

**Recommended Conditions of Operation
Bite Catering Couture DBA Bite Catering Couture
440 Elm Ave, Long Beach, CA 90802
Application for Entertainment With Dancing**

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

I. STANDARD 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) 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 "public peace." The 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.
- 4) This Entertainment Permit is an accessory to the primary business. The authorization to provide entertainment on-site is subject to the use remaining a bona fide eating place serving actual and substantial meals.
- 5) "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 operation, 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.

- 6) 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.**
- 7) The permittee shall not convert the hall rental, or any portion thereof, into a public dance/night club. All entertainment activities shall be restricted to private gatherings. The permittee shall not allow anyone to rent the hall for the purpose of holding a concert, dance, or disc jockey event, which is open to the public.
- 8) The permittee is required to monitor the outside patio area for any nuisance activity that could disturb the surrounding neighbors. This shall be done by utilizing security guards or employees.
- 9) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between closing hours. and 7:00 A.M.
- 10) Deliveries to and from the premises shall be limited to the hours of 8:00 A.M. to 10:00 P.M.
- 11) It shall be left to the permittee's discretion to determine the level of security necessary to prevent the violations of law and any other disturbances arising out of or in connection with its business operations. Should the permittee's operations give rise to a substantial increase in complaints/calls for service, the permittee shall increase security as directed by the Chief of Police.
- 12) The permittee shall ensure security guard(s) monitor and check the adjacent property and parking lots on an hourly basis after 8:00 p.m. each night entertainment is provided. Security shall maintain order and prevent the unlawful consumption of alcohol and prevent any activity that would interfere with the quiet enjoyment of any nearby residential property.
- 13) If any trash, noise or disturbance complaints in the parking lot and/or surrounding area of the business can be attributed to the operation of said business, the Long Beach Police Department can determine and impose requirements for security officer(s) to routinely monitor and handle these problems.
- 14) 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.
- 15) Current occupancy load 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. This information shall be provided to public safety personnel upon request.



- 16) 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.
- 17) Bite Catering Couture, 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 promoter contracts, including names, addresses, and phone numbers, on file at all times, and be available for inspection at any time.
- 18) The permittee shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premises over which they have control.
- 19) 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 rights-of-way 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 persons 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 username/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.
- 20) The permittee shall ensure that all employees attend an alcohol awareness class such as TIPS or LEAD, within the first ninety (90) days of employment. 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 kept on file at the business and shall be available for inspection at any time. All current and new alcohol servers and managers must be certified by an accredited RBS training provider and pass an ABC exam within 60 calendar days from date of employment. Responsible Beverage Service (RBS) Training Program is mandatory by The Department of Alcoholic Beverage Control. For more information, please visit <https://www.abc.ca.gov/education/rbs> .
- 21) 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, your conditional use permit, or your Alcoholic Beverage Control license, the more stringent regulation shall apply.
- 22) Alcoholic beverages shall not be consumed on any property adjacent to the premises.

II. **ADDITIONAL CONDITIONS OF OPERATION**



1. Entertainment activities, as indicated on Page 7 of your Entertainment Application shall be restricted to Sunday through Thursday 8:00 AM to 11:00 PM and Friday and Saturday 8:00 AM to 1:00 AM. Outdoor entertainment shall be restricted to everyday of the week Monday through Sunday 10:00 AM to 10:00 PM. No amplified music allowed in this area. Up to six (6) times a year, hours may be extended upon administrative approval by the Zoning Administrator.
 2. North Parking Lot: A temporary physical barrier shall be provided during outdoor activities to separate the area of permitted activities from the 50-foot buffer area. Outdoor activities shall be allowed between the hours of 10:00 AM and 10:00 PM.
 3. Construction activities shall be limited on weekdays and Holidays 7:00 AM to 7:00 PM, Saturday 9:00 AM to 6:00 PM, not allowed on Sunday.
 4. The permittee must provide all renters with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
 5. The permittee shall develop and maintain a plan to address neighborhood concerns, related to the operation of Bite Catering Couture dba Bite Catering Couture (i.e., newsletter, meetings, etc.)
 6. Interior lighting shall be sufficient to make easily discernible the appearance and conduct of all persons and patrons inside the business.
 7. Entertainment shall not be offered on any day that the establishment is closed.
- III. In the event that any of the recommended conditions attached to any permit or license is in conflict, the permittee shall adhere to the strictest of the applicable conditions. In addition, please be advised that your permit is subject to administrative review every two years from the date this permit is issued. If grounds exist for modification, revocation, or suspension of the permit, a hearing will be held.

