

MINUTES
BUSINESS LICENSE COMMISSION

MAY 5, 1987

I. CALL TO ORDER

The regular meeting of the West Hollywood Business License Commission held on the above date in the City Council Chambers of West Hollywood City Hall, 8615 Santa Monica Blvd., West Hollywood, CA, was called to order at 7:13 p.m., by Commission Chair Lester Hirsch.

A. Pledge of Allegiance was led by Jeanne Dobrin.

B. Roll Call:

Commissioners Present: Crane, Ellis, Forbes, Hirsch, Smith

Commissioners Absent: None

Staff Present: Paul Self, Business License Officer; John McKinney, Sr. Code Enforcement Officer; Deputy Early Lincoln, L.A. County Sheriff's Licensing Detail

C. Approval of Agenda

Action: To approve agenda as prepared by Staff.

(Motion: Smith, Second: Crane)
Motion Carried unanimously.

D. Approval of Minutes

1. April 21, 1987

Action: To approve minutes of April 21, 1987 with the following correction:

1. P.4 , change "pled" to "plead".

(Motion: Smith, Second: Ellis)
Motion Carried unanimously.

II. ITEMS FROM CITIZENS

1. Budd Kops, West Hollywood.
Asked Commission what types of violations, committed by a licensee whose license has been heard by the Commission, are serious enough to warrant a re-hearing by the Commission for revocation of the license.

The Commission requested Staff to research additional information on alleged violations. The Commission also requested Staff to recommend options for addressing Mr. Kops concerns.

2. Henry Williams, West Hollywood.

Recommended to the Commission that a petition be filed regarding the concerns of Mr. Kops.

III. COMMISSION CHAIR'S REPORT

Staff reviewed procedural rules for accepting public testimony; stated that the Commission would be sworn in as a permanent body at the June 2 Commission meeting.

V. PUBLIC HEARING

Staff swore in those testifying.

- A. BLC-87-006
Victorio Dente and Eddie Tourgemann
dba Rose Tattoo
Application for General Entertainment license
(continued from April 21, 1987.)

Public Hearing opened at 7:46 p.m.

Public Testimony:

Testimony of the Applicant

1. Stephen Brown, Los Angeles.
Spoke on behalf of the applicant.

Testimony For: None

Testimony Against

1. Nancy Taylor, West Hollywood.
2. Budd Kops, West Hollywood.

Other Testimony

1. Jeanne Dobrin, West Hollywood.

The applicant spoke in rebuttal.

Public Testimony closed at 8:00 p.m.

Public Hearing closed at 8:08 p.m.

Action: To continue hearing to a time indefinite until the applicant complies with Items 7, 8 and 9 of the Fire Inspection Report issued to the applicant, and the Planning Commission decides upon the expired variance for less than required parking at the property.

(Motion: Smith, Second: Hirsch)

MINUTES
Business License Commission
May 5, 1987

Motion amended by Commissioner Crane to continue the hearing to the meeting of June 2. Amendment not accepted by Commissioner Smith.

Motion amended by Maker to strike "to a time indefinite" and to substitute "for 60 days", and to strike language regarding conditions of compliance. Accepted by Commissioner Hirsch.

Roll Call:

Crane: No
Hirsch: Aye
Smith: Aye

Motion Carried.

Point of information raised that those Commissioners who abstained from voting on the motion should have been included in the roll call vote.

The Commission recessed at 8:32 p.m. in order that Staff research the matter.

The Commission resumed the hearing at 8:47 p.m.

Staff ruled that Robert's Rules of Order call for all members of the body present are to be included in the roll call vote. Ruling accepted by the Commission.

Roll Call vote re-taken:

Crane: No
Ellis: Abstain
Forbes: Abstain
Smith: Aye
Hirsch: Aye

Motion Failed.

Action: To continue the hearing for 30 days.

(Motion: Crane, Second: Hirsch)

Roll Call:

Crane: Aye
Ellis: Abstain
Forbes: Abstain
Smith: Aye
Hirsch: Aye

Motion Carried.

MINUTES
Business License Commission
May 5, 1987

- B. BLC-87-008
Alhar Enterprises, Inc.
dba Peanuts Disco
Application for Renewal of Adult Entertainment
license.

Staff report presented by Self.
Staff reviewed a series of incident reports introduced
into evidence to the Commission. Deputy Lincoln also
reviewed reports and indicated those reports issued by
the Sheriff's Dept. from other reports.

Public Testimony:

Applicant Testimony:

1. Joshua Feld, President, Alhar Enterprises, Inc.

Testimony For:

1. Michael Ponte, Security Head, Peanuts Disco

Testimony Against:

1. Budd Kops, West Hollywood.
2. Florence Delbarian, West Hollywood.
3. David Behr, West Hollywood.
4. Harry Williams, West Hollywood.
5. Nancy Taylor, West Hollywood.

Other Testimony:

1. Jeanne Dobrin, West Hollywood.

The applicant gave rebuttal testimony.

Public Testimony closed at 10:10 p.m.
Public Hearing closed at 11:14 p.m.

Action: To approve the renewal of the Adult
Entertainment license for Alhar Enterprises,
Inc. with the following conditions:

1. Staff will review the license six months
from the date of issuance for compliance with
parking requirements. Staff will also review
for compliance by the applicant with
Alcoholic Beverage Control regulations.
2. The applicant must distribute "safe sex"
literature, that is, literature which
provides information on sexual practices
which avoid the spread of sexually
transmitted diseases.

(Motion: Forbes, Second: Hirsch)

MINUTES
Business License Commission
May 5, 1987

Roll Call:
Crane: Aye
Ellis: No
Forbes: Aye
Smith: No
Hirsch: No

Motion Fails.

Action: To continue the hearing for two weeks.

(Motion: Ellis, Second: Hirsch)

Motion amended by Maker to strike "two weeks" and substitute "to the regular meeting of June 2".

Roll Call:
Crane: Aye
Ellis: Aye
Forbes: Aye
Smith: Aye
Hirsch: Aye

Motion Carried unanimously.

- C. BLC-87-009
John L. Parks, Inc.
dba Unicorn Bookstore
Application for Bookstore-General license

Staff report presented by Self.

Public Hearing opened at 11:20 p.m.

There being no public testimony, the Public Hearing was closed at 11:21 p.m.

Action: To approve the license application for a General Bookstore license to John L. Parks, Inc. dba Unicorn Bookstore.

(Motion: Forbes, Second: Smith)
Motion Carried unanimously.

- D. BLC-87-010
Walnut Properties, Inc.
dba Pussycat Theater
Application for renewal of Adult Theater license

Staff report presented by Self.

Public Hearing opened at 11:29 p.m.

Applicant Testimony

1. Donald Haley, 5445 Sunset Blvd., Los Angeles.

Testimony For : None

Testimony Against

1. Jeanne Dobrin, West Hollywood.

Public Testimony closed at 11:35 p.m.

Action: To continue the hearing to June 2, 1987, and to direct staff to determine the appropriate candle power necessary to light the interior of the theater sufficiently to discourage lewd conduct activities; and, that a mechanism be installed on the rheostat of the theater to prevent the lighting from being lowered to a certain level during the showing of a movie, but allowing the lighting to be raised to a certain level during the intermission.

(Motion: Forbes, Second: Smith)
Motion Carried unanimously.

VI. NEW BUSINESS

A. Subcommittee on nightclub regulations

Staff report on their efforts to come up with an adequate definition of nightclubs.

The Commission directed staff to provide a breakdown on the number of calls received on the West Hollywood Chamber of Commerce hotline.

Deputy Lincoln stated that he had met with Captain Squeirs of the West Hollywood Sheriff's Station on the issue of requiring a licensed security guard at each nightclub establishment. The Sheriff's Department suggested handling the issued of required security guards on a case-by-case basis for each nightclub which may require such a guard.

The Commission directed staff to develop proposed definitions of a nightclub and gave Staff suggestions on factors that should be considered in developing a nightclub definition.

VII. ITEMS FROM THE COMMISSIONERS

Commissioner Hirsch stated that he has met with members of the City Council regarding business license code enforcement staffing needs.

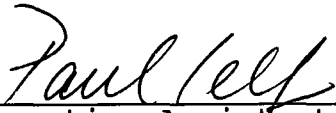
MINUTES
Business License Commission
May 5, 1987

IX. ADJOURNMENT

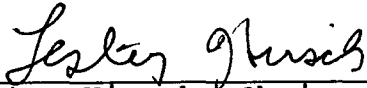
Action: To adjourn this meeting to the regular meeting of the Business License Commission on May 19, 1987, beginning at 6:00 P.M., in the Council Chambers of West Hollywood City Hall.

(Motion: Hirsch, Second: Crane)
Motion Carried unanimously.

The meeting was adjourned at 12:00 a.m., Wednesday, May 6, 1987.



Paul Self, Executive Assistant, Business License Commission



Lester Hirsch, Chairperson, Business License Commission