

CITY OF HAWAIIAN GARDENS

ORDINANCE NO. 358

An Ordinance of the City of Hawaiian Gardens amending the City of Hawaiian Gardens Municipal Code Title 9, by adding Chapter 9.67, regulating escort bureaus or escort services.

The City Council of the City of Hawaiian Gardens does ordain as follows:

Section 1. Title 9 is hereby amended by adding Chapter 9.67 to the Hawaiian Gardens Municipal Code to read as follows:

Subsection 9.67. Escort Bureaus and Escort Services.

9.67.010 Definitions.

1. "Escort" shall mean:
 - (a) Any person who, for hire or reward, accompanies others to or about social affairs, entertainment or places of amusement;
 - (b) Any person who, for hire or reward, consorts with others about any place of public resort or within any private quarters.
2. "Escort Bureau" shall mean any business or agency which, for a fee, commission, hire, reward or profit, furnishes or offers to furnish escorts.

9.67.020 Business License Required.

Prior to engaging in the operation of the business described in paragraph a., all such businesses shall have a valid business license issued by the City. Such businesses now lawfully licensed shall be required, as a condition of renewal of said license, to obtain a permit as hereinafter required.

9.67.030 Exception: Employment Agencies.

The license and permit procedure requirements of this Chapter does not apply to the lawful business of any employment office or employment agency licensed under State Law which does not conduct an escort bureau.

9.67.040 Permit; Application; Names of Escorts Required.

Each application for a permit to conduct an escort bureau shall state the names and addresses of all escorts employed by or intended to be employed by the applicant.

9.67.050 Permit: Issued to Individuals Only.

A permit to conduct an escort bureau shall not be issued to an escort bureau, shall not be issued to or in the name of any organization, group, corporation, partnership or any other entity other than individual.

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9.67.060 Business Under Fictitious Names.

The business may be carried on under a fictitious name in the manner provided by law if the Sheriff first approves of the use of such name, and if the name is recorded pursuant to the provisions of Section 2466 of the Civil Code.

9.67.070 Investigation of Applicant; Report and Hearing.

The Sheriff, after investigation, shall report to the City Council as to whether the applicant for a license to conduct an escort bureau is of good moral character and reputation, the business is to be conducted as a suitable place, is calculated or intended to be operated as a subterfuge for the conduct of an unlawful or immoral business and practice.

The results of said investigation shall be endorsed on said report and returned to the City Administrator who, upon payment of license and permit fees, shall set the matter for hearing before the City Council and shall notify the applicant of the date of such hearing at least ten (10) days prior to said hearing date.

9.67.080 Zoning.

Escort bureau establishments shall be located only in areas with a C-G zoning classification.

9.67.090 Permit; Fee.

The fee for a permit to operate an escort bureau shall be two hundred fifty (\$250.00) dollars, in addition to any license fee as may be required.

9.67.100 Nontransferable.

No permit issued under this chapter shall be transferable, except by the consent of the Council.

9.67.110 Hearing; Issuance; Conditions.

Except as provided in this chapter, the City Council, after investigation and hearing of the application and of the business proposed to be conducted, may grant or refuse to grant a permit. The Council shall have the right to refuse any such permit if it shall determine that the granting of the same or the conduct of the business will be contrary to the preservation of the public peace, health, safety, morals or welfare of the City or its inhabitants. If such permit is granted, the Council may impose such terms, conditions and restrictions upon the operation and conduct of such business, not in conflict with any law, as it may deem necessary or expedient to protect the public peace, safety, morals or welfare of the City or its inhabitants. If a permit is denied, the license fee paid shall be refunded; the permit fee shall not be refunded.

9.67.120 Escorts; Registration.

Every escort shall register with the Sheriff.

1. Qualifications for registration. An escort shall not be registered unless he first furnishes the Sheriff satisfactory evidence of the good moral character of such escort. The Sheriff may cancel the registration of any escort for cause. Thereafter an escort bureau shall not employ such escort.
2. Employment of unregistered escorts prohibited. An escort bureau shall not hire or employ any escort who is not registered with the sheriff.
3. Notification of personnel changes. Every escort bureau shall within twenty-four (24) hours notify the Sheriff of every change in personnel of escorts.
4. Employment of persons under twenty-one (21) years of age prohibited. A person conducting an escort bureau shall not employ as an escort any person under twenty-one (21) years of age.
5. Restrictions concerning customers under age twenty-one (21). A person conducting an escort bureau shall not furnish any escort to, or accept employment from, any patron, customer or person to be escorted who is under twenty-one (21) years of age, except at the special instance and request of the parent, guardian or other person in lawful custody of the person upon whose behalf of the escort service is engaged.

9.67.130. Records of Transactions; Requirements.

Every person managing an escort bureau shall keep a record of every transaction showing:

1. The name of each escort employed, furnished or arranged for;
2. The name, address and telephone number of the patron or customer;
3. Such other information as the Sheriff requires;
4. Said records shall be kept available by the licensee, open to the inspection of the Sheriff, any one of his deputies, and of any police officer. The licensee shall deliver it to the Sheriff upon his written request.

Section 2. This Ordinance shall take effect thirty (30) days from adoption and the City Clerk is instructed to certify to the adoption of this Ordinance and to cause the same to be posted or advertised in the manner required by Law.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS ON THIS 12TH DAY OF DECEMBER, 1989.

ATTEST:

Donald E. Schuff
MAYOR

Evelyn M. Thissell
DEPUTY CITY CLERK

I, Eve Thissell, Deputy City Clerk of the City of Hawaiian Gardens do hereby certify that Ordinance No. 358 was duly and regularly passed and adopted by the City Council of the City of Hawaiian Gardens on the 12th day of December, 1989, by the following roll call vote, as the same appears on file and of record in the office of the City Clerk.

AYES: Wagner, Navejas, Furgeson, Sher, Schultze
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Evelyn M. Thissell
DEPUTY CITY CLERK

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Long Beach Press-Telegram, a newspaper of general circulation, printed and published 7 times each week in the City of Long Beach, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of March 21, 1934.

Case Number 370512; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

Dec 20,

all in the year 19 89

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Long Beach, California, this _____

20th

day of

December

, 19 89

E. M. Brown

Signature

PRESS-TELEGRAM

Legal Advertising Department
604 Pine Avenue, Long Beach, CA 90844
(213) 499-1236

This space is for the County Clerk's Filing Stamp

Proof of Publication of

CITY OF HAWAIIAN GARDENS

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Section 2: This Ordinance shall take effect thirty (30) days from adoption and the City Clerk is instructed to certify to the adoption of this Ordinance and to cause the same to be posted or advertised in the manner required by law.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS ON THIS 12TH DAY OF DECEMBER, 1989.

DONALD S. SCHULTZE,
Mayor

ATTEST:

EVELYN M. THISSELL,
Deputy City Clerk

I, Evelyn Thissell, Deputy City Clerk of the City of Hawaiian Gardens do hereby certify that Ordinance No. 358 was duly and regularly passed and adopted by the City Council of the City of Hawaiian Gardens on the 12th day of December, 1989, by the following roll call vote, as the same appears on file and of record in the office of the City Clerk.

AYES: Wagner, Navejas, Furgeson, Sher, Schultze
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

EVELYN THISSELL,
Deputy City Clerk