



## **SECTION 5.12.110: Appeals**

(A) The Police Chief, or his designee, shall issue a written determination citing the reasons for the denial with respect to applications for a certificate of exemption, massage establishment and massage technician licenses. The decision shall be served upon the applicant when the review has been completed. The applicant shall have fifteen (15) calendar days to appeal the decision by filing a notice of appeal with the City Clerk.

(B) The City Manager, or his designee, shall conduct an appeal hearing on the appeal within twenty (20) business days of the filing of the appeal. A written decision on the appeal shall be prepared citing the reasons supporting the decision on appeal. The decision shall be final and binding. The appellant may thereafter seek judicial review of any adverse decision pursuant to Code of Civil Procedure Section 1094.5.  
(Ordinance 2808 § 1, 2012; Ordinance 2667 § 1 (part), 2005).

## **SECTION 5.60.100: Hearing Upon Suspension, Revocation or Denial of Permit**

(A) No permit issued under the provisions of this Chapter shall be revoked or suspended until a hearing thereon shall have been had by the City Council as provided in Subsection (C) of this Section.

(B) Denial of an application for any permit required under the provisions of this Chapter is effective immediately, subject to a hearing on appeal had before the City Council as provided in Subsection (C) of this Section. An appeal from a denial shall be filed with the City not later than five (5) days from the date of receipt by applicant of the written denial.

(C) Notice of hearing shall be given in writing to the permit holder or applicant not less than five (5) days prior to the date of such hearing. Such notice shall be served upon the applicant, or upon the holder of the permit, the manager, or agent thereof as provided in this Chapter. The notice shall state the grounds of the denial or complaint against the holder of the permit, and the time, date, and place where the hearing will be held. The notice shall be served on the applicant or holder of the permit by delivering the notice to the applicant or holder of the permit, the manager or agent thereof, or by leaving the notice with some adult person at the place of business or residence of the applicant or permit holder. If the applicant or permit holder cannot be found and service of the notice cannot be made thereupon in the manner provided in this Section, then a copy of the notice shall be addressed to such person at such place of business or residence and deposited in the United States mail with the postage thereon fully prepaid, at least ten (10) days prior to the date of hearing. The time of notice may be shortened by the City Council within the written consent of the applicant or permit holder.  
(Ordinance 2808 § 1, 2012; Ordinance 1812 § 1 (part), 1983).