

**RESOLUTION NO. 2005-112**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAR 01 2005

**A RESOLUTION CAUSING THE APPEAL OF THE DENIAL OF THE RENEWAL OF  
THE ENTERTAINMENT PERMIT FOR OLD SACRAMENTO LIGHTHOUSE  
LOCATED AT 910 2<sup>ND</sup> STREET TO BE HEARD BY AN ADMINISTRATIVE LAW  
JUDGE**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

WHEREAS, Sacramento City Code section 5.108.260 provides that any person aggrieved by a decision of the City Manager denying, modifying or revoking an entertainment permit may appeal the decision to the City Council; and

WHEREAS, Sacramento City Code Sections 1.24.050 and 1.24.060 provide that in lieu of hearing an appeal itself, the City Council may cause the appeal to be heard by a hearing examiner designated by the City Council whenever it determines from an examination of the notice of appeal that a hearing on the subject of the appeal may involve a lengthy fact finding process which could be more appropriately accommodated by a formal hearing before a hearing examiner; and

WHEREAS, appeals from denials, modifications or revocations of an entertainment permit are not included in the categories of appeal set forth in current City Council Resolutions; and

WHEREAS, an examination of the notice of appeal filed by Phillip Cunningham and Randi Cunningham for the denial of a the renewal of an entertainment permit for Old Sacramento Lighthouse located at 910 2<sup>nd</sup> Street reveals that the subject of the appeal may involve a lengthy fact finding process more appropriately accommodated by an administrative law judge.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

The City Clerk shall refer the appeal filed by Phillip Cunningham and Randi Cunningham for the denial of the renewal of an entertainment permit for the Old Sacramento Lighthouse located at 910 2<sup>nd</sup> Street to an administrative law judge for hearing.

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FOR CITY CLERK USE ONLY

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**HEATHER FARGO**

\_\_\_\_\_  
MAYOR

ATTEST:

**SHIRLEY CONCOLINO**

\_\_\_\_\_  
CITY CLERK

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