



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

# H-1

333 West Ocean Blvd • Long Beach, California 90802

October 2, 2012

HONORABLE MAYOR AND CITY COUNCIL

City of Long Beach

California

## RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing and grant a Retail Entertainment permit with conditions on the application of Rand and Kelly Foster, DBA Fingerprints, 420 E. 4<sup>th</sup> Street. (District 1)

## DISCUSSION

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 be approved subject to conditions.
- The Fire Department finds that the building/location meets department requirements for the proposed use subject to conditions.

HONORABLE MAYOR AND CITY COUNCIL

October 2, 2012

Page 2

- 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 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 Retail Entertainment be approved subject to the conditions (attached).

In the event that any of the recommended conditions are in conflict with other permits or licenses, the permittee shall adhere to the strictest of the applicable conditions. This location has been licensed as a retail establishment since September of 2008.

This matter was reviewed by Deputy City Attorney Amy R. Webber on September 10, 2012.

#### TIMING CONSIDERATIONS

The hearing date of October 2, 2012, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

#### FISCAL IMPACT

The following fees were collected with the application: Police Investigation \$567 (Police Department), and Labels \$90 (Financial Management Department).

The following fees will be collected if the application is approved: Business License \$330.57 and Regulatory \$114 (Financial Management Department).

#### SUGGESTED ACTION:

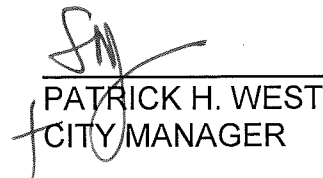
Approve recommendation.

Respectfully submitted,



JOHN GROSS  
DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED:

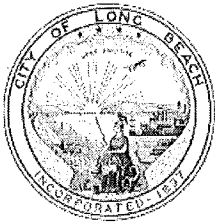


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PATRICK H. WEST  
CITY MANAGER

ES: AMK  
K:\EXEC\COUNCIL LETTERS\BUSINESS RELATIONS\HEARING LETTERS\10-02-12 CCL - FINGERPRINTS.DOC

ATTACHMENTS



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT  
BUSINESS RELATIONS BUREAU

333 WEST OCEAN BOULEVARD 7<sup>TH</sup> FLOOR • LONG BEACH, CA 90802 • (562) 570-5596

## Recommended Conditions of Operation

Rand and Kelly Foster, DBA Fingerprints  
420 E. 4<sup>th</sup> Street

Application for Retail Entertainment

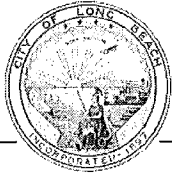
The Department of Financial Management recommends **approval** of the permit subject to the following conditions:

### 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 21.15.110 LBMC shall be conducted on the permitted premises.
- 3) Entertainment activities indicated on page #7 of your entertainment application shall be restricted to between the times of **11:00 A.M. and 10:00 P.M. each day of the week.**
- 4) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LMBC Chapter 8.80).
- 5) Due to the proximity of neighboring businesses and residences, all door(s) and windows shall be kept 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.**
- 6) Outdoor amplified entertainment is prohibited.
- 7) The permittee shall employ his/her own discretion in determining the level of security necessary to prevent violations of law and any other disturbances arising out of or in connection with business operations. Should the permittee's operations give rise to a substantial increase in complaints/calls for police service, or trash left in the parking lot, 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.

- 8) The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors and the parking lot, at all times while open for business. This should be done by use of security guards and signage indicating words to the effect of, "Please respect our neighbors" or something similar.
- 9) 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.
- 10) The permittee agrees to reimburse the City for all costs associated with excessive police services, as determined by the Chief of Police, required as the result of any incident or nuisance arising out of or in connection with the permittee's operations.
- 11) 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 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.
- 12) Any graffiti painted or marked upon the premises, or on any adjacent area under the control of the licensee, shall be removed or painted over within 24 hours of being applied.
- 13) The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.
- 14) The business, its promoters, 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 in any such place in the City. 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's contracts, including names, addresses and phone numbers, on file at all times, and must be available for inspection at anytime.
- 15) The permittee shall ensure that patrons waiting in a defined queue do not block any public right of ways, streets, sidewalks, or alleys. The permittee shall dedicate one staff member or employee to ensure that patrons do not disturb the peace of surrounding residents.

- 16) The permittee shall comply with any occupancy capacity issued by the Long Beach Fire Department, and shall implement a system to keep count of the number of occupants present, at any given time, and provide that information to public safety personnel upon request.
- 17) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions. In the event of a conflict with the requirements of this permit, the more stringent regulation shall apply.
- 18) Entertainment uses shall be limited to maximum occupant **load of 250 people** and shall be limited to the following: amplified musical performances, book readings, art gallery, and poetry. Additional uses shall be submitted to the Long Beach Fire Department and the Business Relations Bureau for approval and permitting. A Fire Safety Officer may be required at the discretion of the Long Beach Fire Department.
- 19) If the Chief of Police or Fire Marshal determines that Permittee has violated the terms of the permit, including the Permittee's obligation to comply with all other laws and regulations, but believes those violations can be remedied through education and/or minor modifications to Permittee's operation, Permittee will be asked to attend a meeting with the involved departments and other interested persons to address concerns and discuss how the implementation of conditions can be avoided or modified to remedy violation.



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

## SUMMARY OF APPLICATION FOR RETAIL ENTERTAINMENT PERMIT

Attached for your review and action is an application for Rand and Kelly Foster, DBA Fingerprints. 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	

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

Compiled by: Department of Financial Management  
Business Relations Bureau



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6200 • Fax (562) 570-5099

BUSINESS RELATIONS BUREAU

## FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 420 East 4<sup>th</sup> Street

Foster, Rand and Kelly  
DBA Fingerprints  
Lic#21113440  
04/11 – Pending

Retail Entertainment

Foster, Rand and Kelly  
DBA Fingerprints  
Lic#21106450  
09/08 – Active

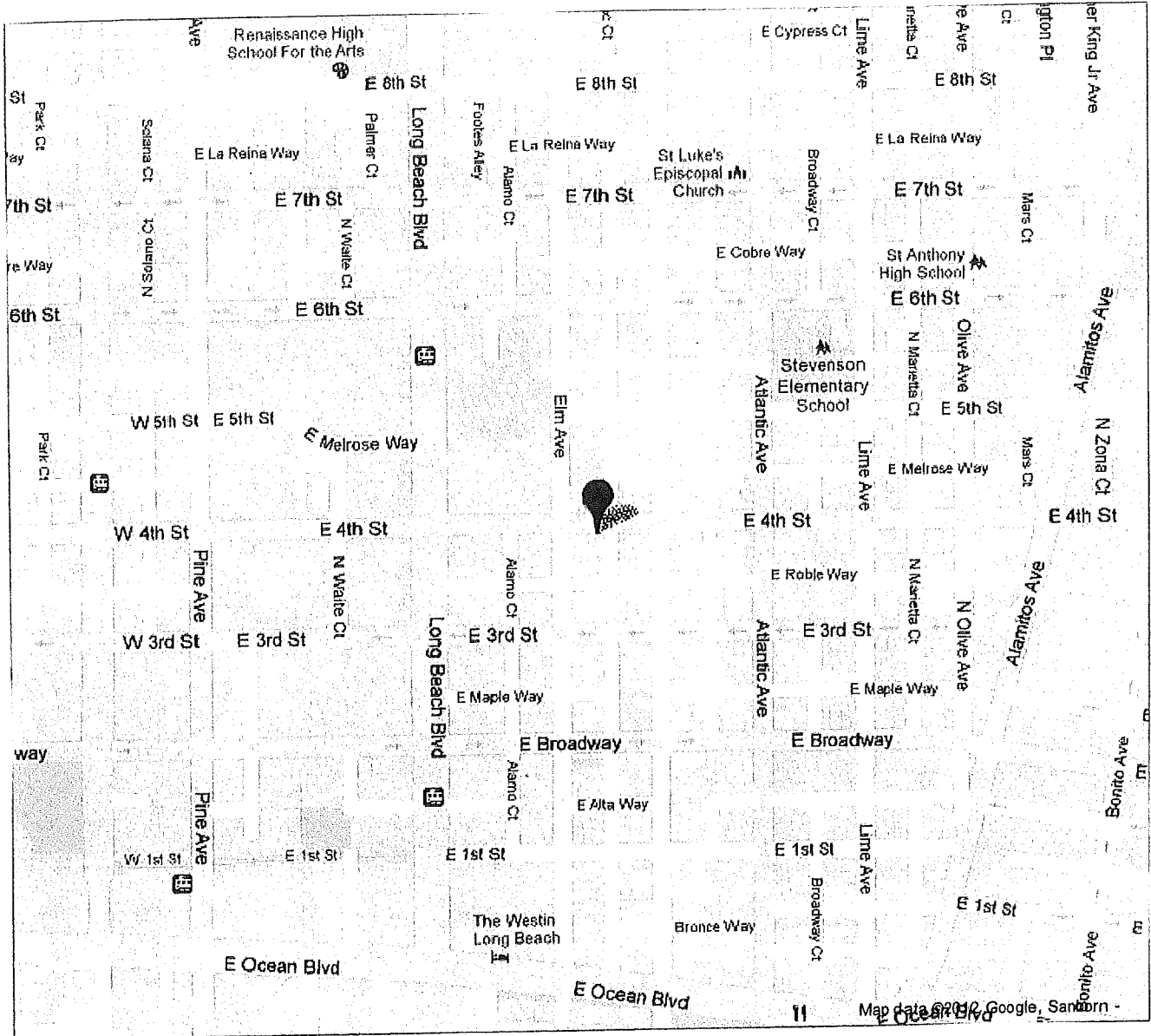
Retail Sales

Pride of Lyon Corporation  
DBA Lyon Supply Company  
Lic#90074930  
01/91 – 01/11

Valet Service

# Fingerprints

420 East 4<sup>th</sup> Street







Accepted By: SK 21113440 Date: 4/24/11  
 Zoning Approval By: \_\_\_\_\_ Date: \_\_\_\_\_

### APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): RAND & KELLY FOSTER  
 Business Name (DBA): FINGERPRINTS Business Phone: (214) 433-4996  
 Business Site Address: 420 EAST 4TH ST. LONG BEACH CA 90802  
 Date Business Proposes To Open: OPENED (THIS LOCATION) 02.01.11  
 Days & Time Premises Are Open For Inspection: 10-10 DAILY

**Proposed Use(s):**

Entertainment/Restaurant With Dancing  Without Dancing   
 Entertainment/Tavern With Dancing  Without Dancing   
 Retail  Pool or Billiard Hall  Social Club

Explain briefly the proposed use of the rooms within the building:  
① Book Room ② CA Room/main Room ③ LP Room ④ CO Room

Contact Person(s) Name (authorized agent, manager, etc.): RAND FOSTER  
 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 for basis for denial  Police Department finds basis for denial  
 Police Department finds no for 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: FINGERPRINTS

Place and date of filing fictitious business name statement: LA County 01/21/10

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

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:

RAND FOSTER [REDACTED]

KELLY FOSTER [REDACTED]

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

RAND FOSTER [REDACTED]

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:

LONG BEACH BUSINESS LICENSE - AUG 2011

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? 18 yrs

Is the location: Owned?  Rented/Leased?

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

Name: KURT SCHMITEA / MAVERICK INVESTMENTS

Address: 3632 BROADWAY  
LONG BEACH CA 90803

**IF APPLYING AS A PARTNERSHIP**

Check One Box:

General Partnership

Limited Partnership

LLC (Limited Liability Co.)

Name of Partnership:

RAND & KELLY FOSTER DBA: FINGERPRINTS

Percentage of Partnership

Name and residence addresses of *General Partners*:

Interest:

RAND FOSTER -

[REDACTED]

KELLY FOSTER -

[REDACTED]

\_\_\_\_\_  
%

\_\_\_\_\_  
%

Names and residence addresses of *Limited Partners*:

Interest:

\_\_\_\_\_  
%

\_\_\_\_\_  
%

\_\_\_\_\_  
%

\_\_\_\_\_  
%

Place and date of filing Articles or Certificate of Partnership or Limited Partnership:

CALIFORNIA 07/92

**Please Note:**

**Attach certified copies of *Articles of Partnership* or *Limited Partnership*, or other written evidence of partnership status and all amendments thereto this application.**

**IF APPLYING AS A PARTNERSHIP**

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

**PRINCIPAL PARTNER I**

Name: RAND FOSTER Title: GEN PARTNER  
Residence Address: [REDACTED] Phone: [REDACTED]  
Business Address: 420 E. 9TH ST. LB 90602 Phone: (562) 433-9996  
Race: [REDACTED] Sex: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED] Height: [REDACTED] Weight: [REDACTED]  
Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]  
Driver's License Number: [REDACTED] Issuing State: [REDACTED]

**PRINCIPAL PARTNER II**

Name: KELLY FOSTER Title: GEN PARTNER  
Residence Address: [REDACTED] Phone: [REDACTED]  
Business Address: 420 E. 9TH ST. LONG BEACH 90602 Phone: (562) 433-9996  
Race: [REDACTED] Sex: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED] Height: [REDACTED] Weight: [REDACTED]  
Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]  
Driver's License Number: [REDACTED] Issuing State: [REDACTED]

**PRINCIPAL PARTNER III**

Name: \_\_\_\_\_ 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: \_\_\_\_\_

**PRINCIPAL PARTNER IV**

Name: \_\_\_\_\_ 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: \_\_\_\_\_

\*Attach a list for additional partners\*

**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 <input type="checkbox"/>	_____	_____
On sale beer and wine <input type="checkbox"/>	_____	_____
On sale distilled spirits <input type="checkbox"/>	_____	_____

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: \_\_\_\_\_

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

3. Are non-alcoholic beverages sold?  YES  NO

4. How many tables for seating? 0

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: \_\_\_\_\_

7. Is there a license for the pool table?  YES  NO

a. If yes, license number: \_\_\_\_\_

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

a. If yes, indicate number and type: \_\_\_\_\_ 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): \_\_\_\_\_

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

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. ( ) \_\_\_\_\_

**GENERAL OPERATING CONDITIONS (continued)**

Complete Each Question

**SECURITY**

11. Will security officers be provided?  YES  NO  
a. If yes, number of security officers: \_\_\_\_\_
12. Is any other type of security provided?  YES  NO  
a. If yes, describe type of security: CAMERAS

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of							
Security							

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: GENERALLY ALL OF OUR EVENTS WILL BE FREE w/  
RSVP.
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	10 am	10 am	10 am	10 am	10 am	10 am	10 a
Close	10 pm	10 pm	10 pm	10 pm	11 pm	11 pm	10 p

**PROXIMITY OF BUSINESSES AND RESIDENCES**

19. Are there surrounding businesses?  YES  NO

a. What type? COFFEE HOUSE, ART SUPPLY STORE, DOW WASH, REST.  
RETAIL

20. Are there surrounding residences?  YES  NO

a. Approximately how close? APARTMENT COMPLEX BEHIND

**PARKING FACILITIES AND ARRANGEMENTS**

21. Is parking available?  YES  NO

a. If no, what is the street address of the off-premises parking facility? \_\_\_\_\_

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) MONTHLY RENTAL OF SPACE  
+ ADDITIONAL HOURLY SPACES AVAILABLE

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From							
To							

d. How many individual parking spaces (approximately)? 70 + STREET

**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. BOOK READINGS, ART GALLERY,

Describe entertainment by performers: GENERALLY ACQUAINT MUSIC PERFORMANCES

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: CONCRETE

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)**

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Entertainment Type	LIVE MUSIC	LIVE MUSIC	LIVE MUSIC	LIVE MUSIC	LIVE MUSIC	LIVE MUSIC	LIVE MUSIC
Start Time	11:00 AM	11:AM	11: AM	11: AM	11: AM	11: AM	11: AM
End Time	10:00 PM	10: PM	10: PM	10: PM	10: PM	10: PM	10: PM

\* THIS IS GENERAL AS OUR EVENTS ARE SPORADIC AND NOT RECURRING AND OCCASIONAL



**RELEASE FORM**

The undersigned, on behalf of (owner(s)) RANDY & KELLY FOSTER, 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:

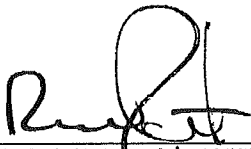
(DBA) FINGERPRINTS

to obtain the (entertainment type) ENTERTAINMENT permit/license.

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 OR AUTHORIZED AGENT)

PARTNER

(TITLE)

2.27.11

(DATE)



DRIVER'S LICENSE OR ID CARD NUMBER



STATE



ACCEPTED BY (CITY STAFF)

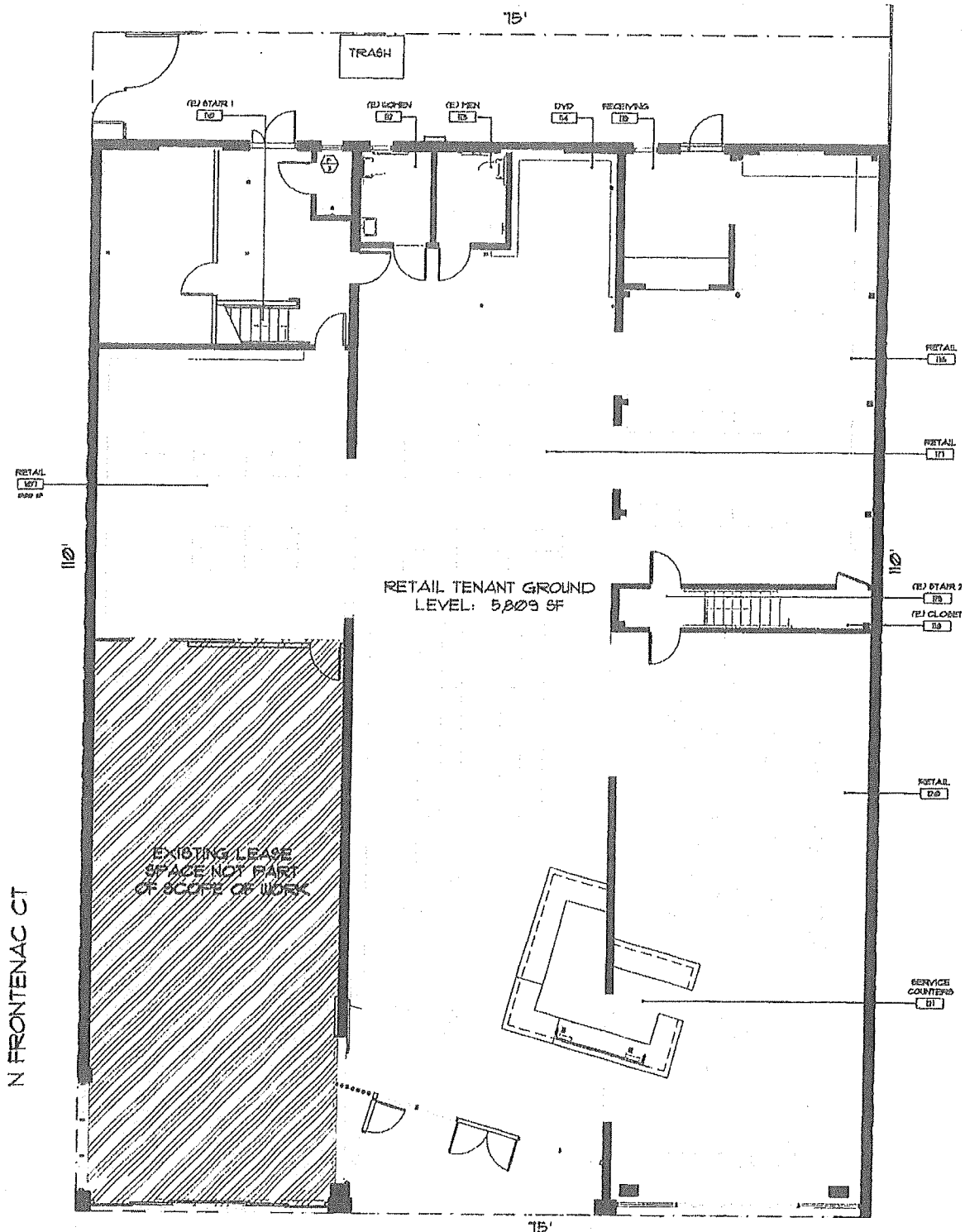
AAA

TITLE

05/25/11

DATE

EXISTING APARTMENT BUILDING

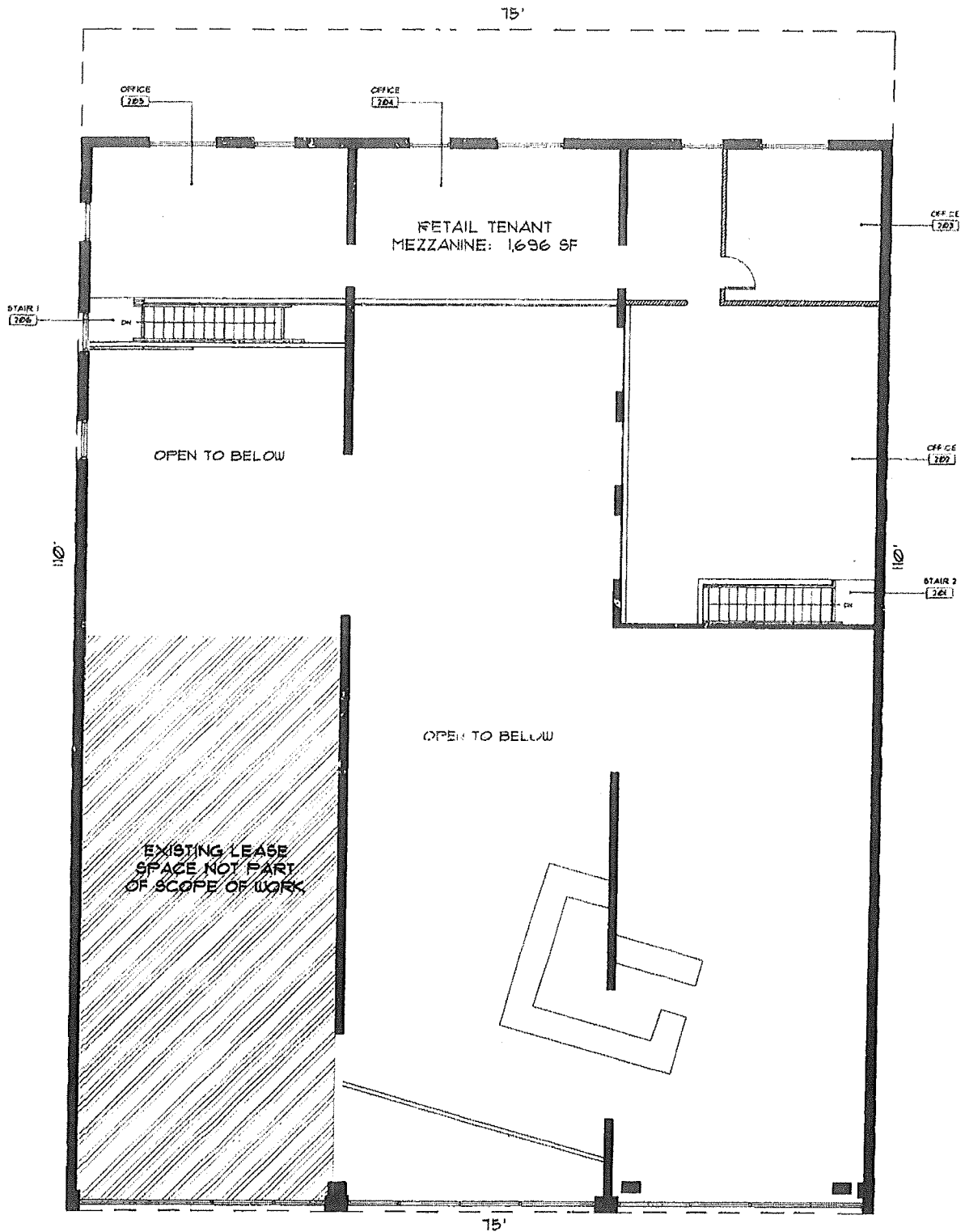


4TH STREET

FIRST FLOOR

400 E 15TH AVENUE  
LOWE RESEARCH COMPANY 57000





MEZZANINE LEVEL

420 EAST 4TH STREET  
 LONG BEACH, CALIFORNIA 90802





**Date:** September 11, 2012

**To:** John Gross, Director of Financial Management

**From:** Erik Sund, Business Relations Manager

**Subject:** **Application for Retail Entertainment at Fingerprints,  
420 E. 4<sup>th</sup> Street.**

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In regards to the above named applicant, the Business Relations Bureau recommends **approval**, subject to nineteen (19) conditions.

Fingerprints is a retail record store that has been in business since 1992 and recently moved from Belmont Shore to 420 East 4<sup>th</sup> Street. The business is owned and operated by Rand and Kelly Foster, who plans to have occasional musical events. On February 10, 2012, the Business Relations Bureau received an application for a Retail Entertainment Permit, requesting live amplified music and a disc jockey.

Based upon the Vice Section's investigation and the South Division Patrol Commander J. Benedetti's recommendation, the Long Beach Police Department has determined the public 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 also recommends **approval** of the requested permit, subject to the conditions they have provided in their attached report.

ES:AK



Accepted By: <u>[Signature]</u>	Date: <u>2/13/10</u>
Zoning Approval By: _____	Date: _____

### APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): RAND & KELLY FOSTER

Business Name (DBA): FINGERPRINTS Business Phone: (562) 433-4996

Business Site Address: 420 EAST 4TH ST. LONG BEACH CA 90802

Date Business Proposes To Open: OPENED (THIS LOCATION) 02.01.11

Days & Time Premises Are Open For Inspection: 10-10 Daily

**Proposed Use(s):**

Entertainment/Restaurant With Dancing  Without Dancing

Entertainment/Tavern With Dancing  Without Dancing

Retail  Pool or Billiard Hall  Social Club

Explain briefly the proposed use of the rooms within the building:

① BACK ROOM ② CA ROOM / MAIN ROOM ③ LP ROOM ④ CA ROOM

Contact Person(s) Name (authorized agent, manager, etc.): RAND FOSTER

Contact Person(s) Phone Number: (562) 810-7717

**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: \_\_\_\_\_

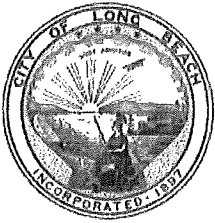
**POLICE DEPARTMENT**

Police Department finds no for basis for denial     Police Department finds basis for denial

Police Department finds no basis for denial with conditions

Conditions or Basis for Denial: \_\_\_\_\_

By: R. Luma for JMCO. Title: ACTING Chief of Police Date: 3-28-12



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT  
BUSINESS RELATIONS BUREAU

333 WEST OCEAN BOULEVARD 7<sup>TH</sup> FLOOR • LONG BEACH, CA 90802 • (562) 570-6211

## Recommended Conditions of Operation

Rand and Kelly Foster, DBA Fingerprints  
420 E. 4<sup>th</sup> Street, Long Beach, CA 90802

The above named permit applicant has applied for a Retail Entertainment Permit. Based upon your review of this location, please indicate which recommendations the Police Department's feels are appropriate:

### RECOMMENDATION

Approve

One-Year Short Term

Deny

### 16 CONDITIONS OF OPERATION

- (17) Downtown Dining & Entertainment District Conditions
- ✓ 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.
- ✓ Unless separately applied for, reviewed, and approved, no adult entertainment, as defined by section 21.15.110 LBMC shall be conducted on the permitted premises.
- ✓ Entertainment activities indicated on page #7 of your entertainment application shall be restricted to no later than **10PM each night of the week.**
- Entertainment is permitted until \_\_\_\_\_ on holidays that fall on a Sunday through Thursday.  
(time)
- Entertainment on the following holidays is permitted until \_\_\_\_\_ A.M.:  
New Year's Eve, New Year's Day, St. Patrick's Day, Cinco De Mayo, Memorial Day Eve, July 3<sup>rd</sup>, Labor Day Eve, and Halloween Night.
- 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 p.m., whichever comes first.** Private functions not open to the public are exempt from this condition.
- No owner, operator or manager shall permit any person under the age of twenty-one (21) years within the premises, at any time, during the hours of operation.

- 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 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.

- √ The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LMBC Chapter 8.80).
- Noise emanating from the permittee’s premises shall not be audible beyond fifty feet (50’) from the property line of the premises. The permittee shall be responsible for determining how to best meet this requirement, either by keeping doors and windows closed, limiting hours of entertainment, or by offering non-amplified entertainment.
- The permittee shall comply with the requirements of LBMC Sec. 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.
- √ Due to the proximity of neighboring businesses and residences, all door(s) and windows shall be kept 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.**
- √ Outdoor amplified entertainment is prohibited.
- There shall be no live entertainment or dancing permitted on the patio at any time.
- The use of any amplifying system or device is prohibited on the patio, and the use of any such system or device inside the premises shall not be audible outside the premises.
- There shall be no amusement machines, video game devices, dart games or pool tables maintained upon the patio at any time.
- Deliveries to and from the premises shall be limited to the hours of \_\_\_\_\_ to \_\_\_\_\_.

- The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of \_\_\_\_\_ and \_\_\_\_\_.
- Interior lighting shall be sufficient to make easily discernible the appearance and conduct of all persons and patrons inside the business.
- The permittee shall provide a minimum of one (1) licensed security guard during all times that the entertainment activities are being conducted for crowds up to fifty (50) people. For crowds over fifty (50) people, the permittee shall provide a minimum of one (1) additional security guard per fifty (50) people. Patrons awaiting entry in a defined queue shall be counted toward the calculation of required security staffing levels.

The attire of each security guard shall clearly indicate the guard's affiliation with the establishment by means of a pin, shirt, or other visible form of identification. Should the permittee's operations give rise to a substantial increase in complaint/calls for police service, or trash left in the parking lot, 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 addition to the above security requirements, the permittee shall staff one (1) "Security guard" on the boat dock anytime the banquet hall is used for entertainment purposes. Security guards assigned to the dock shall ensure that patrons do not loiter near the docks or the immediate area, and ensure that NO ALCOHOL is permitted on the boat dock. Security guards must be identifiable. The Chief of Police may increase or relax this condition, based upon calls for service related to problems on the boat dock.
- In addition to the above security requirements, the permittee shall staff one (1) security guard in the parking lot between the hours of 10 p.m. and ½ hour after closing. The security guard shall ensure that patrons do not loiter in the parking lot or the immediate area. They shall also ensure the patrons enter and leave the parking lot in a peaceful manner as not to disturb any neighboring businesses or residents who live nearby. The Chief of Police may increase or relax this condition, based on calls-for-service related to problems in the parking lot.
- √ The permittee shall employ his/her own discretion in determining the level of security necessary to prevent violations of law and any other disturbances arising out of or in connection with business operations. Should the permittee's operations give rise to a substantial increase in complaints/calls for police service, or trash left in the parking lot, 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.
- √ The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors and the parking lot, at all times while open for business. This should be done by use of security guards and signage indicating words to the effect of, "Please respect our neighbors" or something similar.



- √ 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.
- √ The permittee agrees to reimburse the City whenever excessive police services, as determined by the Chief of Police, are required as the result of any incident or nuisance arising out of or in connection with the permittee's operations.
- √ 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 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.
- An identification card scanner shall be used for all patrons entering the establishment after 10:00 PM for the sole purposes of verifying patron age and/or authenticity of a patron's driver's license or identification card.
- 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.
- √ Any graffiti painted or marked upon the premises, or on any adjacent area under the control of the licensee, shall be removed or painted over within 24 hours of being applied.
- Promoters/Disc Jockeys/Contractors: In addition to the requirement that business owners obtain business licenses, entertainment promoters, disc jockeys or other contractors who have been engaged to market, advertise, conduct or otherwise perform services at an event, must obtain a separate city business license. [The promoter may obtain a temporary license for a single event for a period of three days or less pursuant to LBMC § 5. \_\_. \_\_]

Any monies collected as a door charge or other admission charge, including minimum drink orders, must be solely for the profit of the business owner.

[The failure of a promoter to obtain a business license for an event or location may be grounds for revocation of the business license of the facility where the event took place and denial of any future business license sought by the promoter.]

If the event is a charitable event, then the promoter must also comply with all applicable requirements of Chapter 5.28.

- √ The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.

- All 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.
- The permittee must provide all promoters, independent contractors, and dancers, hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
- √ The business, its promoters, 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 in any such place in the City. 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's contracts, including names, addresses and phone numbers, on file at all times, and must be available for inspection at anytime.
- The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions. In the event of a conflict with the requirements of this permit, the more stringent regulation shall apply.
- The permittee must submit an application for the renewal of the entertainment with dancing permit not later than \_\_\_\_\_ 2012 or four (4) months prior to the One-Year Short-Term permit expiration date to continue to provide entertainment without a break.
- The permittee, shall, within ninety (90) days of an approved entertainment permit, submit proof of attending the LEAD program offered by the Department of Alcoholic Beverage Control. In the event that the LEAD program class is not offered within this ninety day period, the permittee shall attend the next available class. Proof of completion shall be submitted to the Long Beach Police Department Vice Investigations Section.
- There shall be no "queue" allowed after \_\_\_\_\_. Queue is defined as persons awaiting entry after the business is at capacity.
- √ Additional Conditions: The permittee shall ensure that patrons waiting in a defined queue do not block any public right of ways, streets, sidewalks, or alleys. The permittee shall dedicate one staff member or employee to ensure that patrons do not disturb the peace of surrounding residents.
- √ Additional Conditions: The permittee shall comply with any occupancy capacity issued by the Long Beach Fire Department, and shall implement a system to keep count of the number of occupants present, at any given time, and provide that information to public safety personnel upon request.



Accepted By: [Signature] Date: 4/10/12  
 Zoning Approval By: \_\_\_\_\_ Date: \_\_\_\_\_

### APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): Ross & Kelly Foster  
 Business Name (DBA): FRASQUINTS Business Phone: 562 423-4776  
 Business Site Address: 420 EAST 4TH ST. LONG BEACH CA 90802  
 Date Business Proposed To Open: OPEN (THIS LOCATION) 01.01.12  
 Days & Time Premises Are Open For Inspection: 10-10 Daily

**Proposed Use(s):**

Entertainment/Restaurant With Dancing  Without Dancing   
 Entertainment/Tavern With Dancing  Without Dancing   
 Retail  Pool or Billiard Hall  Social Club

Explain briefly the proposed use of the rooms within the building:

1. REST ROOM 2. SA BATH/REST ROOM 3. LP ROOM 4. CA ROOM

Contact Person(s) Name (authorized agent, manager, etc.): ROSS FOSTER

Contact Person(s) Phone Number: (562) 920-7717

**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:

Entertainment limited to poetry, book reading, art gallery, and small and amplified musical performances with a maximum occupant load of 250. Additional uses shall be submitted to the LBFD and Business Relations Bureau for approval and permitting. A Fire Safety Officer may be required at the discretion of the LBFD.

Building/Location does not meet Department requirements for the proposed use.

Inspection Completed On (date): 9/13/12 By: [Signature] Deputy C.O. of FIRE  
LBFD intresmal

**POLICE DEPARTMENT**

Police Department finds no for basis for denial  Police Department finds basis for denial  
 Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: \_\_\_\_\_

By: \_\_\_\_\_ 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: 9.11.12

Name of Business (DBA): Fingerprints

Name of Business Owner: Rand and Kelly Foster

Business Address: 420 East 4th St Long Beach, 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) 

Title Partner

Phone # 562.433.4996

FAX # 562.491.0400