

**STAFF REPORT**  
**City of Lancaster**

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09/08/15
MVB

DATE: September 8, 2015

TO: Mayor Parris and City Council Members

FROM: Mark V. Bozigian, City Manager

SUBJECT: **Resolution Designating Hearing Officer to Hear Appeals of Business License Denials and Revocations.**

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**Recommendation:**

Adopt **Resolution No. 15-48**, designating an independent hearing officer to hear appeals of the denial or revocation of business licenses, including licenses for a general business, taxi business operator, taxi driver, towing business operator, towing unit driver, massage establishment operator and massage therapist.

**Background:**

Chapters 5.04, 5.28, 5.32 and 5.34 of the Lancaster Municipal Code set forth the provisions regulating the application, review, issuance, denial, renewal and revocation of business licenses (general business, and taxi, tow and massage businesses, respectively).

Staff has had ongoing discussions with the Criminal Justice Commission concerning proposed revisions and updates to the licensing provisions in the Municipal Code, including the chapters referenced above. A draft of the ordinance with those revisions will be presented to the Commission at the September 9 meeting. Staff anticipates receiving comments and feedback from the CJC at that meeting, and will incorporate those comments and re-present the ordinance to the Commission in October. Presuming that CJC votes to recommend approval of the Ordinance at that time, staff will present the ordinance to City Council for your consideration at the October 27 meeting.

As currently written, these various chapters provide that the hearing on an appeal of a denial or revocation of a business license goes before City Council. Staff must expend a substantial amount of time and resources to prepare for a hearing before Council. In the past fourteen years, there have only been two appeals of a business license denial or revocation. Given the infrequency of these appeals, it is in the public interest to expedite hearings on these matters, rather than waiting to get these appeals placed on the next available Council agenda. Further, holding these appeals before a hearing officer provides a person appealing the denial or revocation of a business license with an opportunity to be heard in a more timely, expeditious manner. Staff recommends that City Council adopt this resolution as an interim measure until the pending ordinance updating the business license provisions in the Municipal Code has been finalized and adopted.

**Attachment:**

Resolution No. 15-48