

RESOLUTION NO. 21-72

Resolution Of The City Council Of The City Of Emeryville Authorizing The Chief Of Police To Issue An Annual Cabaret License To Bank Club Café For Calendar Year 2021

WHEREAS, Emeryville Municipal Code 4-4.03 provides that a license is required to operate a cabaret in the City of Emeryville; and

WHEREAS, an applicant for an Annual Cabaret License is required to submit an application to the Police Department; and

WHEREAS, Bank Club Café has submitted an application for an Annual Cabaret License for calendar year 2021 to the Emeryville Police Department; and

WHEREAS, the Chief of Police has conducted an investigation of the Bank Club Café application and has prepared a report and recommendation as required by the Emeryville Municipal Code; and

WHEREAS, the Chief of Police has recommended the application be approved and an Annual Cabaret License issued subject to conditions of approval, shown here:

WHEREAS, the City Council held a public hearing on July 6, 2021, to consider the application, the report and recommendations by the Chief of Police, and the comments received from the public regarding the application; now, therefore, be it

RESOLVED, pursuant to Emeryville Municipal Code Section 4-4.07, the City Council of the City of Emeryville hereby approves an Annual Cabaret License for calendar 2021 to Bank Club Café, subject to the Conditions of Approval shown below, and authorizes the Chief of Police to issue said license subject to the following conditions of approval:

- The Annual Cabaret License would be valid through to December 31, 2021. Any Annual Cabaret License sought for subsequent years would require another application and an approval by the Emeryville City Council.
- The Annual Cabaret License permits music to be played inside Bank Club Café and not on the exterior patio.
- All exterior doors and windows will be closed for the designated date and times of each cabaret event.
- Upon receipt of noise complaints during any cabaret event at Bank Club Café, Bank Club Café will immediately discontinue all music.
- Hours of operation for this Annual Cabaret License would be restricted to Monday through Saturday, 11:00 a.m. to 02:00 a.m.
- Bank Club Café shall be required to designate a contact person from Bank Club Café for all complaints from the public and to interface with the Emeryville Police Department. This contact person shall be made known to the Emeryville Police Department and all complaining parties upon request. The contact person shall be immediately available for all concerns or complaints.

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- Any violations of these conditions or any listed in Emeryville Municipal Code 5-4.24 by Bank Club Café owners, managers, or employees may result in suspension or revocation of this Annual Cabaret License, pursuant to Emeryville Municipal Code Sections 5-4.08, 5-4.09.

ADOPTED, by the City Council of the City of Emeryville at a regular meeting held Tuesday, July 6, 2021, by the following vote:

AYES: 4 NOES: 0 ABSTAIN: 0 ABSENT: 0	Mayor Martinez, Vice Mayor Donahue, and Council Members Bauters and Medina <hr/> <hr/> <hr/> <hr/>
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 MAYOR

APPROVED AS TO FORM:

ATTEST:

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 CITY CLERK

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 INTERIM CITY ATTORNEY