



Legislation Text

File #: 22-0399, **Version:** 1

Recommendation to refer to Hearing Officer the business license application denial appeal by JP23 Hospitality Company located at 110 East Broadway Avenue, Long Beach, CA 90802. (District 1)

On March 14, 2022, the Department of Financial Management denied the business license application for JP23 Hospitality Company to operate a restaurant with alcohol establishment at 110 East Broadway Avenue (Attachment A), due to the failure of the business to comply with applicable laws and regulations, pursuant to the following Chapters of the Long Beach Municipal Code (LBMC), Sections 1.32.040, 3.80.210, 5.06.020, 5.72.110(A) and 5.72.130.

On March 24, 2022, the applicant filed an appeal for the business license application denial (Attachment B).

Pursuant to LBMC Section 3.80.421.6, an applicant for a business license whose application for such license has been denied by the Director of Financial Management may appeal to the City Council. Whenever it is provided that a hearing shall be heard by the City Council, the City Council may, in its discretion, conduct the hearing itself or refer it to a hearing officer, in accordance with LBMC 2.93.050(A). If the City Council refers the matter to a hearing officer, then staff and the hearing officer will set the hearing date for not less than twenty (20) days nor more than thirty (30) days after the City Council referral. Such hearing may for good cause be continued by the order of the City Council. Further, Notice of the Hearing shall be sent to the interested parties at least twenty (20) days before the hearing, in accordance with LBMC 2.93.050(B)(1). In practice, the City Council decision to refer the matter to a hearing officer means that the hearing would occur anytime from May 2, 2022 through May 12, 2022.

This matter was reviewed by Deputy City Attorney Arturo D. Sanchez on March 28, 2022.

If referred, upon selection of a hearing officer, the matter will be heard not less than ten (10) days nor more than thirty (30) days thereafter

There is no fiscal or local job impact associated with this item.

Approve recommendation.

KEVIN RIPER
DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED:

THOMAS B. MODICA
CITY MANAGER