ORDINANCE NO. _____

An ordinance amending Title 22 – Planning and Zoning – of the Los Angeles County Code to establish a streamlined alcoholic beverage sales process with staff level-approvals for on-site alcoholic beverage consumption at restaurants and other eating establishments in certain areas, and related regulations, including performance standards and revocation procedures.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.140.030 is hereby amended to read as follows:

22.140.030 - Alcoholic Beverage Sales.

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H. Streamlined Alcoholic Beverage Sales at Restaurants and Other Eating Establishments Within Specified Areas.

1. The following shall apply to the sale of alcoholic beverages for on-site consumption at restaurants and other eating establishments pursuant to a Type 41 (On-Sale Beer and Wine – Eating Place) or a Type 47 (On-Sale General – Eating Place) California Department of Alcoholic Beverage Control license in the following areas:

a. Within the boundaries of the Altadena Community Standards District, as shown on Figure 22.320.090-A: Altadena CSD Boundary and Sub-Areas.

b. (Reserved).

2. Approval.

a. The Director may approve alcoholic beverage sales for on-site consumption pursuant to this subsection H through a Ministerial Site Plan Review (Chapter 22.186) application, subject to the regulations specified herein.

b. The restaurant or eating establishment shall not be located on a residentially-zoned parcel.

c. When approving the application, the Director shall require two inspections to ensure compliance with the performance standards. The applicant shall deposit the current recovery cost for the inspections, as established by the Department at the time of approval, in a performance fund that will be used exclusively to reimburse the Department for conducting the inspections. Inspections may be unannounced.

d. If the establishment ceases alcoholic beverage sales for at least three consecutive months, a new approval shall be required.

3. Performance Standards. Alcoholic beverage sales for on-site consumption at the establishment shall comply with the following performance standards:

a. Monitoring. The managers and all other employees of the establishment shall be knowledgeable of these performance standards and shall monitor customer activity on the premises to enforce the standards and prevent behavior that results in adverse effects to the health, welfare, peace, or safety of persons.

b. Authorized Hours for Alcoholic Beverage Sales. Alcoholic beverages may only be sold during the establishment's operating hours, up to 30 minutes prior to the establishment's closing hours and in compliance with the applicable hours of sale established by Chapter 16 of Division 9 of the California Business and Professions Code.

c. Areas for Alcoholic Beverage Consumption. There shall be no sale or consumption of alcoholic beverages outside of the designated areas of the establishment, as depicted on the approved site and floor plans.

i. Outdoor Eating Areas. The establishment may designate outdoor eating areas as places where alcoholic beverages are sold or consumed provided the outdoor dining is approved in accordance with Section 22.140.410 (Outdoor Dining) or Title 16 for dining on the public right-of-way.

d. Age Restrictions. The establishment shall be open to all ages during all hours of operation. Alcoholic beverages shall only be sold or served to patrons age 21 or older. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be adhered to.

e. Food Service Availability. Food service shall be continuously provided during the establishment's operating hours, and the establishment shall employ at least one employee that is engaged in the preparation of food for patrons during operating hours.

f. Special Promotions. Promoter-produced parties or events shall be prohibited, including private events that involve third parties that profit from organizing and/or drawing attendees to the events. No cover charges, entry fees, or minimum drink orders shall be charged/required of patrons.

g. Bottle Service. The sale or service of distilled spirits by the bottle is prohibited. The sale and service of wine and beer by the bottle shall be available to patrons only when food is ordered and consumed within the designated areas of the establishment.

h. Live Entertainment. The establishment shall not have live entertainment, dancing, or a dance floor inside or outside the premises. A Conditional Use Permit (Chapter 22.158) application is required for the establishment if intending to provide alcoholic beverage sales and live entertainment.

i. State of California Training Program. All employees who directly serve or are in the practice of selling alcoholic beverages, including managers and security personnel, shall participate in the Responsible Beverage Service Training Program provided by the California Department of Alcoholic Beverage Control, or an equivalent State-mandated training program. The establishment shall display a certificate or plaque in a publicly accessible area, such as the lobby, indicating compliance with the program. Proof of employees' completion of the program shall be immediately produced upon request of County staff or California Department of Alcoholic Beverage Control agent.

j. Minimum Age to Serve and Prepare Alcoholic Beverages. Employees age 18 or older may serve alcoholic beverages in an area primarily designed and used for the sale and service of food for consumption on the premises as an incidental part of their overall duties. Employees with specific duties to prepare alcoholic beverages shall be age 21 or older.

k. Intoxicated Persons. All managers and other employees shall not allow the sale of alcoholic beverages to any intoxicated person, any person appearing to be intoxicated, or any person exhibiting behaviors associated with being intoxicated.

l. Designated Driver Program. The establishment shall develop and implement a Designated Driver program (e.g., free soft drinks or coffee to a designated driver of a group). Signage explaining this program shall be placed in publicly accessible areas of the establishment or an explanation regarding this program shall be printed on the menu.

m. Law Enforcement and Rideshare Contact Information. The establishment shall post the telephone number of the local law enforcement station and a sign promoting ridesharing options at or near the cashier or within a similar public area. Such information shall be visible by, and available to, the public.

n. Loitering. Loitering shall be prohibited on the premises, including loitering by employees of the establishment. Signage in compliance with Chapter 22.114 (Signs) shall be placed on the premises indicating said prohibition. If the Director, in consultation with County Sheriff's Department, determines that loitering occurs on a continuous basis, a security guard shall be required during business hours at the discretion of the Director.

o. Address Number Sign. An address number sign, in compliance with Chapter 22.114 (Signs), shall be located at the front of the building in a location clearly visible from the premises and the nearest public street.

p. Exterior Advertising. The establishment shall not advertise the sale of alcoholic beverages on the exterior of any structure on the premises, including windows, walls, fences or similar structures, or within any portion of the interior of any structure that is visible from the outside.

q. Surveillance Cameras. The establishment shall install and maintain surveillance cameras with a video monitoring system that retains recordings for a minimum of 30 days. The cameras shall be located strategically throughout the premises to cover common areas of the establishment.

r. Security Doors and Windows. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.

s. Exterior Lighting. The establishment shall provide adequate exterior lighting above all entrances and exits and in all parking areas and walkways on the premises. All exterior lighting shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during operating hours and shall be designed to direct light and glare only onto the premises. All exterior lighting shall also be hooded and directed away from neighboring residences to prevent direct illumination and glare and shall be turned off within thirty minutes after the establishment closes, except for sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot.

t. Property Maintenance. The premises, including exterior facades, designated parking areas, fences, and adjacent sidewalks and other public rights-of-way, shall be maintained in a neat and orderly condition and be free of garbage, trash, debris, or junk and salvage, except in designated trash collection containers and enclosures. All garbage, trash, debris, or junk and salvage shall be collected, and disposed of, daily.

u. Graffiti. All portions of the premises open to public view shall remain free of graffiti. Graffiti shall be removed within 24 hours, weather permitting. Paint utilized in covering graffiti shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

4. Revocation Procedures. After a public hearing, as provided below, the Commission may revoke an approval due to noncompliance with the performance standards and require a Conditional Use Permit (Chapter 22.158) application for any subsequent sale of alcoholic beverages by the establishment.

a. A public hearing may be initiated by the Board of Supervisors, Commission, or Director and shall be held in compliance with Section 22.222.120 (Public Hearing Procedure).

b. In addition to the notice required by Section 22.222.120.B.2 (Notice of Public Hearing), the Director shall also serve notice to the establishment, if different than the property owner, and the property owner:

i. To appear at the public hearing at a time and place scheduled by the Director; and

ii. At the public hearing, to show cause why the approval should not be revoked.

c. After consultation with the County Sheriff's Department and the California Department of Alcoholic Beverage Control, the Director shall prepare a report regarding the establishment's compliance with the performance standards for consideration by the Commission at the public hearing.

d. At the public hearing, the Commission may consider the following:

i. The length of time that the establishment has been out of compliance with the performance standards;

ii. The impact of the violation(s) of the performance standards on the community;

iii. Whether the establishment has also violated any provision of any State or County regulation, ordinance, or statute, such as County Code Chapter 12.08 (Noise Control); and

iv. Any information regarding the establishment's efforts to remedy the violation(s) of the performance standards and any other violations.

e. At the close of the public hearing, the Commission may revoke the approval when the information in the Director's report, or presented at a public hearing, substantiates the following findings:

i. Due to noncompliance with the performance standards, the establishment results in adverse effects to the health, welfare, peace, or safety of persons visiting, residing, working, or conducting business in the surrounding area; and

ii. Due to noncompliance with the performance standards, the establishment jeopardizes or endangers the public health, welfare, or safety of persons visiting, residing, working, or conducting business in the surrounding area.

f. The Commission's action may be appealed to the Board of Supervisors or called up for review by the Board of Supervisors in accordance with Chapter 22.240 (Appeals).

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~~H~~I. Deemed-Approved Uses.

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~~I~~J. Performance Standards for Deemed-Approved Uses. Each deemed-approved alcohol sales use shall comply with the following performance standards:

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~~J~~K. Revocation of Deemed-Approved Status.

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