



# CITY OF SACRAMENTO

## OFFICE OF THE CITY CLERK

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CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814  
TELEPHONE (916) 449-5428

LORRAINE MAGANA  
CITY CLERK

November 16, 1982

Mayor and City Council  
City Hall  
Sacramento, CA 95814

Members in Session:

SUBJECT: Appeal of Arthur H. Ballard III from the decision of the Police Department for an Amusement Arcade Permit at 3812 35th Street

### SUMMARY

Attached is the appeal of Arthur H. Ballard III from the decision of the Chief of Police for an amusement arcade permit at 3812 35th Street, as required by Section 5.74 of the Sacramento City Code.

### BACKGROUND

Under Sections 2.323 and 2.324 of the City Code, the Council may appoint a hearing examiner to hear the appeal if it finds that "the appeal may involve a lengthy factfinding process which would be more appropriately accommodated by a formal hearing before a hearing examiner."

### FINANCIAL DATA

The estimated cost would be \$100.00 and would be available from the Police Department budget.

### RECOMMENDATIONS

1. If the Council should decide to appoint a hearing examiner, it is recommended that the following motion be adopted: "The Council hereby determines pursuant to Section 2.324, City

APPROVED  
BY THE CITY COUNCIL

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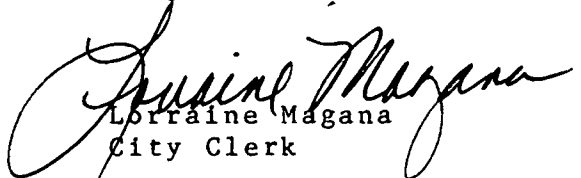
*Rec. 1  
adopted*

City Council  
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Code, that this appeal will involve a lengthy factfinding process which will be more appropriately accommodated by a formal hearing before a hearing examiner." Therefore, the Council appoints Barry Martin as Hearing Examiner to hear the appeal on Arthur H. Ballard III at the hour of 9:00 a.m. at McGeorge School of Law, 3287 Fifth Avenue, Sacramento, California.

- 2. If the Council should decide to consider the appeal itself, it is recommended that the hearing be set for December 7, 1982.

Respectfully submitted,

  
Lorraine Magana  
City Clerk

LM/jb  
Attachment

cc: Barry Martin, Hearing Examiner  
Arthur H. Ballard, 2418 K Street, Suite 201, 95816  
Police Department, Lt. Viegas

RECOMMENDATION APPROVED:

  
Walter J. Slupe  
City Manager

November 23, 1982  
District 5

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CITY CLERKS OFFICE  
CITY OF SACRAMENTO  
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NOTICE OF APPEAL

DATE: November 8, 1982

Pursuant to Section 2.320, City Code, I wish to appeal the decision by  
Chief Kearns made on October 22, 1982  
regarding my application for an Amusement Arcade at 3812 35th Street,  
Sacramento, CA.

as required by Section 5.74, City Code.

My reason for appealing is as follows: \_\_\_\_\_

- 1. The Arcade will not contribute to the crime problem that the  
police mention.
- 2. The Arcade will not be open during school hours.
- 3. The area residents are entitled to the same amusement amenities  
as more affluent areas.
- 4. Applicant is proposing a strong management program for the  
proposed business.

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PLEASE PRINT:

NAME: Arthur H. Ballard III  
ADDRESS: 2418 K St., Suite 201  
CITY: Sacramento STATE: CA ZIP CODE: 95816  
TELEPHONE NUMBER: 442-3143

Arthur H. Ballard III  
SIGNATURE

November 30, 1982

Arthur H. Ballard  
2418 K Street, Suite 201  
Sacramento, CA 95816

Dear Mr. Ballard:

On November 23, 1982, the City Council determined that pursuant to Section 2.324 of the Sacramento City Code, your appeal regarding the decision of the Police Chief for an Amusement Arcade Permit at 3812 35th Street will involve a lengthy factfinding process which will be more appropriately accommodated by a formal hearing before a hearing examiner.

Therefore, the Council appointed Barry Martin as Hearing Examiner to hear your appeal on December 7, 1982 at the hour of 9:00 a.m. at 3287 Fifth Avenue, Sacramento, California.

Sincerely,

Lorraine Magana  
City Clerk

LM/emm/34  
cc: Barry Martin, Hearing Examiner  
Police Department, Lt. Viegas