



# San Bernardino County

## Legislation Text

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**File #: 1928, Agenda Item #: 53**

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### **REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO AND RECORD OF ACTION**

**April 7, 2020**

#### **FROM**

**TERRI RAHHAL, Director, Land Use Services Department**

**LYNNA MONELL, Clerk of the Board of Supervisors**

#### **SUBJECT**

Adopt Ordinances Transferring the License Programs for Bingo, Massage Clinics, Adult Business Performers, and Adult Business Non-Performers from the Clerk of the Board to the Code Enforcement Division of the Land Use Services Department

#### **RECOMMENDATION(S)**

CONTINUED FROM TUESDAY, MARCH 24, 2020, ITEM NO. 66:

Adopt ordinances relating to transferring the License Programs for Bingo, Massage Clinics, Adult Business Performers, and Adult Business Non-Performers from the Clerk of the Board to the Code Enforcement Division of the Land Use Services Department as introduced on March 10, 2020 (Item No. 73).

(Presenter: Andy Wingert, Code Enforcement Chief, 387-0102)

#### **COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Promote the Countywide Vision.**

**Improve County Government Operations.**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

#### **FINANCIAL IMPACT**

Approval of the proposed ordinances, amending County Code, will not result in the use of Discretionary General Funding (Net County Cost). Adequate appropriation to complete this action has been included in the Land Use Services Department's (LUS), Code Enforcement Division's 2019-20 budget.

#### **BACKGROUND INFORMATION**

The purpose of the proposed ordinances is to transfer licensing responsibility from the Clerk of the Board to the Code Enforcement Division pertaining to bingo games, massage clinics, and the performers and non-performers of adult businesses. Specifically, adoption of these ordinances will amend Chapters 17, 19, 28, and 29 of Division 1 of Title 4 of the County Code.

Even though Land Use has incorporated these licensing activities into their fee ordinance, the Clerk of the Board is still presently authorized under the County Code to process the applications for licenses for bingo games, massage clinics, and adult business performers and non-performers. Amending the chapters will align the County Code with the fee ordinance changes for licensing, thereby improving the efficiency and

effectiveness of the programs since the Code Enforcement Division has the resources to process applications as well as monitor and enforce compliance with the requirements of each program.

The proposed County Code transfers comport with past transfers of other similar licensing programs to the Code Enforcement Division, i.e., adult-oriented business licenses (Item No. 75, March 25, 2014), hotel and motel licenses (Item No. 161, May 23, 2017), and rental dwelling unit licenses (Item No. 162, May 23, 2017).

In addition to transferring licensing programs to the Code Enforcement Division, the Board of Supervisors, at the request of the Clerk of the Board, has previously taken action to eliminate licensing programs deemed either unnecessary, such as licensing for fortune telling, pool and billiard halls, and theaters (Item No. 69, April 7, 2015), or redundant or preempted by state law, such as the licensing for junk dealers, secondhand dealers, pawn brokers, and salvage collectors (Item No. 66, August 25, 2015).

#### **PROCUREMENT**

N/A

#### **REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Kenneth Hardy, Supervising Deputy County Counsel, and John Tubbs II, Deputy County Counsel, 387-5455) on February 18, 2020; Finance (Kathleen Gonzalez, Administrative Analyst III, 387-5412) on March 19, 2020; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on March 9, 2020.