



## Legislation Text

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**File #:** 12-0166, **Version:** 1

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Recommendation to receive supporting documentation into the record, conclude the hearing, and deny the Permit on the application of Bubba Gump Shrimp Company Restaurant, Inc., dba Mai Tai Bar, 97 Aquarium Way, for Entertainment With Dancing by Patrons. (District 2)

Bubba Gump Shrimp Company Restaurants, Inc., dba Mai Tai Bar (Mai Tai) was granted a permit for entertainment with dancing on September 20, 2005. At that time, Mai Tai's entertainment permit did not include disc jockey (DJ) and karaoke as a conditioned activity. The business is requesting to add DJ and karaoke to their existing permitted conditions. If the staff recommendation to deny the new permit and conditions is approved, the existing entertainment permit and conditions granted September, 20 2005 would remain in effect. This location has been licensed as a bar/lounge/tavern since June 2005.

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 is granted or denied.

The LBMC also requires that the City Council make a determination that the permit application is complete and truthful; the applicant and the officers and trustees of the entity are law-abiding persons who will operate and conduct the business activity in a lawful manner; and that public peace, welfare and safety will not be impaired. If this is so, the application shall be approved, a short-term entertainment permit shall be approved, or the application shall be denied.

The City Council has the authority to approve the following options: 1) grant the Permit, with or without conditions; or 2) grant a One-Year Short-Term Entertainment Permit, with or without conditions; or, 3) deny the Permit on the application.

City departments have conducted their investigations in accordance with the LBMC. Attached for your review are the departmental investigative reports, the business ownership and permit history, and the entertainment permit application.

The following summarizes departmental findings:

- The Police Department recommends that the permit for entertainment with dancing by patrons be denied. Based on the Vice Section's investigation, the Police Department has determined that the public peace, safety, and welfare of the general area would be impaired if this permit is granted.
- 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.

The Department of Financial Management, Business Relations Bureau, has reviewed all submitted department documents and correspondence and, after a thorough investigative process, recommends that the permit for entertainment with dancing by patrons be denied.

This matter was reviewed by Deputy City Attorney Amy R. Webber on February 8, 2012.

The hearing date of March 6, 2012, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

The following fees were collected with the application: Building Review \$20 and Zoning Review \$15 (Development Services), Police Investigation \$1,183 (Police Department), and Labels \$90 (Financial Management Department).

The following fees will be collected if the application is approved: Business License \$321.97 and Regulatory \$1,006 (Financial Management Department).

Approve recommendation.

JOHN GROSS  
DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED:

PATRICK H. WEST  
CITY MANAGER