

BUSINESS LICENSE COMMISSION

MINUTES

**Tuesday, October 10, 2000
WEST HOLLYWOOD CITY HALL
RSD Hearing Room**

I. CALL TO ORDER: Chair Forbes called the meeting to order at 7:00 P.M.

A. ROLL CALL:
PRESENT:

Commissioners – Scott Forbes, Maxine Sonnenburg, Rodney Scott and Stanley Stalford.

STAFF PRESENT:

Wade Davenport, Code Compliance Manager;
Bruce Robertson, Administrative Staff Assistant.

B. APPROVAL OF AGENDA:

The Agenda was approved by a unanimous vote of the commissioners present.

II. CONSENT CALENDAR - None

III. ITEMS FROM CITIZENS - None

IV. PUBLIC HEARING - None

V. COMMISSION CHAIR'S REPORT - None

VI. ITEMS FROM COMMISSIONERS - None

VII. ITEMS FROM STAFF - None

VIII. NEW BUSINESS - None

IX. OLD BUSINESS

A. Proposed Work Plan for the Business License Commission

At the September Commission meeting, direction was given by the Chair, to each commissioner, to discuss the proposed workplan with each of the commissioners appointing councilmembers. Following is a brief summary of each councilmember's reaction to the workplan.

Prang – has always and will continue to endorse the continuation of the BLC.

Heilman – with some reluctance Councilmember Heilman would support the continuation of this Commission.

Koretz. – Agrees that this Commission should remain as a functioning body.

Martin – has some concerns with the continuation of this Commission but would probably support the views of his fellow councilmembers.

Guarriello – opinion unknown

A staff report was given by Wade Davenport in which a proposal of the future role of the Business License Commission was outlined.

As a part of its report, Staff introduced three (3) suggestions that could be implemented as future roles of this Commission. The Commission discussed each of these suggestions in detail.

Suggestion #1. Amend the Business License Ordinance to include the automatic review of regulatory business licensees by the BLC on the third administrative citation or from notification by law enforcement of criminal activity.

Commission Discussion

Forbes

- Expressed concern that if an employee violated the law this should not be reason for a business to be brought before the commission.
- One violation may not be enough but three (3) violations may be too many. The intensity of the violation should also be taken into account.
- Recommended that a business could be brought before the Commission after receiving three (3) violations within a 12-month period, on two (2) separate occasions.

Stalford

- Commented that a single violation of the ordinance would not be reason to bring a business before the Commission but that this provision should be reserved for egregious and repetitive violations.
- Suggested that a pattern of violations would be reason to set off the triggering system that would bring a business before the Commission.

R. Scott

- Concurs with Commissioner Forbes that two (2) violations would be a fair number in which the triggering system would be activated.
- Feels that staff should rely on the opinion of the Sheriff's department to determine if a business should be reviewed under the guidelines that are being proposed.

Sonnenburg

- Suggested that the City be notified by the Sheriffs department once a predetermined number of service calls are make to a particular business.

The Commission asked Staff if the Sheriff notifies the City when *criminal activity* occurs at a particular establishment?

Staff responded that when looking at potential problem businesses within the community, the number of calls (or arrests), made by the Sheriff to the site itself is evaluated. Code Compliance also asks the Sheriffs department to send reports of the number of arrests within a certain area. This information is then evaluated by staff to determine if the activity or clientele of a business is creating an attractive nuisance to the community.

Staff suggested that possible wording for this alternative might be: Any three (3) administrative citations issued within a six (6) month time period, or notification from a law enforcement agency of a pattern of criminal activity would be sufficient to warrant that the business be brought before the Business License Commission for review of it's regulatory business license.

After considerable Commission discussion, the following provisions were established that would trigger a business to be brought before the Commission for review of its regulatory business license:

- Upon receipt of the third Administrative citation regardless if the citations are for different violations or not.
- If two or more citations are issued during a single inspection.
- Provisions #1 & #2 would be triggered only if two inspections, on different dates have occurred.
- Upon notification by any law enforcement agency that a pattern of alleged criminal activity of any kind is taking place at or attributable to a business licensee.

Suggestion #2. Establish a procedure whereby any residential violator who receives a third administrative citation for the same violation within any twelve-month period may request a hearing before the BLC.

Commission Discussion

Stalford

- Supports item #2 of establishing a means by which residential violators would be able to come before the Business License Commission.
- Believes that this item should be geared to address citizens' complaints and concerns.

R. Scott

- Supports this component of Staff's proposal but would be uncomfortable presenting it to Council at this time.

Forbes

- Supports the residential component of this proposal and feels that it should be presented to Council and let them (Council) determine whether or not they are in favor of it.

Suggestion #3. Amend the Municipal Code to change the BLC's name to the Code Compliance Commission to more accurately reflect the Commission's role in the City of community.

Commission Discussion

Forbes

- Opposes the change of the Business License Commission's name.
- Would like to see future festivals and events come under the purview of the BLC and does not believe that the Code Compliance Commission would retain some of the same jurisdictions as that of the BLC.

Stalford

- Feels that changing the Commission's name, at this point, would be confusing.
- Recommends that a possible name change might include the term citizen in the name.

R. Scott

- Feels that the name change would be problematic.
- Would be comfortable supporting item #1 but would prefer putting items 2 & 3 on hold at this time.
- Suggested that a possible name change should include both the Business License and Code Compliance Commission.

Sonnenburg

- Recommended presenting all three items to the City Council and allowing them to decide which of the components to adopt.
- Suggested that Staff draft a report listing the different options available and present this report to the City Council for their approval.

It was the consensus of the Commission that items 2 & 3 should be presented together to the City Council for their approval. If the Council adopts item #2 then it is the Commission's desire that the new name be the Business License and Code Compliance Commission.

A. ADJOURNMENT

Action: To adjourn to a regular meeting of the Business License Commission to be held on November 14, 2000 from 6:00 p.m. until completion at West Hollywood Park Auditorium, 647 North San Vicente Blvd., West Hollywood

Motion: R. Scott
Votes: All Ayes

Second: Stalford
Motion carried.

PASSED, APPROVED AND ADOPTED THIS DAY OF 11/14/00.

CHAIRPERSON: 

ATTEST:
BUSINESS LICENSE OFFICER:  11/16/00