Health Department recommendations to mitigate noise, including pre- and post-implementation monitoring data collected by a certified noise expert approved by the Health Department;

B. Security/Public Safety:

- i. Entertainment must cease not later than 10 p.m. on Sunday through Wednesday nights and no later than midnight on Thursday through Saturday nights. The Chief of Police is authorized to make adjustments of up to one (1) hour in these times to protect the public peace.
- ii. Permittee shall limit the queue outside the establishment to no more than twenty (20) people. There shall be no queue within two (2) hours of the lawful closing time. Any persons gathering outside the establishment shall be considered to be loitering.
- iii. Any additional measures determined necessary by the Chief of Police or the Fire Marshal may be imposed to protect health and safety.

If the City determines that Permittee has not modified his or her operations in compliance with Tier 3 conditions and Permittee continues to violate the terms and conditions of the Entertainment Permit, the City shall begin revocation or suspension proceedings. Permittee is entitled to a hearing to contest such revocation or suspension.

STP:ea



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

SUMMARY OF APPLICATION FOR ENTERTAINMENT PERMIT

Attached for your review and action is an application for Shannon's On Pine, Inc., dba Shannon's On Pine. 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 • Long Beach, CA 90802 • (562) 570-5700 • Fax (562) 570-6867

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 201 Pine Avenue & 209 Pine Avenue Suite A

201 Pine Avenue

Shannon's On Pine, Inc.
DBA: Shannon's On Pine
Lic # BS21431040 (10/2014-Pending)

Entertainment with Dancing

Shannon's On Pine, Inc.
DBA: Shannon's On Pine
Lic # BU21608812 (12/2016-Present)

Restaurant with Alcohol

Ahmad Moushmani
DBA: Reflection
Lic # BU20050021 (12/2000 -2/2012)

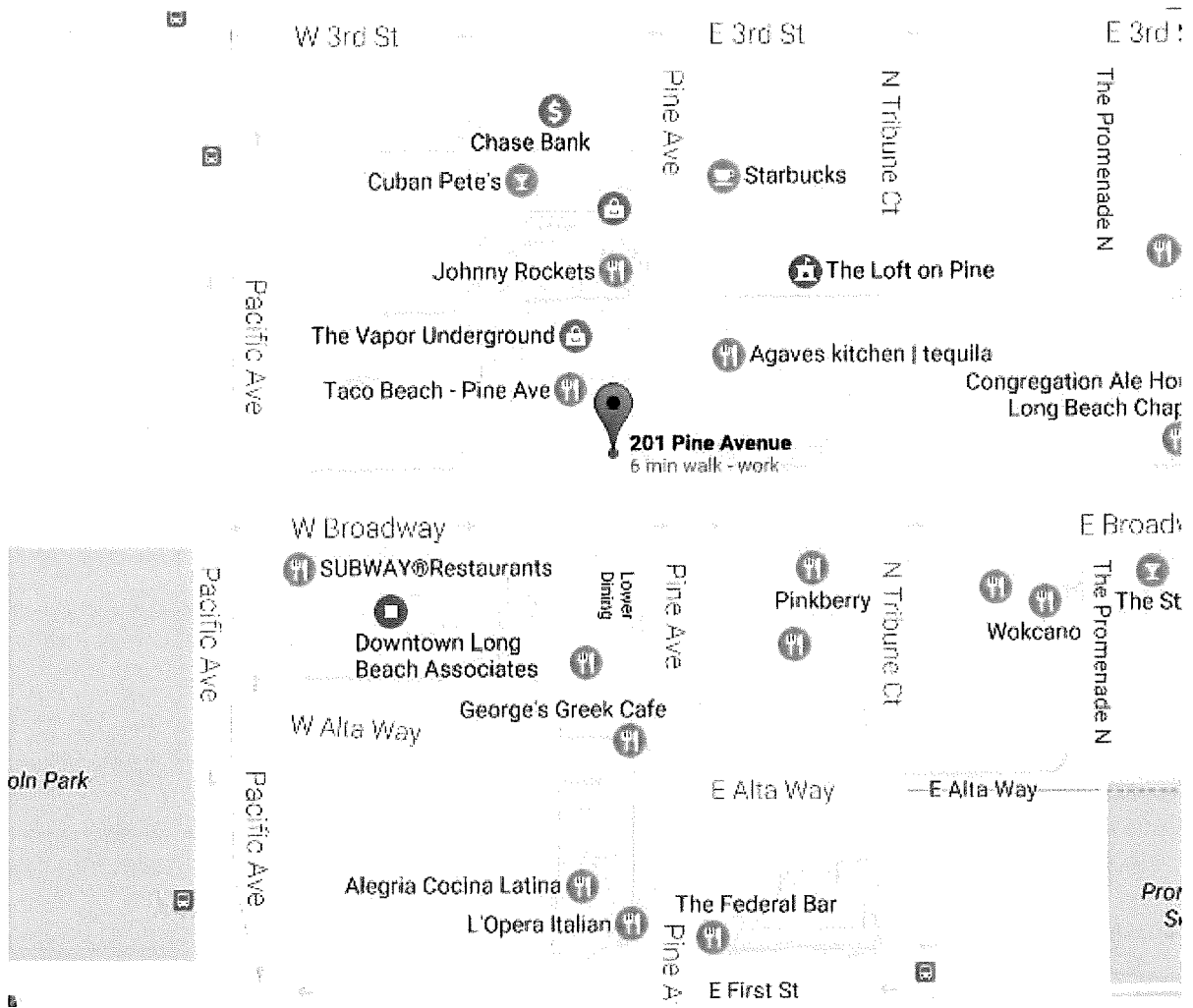
Retail Sales

209 Pine Avenue Suite A

Shannon's On Pine, Inc.
DBA: Shannon's On Pine
Lic # BU20632300 (6/2006 – 4/2017)

Restaurant with Alcohol

Shannon's On Pine, Inc.
Db: Shannon's On Pine
201 Pine Avenue





Accepted By: _____ Date: _____
 Zoning Approval By: _____ Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): Shannon's On Pine, Inc.
 Business Name (DBA): Shannon's on pine Business Phone: (562) 436-4363 premise
(562) 438-1562 Pine
 Business Site Address: 201-209 Pine Avenue [Redacted]
 Date Business Proposes To Open: Since December 2006
 Days & Time Premises Are Open For Inspection: 11AM - 6PM

Proposed Use(s):

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

Explain briefly the proposed use of the rooms within the building:
TOP FLOOR BANQUET, WEDDING & MEETINGS; STREET LEVEL 2 POOL TABLES; BASEMENT MEETING ROOM & BANQUETS

Contact Person(s) Name (authorized agent, manager, etc.): RON HODGES
 Contact Person(s) Phone Number: [Redacted]

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: _____

Place and date of filing fictitious business name statement: _____

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

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:

Ron HODGES, RILEY HODGES, Vahen' S Heker DEMIAN,
BARON MOSELY, ALBERTO JUAREZ, JOHN THOMAS

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

Ron HODGES, 209 Pine Ave, Long Beach, CA 90802

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 LICENSE 47-483913

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? 8 year 4 months

Is the location: Owned? Rented/Leased?
PENDING CLOSE OF ESCROW

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

Name: CURRENT LANDLORD: 215 Pine ave, 90802

Address: BRADLEY FAMILY TRUST

IF APPLYING AS A CORPORATION

Check One Box: For-Profit Corporation Non-Profit Corporation

(If a Non-Profit Corporation, please attach copies of both State and federal Tax Exemption Certificates)

Name of Corporation: Shannon's On line, Inc.
Corporation Number: 2834277
Date and Place of Incorporation: Long Beach, CA
Location Headquarters: 209 Pine ave, LB 90802
Federal Tax ID Number: [REDACTED]
Seller's Permit Number: SREAB 100-113871

Please attach certified copies of *Articles of Incorporation and By-Laws*, and all amendments thereto this application.

Name and Residence Address of Corporation Officers (members of the executive board):

Name	Title	Address	Telephone
<u>RONALD W. DODGES</u>	<u>Pres.</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>" " "</u>	<u>Secretary</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>" " "</u>	<u>Treasurer</u>	<u>" "</u>	<u>() "</u>
			<u>()</u>

Numbers of shares issued by Corporation: 4000
Number of share retained by Corporation: 500

Name and addresses of shareholders, if ten (10) or less state also the number and type of shares:

RONALD W. DODGES, LONG BEACH, CA, [REDACTED]
Voting shares

Name and address of agent for service of process designated by Corporation with the Secretary of State of California:

Ron DODGES

IF APPLYING AS A CORPORATION

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

CORPORATE OFFICER I

Name: RONALD W. HODGES Title: President, Secretary, Treasurer

Residence Address: 

Business Address: 201-209 First ave, LB 90802 Phone: (562) 397-2171



CORPORATE OFFICER II

Name: N/A 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: _____

CORPORATE OFFICER III

Name: N/A 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: _____

CORPORATE OFFICER IV

Name: N/A 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: _____

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

On sale beer and wine

On sale distilled spirits

47-483913

RESTAURANT, BANQUETS

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: Roasted Meats, BBQ, Prime Rib, more

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

3. Are non-alcoholic beverages sold? YES NO

4. How many tables for seating? 60

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: 20632300

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

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

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

a. If yes, decal number(s): B493005590 Playtime Amusements

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

Name: N2 INDUSTRIES (Previous Playtime Amusements)

Address: 2500 E. IMPERIAL HWY, #201-237, BREA, CA 92821

Telephone No. (800) 231-5927

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

SECURITY

11. Will security officers be provided? YES NO

a. If yes, number of security officers: 1-4

12. Is any other type of security provided? YES NO

a. If yes, describe type of security: VIDEO CAMS WITH DVR

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of	<u>6:30 AM - 6:30 PM</u>	<u>6:30 PM</u>	<u>6:30 PM</u>	<u>6:30 PM</u>	<u>6:30 PM</u>	<u>6:30 PM</u>	<u>6:30 PM</u>
Security	<u>2:00 AM</u>	<u>2:00 AM</u>	<u>2 AM</u>	<u>2 AM</u>	<u>2 AM</u>	<u>2 AM</u>	<u>2 AM</u>

13. Will a private security firm be used? YES NO

a. If yes, provide the following information of the contracted security firm:

Name: _____ City Business License No.: _____

Address: _____ Telephone No.: _____ () _____

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	11AM	11AM	11AM	11AM	11AM	9AM	9AM
Close	2pm	2pm	2pm	2pm	2pm	2pm	2pm

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses? YES NO

a. What type? RESTAURANT & BAR, CIGAR SHOP

20. Are there surrounding residences? YES NO

a. Approximately how close? 200 feet

PARKING FACILITIES AND ARRANGEMENTS

21. Is parking available? YES NO

a. If no, what is the street address of the off-premises parking facility? PACIFIC COURT PARKING
off on line ave. Entry/Exit on 3rd st, Pacific Court & Broadway

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) owner rents four
spaces #00854, #00335, #00653, #00454
Pacific Court phone # 562-416-5210

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	24hrs	24hrs	24hrs	24hrs	24hrs	24hrs	24hrs
To							

d. How many individual parking spaces (approximately)? 250

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.

Wedding Ceremonies, audio
Visual presentations for meetings, DJ, BANDS, ENTERTAINERS

Describe entertainment by performers:

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:

FINISHED CEMENT, TILE

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)

No scheduled ENTERTAINMENT. Banquet
Wedding Bobbing Day

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Entertainment Type	<u>DJ BAND ENTERTAINERS</u>	<u>DJ BAND ENTERTAINERS</u>	<u>DJ BAND ENTERTAINERS</u>	<u>DJ BAND ENTERTAINERS</u>	<u>DJ BAND ENTERTAINERS</u>	<u>DJ BAND ENTERTAINERS</u>	<u>DJ BAND ENTERTAINERS</u>
Start Time	<u>7AM</u>	<u>7AM</u>	<u>7AM</u>	<u>7AM</u>	<u>7AM</u>	<u>7AM</u>	<u>7AM</u>
End Time	<u>2AM</u>	<u>2AM</u>	<u>2AM</u>	<u>2AM</u>	<u>2AM</u>	<u>2AM</u>	<u>2AM</u>

RELEASE FORM

The undersigned, on behalf of (applicant) RONALD W. HODGES, hereby authorizes the City of Long Beach, by and through its appropriate officers, agents and employees to verify and confirm the information contained in this application, and to conduct such other investigations as may be reasonably required by the City of Long Beach, its officers, agents and employees for the purpose of determining the capability, fitness and capacity of:

(DBA) Shannon's On Fire, Inc. to obtain the entertainment permit.

The applicant by signing this application consents service of any notice required or provided for by the laws, rules, regulations, or ordinances of the City of Long Beach upon the person at the address designated in this application as the business address, will constitute sufficient and legal notice. Any change in the person or the address listed in the application may be made only in writing to the Director of Financial Management.

The applicant consents and agrees full compliance will be made with all applicable State laws and City ordinances governing the conduct of the particular type of business activity for which a business license or permit is requested. **The applicant by signing this application understands any incomplete or false information may constitute grounds for denial.**

I swear under penalty of perjury I have read the forgoing application and all information and statements made by the undersigned/applicant regarding this applicant are true and correct.

[Signature]

(SIGNATURE OR AUTHORIZED AGENT)

President

(TITLE)

9/14/14

(DATE)

D0931334

DRIVER'S LICENSE OR ID CARD NUMBER

CA

STATE

ACCEPTED BY (CITY STAFF)

TITLE

DATE



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: 9/14/14

Name of Business (DBA): Shannon's

Name of Business Owner: Shannon's on fire, Inc.

Business Address: 201-209 Pine Ave, LB CA 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)

[Signature]
President

Title

President

Phone #

(562) 397-2171 / (562) 438-6565

FAX #

(562) 438-7577

DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

CALIFORNIA STATE BOARD OF EQUALIZATION

SELLER'S PERMIT



ACCOUNT NUMBER

7/15/2006 SR EAB 100-773871

SHANNON'S ON PINE
SHANNON'S ON PINE, INC
209 PINE AVE # A
LONG BEACH, CA 90802-3043

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 CANCELLED 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 Information Center at 800-400-7115.

For information on your rights, contact the Taxpayers' Rights Advocate Office at 888-324-2798 or 916-324-2798.

BOE-442-R REV. 15 (2-06)

STATE OF CALIFORNIA
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
ALCOHOLIC BEVERAGE LICENSE

ON-SALE GENERAL EATING PLACE

VALID FROM

Jun 01, 2014

SHANNONS ON PINE INC
209 PINE AVE
A & B
LONG BEACH, CA 90802-3043

EXPIRES

May 31, 2015

TYPE NUMBER DUP

47 483913

AREA CODE

1932 03

RENEWAL

BUSINESS ADDRESS DBA: SHANNONS ON PINE
(IF DIFFERENT)

CONDITIONS

OWNERS: SHANNONS ON PINE INC

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/dlstrmap.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.



5/11/2017 10:06

INFORMATION - LICENSE # BS21431040

License Type BS
Application Type Secondary Business License
Description
Primary Applicant
Primary Applicant Last Name SHANNON'S ON PINE INC
Address Location 201 PINE AVE LONG BEACH CA 90802
 License is Pending.
 Current milestone is Council Approval.
 Current unpaid amount of \$0.00.
 Account: BS21431040

License Description

Status Dates

Processed Date 10/2/2014 00:00
by Yolanda Maldonado
Start Date 10/2/2014 00:00
by Brett Yakus
Inactive Date
by
Last Renewal
by
Next Renewal Expires
Grace Exp
End Date

License Description

Property Type COM
License Category 300507
Business Name SHANNON'S ON PINE INC
DBA Name
 Detailed Description of Business Activities
 Entertainment Alc W/Dancing
Application Reason NEWLICENSE
Description Entertainment With Dancing (Alcohol)

License Details

(Tab Not Loaded)

Endorsements

(Tab Not Loaded)

Reviews

Record Results

Reviews

Review #	Review Type	#	Add Date	Result	Result By	Completed By	Completed	Comments	Review Description	Started	Started By	Due Date
12928	BUILDING	1	10/2/2014	APPROVED	CONV	CONV	10/2/2014 00:00		Building Dept Review			12/25/2
12929	BUSLIC	1	10/2/2014	APPROVED	EMARMST	EMARMST	5/8/2017 11:15		Business License			12/25/2

30910	BUILDING	2	6/1/2016	APPRWCOND	DAWERS	DAWERS	7/25/2016 00:00	Applicant must complete construction and inspection approval on project BRMD169900 and related MEP and Fire permits.	Building Dept Review	6/6/201
30911	FIRE	1	6/1/2016	INSPECT	SYSTEM		6/1/2016 10:55		Fire Dept Review	8/25/20
30912	HEALTH	1	6/1/2016	INSPECT	SYSTEM		6/1/2016 10:55		Health Dept Review	8/25/20
30913	POLICE	1	6/1/2016	INSPECT	SYSTEM		6/1/2016 10:55		Police Dept Review	8/25/20
30914	PLANNING	1	6/1/2016	APPROVED	JORAMIR	JORAMIR	8/29/2016 10:46		Planning Dept Review	8/25/20
39556	COUNCIL	1	5/8/2017						Council	
39557	HEARINGPRE	1	5/8/2017						Hearing Prep	

Inspections

Record Results

Inspections

Add Date	Inspection #	Inspection Type	Inspection Description	#	Result	Resulted By	Completed	Comments	Call	Due Time	Date Preference
10/2/2014	21238	HEALTH	Health	1	APPROVED	CONV	10/2/2014 00:00				
10/2/2014	21239	POLICE	Police	1	APPROVED	CONV	10/2/2014 00:00				
8/29/2016	49387	FIRE	Fire	2	APPROVED	EMARMST	5/4/2017 16:14	approved for second floor only until building permit is approved			
8/29/2016	49388	HEALTH	Health	2	APPROVED	MIYAMAD	10/7/2016 13:54	Health approves the Entertainment Application, as long as they abide by the Noise Ordinance.			

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)



Date: May 3, 2017
To: Sandy Palmer, Bureau Manger, Business Services Bureau
From: Robert Luna, Chief of Police
Subject: **ENTERTAINMENT WITH DANCING PERMIT - SHANNON'S ON PINE – 201-209 PINE AVENUE**

In response to your request for a recommendation regarding the above named permit application for an Entertainment with Dancing Permit, the Police Department recommends **approval** of an **Entertainment with Dancing Permit**, subject to the following **(17)** standard conditions of the Downtown Dining and Entertainment District, and an additional condition regarding the installation of surveillance cameras **(18)**:

Shannon's on Pine is a restaurant/bar located on the northwest corner of Pine Avenue and Broadway, and has been open for business since 2006. Shannon's on Pine is open for lunch and dinner, and currently holds a Type 47 (On-Sale General Eating Place) Alcoholic Beverage Control License, which was issued in 2006. Shannon's on Pine recently expanded their business and took over the store front at 201 Pine Avenue. On October 2, 2014, Shannon's on Pine applied for an Entertainment with Dancing Permit, requesting dancing by patrons, live and recorded amplified music, a disc jockey, and karaoke.

Based upon the Vice Section's investigation, West Division Patrol Commander's recommendation, and the crime analysis, the Long Beach Police Department has determined the public's 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 with Dancing Permit.

CONDITIONS OF OPERATION

- 1) Indoor entertainment and outdoor non-amplified entertainment that otherwise conforms with the requirements of state and local laws and regulations may be offered pursuant to permit until 2 a.m., seven days a week.

Outdoor amplified entertainment is prohibited except for rooftop entertainment that was permitted on or before February 3, 2007, or except in conjunction with a special events permit.

- 2) Each holder of an existing entertainment permit within the entertainment district and each new applicant for a downtown area entertainment permit, including an applicant who acquires an existing business through a change of ownership, shall, within ninety (90) days of application, attend a permit orientation session conducted by or at the direction of the City.

ENTERTAINMENT WITH DANCING PERMIT
SHANNON'S ON PINE – 201-209 PINE AVENUE
Page 2

Each new applicant for a downtown area entertainment permit, including an applicant who acquires an existing business through a change of ownership, shall, within ninety (90) days of application, submit proof of attending the LEAD program offered by the Department of Alcoholic Beverage Control.

- 3) The permittee shall comply with all applicable laws, regulations, ordinances, and stated conditions. It is the intent of the City that each permittee make his or her own business decisions as to how to implement compliance; however, if the permittee fails to comply with the conditions of this permit, or if his or her operations result in excessive police service as defined below, the permittee will be required to operate under the more restrictive conditions described in Attachment "B" and made a permanent part of this permit without further hearing.
- 4) The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters. Each permittee and promoter conducting business within the City of Long Beach must have or obtain a City of Long Beach Business License prior to conducting entertainment activities governed by this permit. The permittee shall provide all promoters and agents hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
- 5) The operation of the establishment shall be limited to those activities expressly indicated on the entertainment permit application and approved by the City Council. Any change in the operation that exceeds the conditions of the approved permit will require approval by City Council.
- 6) The permittee shall comply with the requirements of LBMC 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.
- 7) No adult entertainment, as defined by section 5.72.115(B) LBMC shall be conducted on the permitted premises. The permittee shall not allow, permit, procure, or encourage, anyone to expose male or female genitals, cleft of the buttocks, the areola or any portion of the female breast below the areola, while at or inside the business.
- 8) 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. (18.48.320 LBMC)

ENTERTAINMENT WITH DANCING PERMIT
SHANNON'S ON PINE – 201-209 PINE AVENUE
Page 3

- 9) Should the permittee's operations give rise to a substantial increase in complaints/calls for police service, 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. In the event of a conflict on this issue between the requirements of this permit and any permit issued by the Alcoholic Beverage Commission, the more stringent regulation shall control.
- 10) The permittee shall be responsible for maintaining an adequate security staff to supervise patrons 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 up to fifty (50) people inside (or in a defined queue waiting to enter) an establishment, the permittee shall provide a minimum of one (1) uniformed licensed security guard per floor. There shall be one additional guard for each subsequent increment or each partial increment of 50, plus one guard per each additional floor. (Example: a one-story establishment with 75 patrons present must have two guards. A two-story establishment with 75 patrons present must have three guards.) Potential patrons awaiting entry in a defined "queue" shall be counted toward the calculation of required security staffing levels. The Chief of Police may relax these staffing levels during daylight hours, or during hours in which the primary activity in the establishment is dining, if he determines that a lower level of security staffing is consistent with the protection of public health and safety.

The attire of each security guard shall clearly indicate the guard's affiliation with the establishment by means of a pin, shirt, or other clearly-visible form of identification.

- 11) To operate a restaurant with alcohol and entertainment in the Downtown Dining and Entertainment District, the proprietor must operate and maintain the licensed premises as a bona fide eating place. He or she must make actual and substantial sales of meals, during at least one full normal mealtime, at least five days a week. Normal mealtimes are 6:00 a.m. – 9:00 p.m. Minors are only allowed on the premises during mealtime hours.
- 12) Persons under eighteen (18) years of age shall not be permitted to enter nor permitted to remain on the premises after 10 p.m., unless accompanied by a parent or legal guardian.
- 13) The permittee shall establish a program to discourage loitering and littering outside any of the entrance/exit doors at all times open for business. This should be done by use of security guards and/or signs near all exits that encourage patrons to "respect our neighbors" and the provision of trash receptacles.

ENTERTAINMENT WITH DANCING PERMIT
SHANNON'S ON PINE – 201-209 PINE AVENUE
Page 4

- 14) At the conclusion of each event and at closing time, the permittee's staff shall remind patrons to refrain from loitering in the immediate area, littering or making excessive noise. Patrons should be reminded to use trash receptacles and to walk directly and quietly to their cars or other transportation.
- 15) The permittee shall not distribute, post or attach, and shall be responsible for ensuring that its promoters and or agents do not distribute, post or attach, advertising matter on public property or on any vehicle on public property.
- 16) Any graffiti painted or marked upon the premises or on any adjacent area under the control of the permittee shall be removed or painted over within 24 hours of being applied.
- 17) When the Chief of Police determines that excessive police services are required as the result of any incident or nuisance arising out of or in connection with the permittee's operations, the cost of such services shall be billed to the permittee as an expense of an emergency response. "Expense of an emergency response" means those costs incurred by the City of Long Beach in making any appropriate emergency response to the incident, and shall be comprised of all costs directly arising because of the response to the particular incident, including, but not limited to, the costs of providing police, fire, rescue, and emergency medical services at the scene of the incident, as well as the salaries of the personnel responding to the incident.
- 18) The permittee shall be responsible for installing and maintaining 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. These cameras shall record video 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