



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL AND
JOINT MEETING OF THE CLOVERDALE COMMUNITY DEVELOPMENT SUCCESSOR AGENCY BOARD OF DIRECTORS**

TUESDAY, MARCH 8, 2016

PUBLIC BUSINESS SESSION: 6:30 p.m.

**PUBLIC BUSINESS SESSION LOCATION: CLOVERDALE PERFORMING ARTS CENTER, 209 N. CLOVERDALE BLVD.,
CLOVERDALE, CA 95425**

PUBLIC BUSINESS SESSION – 6:30 p.m.

OPENING:

- Call to Order: Mayor Brigham called the meeting to order at 6:31 p.m.
- Pledge of Allegiance
- Roll Call: Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, Mayor Brigham
- Conflict of Interest Declaration: None
- Agenda Review – Regular Session (Changes and/or Deletions): City Manager Cayler announced there would be a small correction on item number four, noting one of the tables had an error. Mayor Cox pointed out that the minutes of January 12th also require a small correction.

PUBLIC COMMENTS: None

PROCLAMATIONS / PRESENTATIONS: None

CONSENT CALENDAR:

1. **Minutes of Previous Meeting- January 12, 2016**
2. **Resolution on the Future of the Sonoma County Waste Management Agency, including One Year Extension of Joint Powers Authority Agreement**
3. **Action to Authorize the City Manager to Fill Budgeted Positions in the Cloverdale Police Department including a Sergeant and Police Officer**
4. **Action to Approve a Resolution of the City Council of the City of Cloverdale Approving a Memorandum of Understanding with the Cloverdale Classified Service Employees Association and Authorizing the City Manager to Execute the Memorandum of Understanding**

City Manager Cayler announced a correction to the salary table of the Classified MOU and distributed the revised table (attached), which corrected step five in the salary range for the Wastewater Plant Operator I. Councilmember Cox requested an edit to the meeting minutes of January 12, 2016, stating that he presented a proclamation to retiring bus driver, Bert Bernstein, rather than a plaque as stated in the minutes.

Action: Motion was made by Vice Mayor Wolter and seconded by Councilmember Cox to approve the consent calendar with the suggested corrections to item numbers one and four. The motion passed by roll call vote (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 0-noes).

COMMUNICATIONS:

5. Letter received from Federal Aviation Administration

City Manager Cayler summarized the letter received from the FAA, stating that the FAA is not in support of closing the Cloverdale airport. Councilmember Russell commented that the Council did not vote to close the airport, adding that at the December 9, 2015 meeting, the Council only accepted the concept of airport closure if an agreement could be negotiated with Laulima to the satisfaction of the Council. Councilmember Palla agreed, voicing disapproval that FAA issued a letter with a decision without receiving full information and prior to receiving a formal request.

6. Letter received from State Water Resources Control Board

City Manager Cayler discussed the letter received from the State Water Resources Control Board, which recommends the Six Acres Water Company and the City consolidate public works systems.

PUBLIC COMMENTS: None

PUBLIC HEARINGS:

7. Ordinance Repealing and Replacing Cloverdale Municipal Code Chapter 5.24 Relating to Massage Therapy and Massage Establishments

Chief Cramer presented this item, discussing past department history related to massage therapy and the existing ordinance, noting that the ordinance has not been updated since 1975. He commented that the newest version of ordinance was not in the agenda packet and distributed the latest, red-lined version to the Council and public (attached). He commented that the ordinance was submitted to and approved by the California Massage Therapy Council. Chief Cramer pointed out areas in the existing ordinance that require updating to come into compliance with current laws. He informed the Council of the outreach efforts to inform the public regarding the updated ordinance and impact it could have on current massage therapy businesses. He discussed the new requirements and the next steps in the process to adopt the updated ordinance. City Attorney Sanchez discussed the details of the red-lined copy and edits to the ordinance that was provided in the packet.

PUBLIC COMMENT PERIOD:

Mayor Brigham opened the public comment period.

Stephanie Reitzell, Tranquility Massage and Spa business owner, asked about permitting requirements.

Mayor Brigham closed the public hearing.

Action: Motion was made by Councilmember Palla and seconded by Vice Mayor Wolter to introduce and waive the first reading of Ordinance repealing and replacing Cloverdale Municipal Code Chapter 5.24 relating to massage therapy and massage establishments. The motion passed by roll call vote (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 0-noes).

NEW BUSINESS:

8. Appeal of the February 2, 2016 Planning Commission decision approving a modification to an existing Conditional Use Permit (CUP MOD 001-2016) to expand the hours of operation for the Cloverdale Senior Multipurpose Center to 10 pm on some Friday and Saturday evenings, to allow up to 12 special events per year and to allow up to 12 special educational courses per year in addition to the normal operations of the Center at 311 N. Main Street

Assistant City Manager Kelley opened the public hearing on this item. He discussed the original permit and the recently approved modifications. He shared that On February 16, 2016, the neighbors at 307 N. Main Street filed an appeal of the Planning Commission's approval of a Modified Conditional Use Permit. He informed the Council that two additional letters were received after the original appeal, supporting the appeal and dispersed these letters (attached). He also shared a letter received from Colleen Hale, Director of the Senior Center, responding to the appeal (which is also attached to these minutes). Mr. Kelley introduced Associate Planner, Rafael Miranda,

to present the details of the appeal. Mr. Miranda discussed the grounds for the appeal and Staff response to the appeal items. He concluded after reviewing the elements of the application, the project is consistent with the General Plan and Zoning Ordinance, including off-street parking requirements. He stated that Staff recommendation is to deny the appeal.

PUBLIC COMMENT PERIOD:

Mayor Brigham opened the public comment period.

Maria Alvarez, Cloverdale, stated that she represents four registered voters living on Triplett Drive who oppose the expanded special events at the Senior Center due to the limited parking. She commented that she is also opposed to parties that bring alcohol to her neighborhood, adding that she did not buy a home next to the Dante and she doesn't want the Dante next door to her eight times a year.

Colleen Hale, Director of the Senior Center, commented that there is a misconception about alcohol at the Senior Center. She stated that there have been limited events at the Senior Center where alcohol was served, noting that on those occasions there were less than 50 attendees with less than 6 bottles of wine served. She further stated that ABC permits, which were approved by the Police Chief, were obtained prior to the events. She went on to clarify the details of the Senior Centers application.

Bob Bialon, President of the Board of the Senior Center, shared that the Center and the Board have done all that they can to reduce the issues the neighbors have, including the limited parking by promoting carpooling. He reported that the Center has reduced some expectations and tried to work with neighbors.

Mike Handy, appeal applicant, thanked the Council for considering his appeal to grant the modifications to the Senior Center's conditional use permit. He stated that while it is difficult not to be sympathetic with the Senior Center, he believes it constitutes a breach of contract with the neighborhood to expand the use of the facility. He commented that he viewed the previous agreement as a binding promise. Mr. Handy stated that the Senior Center is out of character with the neighborhood since the Center is surrounded by single family homes and zoned residential.

Colleen Hale, came to podium again stating she forgot to submit a petition, which contains close to 100 signatures of community members who support the approved Conditional Use Permit Modifications for the Cloverdale Senior Multipurpose Center. Said petition is attached to these minutes.

Mary Ziegenhagen, Cloverdale, stated she is a senior who uses the Center and enjoys the activities. She commented that the fear of alcohol is unwarranted and she does not see the Center having wild, crazy parties. She acknowledged the parking problem but added members do carpool, noting one member who shuttles seniors in his van.

Shawn Bovee, Cloverdale, commented that he has attended a number of events at the Senior Center as well as events at the Dante and reported there is a very clear distinction between the two. He understand that the parking situation is an inconvenience for the neighborhood but noted that we are all plagued by inconvenience every day. He acknowledged Colleen Hale and the Center for trying to compromise but he doesn't believe they should, adding that they are not asking for that much.

Brooke Green, Cloverdale, stated that she is a former employee of the Senior Center who lives on Triplett Drive. She thanked the Center Staff and Board for meeting with the neighbors and the steps taken to modify their initial request for increased hours. She voiced that the expansion of hours is not in keeping with the agreement made with the neighborhood when the Center was first brought to the neighborhood. She discussed parking issues on Triplett Drive and safety concerns when cars park on both sides of the street.

Vice Mayor Wolter thanked the Senior Center for the modifications to their original request and their willingness to work with the neighbors but added he still cannot support the request for extended hours. He commented that the agreement made with the neighbors sixteen years ago should be followed, adding that there is a mechanism in place for the Center to make a request to the City Manager for extra events already.

The remaining Councilmembers also expressed thanks to the Senior Center for their compromise, discussed the special events, and voiced approval of the modification to the existing Conditional Use Permit.

Mayor Brigham closed the public hearing.

Action: Motion was made by Councilmember Palla and seconded by Councilmember Cox to deny the appeal and uphold the Planning Commission approval of the modification to the existing Conditional Use Permit. The motion passed by roll call vote: (4-ayes – Councilmember Palla, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 1-noes - Vice Mayor Wolter).

Action: Motion was made by Councilmember Palla and seconded by Councilmember Russell to adopt Resolution No. 019-2016 of the City Council of the City of Cloverdale denying an appeal and upholding the February 2, 2016, decision of the Planning Commission to approve the modification to the existing Conditional Use Permit to expand the hours of operation for the Cloverdale Senior Multipurpose Center to 10 P.M. on some Friday and Saturday evenings, to allow up to 12 special events per year, and to allow up to 12 educational courses per year in addition to the normal operations of the Center. The motion passed by roll call vote: (4-ayes – Councilmember Palla, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 1-noes - Vice Mayor Wolter).

Councilmember Palla requested to put the parking on Triplett Drive on an upcoming Finance, Administration, Police Subcommittee agenda for review, noting that a fire lane marking may be appropriate.

9. Presentation and Discussion of Draft Ordinance Amending Cloverdale Municipal Code Chapter 8.08 Related to Smoking in Public Places

Chief Cramer mentioned citizen complaints received regarding smoking at outdoor special events and the current ordinance, noting that the ordinance is extremely outdated. He shared the low ratings that the City of Cloverdale received from American Lung Association and the comparison of Cloverdale's ratings to that of other Sonoma County Cities, which further illustrated the need to update Cloverdale Tobacco Control. The Chief discussed the proposed draft ordinance and asked for Council direction.

PUBLIC COMMENT:

Jeanne Cox, Cloverdale, asked how enforcement would be implemented at the outdoor events. Chief Cramer responded that he sees a two pronged approach, with the first being an educational advertising campaign, which includes public noticing. This would be followed by a low-impact type of enforcement, informing violators they cannot smoke in the area and giving them opportunity to comply adding that if compliance is not voluntary, a citation may be issued.

Discussion ensued regarding details and level of the smoking restrictions, enforcement, violations, and the ability to levy fines. The Council voiced approval of moving forward with the ordinance restricting smoking at outdoor public events with direction to look into the possibility of restricting smoking at outdoor dining at a later time.

SUBCOMMITTEE ACTION ITEMS: None

SUBCOMMITTEE REPORTS: (VERBAL REPORTS: 15 minutes)

- Airport (Chair, Councilmember Cox and Vice Mayor Wolter) - Next Meeting: April 5, 2016, 8:00 am
- Finance, Administration & Police (Chair, Mayor Brigham and Vice Mayor Wolter) - Next Meeting: April 27, 2016, 2:00 pm. Vice Mayor Wolter reported the subcommittee met and discussed increasing compensation for Councilmembers.

- Planning & Community Development (Chair, Vice Mayor Wolter and Mayor Brigham) - Next Meeting: April 19, 2016, 4:00 pm.
- Public Works (Chair, Councilmember Russell and Councilmember Cox) - Next Meeting: March 29, 2016, 10:30 am.
- Joint City/Fire District (Chair, Councilmember Palla and Mayor Brigham) - Next Meeting: June 13, 2016, 5:30 pm.
- Joint City/School District (Chair, Councilmember Palla and Councilmember Cox) – Next Meeting: March 21, 2016, 5:00 pm.

COUNCIL REPORTS (INCLUDING STUDENT LIAISON):

Councilmember Russell discussed the Sonoma – Marin Area Rail Transit (SMART) progress and informed those present of a SMART meeting scheduled to take place in Cloverdale on March 29, 2016. She also shared that she and David Kelley attended a meeting with the Executive Director and senior staff from the Regional Climate Protection Authority, where they discussed Climate Action 2020. She announced that they hope to bring this discussion to the full Council. Councilmember Russell also mentioned the progress Health Action Council has made in bringing health awareness to the communities in Sonoma County. She shared that a presentation on homelessness would be agendized for the next Council meeting on March 22nd.

LEGISLATIVE REPORT: None

CITY MANAGER/CITY ATTORNEY REPORT:

City Manager Cayler reminded Council to complete and submit the goal worksheet to prioritize goals for the upcoming year.

COUNCIL DIRECTION ON FUTURE AGENDA ITEMS:

Councilmember Palla requested a discussion on the Open Space District on a future agenda.

ADJOURNMENT: Mayor Brigham adjourned the meeting at 9:11 p.m., to a regular meeting of the City Council and Cloverdale Community Development Successor Agency, Tuesday, March 22, 2016, for Closed Session at 5:30 p.m. (at the City Hall Conference Room 124 N. Cloverdale Blvd., Cloverdale, CA 95425) for Public Business Session at 6:30 p.m. (at the Cloverdale Performing Arts Center 209 N. Cloverdale Blvd., Cloverdale, CA 95425).

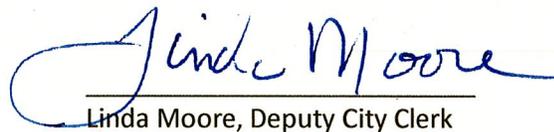
These minutes were approved at the April 26, 2016, City Council meeting by the following voice vote: (Ayes-4; Noes-0; Absent-1).

Ayes: 5- Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, and Mayor Brigham
 Noes: 0
 Absent: 0
 Recuse: 1- Councilmember Russell

Approved:


 MaryAnn Brigham, Mayor

Attested:


 Linda Moore, Deputy City Clerk

City of Cloverdale
 Classified Service Association
 Salary Ranges Effective First Full pay Period of July 2016

Corrected

TITLE	Pay Cycle	SALARIES				
		Step 1	Step 2	Step 3	Step 4	Step 5
ASSISTANT PLANNER	Hourly	27.1221	28.4781	29.9021	31.3871	32.9870
	Monthly	4,701.16	4,936.21	5,183.02	5,442.17	5,714.27
	Annual	56,413.94	59,234.51	62,196.28	65,305.99	68,571.27
ASSOCIATE PLANNER	Hourly	37.8032	39.4834	41.4575	43.5304	45.7070
	Monthly	6,517.89	6,843.78	7,185.97	7,545.27	7,922.54
	Annual	78,214.65	82,125.39	86,231.64	90,543.27	95,070.50
COMMUNITY SERVICES OFFICER	Hourly	23.9551	25.1528	26.4105	27.7309	29.1175
	Monthly	4,152.22	4,359.82	4,577.81	4,806.69	5,047.03
	Annual	49,826.59	52,317.80	54,933.74	57,680.28	60,564.39
ENGINEERING TECHNICIAN	Hourly	26.0549	27.3576	28.7255	30.1618	31.6700
	Monthly	4,516.18	4,741.99	4,979.09	5,228.05	5,489.46
	Annual	54,194.14	56,903.85	59,749.13	62,736.62	65,873.55
PARK & LANDSCAPE MAINTENANCE ASSISTANT	Hourly	27.0502	28.4027	29.8229	31.3140	32.8797
	Monthly	4,688.70	4,923.14	5,169.30	5,427.76	5,699.14
	Annual	56,264.37	59,077.70	62,031.60	65,133.08	68,389.74
PARKS & MAINTENANCE LEAD WORKER	Hourly	31.1915	32.7511	34.3887	36.1081	37.9135
	Monthly	5,406.53	5,676.85	5,960.70	6,258.74	6,571.68
	Annual	64,878.39	68,122.19	71,528.42	75,104.94	78,860.11
PLANNING TECHNICIAN	Hourly	26.0548	27.3576	28.7255	30.1618	31.6699
	Monthly	4,516.17	4,741.99	4,979.09	5,228.05	5,489.44
	Annual	54,194.02	56,903.85	59,749.13	62,736.62	65,873.30
SENIOR WASTEWATER TREATMENT PLANT OPERATOR	Hourly	31.2849	32.8492	34.4917	36.2162	38.0270
	Monthly	5,422.72	5,693.86	5,978.55	6,277.48	6,591.35
	Annual	65,072.65	68,326.31	71,742.65	75,329.79	79,096.20
SENIOR WATER TREATMENT PLANT OPERATOR	Hourly	36.9335	38.7802	40.7192	42.7552	44.8928
	Monthly	6,401.90	6,721.90	7,057.99	7,410.89	7,781.42
	Annual	76,821.60	80,662.79	84,695.88	88,930.73	93,377.07
TRANSIT VAN OPERATOR	Hourly	22.2814	23.3745	24.5433	25.7704	27.0589
	Monthly	3,858.65	4,051.59	4,254.16	4,466.86	4,690.22
	Annual	46,303.75	48,619.06	51,049.97	53,602.37	56,282.60
UTILITY MAINTENANCE CREW LEADER	Hourly	29.7061	31.1914	32.7509	34.3885	36.1080
	Monthly	5,149.06	5,406.51	5,676.83	5,960.68	6,258.72
	Annual	61,786.77	64,878.14	68,121.94	71,528.17	75,104.69
UTILITY MAINTENANCE WORKER I (Public Works)	Hourly	22.2814	23.3745	24.5433	25.7704	27.0589
	Monthly	3,858.65	4,051.59	4,254.16	4,466.86	4,690.22
	Annual	46,303.75	48,619.06	51,049.97	53,602.37	56,282.60
UTILITY MAINTENANCE WORKER II (Public Works)	Hourly	27.0502	28.4027	29.8229	31.3140	32.8797
	Monthly	4,688.70	4,923.14	5,169.30	5,427.76	5,699.14
	Annual	56,264.37	59,077.70	62,031.60	65,133.08	68,389.74
WASTEWATER TREATMENT PLANT OPERATOR I	Hourly	26.1366	27.4435	28.8156	30.2564	31.7693
	Monthly	4,530.35	4,756.86	4,994.71	5,244.44	5,506.67
	Annual	54,364.19	57,082.38	59,936.53	62,933.25	66,080.05
WASTEWATER TREATMENT PLANT OPERATOR II	RANGE NOT CURRENTLY ESTABLISHED					
WATER TREATMENT PLANT OPERATOR-IN-TRAINING	Hourly	25.6783	26.9623	28.3104	29.7260	31.2123
	Monthly	4,450.90	4,673.47	4,907.14	5,152.51	5,410.13
	Annual	53,410.85	56,081.60	58,885.68	61,830.10	64,921.58
WATER TREATMENT PLANT OPERATOR I	RANGE NOT CURRENTLY ESTABLISHED					
WATER TREATMENT PLANT OPERATOR II	Hourly	34.2710	35.9845	37.7838	39.6730	41.6566
	Monthly	5,940.30	6,237.31	6,549.19	6,876.65	7,220.47
	Annual	71,283.59	74,847.75	78,590.32	82,519.78	86,645.64

ORDINANCE NO. _____
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE
REPEALING AND REPLACING CLOVERDALE MUNICIPAL CODE CHAPTER 5.24
RELATING TO MASSAGE THERAPY AND MASSAGE ESTABLISHMENTS

WHEREAS, there is substantial research that indicates that the skillful practice of massage can provide many health benefits including relief of pain from disease, injury and other sources, and that massage can be a valuable component of a wellness program; and

WHEREAS, the City of Cloverdale has an interest in the safe operation and licensing of massage businesses in the City; and

WHEREAS, in 1975, the City Council adopted Cloverdale Municipal Code Chapter 5.24, establishing regulations governing massage therapy businesses and practitioners; and

WHEREAS, on September 27, 2008, the Governor approved Senate Bill 731 (“SB 731”), which sanctioned Business and Professions Code sections 4600 et seq., known as the Massage Therapy Act, to the California Business and Professions Code, which provided for the formation of a nonprofit “Massage Therapy Organization” to oversee a State-sanctioned program of certification for massage therapy practitioners; and

WHEREAS, pursuant to SB 731, the “California Massage Therapy Council” was formed and established a scheme for a voluntary certification process for persons wishing to practice massage therapy in California, with the intention of enabling persons so certified to practice massage therapy in any city within the State without being required to obtain a local permit to practice; and

WHEREAS, SB 731 included a sunset clause, expiring on January 1, 2015, to allow the State to review the law and its impacts; and

WHEREAS, on September 18, 2014, Governor Brown signed Assembly Bill 1147 (“AB 1147”), effective January 1, 2015, which substantially changed Business and Professions Code sections 460, 4600-4621, and Government Code section 51034, by significantly revising existing laws regulating certified massage professionals and gave cities and counties some regulatory authority over massage establishments; and

WHEREAS, there have been significant changes to State laws relating to massage therapy and to the landscape of massage businesses in the City of Cloverdale, since the City of Cloverdale enacted Cloverdale Municipal Code Chapter 5.24; and

WHEREAS, a revision to the Cloverdale Municipal Code relating to massage therapy and massage establishments will streamline licensing procedures while promoting those businesses that provide legitimate and important health and therapeutic services to the community and prohibiting those businesses that conduct illicit activity; and

WHEREAS, a revision to Municipal Code Chapter 5.24 will also bring the City’s local ordinance into compliance with uniform statewide regulations enacted by AB 1147; and

WHEREAS, this Ordinance is enacted pursuant to Government Code Sections 51030-51034 and Business and Professions Code Sections 4600 et seq., as amended by AB 1147.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLOVERDALE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Cloverdale Municipal Code Title 5, "Business Taxes, Licenses and Regulations," Chapter 5.24 entitled "Massage Parlors," as presently written, is hereby repealed in its entirety.

SECTION 2. New Chapter 5.24 entitled "Massage Therapy and Massage Establishments" is hereby incorporated into Title 5, "Business Taxes, Licenses and Regulations" is and adopted to read as follows:

"Chapter 5.24

MASSAGE THERAPY AND MASSAGE ESTABLISHMENTS

5.24.010 Purpose and Intent.

It is the purpose and intent of this Chapter to provide for the orderly regulation of individuals and businesses providing massage therapy services, and to prevent and discourage the misuse of massage therapy as a front for prostitution, human trafficking, and related activities in violation of State law while protecting the interests of the public health, safety and welfare of the community by providing certain minimum standards for health and safety, building, sanitation, education, and operation standards for massage therapists and businesses.

It is the further intent of this Chapter to update and streamline local massage therapy permitting procedures, while still facilitating and advancing the ethical practice of massage therapy. It is also the intent of the City Council that this Chapter apply to any business, location or individual that provides massage services regardless of the business name or individual's title or position.

5.24.020. Definitions.

For the purpose of this Chapter, unless the context clearly requires a different meaning, the words, terms and phrases set forth in this Section shall have the meanings given them in this section:

A. "Applicant" shall mean the individual or individuals applying for a ~~Certified Massage Therapy Certificate~~ Massage Therapist Permit or a ~~Certified Massage Establishment Certificate~~ Massage Establishment Permit. Only an owner(s) may apply for a ~~Certified Massage Establishment Certificate~~ Massage Establishment Permit.

B. "California Massage Therapy Council" or "CAMTC" shall mean the non-profit organization created to regulate the massage industry set forth Chapter 10.5 of Division 2 of the Business and Professions Code of the State of California (commencing with Section 4600).

C. "CAMTC Certificate" shall mean a current and valid certificate issued by the California Massage Therapy Council to a massage practitioner pursuant to Business and Professions Code section 4601(b) or (c) or any later enacted amendment.

D. "CAMTC certified" shall mean any individual, certified by the CAMTC and possessing a valid CAMTC Certificate and is licensed to practice or administer massage, in exchange for any form of compensation within the City of Cloverdale. All persons certified by CAMTC shall have the right to perform or engage in the practice of massage consistent with the Massage Therapy Act, the qualifications established by his or her certification and the provisions of this Chapter stated herein.

~~E. "Certified Massage Establishment Certificate," or "Certificate holder" means the City issued certificate required by this Chapter to operate a massage establishment. Only an owner(s) may apply for a Certified Massage Establishment Certificate.~~

~~F. "Certified Massage Therapy Certificate," or "Certificate holder" means the City issued certificate required by this Chapter to operate as a massage therapist.~~

~~GE.~~ "Chair massage" shall mean any massage given to a person who is fully clothed and sitting in an upright position on a professional bodywork seat, stool, office seat, wheelchair or other chair-like device.

~~HF.~~ "City" shall mean the City of Cloverdale.

~~IG.~~ "Client" shall mean the customer or patron who pays for or receives massage services.

~~JH.~~ "Compensation" means the payment, loan, advance, donation, contribution, deposit, exchange or gift of money or anything of value.

~~KI.~~ "Disqualifying offense" shall mean any offense which disqualifies an Applicant from obtaining a PermitCertificate pursuant to this Chapter. Disqualifying offenses are any of the following:

1. The Applicant has provided materially false information in his/her application.

2. Within five (5) years immediately preceding the date of the filing of the application, the Applicant has been convicted of, or pled guilty to, any of the following offenses: violation of Penal Code sections 243.4, 261, 266a through 266j, inclusive, 267, 288, 314 to 316 inclusive, 318, 647a, 647b, 647d, 647i, 647j, any offenses requiring registration under Penal Code section 290 or Health and Safety Code section 11590; any felony offense involving the

possession for sale, sale, transportation, furnishing or giving away of a controlled substance specified in Health and Safety Code sections 11054 to 11058, inclusive, as amended; violation of any charge related to human trafficking including United States Code Title 18, Chapter 77, Sections 1590, 1591 or 1592; any offense in another state which if committed in California, would have been punishable as one or more of the offenses mentioned here; any offense involving the use of force or violence upon the person of another, or any offense involving theft, embezzlement or moral turpitude.

3. Any violation of any provision of this Chapter resulting in a suspension or revocation of any ~~Certificate~~Permit issued under this Chapter, or a violation of a similar law in any other jurisdiction, which resulted in a suspension or revocation of a permit under that law.

LJ. “Employs or retains” shall mean a person that is a directly paid employee of the massage establishment; or an independent contractor who receives compensation for massage therapy provided to patrons of the massage establishment; or a person that receives a referral of patrons from the massage establishment and, at any time before or after the referral, arranges in any way for compensation to flow to the massage establishment operator (regardless of whether the parties involved acknowledge that compensation is flowing in exchange for the referral, or whether such parties record such compensation in their financial records).

MK. “Employee” shall mean any person employed by a massage business who may render any service to the business and who receives any form of compensation from the business. For the purposes of this Chapter, the term “Employee” shall include independent contractors, agents and volunteers.

NL. “Home occupation massage therapist” shall mean a massage therapist that practices massage within his or her own residence. All home occupation massage therapists are subject to the requirements for home occupation permits as set forth in Section 18.03.190 of the Cloverdale Municipal Code and no more than two (2) massage therapists may operate as home occupation massage therapists in any single residence.

OM. “Inspector” shall mean the person or persons designated by the permit authority to conduct any inspections required or permitted under this Chapter.

PN. “Manager” shall mean a person who supervises, manages, directs, organizes, controls, or in any other way is responsible for, or in charge of the conduct of, the activities within a massage business. Evidence of management includes, but is not limited to, evidence that the individual has power to direct or hire and dismiss employees, control hours of operation, create policy or rules or purchase supplies. A manager may also be an owner.

QQ. “Massage,” and “Massage Therapy,” for purposes of this Chapter are used interchangeably and shall mean the skillful application of touch, and any method of treating the external parts of the body for remedial, health or hygienic purposes for any form of compensation by means of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating, of the external parts of the body with hands or other parts of the body by a practitioner to produce increased awareness, relaxation, pain relief, injury

rehabilitation or neuromuscular reeducation, with or without the aid of any mechanical or electrical apparatus or appliances; or with or without such supplementary aids as rubbing alcohol, liniments, antiseptic, oils, powder, creams, lotions, ointments or other similar preparations commonly used in this practice; or by baths, including but not limited to Turkish, Russian, Swedish, Japanese, vapor, shower, electric tub, sponge, mineral, mud, fermentation or any other type of bath.

RP. “Massage business” shall mean any business that offers massage in exchange for compensation, whether at a fixed place of business or at a location designated by the customer or client through outcall or on-site massage services. The term “massage business” includes a ~~Certified~~ Massage Therapist Permit holder or CAMTC certificate holder who is the sole owner, operator and employee of a massage business operating as a sole proprietorship and also includes home occupation massage therapists. For the purposes of this Chapter, the term “massage business” shall include those businesses that provide separate massage services, such as spas and day spas, but shall not apply to massages performed to limited areas of the neck, face and/or scalp, hands or feet of the clients when that massage is accessory to and within the scope of a barber’s, cosmetologist’s and esthetician’s state license.

SO. “Massage establishment” shall mean any business or establishment that offers massage therapy in exchange for compensation at a fixed place of business. Any business or establishment that offers any combination of massage therapy and bath facilities including, but not limited to, showers, baths, wet and dry heat rooms, pools and hot tubs, shall be deemed a massage establishment under this Chapter. For the purposes of this Chapter, the term “massage establishment” shall include those businesses that provide separate massage services, such as spas and day spas, but shall not apply to massages performed to limited areas of the neck, face and/or scalp, hands or feet of the clients when that massage is an accessory to and within the scope of a barber’s, cosmetologist’s, and esthetician’s state license.

FR. “Massage establishment owner” or “owner of a massage establishment” or “owner” shall mean and include any of the following persons:

1. The sole proprietor of a sole proprietorship operating a massage establishment.
2. Any general partner of a general or limited partnership that owns a massage establishment.
3. Any person who has a ten percent (10%) or greater ownership interest in a corporation that owns a massage establishment.
4. Any person who is a member of a limited liability company that owns a massage establishment.
5. Any person who has a ten percent (10%) or greater ownership interest in any other type of business association that owns a massage business.

S. "Massage Establishment Permit," or "Permit holder" means the City-issued permit required by this Chapter to operate a massage establishment. Only an owner(s) may apply for a Massage Establishment Permit.

T. "Massage Therapist Permit," or "Permit holder" means the City-issued permit required by this Chapter to operate as a massage therapist.

U. "On-site massage" shall mean a massage given to an individual who remains fully clothed during the massage and at a location other than a massage business, and is limited to massages that take place at malls, business offices, sports complexes, convention centers and public events.

V. "Operator" or "massage establishment operator" or "massage business operator" shall mean any and all owners or managers of a massage establishment.

W. "Out-call massage service" shall mean the engaging in or carrying on of massage therapy for compensation at a location other than a duly licensed massage establishment that has been permitted pursuant to this Chapter.

X. "Patron" shall mean an individual on the premises of a massage establishment for the purpose of receiving massage therapy.

Y. "Permit authority" means the Chief of Police, or his or her designee, charged with the administration of this Chapter.

Z. "Person" shall mean any individual, firm, association, partnership, corporation, joint venture, limited liability company or combination of individuals.

AA. "Reception and waiting area" shall mean the area immediately inside the main entry door of the massage establishment, dedicated to the reception and waiting of patrons, clients and visitors of the massage establishment, which is not a massage therapy room or otherwise used for the provision of massage therapy services.

BB. "Recognized school" shall mean a school of massage which entails the following:

1. Teaches the theory, ethics, practice including anatomy and physiology, profession and work of massage; and

2. Requires a residence course of study to be given and completed before the student is furnished with a diploma, certificate of learning or completion or degree in massage; and

3. The massage program provides an organized plan of study of massage and related subjects for a minimum of 300 hours and has been approved by the State of California Consumer Bureau, or the Department of Consumer Affairs or an accredited college, university or junior college established pursuant to Education Code 100850, or if said school is not located in

California, has complied with the standards commensurate with those of a school of equal or greater training that is approved by the corresponding agency in another state, or accredited by an agency recognized by the United States Department of Education.

CC. "Sole-Proprietorship" shall mean a massage business where the owner owns one-hundred percent (100%) of the business, is the only person who provides massage services for compensation for that business, and has no other employees or independent contractors that perform massage therapy services for the business.

DD. "Spa" or "Day Spa" shall mean a business that offers a variety of services intended to meet personal needs of individuals such as skin treatment, manicures and pedicures and massage.

EE. "Visitor" shall mean any individual not retained or employed by the massage establishment and not receiving or waiting to receive massage therapy services, but excluding law enforcement personnel or governmental officials performing governmental business.

5.24.030. Exemptions.

The provisions of this Chapter shall not apply to the following classes of individuals or businesses while engaged in the performance of their duties in their respective professions:

A. Physicians, surgeons, chiropractors, osteopaths, podiatrists, acupuncturists, physical therapists, nurses or any other person duly licensed to practice any healing art and/or their respective profession under the provisions of Division 2 (commencing with Section 500) of the Business and Professions Code when engaging in such practice within the scope of his or her license.

B. Persons operating or employed at hospitals, nursing homes, sanitariums or any other health facility duly licensed by the State of California.

C. Trainers of any amateur, semi-professional or professional athlete or athletic team, so long as such persons' do not practice massage therapy as their primary occupation at any location where they provide such services in the City, and the practice of massage is limited to such athletes and athletic teams.

~~D. Persons operating or employed at athletic clubs or fitness facilities, where such facility is designed and equipped for indoor sports, exercise, or physical education, and where massage services are provided to members of such facilities.~~

~~D.~~ Barbers, cosmetologists or estheticians who are duly licensed under the laws of the State of California, while engaging in practices within the scope of their licenses, so long as the barber, cosmetologist or esthetician limits any massages he/she performs in the course of his/her professional duties to the neck, face and/or scalp, hands or feet of the clients when that massage is accessory to and within the scope of the barber's, cosmetologist's and esthetician's state license.

~~F.F.~~ Enrolled students of a school of massage when they are performing massage within the City as part of a formal, supervised, internship or training program operated by the school, without compensation other than school credit, on the premises of a massage establishment duly authorized to operate pursuant to the terms of this Chapter; and provided that the operator of the massage establishment has first notified the permit authority in writing of the name, residence address and school of the students and the dates of the trainings.

~~G.F.~~ Persons performing a therapeutic modality for which the State does not offer licenses or certification under the provisions of Division 2 (commencing with Section 500) of the Business and Professions Code and the modality is performed with minimal touching and the client remains fully clothed at all times, such as Reiki, Reflexology that is performed only to the hands, feet and neck area of a patron's body, ~~Rolfing~~ or the Bowen Technique and/or somatic practitioners who use no physical touch of any kind at any time in their practice.

~~H.G.~~ Persons administering massages or health treatments at single-occurrence athletic, recreational or educational events.

5.24.040. Minimum Requirements for All Massage Therapists and Massage Establishments.

A. Massage Therapists. It shall be unlawful for any person to perform or engage in the practice of massage therapy for compensation within the City unless that person possesses one (1) of the following:

1. A current, valid, unsuspended and unrevoked CAMTC certificate as defined in Section 5.24.020(C); or

2. A current, valid, unsuspended and unrevoked ~~Certified~~ Massage Therapist ~~Certificate~~ Permit pursuant to Section 5.24.100

B. Massage Establishments. It shall be unlawful for any massage business or establishment, owner or manager, to employ or retain any person to practice massage therapy for compensation, or to allow any person to perform massage therapy for compensation, unless that person possesses either a CAMTC certificate or a ~~Certified~~ Massage Therapist ~~Certificate~~ Permit.

C. — Massage Establishments. It shall be unlawful for any massage establishment to operate without possessing a current, valid, unsuspended and unrevoked ~~Certified Massage Establishment Certificate~~ Massage Establishment Permit pursuant to Section 5.24.080.

5.24.050 Business License Required.

In addition to the minimum requirements set forth in Section 5.24.040, it shall be unlawful ~~for any person~~ to transact and carry on any business, trade, profession, calling or occupation relating to massage without first having procured a business license from the City to transact or carry on said business, trade, profession, calling or occupation, pursuant to Chapter

5.04 of the Cloverdale Municipal Code and the definitions stated therein. 5.04.03 of the Cloverdale Municipal Code.

-The fee for a City Business License shall be assessed pursuant to Cloverdale Municipal Code 5.04.170, as amended by Council from time to time.

5.24.060. Time For Compliance With Minimum Requirements.

A. Upon application for a Business License pursuant to Chapter 5.04 of the Cloverdale Municipal Code or renewal of an existing Business License for a massage business, the Applicant shall show proof of compliance with Section 5.24.040.

B. All persons, massage businesses or establishments, including its owners, operators, managers and employees shall comply with all other applicable sections of this Chapter upon its effective date.

5.24.070 Home Occupation Massage Therapist.

Any massage therapist conducting, performing, engaging in or giving massages at their residence is deemed a home occupation massage therapist and must obtain a home occupation permit pursuant to Cloverdale Municipal Code 18.03.190 and comply with the standards set forth in Cloverdale Municipal Code 18.09.120. The massage therapist conducting, performing, engaging in or giving massages shall also comply with the requirements of Section 5.24.040(A) of this Chapter.

5.24.080. - Certified Massage Establishment Certificate Massage Establishment Permit - Required for Massage Establishments.

A. Valid CertificatePermit Required. It is unlawful and a violation of this Chapter for any person, firm, association, corporation, limited partnership, limited liability company or other entity to own, operate, engage in, conduct, permit or carry on in any way, a massage establishment without a valid, unsuspended, unrevoked, ~~Certified Massage Establishment Certificate~~Massage Establishment Permit.

B. Single CertificatePermit for Each Location. Only one (1) ~~Certified Massage Establishment Certificate~~Massage Establishment Permit shall be granted for each fixed location where any of the massage therapy occurs. The owner of the massage establishment, as defined in this Chapter, shall hold the CertificatePermit. If there are multiple owners, the Chief of Police, or his or her designee, will issue the CertificatePermit to one of the owners.

C. CertificatePermit Not Issued if Disqualifying Offenses Committed. A ~~Certified Massage Establishment Certificate~~Massage Establishment Permit shall not be issued to any massage establishment where any owner(s), operator(s), manager(s), employee(s), massage therapist(s), or any other individual associated with the massage establishment has committed a disqualifying offense as defined in Section 5.24.020(K).

5.24.090. – ~~Certified Massage Establishment Certificate~~ Massage Establishment Permit-Application – Requirements, Denial, Suspension and Revocation and Due Process.

A. Application. Any Applicant wishing to obtain a ~~Certified Massage Establishment Certificate~~ Massage Establishment Permit, shall personally appear at the Police Department and file an application on a form provided by the Chief of Police, or his or her designee. The application shall include the following information:

1. The name, address and telephone number of the Applicant and all persons to be directly or indirectly interested in the ~~Certificate~~ Permit, such as other owner(s), if issued;
2. A copy of the Applicant's government issued identification card;
3. The name, address and telephone number, of the massage establishment;
4. The form of business under which the Applicant will be conducting the massage establishment, *i.e.*, corporation, general or limited partnership, limited liability company, or other form. If the Applicant is a corporation, the name of the corporation shall be set forth exactly as shown in its articles of incorporation, together with the names and residence addresses of each of its officers, directors, and each shareholder holding more than ten percent (10%) of the stock of the corporation. If the Applicant is a general or limited partnership, the application shall set forth the name and residence address of each of the partners, including limited partners. If one (1) or more of the partners is a corporation, the provisions of this Section pertaining to a corporate applicant shall apply. If the Applicant is a limited liability company, the application shall set forth the name and residence address of each of the members. If one (1) or more of the members is a partnership, limited liability company, or corporation, the provisions of this Section pertaining to a partnership, limited liability company or corporate Applicant shall apply, as applicable;
5. The name and address of the owner of the real property upon, in or from which the massage establishment is to be operated. In the event the Applicant is not the legal owner of the property, the application shall be accompanied by a copy of any written lease between the Applicant and the property owner authorizing use of the premises for a massage establishment, or, alternatively, if there is no written lease, then a written, notarized acknowledgment from the property owner that the property owner has been advised that a massage establishment will be operated by the applicant upon, in or from the property owner's property;
6. A description of the proposed massage establishment, including the type of treatments to be administered;
7. The name and address of all persons currently employed or intended to be employed, the nature of work each employee is intended to perform and for each person that the massage establishment does or will employ or retain to perform massage therapy for

compensation, whether on-site or out-call, a copy of each massage therapists' current government issued identification card and a copy of either their CAMTC certificate or their ~~Certified~~ Massage Therapist Certificate Permit;

8. Whether any license or permit has ever been issued to the Applicant by any jurisdiction under the provisions of any ordinance or statute governing massage or somatic practice, and as to any such license or permit, the name and address of the issuing authority, the effective dates of such license or permit, whether such license or permit was ever suspended, revoked, withdrawn or denied; and copies of any documentary materials relating to such suspension, revocation, withdrawal or denial;

9. Whether the Applicant or any other owner(s), employee(s) or intended employee(s), has within the five (5) years immediately preceding the date of application been convicted in any state of any felony;

10. Whether the Applicant or any other owner(s), employee(s) or intended employee(s), is currently required to register under the provisions of Section 290 of the California Penal Code;

11. The Applicant's business, occupation and employment history for five (5) years preceding the date of application, and the inclusive dates of same;

12. One (1) set of fingerprints and photographs of the Applicant and any other person interested in the Certificate Permit, such as any other owner(s), in a form satisfactory to the Chief of Police, or his or her designee. At the time of the fingerprinting, the Applicant shall pay the Police Department the fingerprinting fee and the cost of obtaining criminal history information and conducting a background investigation. Fees are set forth in the City's fee schedule in amounts established by resolution of City Council and may be amended by Council from time to time. Any Applicant who is CAMTC certified shall not be subject to a background check or fingerprinting and shall be exempt from this subsection 5.24.090(A)(12);

13. A written statement that neither the Applicant nor any persons to be directly or indirectly interested in the Certificate Permit, if granted, have knowingly made any false, misleading, or fraudulent statement of facts in the application for the Certificate Permit or in any other document required by the City of Cloverdale;

14. Certification, under penalty of perjury, that neither the Applicant, nor any other owner(s), employee(s) or intended employee(s), have committed any disqualifying offenses as defined by Section 5.24.020(K);

15. Such other information as may be required by the Chief of Police, or his or her designee, or any other City Official to determine compliance with any other eligibility requirements for issuance of the Certificate Permit as specified by Federal, State or local law.

B. Application Fee. An application for a ~~Certified Massage Establishment Certificate~~Massage Establishment Permit shall be accompanied by a fee as established by the City's Master Fee Schedule.

C. Issuance. The Chief of Police, or his or her designee, shall grant a ~~Certified Massage Establishment Certificate~~Massage Establishment Permit to an Applicant who has satisfied the requirements of this Section and all other applicable laws, including, but not limited to, the City's building, zoning and health regulations. The ~~Certified Massage Establishment Certificate~~Massage Establishment Permit shall be non-transferrable and cannot be sold.

D. Denial. The Chief of Police, or his or her designee, shall determine, based on the background investigation, fingerprints and the information submitted with the application, whether a ~~Certified Massage Establishment Certificate~~Massage Establishment Permit shall be issued. If the Chief of Police, or his or her designee, determines that the Applicant is disqualified due to a disqualified offense, the Chief of Police, or his or her designee, shall inform the Applicant in writing and specify the reasons for the denial.

E. Notice of Denial-Appeal-Judicial Review. If an application for a ~~Certified Massage Establishment Certificate~~Massage Establishment Permit is denied, the Chief of Police, or his or her designee, shall serve on the Applicant, in a manner that conforms to Section 1.14.020 (B) of this Code, a written notice of denial which shall specify the grounds for the denial.

1. Any Applicant aggrieved by the decision of the Chief of Police, or his or her designee, may appeal that decision to the City Manager, or his or her designee, by filing a notice of appeal within ten (10) days of being notified of the decision.

2. The City Manager, or his designee, shall schedule a hearing within thirty (30) days and provide written notice of the time, date and location of the hearing to the appellant. The hearing shall be conducted pursuant to Cloverdale Municipal Code 1.14.090. The City Manager, or his or her designee, shall render a decision within thirty (30) days of the conclusion of the hearing, unless the parties agree otherwise.

3. The written decision of the City Manager, or his or her designee may be appealed and shall be subject to judicial review according to the provisions and time limits set forth in Code of Civil Procedure Section 1094.6.

F. Display of ~~Certificate~~Permit. Each holder of a ~~Certified Massage Establishment Certificate~~Massage Establishment Permit shall display that ~~Certificate~~Permit in an open and conspicuous place on the premises visible from the main entry door and/or reception and waiting area of the massage establishment. The home address of any employee need not be displayed.

G. Term. A ~~Certified Massage Establishment Certificate~~Massage Establishment Permit issued pursuant to the terms of this Chapter shall be valid for a term of one (1) year from the date of issuance, and, unless suspended or revoked, must be renewed by the Applicant annually so long as the Applicant is operating within the City. A ~~Certified Massage~~

~~Establishment Certificate~~Massage Establishment Permit may not be renewed or amended by the Applicant unless and until all due and unpaid citations issued to the owner, operator, manager or any employee of the establishment, pursuant to this Chapter, are paid in full. Citations shall not be deemed to be due and unpaid until the thirty (30)-day period for appeal of the citation has passed.

H. Amendments. Whenever the information provided in the application for a ~~Certified~~ Massage Establishment ~~Certificate~~Permit on file with the City changes, for example by a change in employees, the Applicant shall, within ten (10) business days after such change, file with the Chief of Police, or his or her designee, an application for amendment to the ~~Certified~~ ~~Massage Establishment Certificate~~Massage Establishment Permit to reflect such change. An application for an amendment to a ~~Certified~~ ~~Massage Establishment Certificate~~Massage Establishment Permit shall be accompanied by a fee as established by the City's Master Fee Schedule. It shall be unlawful and a violation of this Chapter for any owner or manager to allow any person to perform massage therapy for compensation unless and until an amended ~~Certified~~ ~~Massage Establishment Certificate~~Massage Establishment Permit has been issued by the Chief of Police, or his or her designee.

I. Grounds for Suspension or Revocation. For the purpose of enforcing the requirements of this Chapter, the massage establishment owner, operator and/or manager shall be responsible for the conduct of all massage establishment employees, agents, independent contractors or other representatives while such persons are on the premises of the massage establishment or providing outcall massage services on behalf of the massage establishment.

1. In addition to any other remedy available to the City, any ~~Certified~~ ~~Massage Establishment Certificate~~Massage Establishment Permit issued pursuant to this Chapter may be suspended or revoked by the Chief of Police, or his or her designee, after a hearing, where it is found by a preponderance of the evidence, that one (1) or more of the following have occurred on even a single occasion:

a. The ~~Certificate~~Permit holder, or any person employed or retained by the massage establishment, has been found to have violated any provision of this Chapter; or

b. The ~~Certificate~~Permit holder, or any person employed or retained by the massage establishment has been convicted in a court of competent jurisdiction of having violated, or has engaged in conduct constituting a violation of a provision or provisions of this Chapter or the Massage Therapy Act or some other State or Federal law, including any of the following violation(s) of Penal Code sections 243.4, 261, 266a through 266j, inclusive, 267, 288, 314 to 316 inclusive, 318, 647a, 647b, 647d, 647i, 647j, any offenses requiring registration under Penal Code section 290 or Health and Safety Code section 11590; any felony offense involving the possession for sale, sale, transportation, furnishing or giving away of a controlled substance specified in Health and Safety Code sections 11054 to 11058, inclusive, as amended; any offense in another state which if committed in California, would have been punishable as one or more of the offenses mentioned here, any offense involving the use of force or violence upon the person of another, or any offense involving the use of force or violence upon the person of another, or any offense involving theft, embezzlement or moral turpitude; or

c. The ~~Certificate~~Permit holder, or any person employed or retained by the massage establishment, has been subject to a permanent injunction against the conducting or maintaining of a nuisance pursuant to this Municipal Code, or Section 11225 through 11235 of the California Penal Code, or any similar provision of law in any jurisdiction outside the State of California; or

d. The ~~Certificate~~Permit holder, or any person employed or retained by the massage establishment, has engaged in fraud or misrepresentation or has knowingly made a misstatement of material fact while working in or for the massage establishment; or

e. A ~~Certified Massage Establishment~~ ~~Certificate~~Massage Establishment Permit was obtained with fraudulent or deceitful information; or

f. The ~~Certificate~~Permit holder has continued to operate or conduct massages after the ~~Certified Massage Establishment~~ ~~Certificate~~Massage Establishment Permit was suspended; or

g. Massage treatments are or have been performed on the premises of the massage establishment, with or without the ~~Certificate~~Permit holder's actual knowledge, by any person who does not possess a CAMTC certificate or a ~~Certified~~ Massage Therapists ~~Certificate~~Permit; or

h. The massage establishment is not being maintained in compliance with the provisions of this Chapter, the Massage Therapy Act (Business & Professions Code Sections 4600-4621, any other provision of the Cloverdale Municipal Code or any other local, State or Federal law and the ~~Certificate~~Permit holder has failed to promptly remedy any deficiency for which they have received notice; or

i. There have been one (1) or more acts prohibited under California Penal Code Sections 266, 266a, 266e, 266f, 266g, 266h, 266i, 266j, 315, 316, 318, 647(b), or 653.22 taking place on the premises of the massage establishment, whether or not any criminal prosecution has been pursued or conviction obtained for such acts, and whether or not they occurred with or without the actual knowledge of the ~~Certificate~~Permit Holder.

j. The ~~Certificate~~Permit holder has committed a disqualifying offense pursuant to Section 5.24.020(K).

2. Upon revocation of a ~~Certified Massage Establishment~~ ~~Certificate~~Massage Establishment Permit, the ~~Certificate~~Permit holder shall ensure that the massage establishment immediately ceases any operation or business related to massage.

J. Process of Suspension or Revocation.

1. The Chief of Police, or his or her designee, before revoking or suspending any ~~Certified Massage Establishment~~ ~~Certificate~~Massage Establishment Permit, shall serve the ~~Certificate~~Permit holder and/or the massage establishment owner(s), operator(s) and/or

manager(s) with written Notice of Revocation or Suspension in a manner that conforms to Section 1.14.020(B) of this Code and a date for the hearing on the matter. The Notice shall state the basis for the potential revocation or suspension and the date and time for the hearing.

2. The hearing shall be conducted by the Chief of Police, or his or her designee, and shall be an informal proceeding. The Chief of Police, or his or her designee, shall consider the facts and evidence and shall make a determination, based upon a preponderance of the evidence, whether the ~~Certified Massage Establishment Certificate~~Message Establishment Permit should be revoked or suspended.

3. The Chief of Police, or his or her designee, shall serve the ~~Certificate~~Permit holder and/or the massage establishment owner(s), operator(s) and/or manager(s) with written Notice of Revocation or Suspension in the manner set forth in Section 1.14.090 of this Code. The Notice shall state the grounds for revocation or suspension.

4. Any ~~Certificate~~Permit holder aggrieved by the decision of the Chief of Police, or his or her designee, may appeal that decision to the City Manager, or his or her designee, by filing a notice of appeal within ten (10) days of being notified of the decision.

5. The City Manager, or his or her designee, shall schedule a hearing within thirty (30) days and provide written notice of the time, date and location of the hearing to the appellant. The hearing shall be conducted pursuant to Cloverdale Municipal Code 1.14.090 and 1.14.100. The City Manager, or his or her designee, shall render a decision within thirty (30) days of the conclusion of the hearing, unless the parties agree otherwise.

6. The written decision of the City Manager, or his or her designee may be appealed and shall be subject to judicial review according to the provisions and time limits set forth in Code of Civil Procedure Section 1094.6.

5.24.100. ~~Certified~~ Massage Therapist ~~Certificate~~Permit – Required for Massage Therapists.

A. Valid ~~Certificate~~Permit Required. It is unlawful and a violation of this Chapter for any person, who is not CAMTC certified, to perform or engage in the practice of massage therapy in the City of Cloverdale without a valid, unsuspended, unrevoked, ~~Certified Massage Therapy Certificate~~Massage Therapist Permit.

B. ~~Certificate~~Permit Not Issued if Disqualifying Offenses Committed. A ~~Certified Massage Therapy Certificate~~Massage Therapist Permit shall not be issued to any massage therapist where the Applicant has committed a disqualifying offense as defined in Section 5.24.020(K).

C. Any massage therapist who possesses a CAMTC certificate shall be exempt from the requirements of this Section.

5.24.110. ~~Certified~~—Massage Therapist ~~Certificate~~Permit-Minimum Educational Requirements.

A. Massage therapist Applicants must provide the Chief of Police, or his or her designee, with evidence that they possess at least two (2) of the following minimum qualifications before a ~~Certified Massage Therapy Certificate~~Massage Therapist Permit may be issued:

1. An original copy of a diploma, certificate or academic transcript that demonstrates completion of three hundred (300) hours of in-class instruction from a recognized school; or

2. Satisfactory passage of the Board Certification Examination, or its equivalent, offered by the National Certification Board for Therapeutic Massage & Bodywork ~~National Certification Exam for Therapeutic Massage or Bodywork~~; or

3. Membership in good standing in a national professional massage organization or association that requires its members to have the following:

a. Substantiation of at least one hundred (100) hours of massage training or education;

b. Possession of practitioner's liability insurance coverage in the minimum amount of one million dollars (\$1,000,000) per event;

c. Adherence to a code of ethics; and

d. Renewal of membership at a minimum of once every two (2) years; or

4. The Applicant has a long-standing (over twenty (20) years) history of conducting massages in the City without any complaints or Municipal Code violations.

5.24.120. ~~Certified~~—Massage Therapist ~~Certificate~~Permit-Application - Requirements, Denial, Suspension and Revocation and Due Process.

A. Application. Any Applicant wishing to obtain a ~~Certified~~—Massage Therapist ~~Certificate~~Permit, shall personally appear at the Police Department and file an application on a form provided by the Chief of Police, or his or her designee. The application shall include the following information:

1. If the Applicant is a U.S. citizen, his or her social security number, driver's license number, birth certificate, address and telephone number;

2. If the Applicant is not a U.S. citizen, his or her original Immigration and Naturalization Service documents, to be verified by the Chief of Police, or his or her designee;

3. The name, address and telephone number, of the massage establishment where the Applicant intends to be employed or if the Applicant is a sole-proprietorship or the owner of a business then, the name, address and telephone number of that business;

4. The form of business under which the Applicant will be conducting the massage, *i.e.*, solo practitioner, corporation, general or limited partnership, limited liability company, or other form. If the Applicant is a corporation, the name of the corporation shall be set forth exactly as shown in its articles of incorporation, together with the names and residence addresses of each of its officers, directors, and each shareholder holding more than ten percent (10%) of the stock of the corporation. If the Applicant is a general or limited partnership, the application shall set forth the name and residence address of each of the partners, including limited partners. If one (1) or more of the partners is a corporation, the provisions of this section pertaining to a corporate applicant shall apply. If the Applicant is a limited liability company, the application shall set forth the name and residence address of each of the members. If one (1) or more of the members is a partnership, limited liability company, or corporation, the provisions of this section pertaining to a partnership, limited liability company, or corporate Applicant shall apply, as applicable;

5. The name and address of the owner of the real property upon, in, or from which the massage establishment is to be operated. In the event the Applicant is not the legal owner of the property, the application shall be accompanied by a copy of any written lease between the Applicant and the property owner authorizing use of the premises for a massage establishment, or, alternatively, if there is no written lease, then a written, notarized acknowledgment from the property owner that the property owner has been advised that a massage establishment will be operated by the applicant upon, in, or from the property owner's property;

6. A description of the types of massage and services that the massage therapist is qualified to offer;

7. The name, address, telephone number of places of residence and employment of the Applicant for the last five (5) years;

8. Whether any license or permit has ever been issued to the Applicant by any jurisdiction under the provisions of any ordinance or statute governing massage or somatic practice, and as to any such license or permit, the name and address of the issuing authority, the effective dates of such license or permit, whether such license or permit was ever suspended, revoked, withdrawn, or denied; and copies of any documentary materials relating to such suspension, revocation, withdrawal, or denial;

9. Whether the Applicant has, within the five (5) years immediately preceding the date of application, been convicted in any state of any felony;

10. Whether the Applicant is currently required to register under the provisions of Section 290 of the California Penal Code;

11. One (1) set of fingerprints and photographs for each Applicant in a form satisfactory to the Chief of Police, or his or her designee. At the time of the fingerprinting, the Applicant shall pay the Police Department a fingerprinting fee and the cost of obtaining criminal history information and conducting a background investigation. Fees are set forth in the City's fee schedule in amounts established by resolution of City Council and may be amended by Council from time to time;

12. A written statement that neither the Applicant nor any persons to be directly or indirectly interested in the permit, if granted, have knowingly made any false, misleading, or fraudulent statement of facts in the application for the permit or in any other document required by the City of Cloverdale;

13. Certification, under penalty of perjury, that the Applicant has not committed any disqualifying offenses as defined by Section 5.24.020(K);

14. Such other information as may be required by the Chief of Police, or his or her designee, or any other City Official to determine compliance with any other eligibility requirements for issuance of the ~~Certified~~Permit as specified by Federal, State, or local law. **The Chief of Police, or his or her designee, may waive any of the requirements of this section;**

15. Any original documents demonstrating the fulfillment of the minimum educational requirements for massage therapists that are not CAMTC certified, as set forth in Section 5.24.110.

B. Home Occupation Massage Therapist. An Application by a person conducting, performing, engaging in or giving massages at their residence is deemed a home occupation massage therapist and must indicate in the Application for a ~~Certified~~ Massage Therapist ~~Certified~~Permit such an intent to operate as such.

C. Application Fee. An application for a ~~Certified~~ Massage Therapist ~~Certified~~Permit shall be accompanied by a fee as established by the City's Master Fee Schedule.

D. Issuance. The Chief of Police, or his or her designee, shall grant a ~~Certified~~ Massage Therapist ~~Certified~~Permit to an Applicant who has satisfied the requirements of this Section and all other applicable laws, including, but not limited to, the City's building, zoning, and health regulations. The ~~Certified~~ Massage Therapist ~~Certified~~Permit shall be non-transferrable and cannot be sold.

E. Denial. The Chief of Police, or his or her designee, shall determine, based on the background investigation, fingerprints and the information submitted with the application, whether a ~~Certified~~ Massage Therapist ~~Certified~~Permit shall be issued. If the Chief of Police, or his or her designee, determines that the Applicant is disqualified due to a disqualified offense. The Chief of Police, or his or her designee, shall inform the Applicant in writing and specify the reasons for the denial.

F. Notice of Denial-Appeal-Judicial Review. If an application for a ~~Certified~~ Massage Therapist ~~Certificate~~Permit is denied, the Chief of Police, or his or her designee, shall serve on the Applicant, in a manner that conforms to Section 1.14.020(B) of this Code, a written notice of denial which shall specify the grounds for the denial.

1. Any Applicant aggrieved by the decision of the Chief of Police, or his or her designee, may appeal that decision to the City Manager, or his or her designee, by filing a notice of appeal within ten (10) days of being notified of the decision.

2. The City Manager, or his or her designee, shall schedule a hearing within thirty (30) days and provide written notice of the time, date and location of the hearing to the appellant. The hearing shall be conducted pursuant to Cloverdale Municipal Code 1.14.090. The City Manager, or his or her designee, shall render a decision within thirty (30) days of the conclusion of the hearing, unless the parties agree otherwise.

3. The written decision of the City Manager, or his or her designee may be appealed and shall be subject to judicial review according to the provisions and time limits set forth in Code of Civil Procedure Section 1094.6.

G. Display of ~~Certificate~~Permit. Each holder of a ~~Certified~~-Massage Therapist ~~Certificate~~Permit shall display that ~~Certificate~~Permit in an open and conspicuous place on the premises visible from the main entry door and/or reception and waiting area of the massage establishment. The home address of any employee need not be displayed.

H. Term. A ~~Certified~~-Massage Therapist ~~Certificate~~Permit issued pursuant to the terms of this Chapter shall be valid for a term of one (1) year from the date of issuance, and, unless suspended or revoked, must be renewed by the Applicant annually so long as the Applicant is operating within the City. A ~~Certified~~-Massage Therapist ~~Certificate~~Permit may not be renewed or amended by the Applicant unless and until all due and unpaid citations issued to the owner, operator, manager or any employee of the establishment, pursuant to this Chapter, are paid in full. Citations shall not be deemed to be due and unpaid until the thirty (30)-day period for appeal of the citation has passed.

I. Amendments. Whenever the information provided in the application for a ~~Certified~~-Massage Therapist ~~Certificate~~Permit on file with the City changes, for example by a change in address or telephone number, the Applicant shall, within ten (10) business days after such change, file with the Chief of Police, or his or her designee, an application for amendment to the ~~Certified~~-Massage Therapist ~~Certificate~~Permit to reflect such change. An application for an amendment to a ~~Certified~~-Massage Therapist ~~Certificate~~Permit shall be accompanied by a fee as established by the City's Master Fee Schedule. It shall be unlawful and a violation of this Chapter for any owner or manager to allow any person to perform massage therapy for compensation unless and until an amended ~~Certified~~-Massage Therapist ~~Certificate~~Permit has been issued by the Chief of Police, or his or her designee. A ~~Certified~~-Massage Therapist ~~Certificate~~Permit may not be renewed or amended by the Applicant unless and until due and unpaid citations issued to the operator pursuant to this Chapter are paid in full. Citations shall

not be deemed to be due and unpaid until the thirty (30)-day period for appeal of the citation has passed.

J. Grounds for Suspension or Revocation.

1. In addition to any other remedy available to the City, any **Certified** Massage Therapist **CertificatePermit**, issued pursuant to this Chapter, may be suspended or revoked by the Chief of Police, or his or her designee, after a hearing, where it is found by a preponderance of the evidence, that one (1) or more of the following have occurred on even a single occasion:

a. The **CertificatePermit** holder, or any person employed or retained by the **CertificatePermit** holder, has been found to have violated any provision of this Chapter; or

b. The **CertificatePermit** holder, or any person employed or retained by the **CertificatePermit** holder has been convicted in a court of competent jurisdiction of having violated, or has engaged in conduct constituting a violation of a provision or provisions of this Chapter or the Massage Therapy Act or some other state or federal law, including any of the following violation(s) of Penal Code sections 243.4, 261, 266a through 266j, inclusive, 267, 288, 314 to 316 inclusive, 318, 647a, 647b, 647d, 647i, 647j, any offenses requiring registration under Penal Code section 290 or Health and Safety Code section 11590; any felony offense involving the possession for sale, sale, transportation, furnishing, or giving away of a controlled substance specified in Health and Safety Code sections 11054 to 11058, inclusive, as amended; any offense in another state which if committed in California, would have been punishable as one or more of the offenses mentioned here, any offense involving the use of force or violence upon the person of another, or any offense involving the use of force or violence upon the person of another, or any offense involving theft, embezzlement, or moral turpitude; or

c. The **CertificatePermit** holder, or any person employed or retained by the **CertificatePermit** holder, has been subject to a permanent injunction against the conducting or maintaining of a nuisance pursuant to this Municipal Code, or Section 11225 through 11235 of the California Penal Code, or any similar provision of law in any jurisdiction outside the State of California; or

d. The **CertificatePermit** holder, or any person employed or retained by the **CertificatePermit** holder, has engaged in fraud or misrepresentation or has knowingly made a misstatement of material fact while working in or for the massage establishment; or

e. A **Certified** Massage Therapist **CertificatePermit** was obtained with fraudulent or deceitful information; or

f. The **CertificatePermit** holder has continued to operate or conduct massages after the **Certified** Massage Therapist **CertificatePermit** was suspended; or

g. Massage treatments are or have been performed, by any person who does not possess a CAMTC certificate or a ~~Certified~~-Massage Therapist CertificatePermit; or

h. The CertificatePermit holder is not complying with the provisions of this Chapter, the Massage Therapy Act (Business & Professions Code Sections 4600-4621, any other provision of the Cloverdale Municipal Code or any other local, state or federal law and the CertificatePermit holder has failed to promptly remedy any deficiency for which they have received notice; or

i. There have been one (1) or more acts prohibited under California Penal Code Sections 266, 266a, 266e, 266f, 266g, 266h, 266i, 266j, 315, 316, 318, 647(b), or 653.22 taking place on the premises of the massage establishment, whether or not any criminal prosecution has been pursued or conviction obtained for such acts, and whether or not they occurred with or without the actual knowledge of the CertificatePermit Hholder.

j. The CertificatePermit holder has committed a disqualifying offense pursuant to Section 5.24.020(K).

2. Upon revocation of a ~~Certified~~-Massage Therapist CertificatePermit, the CertificatePermit holder shall ensure that he or she immediately ceases any performance or engagement in massage therapy.

K. Process of Suspension or Revocation.

1. The Chief of Police, or his or her designee, before revoking or suspending any ~~Certified~~-Massage Therapist CertificatePermit, shall serve the CertificatePermit holder and/or the massage establishment owner(s), operator(s) and/or manager(s) with written Notice of Revocation or Suspension in a manner that conforms to Section 1.14.020(B) of this Code and a date for the hearing on the matter. The Notice shall state the basis for the potential revocation or suspension and the date and time for the hearing.

2. The hearing shall be conducted by the Chief of Police, or his or her designee, and shall be an informal proceeding. The Chief of Police, or his or her designee, shall consider the facts and evidence and shall make a determination, based upon a preponderance of the evidence, whether the ~~Certified~~-Massage Therapist CertificatePermit should be revoked or suspended.

3. The Chief of Police, or his or her designee, shall serve the CertificatePermit holder and/or the massage establishment owner(s), operator(s) and/or manager(s) with written Notice of Revocation or Suspension in the manner set forth in Section 1.14.090 of this Code. The Notice shall state the grounds for revocation or suspension.

4. Any CertificatePermit holder aggrieved by the decision of the Chief of Police, or his or her designee, may appeal that decision to the City Manager, or his or her designee, by filing a notice of appeal within ten (10) days of being notified of the decision.

5. The City Manager, or his or her designee, shall schedule a hearing within thirty (30) days and provide written notice of the time, date and location of the hearing to the appellant. The hearing shall be conducted pursuant to Cloverdale Municipal Code 1.14.090 and 1.14.100. The City Manager, or his or her designee, shall render a decision within thirty (30) days of the conclusion of the hearing, unless the parties agree otherwise.

6. The written decision of the City Manager, or his or her designee, may be appealed and shall be subject to judicial review according to the provisions and time limits set forth in Code of Civil Procedure Section 1094.6.

5.24.130. Out-call Massage and On-Site Massage Restrictions.

A. No person or massage business shall perform either on-site massage or out-call massage for compensation without possessing either a CAMTC certificate or a **Certified** Massage Therapist or Establishment **Certificate/Permit** in conjunction with a valid City Business License and any other City permits that may be necessary.

~~B. Out call massage shall not be performed unless authorized in writing by a physician, surgeon, chiropractor or osteopath duly licensed to practice in the State of California.~~

BC. Out-call massage and on-site massage shall only be conducted between the hours of 7:00 a.m. and 10:00 p.m.

CD. Out-call massage or on-site massage shall not be conducted in a hotel/motel room or any other similar location used primarily for transitory habitation purposes.

5.24.140. Health and Safety Requirements for All Massages.

Except as otherwise specifically provided in this Chapter, all massage business owners, operators, employees, sole proprietors, independent contractors, home occupation massage therapists, and any person performing massage within the City shall comply with all of the following health and safety requirements. The Chief of Police, or his or her designee, may waive any of the requirements of this section if the Chief of Police, or his or her designee, determines that such a waiver will have no impact on public safety or neighborhood quality of life ~~or if.~~ The Chief of Police, or his or her designee, will also take into consideration whether compliance with the requirements of this Section would place an undue financial burden on or would be physically infeasible.

A. The massage establishment and massage therapists shall at all times be equipped with an adequate supply of clean sanitary towels, non-disposable coverings, and linens, and all massage tables shall be covered with a clean sheet or other clean covering for each patron. After a towel, covering, or linen has been used once, it shall be deposited in a closed receptacle and not used again until properly laundered and sanitized. Towels, non-disposable coverings, and linens shall be laundered either by regular commercial laundering, or by a noncommercial laundering process that includes immersion in water at least one hundred forty (140) degrees Fahrenheit for not less than fifteen (15) minutes during the washing or rinsing operation. Clean towels,

coverings, and linens shall be stored in closed, clean cabinets when not in use. Towels, non-disposable coverings, and linens shall not be used on more than one (1) client, unless they have first been laundered and disinfected. Disposable towels and disposable coverings shall not be used on more than one (1) client. Soiled linens and paper towels shall be deposited in separate receptacles.

B. In a massage establishment, all massage therapy rooms or cubicles, wet and dry heat rooms, toilet rooms, steam or vapor rooms or cabinets, shower compartments, bathrooms, hot tubs, whirlpool baths and pools shall be thoroughly cleaned and disinfected as needed, and at least once each business day when the premises have been or will be open and such facilities in use, with a hospital-grade disinfectant. All bathtubs shall be thoroughly cleaned and disinfected after each use, with a hospital-grade disinfectant. All walls, ceilings, floors and other physical facilities for the establishment shall be in good repair and maintained in a clean and sanitary condition.

C. All equipment used for massage shall be maintained in a clean and sanitary condition. Instruments utilized in performing massage techniques shall not be used on more than one (1) client unless they have been sterilized, using standard sterilization methods.

D. All liquids, creams or other preparations used on or made available to patrons shall be kept in clean and closed containers. Powders may be kept in clean shakers. All bottles and containers shall be distinctly and correctly labeled to disclose their contents. When only a portion of a liquid, cream or other preparation is to be used on or made available to a patron, it shall be removed from the container in such a way as not to contaminate the remaining portion.

E. No invasive procedures shall be performed on any patron. Invasive procedures include, but are not limited to:

1. Application of electricity that contracts the muscle;
2. Penetration of the skin by metal needles;
3. Removal of skin by means of any razor-edged instrument or other device or tool; and
4. Other similar procedures.

F. All bathrobes, bathing suits, and/or other garments that are provided for the use of patrons shall be fully disposable and not used by more than one (1) patron, or shall be laundered after each use pursuant to subsection (C) of this Section.

G. All combs, brushes, and/or other personal items of grooming or hygiene that are provided for the use of patrons shall be either fully disposable and not used by more than one (1) patron, or shall be fully disinfected after each use.

H. No patrons shall be allowed to use any shower facilities unless such patrons are wearing slip-resistant sandals or flip-flops while in the shower compartment. All footwear such as sandals or flip-flops that are provided for the use of patrons either shall be fully disposable and not used by more than one (1) patron, or shall be fully disinfected after each use.

I. No massage shall be given unless the client's genitalia and female breasts are, at all times, fully covered. Genitalia shall include the genitals, anus, and perineum of any person. The patron's genitals, pubic area, anus, and areola must be fully draped at all times while any individual employed or retained by the massage establishment to practice massage for compensation, or any other employee or operator of the massage establishment, is in the massage therapy room or cubicle with the patron. No massage therapy shall be provided for sexual gratification by intentional contact, or occasional and repetitive contact, with the genitals, pubic area, anus, or areola of a patron, either covered or uncovered.

J. No massage establishment shall have any alcohol for consumption or illegal controlled substance on the premises at any time except for those massage establishments who obtain authorization from the Chief of Police, or his or her designee, and any necessary licenses from the State of California that may be necessary to provide minimal quantities of alcohol to a client as a part of the establishment's services for specific occasions throughout the year such as Mother's Day, Easter, etc.

K. No massage shall be given by any massage therapist who is consuming, or under the influence of, any alcoholic beverage or illegal controlled substance.

L. The following attire and physical hygiene requirements shall be applicable to all employees and any other persons who work permanently or temporarily on the premises, of a massage establishment within the City, including, but not limited to, all persons who are employed or retained to practice massage for the massage establishment and any person performing massage:

1. No person shall dress in:
 - a. attire that is transparent, see-through, or substantially exposes the person's undergarments;
 - b. swim attire, if not providing a water-based massage modality approved by the California Massage Therapy Council;
 - c. a manner that exposes the person's breasts, buttocks, or genitals;and
 - d. a manner that constitutes a violation of Section 314 of the California Penal Code.

2. No massage establishment operator, employee, or visitor shall, while on the premises of a massage establishment or while performing any outcall massage service, and

while in the presence of any patron, customer, employee or visitor, expose his or her genitals, buttocks or chest.

M. All massage therapists shall thoroughly wash their hands with soap and water or any equally effective cleansing agent immediately before providing massage therapy to a patron. No massage therapy shall be provided upon a surface of the skin or scalp of a patron where such skin is inflamed, broken (e.g., abraded or cut), or where a skin infection or eruption is present.

N. No massage therapist or massage establishment shall place, publish or distribute or cause to be placed, published or distributed any advertising material that depicts any portion of the human body that would reasonably suggest to prospective customers that services prohibited by this Chapter are available. nor shall any massage therapist or massage establishment employ language in any advertising text or business name that would reasonably suggest to a prospective client that any service is available that is prohibited under this Chapter.

O. A massage therapist shall not violate the provisions of Sections 647(a) (soliciting to engage in lewd or dissolute conduct in a public place) and 647 (b) (soliciting to engage in or engaging in any act of prostitution) of the California Penal Code, or any other State law involving a crime of moral turpitude, and such practices shall not be allowed or permitted by the massage business.

5.24.150. Operating Requirements for Massage.

Except as otherwise specifically provided, the following operational requirements shall be applicable to all massage establishments located within the City. The Chief of Police, or his or her designee, may waive any of the requirements of this section if the Chief of Police, or his designee, determines that such a waiver will have no impact on public safety or neighborhood quality of life ~~or if. The Chief of Police, or is or her designee, will also take into consideration~~ whether compliance with the requirements of this ~~section~~ Section would place an undue financial burden on or would be physically infeasible.

A. The CAMTC certificate or the ~~Certified~~-Massage Therapist ~~Certificate~~Permit shall be displayed in the reception area or in the area where massage is to be performed for all massage therapists performing or engaging in massage for the massage establishment or anyone performing or engaging in massage as an out-call, or a home occupation massage therapist. CAMTC certificates or the ~~Certified~~-Massage Therapist ~~Certificate~~Permit of former employees, independent contractors, volunteers shall be removed as soon as those massage therapists are no longer performing massage at a massage establishment. No owner, operator or manager of a massage establishment shall allow or permit a person to administer massage for such establishment unless the practitioner possesses a valid CAMTC certificate or a ~~Certified~~-Massage Therapist ~~Certificate~~Permit.

B. Massage performed at a massage establishment shall only be performed between the hours of 7:00 a.m. and 10:00 p.m.. No massage business shall be open and no massage shall be provided between 10:00 p.m. and 7:00 a.m. A massage commenced prior to 10:00 p.m. shall terminate prior to 10:00 pm. and all clients shall exit the massage establishment prior to 10:00

pm. The hours of operation of the massage establishment shall be displayed in a conspicuous, public, place in the reception and waiting area and in any front window clearly visible from outside of the massage establishment.

C. Patrons and visitors shall be permitted in the massage establishment only during the hours of operation.

D. During the hours of operation, patrons shall be permitted in massage therapy rooms only if at least one (1) duly authorized ~~certified~~ massage therapist is present on the premises of the massage establishment.

E. During the hours of operation, visitors shall not be permitted in massage therapy rooms of massage establishments except as follows:

1. ~~the~~ The parents or guardian of a patron who is a minor child may be present in the massage therapy room with that minor child;

2. ~~the~~ The minor child of a patron may be present in the massage therapy room with the patron when necessary for the supervision of the child; or

3. ~~the~~ The conservator, aid, or other caretaker of a patron who is elderly or disabled may be present in the massage therapy room with that elderly or disabled person.

F. During the hours of operation, except as otherwise provided herein, no visitors shall be permitted in massage therapy rooms, dressing rooms, showers, or any other room or part of the massage establishment premises other than the reception and waiting area or the restrooms.

G. Except for a patron who is inside a massage therapy room for the purpose of receiving a massage, no patrons or visitors shall be permitted in or on the massage establishment premises at any time who are less than fully clothed in outer garments of nontransparent material, or who display or expose themselves in underclothing or similar intimate apparel.

H. A list of services available and the cost of such services shall be posted in an open and conspicuous public place on the premises, such as the reception area within the massage establishment, or provided to patrons before services are rendered as an out-call massage therapist or a home occupation massage therapist. The services shall be described in English and may also be described in such other languages as may be convenient. Outcall service providers shall provide such a list to clients in advance of performing any service. No massage establishment operator, owner, or manager shall permit, and no massage therapist shall offer to perform any service other than those posted or listed, as required herein, nor shall an owner, manager, or operator nor a massage therapist offer or charge a fee for any service other than those on the list of available services posted in the reception area or provided to the client in advance of any services.

I. One (1) main entry door shall be provided for patron entry to the massage establishment, which shall open to an interior patron reception and waiting area immediately. All patrons and any persons other than individuals employed or retained by the massage establishment shall be required to enter and exit through the main entry door. Unless the massage establishment is a sole proprietorship, the main entry door shall be unlocked at all times during business hours.

J. No massage establishment located in a building or structure with exterior windows fronting a public street, highway, walkway, or parking area shall block visibility into the interior reception and waiting area through the use of curtains, closed blinds, tints, or any other material that obstructs, blurs, or unreasonably darkens the view into the premises.

K. All interior doors of a massage establishment, including massage therapy rooms or cubicles, but excluding individual dressing rooms and toilet rooms, shall be incapable of being locked and shall not be blocked to prevent opening. Draw drapes, curtain enclosures, or accordion-pleated closures in lieu of doors are acceptable on all inner massage therapy rooms or cubicles.

L. Minimum lighting equivalent to at least one (1) 40-watt light shall be provided in any area, cubicle, or room where massage is to be performed.

M. A massage table shall be used for all massage therapy, with the exception of "Thai," "Shiatsu," and similar forms of massage therapy, which may be provided on a padded mat on the floor, provided the patron is fully attired in loose clothing, pajamas, scrubs or similar style of garment. Massage tables shall have a minimum height of eighteen (18) inches.

N. Beds, floor mattresses, and waterbeds are not permitted on the premises of the massage establishment, and no massage establishment, shall be used for residential or sleeping purposes.

O. All locker facilities that may be provided to patrons at a massage establishment shall be fully secured for the protection of the patrons' valuables, and each patron shall be given control of the key or other means of access.

P. The massage establishment shall meet and be maintained in a condition to comply with all applicable building standards and fire code requirements (as adopted by Title 15 of this Code), including, but not limited to, those related to the safety of structures, adequacy of the plumbing, lighting, heating, ventilation, waterproofing of rooms in which showers, water or steam baths are used, and the health and cleanliness of the facility.

Q. Clients of the massage establishment shall be furnished with a private dressing room. Dressing rooms need not be separate from the room in which the massage is being performed.

R. Toilet facilities shall be provided in convenient locations within the massage establishment and shall consist of at least one (1) unisex toilet with lavatories or wash basins provided with soap and both hot and cold running water either in the toilet room or vestibule.

S. A minimum of one (1) wash basin shall be available at all times for massage therapists performing massage. The basin shall be located within or as close as practicable to the area devoted to performing of massage services. Soap and sanitary towels shall also be available at each basin.

T. All records of employees, independent contractors, volunteers who have performed massage for a massage establishment shall be retained for a period of two (2) years and shall be made available to any City Inspector upon request.

U. Massage therapists shall be fully clothed at all times. Clothing shall be of a fully opaque, non-transparent material and said garments shall not expose their genitals, pubic areas, buttocks or breasts.

V. Every massage business, including home occupation massage therapists, shall keep a written or electronic record of the date and hour of each treatment administered, the name and address of each patron, the name of the massage therapist administering treatment, and the type of treatment administered. Such written or electronic record shall be available for inspection by the City inspector. Such records shall be kept for a period of two (2) years and shall be open to inspection by the City.

W. No massage establishment shall simultaneously operate as a school of massage or share facilities with a school of massage.

X. No massage establishment shall allow any person to reside within the massage establishment or in any attached structures owned, leased or controlled by the massage establishment owners. This section does not apply to those businesses that have been properly permitted as a home occupation.

Y. All massage establishments must comply with all State and Federal laws and regulations pertaining to disabled clients.

Z. All massage establishments must comply with the City's Sign Ordinance pursuant to Title 18, Chapter 12 of the Cloverdale Municipal Code.

5.24.130. Inspection of Massage Establishment by Officials.

A. The investigating and enforcing officials of the City, including but not limited to, the Chief of Police, or his or her designees, Chief Building Official, or his or her designees, the Chief of the Fire Department, or his or her designee, shall have the right to enter the massage establishment premises, from time to time, during regular business hours, without a search or inspection warrant, for the purpose of making reasonable inspections to observe and enforce compliance with applicable laws, statutes and regulations, and with the provisions of this

Chapter. The Chief Building Official and/or the Chief of the Fire Department may charge a fee for any safety inspections, which shall be established by Council.

B. The violator shall take immediate action to correct each violation noted by the City inspector. A re-inspection will be performed within thirty (30) days, or sooner as determined by the City official, to ensure that each violation noted by the City inspector has been corrected.

5.24.160. Exchange of Information.

The City may, from time to time, request information from CAMTC pertaining to any person who possesses a CAMTC certificate and who is engaging in the practice of massage in the City. The requested information may include, but need not be limited to, the current status of a person's CAMTC certificate, any history of disciplinary action(s) taken against the person, the home and work addresses of the CAMTC certificate holder and any other information that may be necessary to verify fact relevant to administering the provisions of this Chapter.

5.24.170. Nuisance.

Any massage business or establishment operated, conducted or maintained contrary to the provisions of this Chapter shall be unlawful and a public nuisance, and the City Attorney may, in the exercise of his or her discretion, in addition to or in lieu of prosecuting a criminal action hereunder, commence an action or actions, proceeding or proceedings, for the abatement, removal and enjoinder thereof, in any manner provided by law, and shall take such other steps and shall apply to such court(s) as may have jurisdiction to grant such relief as will abate or remove such businesses and restrain and enjoin any person from operating, conducting or maintaining a massage establishment or business contrary to the provisions of this Chapter, the Cloverdale Municipal Code and by law. All remedies provided for in this Chapter are cumulative.

5.24.180. Prosecutorial Discretion.

Pursuant to the City Attorney's prosecutorial discretion, the City may enforce violations of this Chapter as criminal, civil and/or administrative violations utilizing administrative remedies. All remedies provided for in this Chapter are cumulative.

5.24.190. Criminal Prosecution.

A violation of any of the provisions or failing to comply with any of the mandatory requirements of this Chapter shall constitute a misdemeanor and at the discretion of the City Attorney, a violation of any provision of this Chapter may be prosecuted in a criminal court. Any violation of this Chapter prosecuted as a misdemeanor shall be punishable by a fine of not more than one thousand dollars (\$1,000.00), per violation or by imprisonment in the County Jail for a period of not more than six (6) months, or by both fine and imprisonment. All remedies provided for in this Chapter are cumulative.

5.24.200. Administrative Fines.

A violation of any of the provisions or failing to comply with any of the mandatory requirements of this Chapter, may result in the issuance of an administrative citation and the City may, at its discretion, seek an administrative fine of up to one thousand dollars (\$1,000.00).

A. Each violation of any provision of this Chapter shall constitute a separate and distinct violation for each and every day during which any violation of any provision of this Chapter is committed, continued or permitted by such person.

B. Notice of the assessed fine shall be served by certified mail with the legal violation and supporting facts in accordance with Section 1.14.020 of the Cloverdale Municipal Code. The notice shall contain an advisement of the right to file an appeal and the process for contesting the imposition of the fine with the City. The appeal process and timeline shall follow those procedures and timelines set forth in Section 1.14.020 through 1.14.140 of the Municipal Code.

C. If an appeal is not filed and the fine is not paid within thirty (30) days from the date of the notice of fine or a notice of determination from the Hearing Officer, the fine may be referred to a collection agency within or external of the City.

D. Any outstanding amounts owed to the City may be recovered through a lien against any real property owned by the offending party or a personal obligation lien against the offending party.

5.24.210. Applicability of Other Ordinances.

Nothing contained in this Chapter shall be construed to exempt any person from complying with the provisions of any other applicable ordinance, rule, or regulation, or to exempt a massage establishment or massage therapist from the provisions of any zoning, licensing or other building ordinance, rule or regulation.

5.24.220. Unlawful Business Practices May Be Enjoined.

Any massage establishment or business operated, conducted, or maintained contrary to the provisions of this Chapter shall constitute an unlawful business practice pursuant to Business & Professions Code section 17200 et seq., and the City Attorney and/or District Attorney may, in the exercise of discretion, in addition to or in lieu of taking any other action permitted by this Chapter, commence an action or actions, proceeding or proceedings in an appropriate court of jurisdiction, seeking an injunction prohibiting the unlawful business practice and/or any other remedy available at law, including but not limited to fines, attorneys' fees and costs."

SECTION 3. California Environmental Quality Act ("CEQA"). This Ordinance is exempt from the California Environmental Quality Act pursuant to the State CEQA Guidelines and does not constitute the approval of a "project" under CEQA, pursuant to section 15060(c)(2) and (3), 15061(b)(3), 15262, and 15378 of the State CEQA Guidelines. Specifically, it can be

seen with certainty that there is no possibility that this Ordinance, containing amendments to the registration, inspection and revocation processes for permits for massage establishments and massage therapists, or its implementation, would have a significant effect on the environment and is covered by the general rule, pursuant to 14 Cal. Code Regulations Section 15061(b)(3).

SECTION 4. No Mandatory Duty of Care. This Ordinance is not intended to, and shall not be construed or given effect in a manner that imposes upon the City or any officer, agent, employee or volunteer, thereof a mandatory duty of care towards persons and property, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have passed the ordinance codified in this Chapter, and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of this Chapter would be subsequently declared invalid or unconstitutional.

SECTION 6. Effective Date. This ~~ordinance~~Ordinance shall ~~go into effect~~be and ~~the same is hereby declared to~~ be in full force and ~~operation~~effect from and after thirty (30) days after ~~the date of its final passage and adoption.~~

~~SECTION 7. Publication.~~

~~A summary of this Ordinance shall be published and a certified copy of the full text of this Ordinance shall be posted in the office of~~once before the City Clerk at least ten (10) days prior to the Council meeting at which it is adopted. ~~This Ordinance shall be in full force and effect thirty (30) days after its final passage, and the summary of this Ordinance shall be published within expiration of fifteen (15) days after the adoption, together said passage,~~ with the names of the ~~Councilmembers~~Council Members voting for or against ~~the same, in the Cloverdale Reveille, a newspaper of general circulation published and circulated in the City of Cloverdale, County of Sonoma, State of California.~~ ~~Within fifteen (15) days after adoption, the City Clerk shall also post in the office of the City Clerk, a certified copy of the full text of this Ordinance along with the names of those Councilmembers voting for and against the Ordinance.~~

~~The foregoing Ordinance was introduced~~
I hereby certify that the foregoing is a true and complete copy of an ordinance duly and regularly adopted by the City at a regular meeting of the Council of the City of Cloverdale thereof held on the _____, by Councilmember, who moved its introduction and passage to print, which motion being duly seconded by Councilmember _____, was upon roll call carried and ordered printed and published _____, 2016, by the following vote:

PASSED, APPROVED AND ADOPTED this _____ day of _____ 2016 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT: ~~AYES:~~ Councilmembers:

~~NOES:~~ Councilmembers:

~~ABSENT:~~ Councilmembers:

APPROVED:

_____ MAYOR

APPROVED: _____ ATTEST:

MaryAnn Brigham, Mayor Paul Cayler, City Clerk

2618332.32618332.2

Cloverdale City Council
124 N. Cloverdale Blvd.
Cloverdale, CA 95425

March 2, 2016

RE: Senior Center Use Permit

Dear Council Members,

I am writing in support of the appeal submitted by Michael and Debra Handy in response to the Planning Commission's approval of the request to modify the existing Conditional Use Permit currently held by the Cloverdale Senior Multipurpose Center. I am the previous owner of the property at 307 N. Main St. and I currently own property at 209 E. Third St.

When the proposal for the Senior Center originally came before the Planning Commission and City Council, my husband and I challenged the decision to build a public building in a residential neighborhood. At that time it appeared to me that City officials were pushing through this project only because the City owned the lot and they were eager to build something to honor Jim Teague. They approved variances and overlooked negative impacts that have since created challenges for the community.

The biggest problem is lack of space. The lot was never large enough to accommodate the size of building needed nor does it provide enough space for adequate parking. Larry and I predicted that the Senior Center would quickly outgrow the facility and this is at the root of many of the problems the neighborhood is now forced to endure. Of course the Senior Center staff is hoping to expand their hours as that is the only way they can continue to serve the needs of their growing membership. And, yes, the Senior Center provides wonderful services and programs, but that does not outweigh the importance of protecting the quality of life of its neighbors.

I urge you to vote no on the Cloverdale Senior Multipurpose Center's request to increase their hours of operation. Instead I hope City officials and the Senior Center Board will begin to explore options that will allow the Center to expand while protecting the quality of life of residential neighborhoods. I believe that about five years ago there was some discussion about moving the Senior Center to a larger building - perhaps it is time to start looking for a new location again.

Sincerely,

Bonnie Asien
1128 W. 8th Ave.
Spokane, WA 99204

3/6/16

Dear Cloverdale City Council,

Thank you for considering this appeal.

We find the following aspects of the recent application by the Cloverdale Senior Center to be incompatible with our quiet residential neighborhood:

- Gambling
- Parties serving alcohol until 10 PM
- Parties with up to 90 people in attendance

As defined by City of Cloverdale zoning ordinance section 18.03.110:

"A Conditional Use Permit process is intended to allow uses that are generally consistent with the purposes of the Zoning District in which they are proposed, but require special consideration because of their special impacts, to ensure that the use can be designed, located and operated in a manner that will not interfere with the use and enjoyment of surrounding properties. The review shall consider location, design, configuration and special impacts with respect to applicable policies, standards and criteria to determine whether adverse impacts can be sufficiently minimized through specific conditions and requirements so as to permit the use on a particular site."

We recommend that the application be rejected.

Sincerely,

Toby Daly

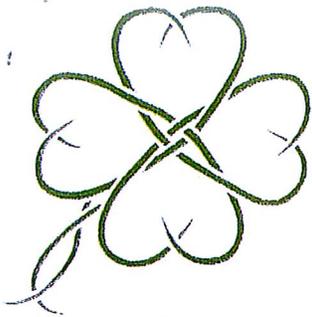


Laurie Martin



Devon Perkins





Cloverdale Senior Community Center

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March 4, 2016

Dear Mr. Cayler,

In our effort to both provide community services and resources to our seniors of Cloverdale, while mutually being good neighbors, we invited our neighbors to discuss their concerns with us. This special Board Meeting was called by President Bob Bialon to try to resolve the concerns of neighbors who live near the Center concerning the proposed changes to our Modified Use Permit with the City of Cloverdale. The Planning commission, by a unanimous vote of 5-0, agreed in February to extend our hours of operation from 7:00 pm to 10:00 PM on some Friday and Saturday nights, for up to 12 special events per year and to allow up to 12 special educational courses per year in addition to the normal operations of the Center. These Special Events would be senior in nature such as senior weddings, retirements, anniversaries, funeral receptions, and the like. These events are in addition to the necessary fundraising events held by the Senior Center.

Present from the Senior Center were Bob Bialon, Colleen Hale, Maya Mayfield, Ginny Carroll, Terri Smith, and Rich Cowart which represented a quorum. Neighbors in attendance were Deborah and Mike Handy, Toby Daly, Laurie Martin, Richard and Brooke Greene.

The Board listened to our neighbor's concerns. The neighbors stated that they felt the City had made an agreement with the neighborhood when the Senior Center was built and this agreement is itemized in the original License Agreement with the City. Now that the City Planning Commission has approved a new Modified Use Permit, expanding the hours the Center can operate, and allowing private special events, they feel this original agreement has been broken. They felt that even with assurances from the Board that precautions will be taken to mitigate the impact on their neighborhood, the Board is under no obligation to adhere to those mitigations. The License Agreement is the binding factor and they are opposed to the agreement. With further discussions, our neighbor's main concerns were extended hours and the resulting traffic and potential noise that will/can arise from our events from the number of people attending (up to 75) and the serving of alcohol at such events. At this point of the discussion, the Board thanked them for input and immediately reconvened our Special Board Meeting.

Based on our need to provide senior services and based on our neighbors concerns, the Board willingly suggests the following amendments to the proposal of the Modified Use Agreement for the City Council as follows:

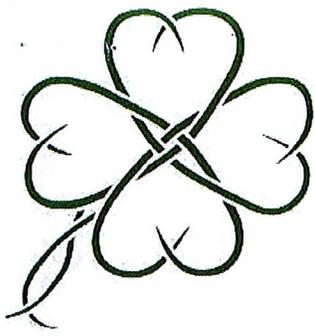
- All Educational events will end by 7:00 pm on weekdays and by 5:00 pm on Saturdays.
- Evening events would be limited to eight per year. The remaining four events would conclude before 7:00 pm.
- All evening events will end by 9:00 pm and "lights out" by 10:00 pm.
- All Special Events, including educational courses, would be limited to 50 attendees.
- A board member or staff member will be present at each special event.

These changes have not yet been discussed with our neighbors, but we will either personally discuss or deliver our above amendments to them today. If our Neighbors wish one more meeting with our Board, we will call one for Monday. We look forward to meeting with you, our Council Members, and community at the meeting on Tuesday, March 8.

Respectfully,

Colleen P. Hale
Executive Director

Copy: Michael & Debra Handy
Toby Daly & Laurie Martin
Richard & Brooke Greene



Cloverdale Senior Community Center

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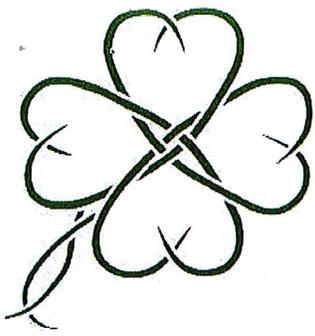
As a member of the Cloverdale Community, I fully support the approved Conditional Use Permit Modification (CUP MOD 001-2016) for the Cloverdale Senior Multipurpose Center located at 311 N. Main Street.

- 5.a.i. HOURS OF OPERATION: Friday and Saturday hours until 10 pm for special events
- 5. b. Allow Special Event Usage - limited to 12 events per year
- 5. b. Allow Educational Site Usage - limited to 12 events per year

Name	Signature	Date	Residence Zip
1 MALINDA THAL	<i>Malinda L. Thal</i>	2/24/16	95425
2 Pat Kraegel	<i>Patricia Kraegel</i>	2/25/16	" "
3 Susan Coker	<i>Susan Coker</i>	2/25/16	95425
4 Magda F. Silva	<i>Magda F. Silva</i>	2-25-16	95425
5 Davida Braxton	<i>Davida Braxton</i>	2-25-16	95425
6 Sheri McGinnis	<i>Sheri McGinnis</i>	2-25-16	95425
7 Bob Coker	<i>Bob Coker</i>	2-25-16	95425
8 E. ASTRID OLTEGA	<i>E. Astrid Ortega</i>	2-25-16	95425
9 LINDA SILVA	<i>Linda Silva</i>	2/25/16	95425
10 MARYA MANFRED	<i>Marya Manfred</i>	2/25/16	95425
11 VALERIE LEITZ	<i>Valerie Leitz</i>	2/26/16	95425
12 Leah Stanley	<i>Leah Stanley</i>	2/26/16	95425
13 MARK GRANDY	<i>Mark B. Grandy</i>	2/26/16	95425-4436
14 Jolee Saylor	<i>Jolee Saylor</i>	3-4-16	95425
15 D. STUART	<i>Diane Stuart</i>	2/26/16	95425
16 PETIE J LILTON	<i>Petie J Lilton</i>	2/26/16	95425
17 SYLVIA McRae	<i>Sylvia A. McRae</i>	2-26-16	95425
18 PAT ECKLUND	<i>Pat Ecklund</i>	2-29-16	95425
19 W.P. ADAMS	<i>W.P. Adams</i>	2/29/16	95425
20 DOLLY GARRISON	<i>Dolores Garrison</i>	3/1/16	95403

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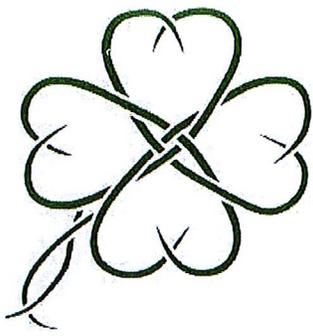
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Name	Signature	Date	Residence Zip
1 Lois Wedyler		3/1/16	95425
2 Menara Mills		3/1/16	95425
3 Reheka Thomas	Reheka Thomas	3/1/16	95401
4 SUSAN SHAPPY	Susan Shappy	3/1/16	95425
5 MILLIE THOMAS	M. Thomas	3/1/16	95425
6 James C. Toboni	James C. Toboni	3/1/16	95425
7 Peg Shaw	Peg Shaw	3/1/14	95425
8 Clani M. McGowan	Clani M. McGowan	3/1/16	95425
9 Jenni Smith	Jenni Smith	3/1/14	95425
10 Brenda Brazil	Brenda Brazil	3/1/16	95425
11 Agniece Grose	Agniece Grose	3/1/16	95425
12 Carole de Nomie	Carole de Nomie	3/1/16	95425
13 Carol Roell	CAROL ROELL	3-1-16	95425
14 Emma Burdick	Emma Burdick	3-1-16	95425
15 CARIN BOKHOF		3-1-16	95494
16 Carol Tindall	Carol Tindall	3-1-16	95425
17 ENNIS FRANKSEN		3-1-16	95425
18 GINNY CARROLL	Ginny Carroll	3/2/16	95425
19 Christine Flaherty	Christine Flaherty	3/2/16	95425
19 Kaseela	Kaseela	3/2/16	95425
20 Bruce Johnson	B. Johnson	3/3/16	95425



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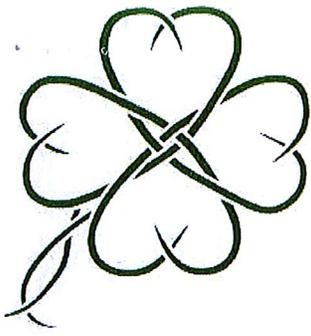
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Name	Signature	Date	Residence Zip
1 Jordan Pasquini	Jordan Pasquini	3/3/16	95425
2 Ron Cooper	Ron Cooper	3/3/16	95425
3 Eileen Baker	Eileen Baker	3/3/16	95425
4 Marie Gronewald	Marie Gronewald	3/3/16	95425
5 Colriz Fernandez	Colriz Fernandez	3-3-16	95425
6 LINDA M HAYE	Linda M. Haye	3/3/16	95425
7 Donna Cambra	Donna R Cambra	3/3/16	95425
8 Christa Cherney	Christa Cherney	3/3/16	95425
9 Elizabeth Vandenberg	Elizabeth Vandenberg	3/3/16	95425
10 Judy Blackburn	Judy Blackburn	3-3-16	95441
11 Wilda Stager	Wilda Stager	3-3-16	95425
12 Christine Vincent	Christine Vincent	3-3-16	95425
13 Tom Mori	Tom Mori	3-3-16	95425
14 DAN STICKLE	Dan Stickle	3-3-16	95425
15 C. DeCarlo	C. DeCarlo	8/3/16	95425
16 Ron Cooper	Ron Cooper	3/3/16	95425
17 LYNN McCHRISTIAN	Lynn McChristian	3/3/16	95425
18 DONNA RAMIREZ	Donna Ramirez	3/3/16	95492
19 Sandra DeNatale	Sandra DeNatale	3/3/16	95448
20 Ethel Muehle	ETHEL MUEHLE	3/4/16	95425

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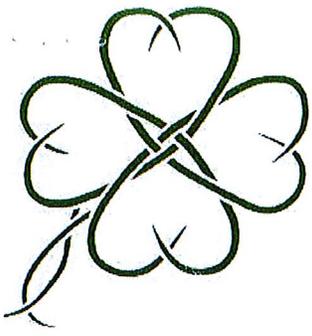
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Name	Signature	Date	Residence Zip
1 Sally Luciano	Sally Luciano	3/4/16	
2 MARTY MODRICH	Marta Modrich	3/4/16	
3 KAREN SWERCZEK	Karen Swerczek	3-4-16	95482
4 CAROL HOUSE	Carol House	3-4-16	95425
5 DEE SIMPSON	Dee Simpson	3-4-2016	95425
6 SCARLETT WOOD	Scarlett Wood	3-4-2016	95425
7 SHAW CRUIK	Shaw Cruik	3-7-2016	95407
8 MAYA MAYFIELD	Maya Mayfield	3-7-2016	95425
9 ANN SMITH	Ann Smith	3-7-16	95425
10 RAY SMITH	Ray Smith	3-7-16	95425
11 DOBIE EDMUNDS	Dobie Edmunds	3-7-16	95425
12 PATRICIA KRAEGL	Patricia Kraegel	3/7/16	95425
13 LESLIE CLARK	Leslie Clark	7/8/16	95425
14 ALYBROWN	Aly Brown	3-8-16	95441
15 GARY MATSUSAKI	Gary Matsusaki	3-8-16	95425
16 SUSAN MOORE	Susan Moore	3-8-16	95441
17 ELIZABETH SPITZER	Elizabeth Spitzer	3-8-16	95425
18 FRAN DOMENICHELLI	Fran Domenichelli	3-8-16	95425
19 PATTY HAMLEY	Patty Hamley	3-8-16	95401
20 DAVID HAMLEY	David Hamley	3-8-16	95401

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Name	Signature	Date	Residence Zip
1 Theadora Moticka	<i>Theadora Moticka</i>	3/4/16	95425
2 Jocelyn Hale	<i>Jocelyn Hale</i>	3/4/16	95425
3 Brenda Musante	<i>Brenda Musante</i>	3/5/16	95425
4 Dora Wode	<i>Dora B Wode</i>	3/5/16	95425
5 Kim Ziviani	<i>Kim Ziviani</i>	3/5/16	95425
6 Katie Kitchel	<i>Katie Kitchel</i>	3/5/16	95425
7 Taina Creager	<i>Taina Creager</i>	3/5/16	95425
8 Carol House	<i>Carol House</i>	3-5-16	95425
9 Richard Musante	<i>Richard A Musante</i>	3/5/16	95425
10 Xandra Brandy	<i>Xandra Brandy</i>	3/8/16	95425
11 Don Katz	<i>Don Katz</i>	2/6/16	95425
12 Kirsten Sullivan	<i>Kirsten Sullivan</i>	3/8/16	95425
13 Joan Dunlop	<i>Joan Dunlop</i>	2/8/16	95425
14 Jackie Callaghan	<i>Jackie Callaghan</i>	3/8/16	95425
15 Karen Potts	<i>Karen Potts</i>	3/8/16	95425
16			
17			
18			
19			
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