

(Gen'l, Dance Halls, Cabarets, etc.)
CITY COUNCIL REFERRAL ROUTE SLIP
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CITY OF SAN DIEGO, CALIFORNIA

DATE ROUTED

July 28, 1966 - Item 103

TO

Council Conference

SUBJECT

Mr. R. "Esq." Holmes requesting a special entertainment permit for a restaurant, specifically to provide music after 2 a.m.

COUNCIL COMMENT

Refer to Council Conference.

Conference Agenda # B9.

ADDRESSEE'S ACTION

Excerpt from C/ Conf. Minutes of 9/22/66 attached.

H.E.

MATERIAL ATTACHED — PLEASE RETURN

DOCUMENT NUMBER 701601

Councilman Cobb questioned if this type of permit would not be like a driver's license, a privilege and revokable.

Mr. Fitch answered that the problem is usually in the enforcement of requirements, and that he did not think you could have a privilege that would be in the nature of a permit.

The Mayor pointed out that there was the right of appeal for these people as in a card room license and others.

Mr. Hahn advised that the big problem is the economics involved, that these people are only interested in making money, and it would be a big expense to the City.

Councilman Hom observed that if the Council decides to allow this entertainment after 2 A. M., the City Attorney should be directed to prepare some type of legislation to minimize some of the problems that would occur.

Lt. Cochran expressed his opinion that this type of operation could not be successful and run legally.

Deputy Mayor Hitch asked Lt. Cochran if he would be totally opposed to a change in the existing laws, and he answered he would be.

Councilman Scheidle moved to instruct the City Attorney and City Manager to draft an ordinance to come to the Council Conference, to permit after hours operations with entertainment, but with no liquor served. The motion was seconded by Councilman Morrow and carried unanimously.

PROPOSED
CHANGE IN
CABARET
ORDINANCE

The Assistant City Manager read from the Manager's report, dated September 8, 1966, "Cabaret Ordinance: Proposed Entertainment Permit to Continue Operation".

Mr. Ronald Howard Holmes, Jr., president of the West Coast Jazz Society, made his presentation, for a special permit to operate a place of entertainment which would operate from 6 P.M. to 4 A.M. He disagreed with the report the City Manager read, saying the City of Los Angeles does have places such as he wants to run. He also expressed dissatisfaction with the lack of information available to him on some of the facts included in the report.

Councilman Cobb expressed the opinion that this should be handled by a special permit, and that she would like to see some available vehicle by which there could be the after hours jam sessions.

Deputy Mayor Hitch asked the Attorney if it was within the realm of the Council to grant such a permit for this type of establishment, to remain open after 2 A.M., and would it require a new ordinance.

Mr. Fitch answered that the present ordinance would have to be amended or another one drafted for such a permit to be allowed.

The Mayor expressed the opinion that the Council give a lot of thought to going against the police department's recommendations - that the City should not be opened up to crime.

Councilman Walsh suggested that as long as those serving a legitimate need were allowed the special hours perhaps there would be nothing wrong with allowing special privileges for jam sessions, etc. He felt that something could be worked out so that the permits could be revoked if the establishment abused its privilege; that if there is something wrong, the wrong should be stopped and have laws against the wrong, rather than having laws against something legitimate.