INCIDENTAL ENTERTAINMENT PERMIT NO. 42-38
CITY OF SANTA CRUZ, CALIFORNIA
2013

ISSUED IN ACCORDANCE WITH CHAPTER 5.44 OF THE SANTA CRUZ MUNICIPAL CODE. ANY VIOLATION IS A MISDEMEANOR AND PUNISHABLE PER CHAPTER 1.08 OF THIS CODE.

BUSINESS NAME, PERMIT HOLDER AND LIQUOR LICENSE INFORMATION

BUSINESS NAME: **Olitas Cantina and Grille**

BUSINESS ADDRESS: **49B Municipal Wharf, Santa Cruz, CA**

PERMIT HOLDER/BUSINESS OWNER: **Steve** (First) (MI) **Elb** (Last)

LIQUOR LICENSE: ___NO ___X___ YES

___X___ Beer and Wine **47-155730** License No. and Type

___ Hard Liquor _____ License No. and Type

PERMITTED ENTERTAINMENT: NO DANCING ON THE PREMISES

TYPE ___Dancing ___Acoustical Music ___X___Amplified Music **Only Small**
___Theater Play ___Singing ___Other (Specify) **Personal Amplifiers**

DAYS & HOURS: Monday___ Tuesday___ Wednesday **7pm-9pm** Thursday___
Friday___ Saturday___ Sunday **1pm-4pm**

ADDITIONAL CONDITIONS DURING ENTERTAINMENT HOURS

OCCUPANCY (MAXIMUM): **175** Persons

SECURITY PERSONNEL (MINIMUM): **--** Licensed, Uniformed Security Officers

2 In-House Security (Not including managers) Crowd Management staff during entertainment operations

1 Other (Describe) On-site manager at all times of operation

PERMIT CONDITIONS:

For a detailed description of the entertainment operation approved and the permit conditions, refer to attachment A, Conditions **1 through 30**.

See # 22, 23 Specifically for audible sound conditions/responsibilities.

*Note: This permit is not transferable. Any change in the entertainment operations as described and permitted in this permit and attached conditions requires submittal of a new application by the permit holder to the Chief of Police prior to any such change. A new permit will be issued upon approval. This permit and attached conditions are to be posted in a conspicuous place on the premises, and presented to any City of Santa Cruz official upon request.

AUTHORITY

PERMIT ISSUED BY Lt. Wm Boal

TITLE **POLICE LIEUTENANT** DATE **04-29-2013**

PERMIT EXPIRATION DATE: **01-01-2014**

OLITAS CANTINA AND GRILLE
49B Municipal Wharf, Santa Cruz, CA

POLICE DEPARTMENT
ENTERTAINMENT PERMIT
CONDITIONS

Entertainment Operation

1. This Entertainment Permit is non-transferable between business owners and/or sites. A new Entertainment Permit must be applied for if there are any changes in the business owner, entertainment operation or the site.

2. The entertainment operation at **Olitas Cantina and Grille/45 Municipal Wharf,** is as follows:

   A. Business Owner: **Steve Elb.**
   B. Type of Entertainment: **Amplified Music (only small personal amplifiers).**
   C. Bar/Alcohol Service: **Monday through Sunday, 12:00 p.m. to 10:00 p.m.**
   D. Restaurant/Food Service: **Monday through Sunday 12:00 p.m. to 9:30 p.m.**
   E. Entertainment Hours: **Wednesday, 7:00 p.m.-9:00 p.m. and Sunday, 1:00 p.m. to 4:00 p.m.**
   F. Maximum Occupancy during entertainment operation: (determined by Fire Department after inspection) **175**.

3. Amplified music and voices shall be allowed to occur from the hours of **Wednesday, 7:00 p.m.-9:00 p.m, and Sunday, 1:00 p.m. to 4:00 p.m.**

Occupancy Level

4. Maximum occupancy of the entertainment operation, as determined by the City Fire Department, and shall be posted in accordance with section 1002.3 of the Uniform Building Code.

5. During all business hours, the occupancy level shall not exceed the maximum determined by the Fire Department. At all times, management and staff shall keep a record of the current occupancy level. This occupancy level will be given to any Peace Officer, Fire Inspector, or City Code Enforcement Officer upon demand.

Security

6. During all hours of live, amplified music and entertainment, there is required a minimum of two (2) in-house, security staff (doormen/bouncers). Additional security staff will be based on the following occupancy level:

1-100 people =	Two (2) in-house, security staff;
101-200 people =	Two (2) in-house, security staff; and, One (1) State licensed, uniformed security officer;
201-400 people =	Two (2) in house security staff; and, Two (2) State licensed, uniformed security officers;
401-723 people =	Three (3) in-hou7se security staff; and, Three (3) State licensed, uniformed secuirty officers.

The business owner(s) are responsible for having the required number and type of security personnel at the site during all hours of live, amplified music and entertainment.

7. The business owner(s) shall submit a copy of its contract with a licensed security company and its written standing orders for its security personnel on a yearly basis as part of the entertainment permit.

8. The State licensed and uniformed security officers (herein referred to as Officers) shall at all times carry the necessary state permits authorizing them to carry their safety equipment (i.e., mace, baton, etc).

9. The City of Santa Cruz Police Department maintains the authority to require the business owner(s) to contract with a different security company if the current security Officers are found to be ineffective. In addition, the Police Department may require the business owner(s) to increase the number of security personnel, including Officers, at the premises and/or pay the cost of City Police services because of safety needs and/or public nuisance occurrences.

10. All security staff (other than the uniformed Officers), while on duty, will wear identifiable name tags and/or clothing displaying the business name, their name and their status as security.

Identifiable clothing may include, though is not limited to: shirts, jackets and vests. Business owner(s) shall provide a sample of the name tags and/or clothing for Department review.

11. All bouncers/doormen and other security staff, while on duty and/or in uniform, will not drink alcoholic beverages.

12. Business owner(s) and security staff are responsible for inspecting, on a regular basis during entertainment hours, the exterior of the premises, including the adjacent public parking areas to minimize and eliminate any undesirable activity, including though not limited to: loud and/or intoxicated patrons, criminal activity and/or loitering.

13. At closing time, and for the thirty (30) minutes thereafter, the Officers and other security staff are responsible for dispersing the customers from the sidewalk, street area and alley areas adjacent to the premises.

14. Owner(s) and staff are responsible for managing crowds and/or lines of people waiting to enter business or purchase tickets. They shall insure sidewalks are accessible and passable at all times.

Security Lighting

15. The perimeter, exits and entrances of the premises, and any adjacent walkways shall be equipped and maintained with lighting to illuminate and make easily discernible the appearance and conduct of all persons on or about these areas. All lighting shall be directed, positioned and shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.

16. In order to make the site more easily identifiable for Fire and Police emergency response, install and maintain a lamp to illuminate the address of the site. All lighting shall be directed, positioned and shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.

Alcohol Beverage Control

17. Violations of ABC rules will result in Entertainment Permit revocation.

18. The owner(s) shall provide the police department with evidence of the adoption and implementation of responsible beverage service (RBS) policies and practices, including but not limited to employee participation in a RBS training program acceptable to the Santa Cruz County Alcohol and Drug Program. The owner shall contact Bill Manov, County Alcohol and Drug Program Administrator at: 454-4050 for a referral to an acceptable program. All current employees including the owner, ABC Licensee, managers, servers, and security staff shall attend RBS training within 30 days after the permit is issued. Copies of their training certification shall be provided to the police department. New employees shall attend RBS training within 30 days of

their hire date. Copies of their training certification shall be provided to the police department.

Food Service

19. The owner(s) agree to keep its restaurant open until 10:00 p.m. on days of operation and to make "convenience" food available during all hours business is open.

20. The owner(s) shall provide a copy of a written agreement with applicable food/restaurant lessee agreeing to all food service conditions placed by the City and the Department of Alcohol Beverage Control if the owner(s) is not directly providing the restaurant service.

21. As directed by the City Council, the owner(s) shall comply with section 24.22.338.1 of the Municipal Code, describing an eating and drinking establishment type of bonafide restaurant.

Sound Level

22. Any live entertainment or other amplified sound must not be audible outside the structure of the establishment. Complaints about entertainment sound level, received by the City, will be documented and may result in additional conditions placed on this Entertainment Permit or revocation of the permit.

23. Business owner(s), management and staff will be responsible for inspecting the exterior of the premises, on a regular basis during entertainment hours, to keep control of open doors and windows that may be contributing to sound leaving the premises.

Miscellaneous

24. No smoking on the premises.

25. This Entertainment Permit expires on January 1, 2014. An application for permit renewal and an applicable non-refundable fee, must be submitted by December 1, 2013, if the business owner(s) intend to continue the entertainment operations after January 1, 2014.

26. During all business hours the establishment is open to the public, all permits, including conditions of operation, and licenses (e.g., ABC alcohol license) shall be posted and available for viewing by any City Official when requested.

27. The business owner(s), management and staff shall be responsible for maintaining free of litter the premises and areas adjacent to the premises that are affected by the entertainment operation.

28. At all times during the operation of the facility, the exit doors will be clearly marked and will not be blocked, either temporarily or otherwise.

29. Failure to operate and maintain the facility within the parameters set forth in these Entertainment Permit conditions may result in additional conditions being placed on the permit and/or permit revocation.

30. The owner(s) shall comply with all local, state, and federal laws, regulations, and rules applicable to the running of their business. Failure to do so may result in additional conditions being placed on the permit and/or permit revocation.

h: Olitas Cantina and Grille

April 29, 2013