

RESOLUTION NO. 21-98**Resolution Of The City Council Of The City Of Emeryville Authorizing The Chief Of Police To Issue An Annual Cabaret License To Public Market**

WHEREAS, Emeryville Municipal Code 5-4.03 provides that a license is required to operate a cabaret in the City of Emeryville; and

WHEREAS, an applicant for a cabaret license is required to submit an application to the Police Department; and

WHEREAS, Public Market 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 Public Market 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 a license issued subject to conditions of approval; and

WHEREAS, the City Council held a public hearing on September 13, 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 5-4.07, the City Council of the City of Emeryville hereby approves an annual cabaret license for calendar 2021 to Public Market, subject to the Conditions of Approval, attached hereto as Exhibit A, and authorizes the Chief of Police to issue said license.

ADOPTED, by the City Council of the City of Emeryville at a regular meeting held Monday, September 13, 2021, by the following vote:

AYES:	4	Mayor Martinez, Vice Mayor Donahue, and Council Members Bauters and Medina
NOES:	0	
ABSTAIN:	0	
ABSENT:	0	

ATTEST:

DocuSigned by:

Sheri Hartz

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CITY CLERK

DocuSigned by:

Dianne Martinez

BBAF287D25AB463...

MAYOR

APPROVED AS TO FORM:

DocuSigned by:

Andrea Visveshwara

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INTERIM CITY ATTORNEY



City of Emeryville

CALIFORNIA

EXHIBIT A

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 if approved permits music to be played inside the common dining area located inside the Public Market.
- 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 the Public Market, the Public Market will immediately discontinue all music.
- Hours of operation for this Annual Cabaret License would be restricted to Monday through Sunday, 10:00AM 12:00AM.
- The AG-CCRP Public Market L.P. shall be required to designate a contact person 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.
- Any violations of these conditions or any listed in Emeryville Municipal Code 5-4.24 by AG-CCRP Public Market L.P. 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.