



ADMINISTRATIVE REGULATION

Office of the City Administrator

Number	110
Sections	1-6
Effective Date	8/1/07
Responsible Department	Police
Review Date	8/1/12

SUBJECT: Appeal Procedure for Chapter 5.24 Massage Establishment

1. Purpose:

1.1. This Administrative Regulation shall govern the appeal procedure for both massage establishments and massage technicians in accordance with section 5.24.260 of the Huntington Beach Municipal Ordinance Code.

2. Authority: Chapter 5.24, Massage Establishments, Huntington Beach Municipal Ordinance Code.

3. Application: This regulation shall apply to hearing of appeals for both massage establishments and massage technicians in accordance with Chapter 5.24 of the Huntington Beach Municipal Code.

4. Policy: Upon receipt of an appeal, the City Attorney or his/her designee shall schedule a hearing to be held within 45 days after filing of the notice of appeal, and such hearing shall be conducted in accordance with Chapter 5.24 of the Huntington Beach Municipal Code.

5. Responsibilities:

5.1. The City Administrator or his/her designee shall be responsible for seeing that an appeal to the decision by the Chief of Police relating to section 5.24.250 is conducted in accordance with the appeal procedure as outlined in section 5.24.260 of the Huntington Beach Municipal Ordinance Code.

5.2. The City Attorney or his/her designee shall represent the City in cases involving alleged violations in Chapter 5.24 of the Huntington Beach Municipal Code.

6. Procedures:

6.1. To be effective and complete, the request must be received by the City Attorney within 20 days of the date the written notice of decision was sent.

6.2. Upon receipt of a notice of appeal from the City Clerk, the City Administrator or his/her designee shall cause an appeal hearing to be scheduled within 15 days of the receipt of notice.

6.3. When good cause is shown to exist, an appeal hearing may be continued. If the continuance is granted, a new hearing date shall be set within 45 days. If the continuance is denied, the hearing shall proceed then and there as scheduled. If the appellant is not present, the request(s) shall be deemed abandoned in accordance with the subsection below. The Hearing Officer's decision is final. He/she shall either personally give the Notice of Decision to the appellant or the representative if present at the end of the

hearing, or request that the notice be mailed by the City Attorney. If the continuation cannot be set within 45 days, it will be considered an abandonment of the administrative remedy.



Penelope Culbreth-Graft, DPA, City Administrator