

AN ORDINANCE AMENDING SECTIONS 13.72 AND 13.73 OF THE SACRAMENTO CITY CODE RELATING TO SUSPENSION AND REVOCATION OF DANCE PERMITS AND DECLARING SUCH ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

Section 1

Sections 13.72 and 13.73 of the Sacramento City Code are hereby amended to read as follows:

Sec. 13.72. Suspension and Revocation -- Notice.

Any permit issued under the terms of this article may be suspended or revoked when it shall appear to the City Manager, or his representative designated to hear the matter, that the activity authorized by such permit is conducted, maintained or carried out in a manner contrary to, or in violation of, any law of the State, any provision of this Chapter or any condition imposed by the City Manager or the Council in the granting of the permit.

In addition, the permit may be suspended or revoked when it shall appear to the City Manager, or his representative designated to hear the matter, that the activity is conducted, maintained or carried on in such a manner as to constitute a nuisance, or to disturb the peace of persons in the vicinity of the activity, or to be injurious to the public peace, morals, health, safety or welfare.

The City Council may direct the City Manager to institute suspension or revocation proceedings. No permit shall be revoked or suspended by virtue of this section until a hearing shall have been held by the City Manager or his designated representative. Written notice of the time and place

of such hearing shall be given at least five days prior to the date set for such hearing to the person to whom the permit was granted and to any other person requesting prior notice in writing at least ten days prior to the hearing. Such notice shall contain a brief statement of the grounds to be relied upon for revoking or suspending such permit. Notice may be given either by personal delivery thereof to the persons to be notified, or by depositing the same in the U.S. mail in a sealed envelope, postage prepaid, addressed to such persons to be notified at the address appearing in the application for a permit in the request for notice.

Sec. 13.73. Same -- Appeals.

Any person aggrieved by the decision of the City Manager or his representative designated to conduct the hearing, in suspending or revoking a permit, or in refusing to suspend or revoke a permit, may appeal such decision to the Council. The appeal shall be made by filing a written notice thereof with the City Clerk within ten days after notice of the decision of the City Manager, or his designated representative, is mailed to the permittee and the persons requesting notice of the hearing pursuant to Section 13.72. The Council shall hold a hearing on the appeal and its decision thereon shall be final and conclusive.

Section 2

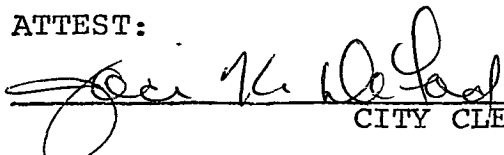
This ordinance is hereby declared to be an emergency measure, to take effect immediately. The purpose of the emergency is to make certain procedural changes in the City Code, relating to the suspension or revocation of various types of dance permits, and to allow the City Manager to institute suspension or revocation permit actions immediately under this new procedure if the City Manager so desires.

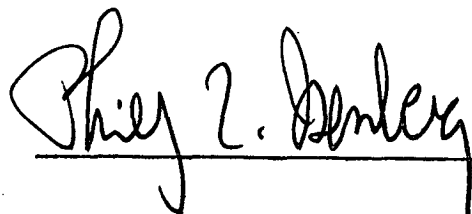
Section 3

This ordinance shall be published once in the official newspaper of the City of Sacramento within ten days after enactment.

PASSED: October 9, 1975
EFFECTIVE: October 9, 1975

ATTEST:


CITY CLERK


MAYOR

OCT 9, 1975
ORDINANCE No. 3585