

Acupressure/acupressure technicians means, unless otherwise defined by the State of California, the stimulation or sedation of specific meridian points and trigger points neat the surface of the body by the use of pressure applied by an acupressurist in order to prevent or modify the perception of pain or to normalize physiological functions, including pain control, in the treatment of certain diseases or dysfunctions of the body.

Adult business means any business which, because minors are excluded by virtue of their age as a prevailing business practice, is not customarily open to the general public, including, but not limited to, an adult arcade, adult bookstore, adult theater, cabaret, love parlor, model studio, nude studio, sexual catharsis center, sexual encounter shop, sexual novelty store, or any other similar use wherein the preponderant business is the offering of services, materials and/or products which have as their dominant theme the sexual arousal, sexual gratification and/or sexual stimulation of a customer. This definition does not apply, shall be interpreted to apply, to any business conducted, operated by or employing licensed chiropractors, licensed physicians, licensed therapists, licensed psychologists, licensed social workers or licensed marriage counselors, or state certified practitioners or therapists when performing professional services under or pursuant to the respective license or certificate held.

Ambulance operator means any person or entity who for any monetary or other consideration, or as an incident to any other occupation, transports in one or more ambulances one or more persons needing medical attention or services.

Ambulance vehicle means a motor vehicle specially constructed, modified, equipped, or arranged for the purpose of transporting sick, injured, convalescent, infirm, or otherwise incapacitated persons, authorized by the state as an emergency vehicle, and used, or having the potential for being used, in emergency or nonemergency medical service to the public, regardless of level of service. An ambulance includes a ground ambulance and EMS Aircraft.

Ambulance driver means any person who drives an ambulance in which any person needing medical attention or services is transported.

Apartment house means any building or portion thereof which is designed, built, rented, let or hired out to be occupied, or which is occupied as the home or residence of three (3) or more families living independently of each other and doing their cooking in the building.

Auto body & fender means the business of automotive body repair and/or automotive fender repair.



Billiard room means any place open to the public where billiards, bagatelle or pool is played, or in which any billiard, bagatelle or pool table is kept and persons are permitted to play or do play thereon, whether any compensation or reward is charged for the use of such table or not. "Billiard room" does not include a place having not more than one coin-operated pool or billiard table, which table is maintained as an incident to some other type of business activity."

Boarding house means a dwelling unit where lodging is provided, with or without meals for compensation, for five (5) or more persons.

Bookstore means any premises which has a substantial or significant portion of its stock in trade consisting of books, magazines, periodicals, pamphlets or newspapers.

Carnival game booth means a booth located within a carnival, circus or travel show for diverse public entertainment and amusement which may include, but is not limited to, games or tests of strength, skill, chance, or other capacity.



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Circus/travel show means a public spectacle of diverse entertainment and amusement which may include, but is not limited to: merry-go-rounds, ferris wheels, or other similar mechanical apparatus or rides; menageries, trained animal acts, or animal rides, petting or similar animal exhibitions; acrobatic or other physical feats or demonstrations by performers; sideshows, games or tests of strength, skill, or other capacity; and public eating places, for which a fee or payment may be charged for entry into the location, viewing of any such entertainment or amusement, participation in any of its activities, or purchase of food, drink or merchandise.

Close out sale means any sale of, or any offer to sell, to the public, or any group thereof, goods, wares or merchandise on order, in transit or in stock, in connection with a declared purpose as set forth by advertising that such sale is anticipatory to or to avoid the termination, liquidation, revision, windup, discontinuance, removal, dissolution or abandonment of the business or that portion of the business conducted at any location, and: 1) All sales advertised in any manner calculated to convey to the public the belief that upon the disposal of the goods to be placed on sale, the business or that portion thereof being conducted at any location, will cease, be removed, be interrupted, discontinued or changed; and; 2) All sales advertised to be "adjuster's sale," "adjustment sale," "assignee's sale," "bankrupt sale," "benefit of administrator's sale," "benefit of creditors sale," "benefit of trustee's sale," "building coming

down sale," "closing sale," "closing-out sale," "creditors' committee sale," "creditors' sale," "damaged goods sale," "end sale," "executor's sale," "final days sale," "fire sale," "forced out sale," "forced out of business sale," "insolvent sale," "insurance salvage sale," "last days sale," "lease expires sale," "lease expiring sale," "liquidation sale," "loss of lease sale," "mortgage sale," "outselling sale," "receiver's sale," "removal sale," "reorganization sale," "salvage sale," "selling-out sale," "smoke sale," "smoke and water sale," "trustee's sale," "quitting business sale," "wholesale closing-out sale," "we quit sale," "we give up sale," "fixtures for sale," or advertised by any other expression or characterization closely similar to any of the foregoing and calculated to convey the same meaning; and 3) All sales advertised in a manner calculated to indicate that the goods, ware or merchandise to be sold, or any part thereof, have been involved in any business failure, to have been derived from a business which has failed, been closed, discontinued or liquidated; and 4) All sales accompanied by notices of advertising indicating that the premises are available for purchase or lease or are otherwise to be vacated; and 5) All sales accompanied by advertising indicating a business emergency or failure affecting the seller or any previous holder of the goods to be disposed of. For purposes of the definition of "close out sale," "advertise," "advertisements," "advertising," "publish," and "publication" mean any and all means, whether oral, written, lettered or printed, used for conveying to the public notice of the conduct

of a sale as defined in this section, or notice of intention to conduct any such sale, including but not limited to oral or written announcements by proclamation or outcry, newspaper advertisement, magazine advertisement, handbill, written or printed notice, printed display, billboard display, posters, radio, or television announcement.

Coin game means any coin-operated machine of skill open to the public, which is not operated as a part of an activity licensed pursuant to a circus or carnival.

Cold storage warehouse means a place artificially refrigerated to a temperature of 45 degrees Fahrenheit or below. It does not include any such place in a private home, hotel, restaurant, or exclusively retail establishment not storing articles of food for other purposes. "Article of food" means any article of food used for human consumption. It includes fresh meat and fresh meat products (except in process of manufacture), fresh and dried fruits or vegetables, fish, shellfish, game, poultry, eggs, butter and cheese, but not malt beverages.



Dance includes the following definitions: 1) "Dancing club" means any club or association of persons which conducts dances, other than public dances, for its members or bona fide guests. It does not include any licensed adult business licensed; 2) "Dancing school" means any school, class or classes wherein dancing is the principal subject taught; 3) "Private dance" means a gathering of persons in or upon any premises where dancing is permitted, either as the main purpose for such gathering or as an incident to some other purpose, and to which premises only members, pupils or bona fide guests of a particular club, organization, dancing club or dancing school are admitted; provided, however, that dancing by the occupants of and guests at a private residence shall not be considered a "private dance" as defined herein, and no license shall be required; 4) "Public dance" means a gathering of persons in or upon any premises where dancing is permitted, either as the main purpose for such gathering or as an incident to some other purpose, and to which premises the public is admitted; 5) "Public dance hall" means a place where dancing is permitted, whether for profit or not for profit, and to which the public is admitted either with or without charge, or at which the public is allowed to participate in the dancing, either with or without charge; 6) "Special dance" means an individual public dance or private dance conducted by any person, dancing club, dancing school or association of persons, dancing clubs or dancing schools, which dance, if authorized, will result in not more than three such dances being held by such person or

group in any three-month period; 7) "Taxi dance hall" means any place at which a public dance is conducted where partners are provided for dancing or social purposes by those conducting managing, maintaining or operating such public dance for patrons or other guests, and for which such patrons or guests pay a fee or other consideration; 8) "Taxi dancer" means a partner who is, for a fee or other consideration, furnished to a patron or other guest at a taxi dance hall; and 9) "Youth dance" means a public dance or private dance to which persons between the ages of 15 and 21 years are admitted as participants.



"Entertainment" means: 1) Any act, play, review, pantomime, scene, song, dance act, song and dance act, or poetry recitation, conducted or participated in by any professional entertainer in or upon any premises to which the public is admitted, or in any proprietary club. The term "professional entertainer" means a person or persons who engage for livelihood or gain in the presentation of entertainment; or 2) The exhibition of motion pictures as an incident to a public eating place or to premises which possess or which are required to possess a retailer's on-sale license as defined in Section 23034 of the Business and Professions Code.; or 3) Fashion or style show except when conducted by a bona fide nonprofit club or organization, and when conducted solely as a fundraising activity for charitable purposes. "Entertainment" does not include: 1) Mechanical music alone; or 2) Instrumental music alone; except between the hours of 2:00 a.m., and 6:00 a.m.; or 3) Dancing participated in only by customers; however, this definition does not exempt exhibition dancing by a person receiving compensation for such exhibition dancing.

"Entertainment manager" means the person on the premises of the entertainment serving as the responsible party during which the establishment is open.

"Exhibition (fee for entry)" means a public display of works of art or other items of interest, held in an art gallery or museum or at a trade fair, for a fee; or a public display or demonstration of a particular skill for a fee.

"Filling station" means the business of selling or distributing, either wholesale or retail, propane gas, cryogenics, butane gas, or other flammable vaporous gas, distillate, kerosene, gasoline or refined petroleum products from a filling station, tank truck or trailer, or stationary tank.

"Food establishment" the business of selling liquids or edibles for human consumption from wayside stands upon or adjacent to public highways, or from stores or other established places of business except public eating places, or exclusively by dispensing machine.

"Game arcade" means any premises where there are maintained five (5) or more games of skill or amusement whereby machines, contests, devices, games, tables, boards or amusements, the operation of which is permitted, controlled, obtained, conducted, allowed, authorized or made possible by the depositing of coin, plate, disc, slug or key into any slot, crevice or other opening or receptacle, or by the payment of any fee or fees, and where said machine, contest, device game, table, board or amusement tests or provided a means of testing the skill of the operator thereof with reference to its operation or the results thereof.

"Gun dealer" means any person, firm or corporation who sells or otherwise transfers to the public any pistol, revolver, rifle, shotgun, or other firearm, including those persons required by Section 12070(a) of the California Penal Code to obtain a license under California Penal Code Section 12071. "Gun dealer" also includes any person, firm or corporation who purchases, takes in trade or accepts on consignment from the public any firearm of any type, including, but not limited to pistols, revolvers, rifles and shotguns.

"Hay, grain, & feed" means the business of buying, selling or otherwise dealing in hay, straw, alfalfa, grain, grain products used or intended to be used for livestock food, or any stock food other than manufactured or proprietary food.

"Health gym/spa" means any place which has therein a swimming pool, soaking facility such as a spa, tub or any other device in which a person can soak, a steamroom, a sauna or bathing place, including shower baths. A "health gym/spa" does not include: 1) A private residence, condominium, townhouse, trailer park, or apartment complex; 2) A place where any treatment is administered in the course of the practice of any healing art or profession under the provisions of the Business and Professions Code or any other statute of the state of California; or 3) A place of employment where bathing facilities for the use of employees are required by law.

"Hotel" means any building or portion thereof with access provided through a common entrance, lobby or hallway to guest rooms, and which rooms are designed, intended to be used or are used, rented or hired out as temporary or overnight accommodations for guests.

"Launderette/laundromat" means a business premises equipped with individual clothes washing and drying machines either coin operated or attendant operated for the use of retail customers, exclusive of laundry facilities provided as an accessory use in an apartment house or apartment hotel.

"Livery stable" means any place where horses are boarded or rented or where riding lessons are given.





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“Locksmith” means the business, trade or occupation of making or fashioning keys for locks or similar devices, or constructing, reconstructing, or repairing or adjusting locks, or opening or closing locks for others by mechanical means other than the regular keys furnished for that purpose by the manufacturer of the locks. The definition of “locksmith” does not include: A) A person who only duplicates keys; or B) A person, licensed pursuant to or specifically excepted from tow-truck licensing requirements who only assists motorists in opening locked vehicle doors by means of rods, wires or devices utilized to open locked vehicle doors by manipulating inside door handles or door-locking buttons, and without the use of locksmith tools to manipulate the vehicle door lock tumblers.

“Lumberyard” means a place where wood used for building purposes is stored and sold.

“Massage establishment owner” means a person who owns five percent (5%) or more of a message establishment business and is not certified under state massage therapy laws. “Massage establishment” means a business or establishment, including a sole proprietor or independent contractor, that offers massage services at a fixed place of business, and also includes all establishments or businesses where massage is provided as an ancillary services, such as gyms, clubs, day spas and professional offices where such massage is not otherwise exempt.

“Model studio” means any premises on which there is conducted the business of furnishing figure models who pose for the purpose of being observed or viewed by any person, or of being sketched, painted, drawn, sculptured, photographed or otherwise similarly depicted for persons who pay a fee or other consideration or compensation, or a gratuity, for the right of opportunity so to depict the figure model, or for admission to, or for permission to remain upon, or as a condition of remaining upon the premises; or any premises where there is conducted the business of furnishing or providing or procuring for a fee or other consideration or compensation or gratuity, figure models to be observed or viewed by any person or to be sketched, painted, drawn, sculptured, photographed or otherwise similarly depicted. “Model studio” does not mean any studio or any premises which is operated by any state college, or public junior college or school wherein the persons, firm, association, partnership or corporation operating it has met the requirements established in Division 21 of the Education Code for the issuance or conferring of, and is in fact authorized thereunder to issue and confer, a diploma or honorary diploma.



“Motor vehicle rental” means conducting, managing or carrying on the business of renting motor vehicles without drivers.

“Motor vehicle repair” means the repair of motor vehicles for a charge, or the repair of motor vehicles as an incident to the business of selling new or used motor vehicles, or new or used motor vehicle parts, or as an incident to any other traffic in motor vehicles or their parts or equipment. “Motor vehicle repair does not include any of the following work: 1) Tire changing or tire repairing; 2) Replacement of windshield wiper blades and arms, gas caps, lamps and lamp globes, and other similar minor accessories; 3) Fanbelt changing; 4) Battery servicing, charging and changing, not including repair or rebuilding; 5) Work only for a motor vehicle repairer and not the owner of the motor vehicle; 6) Fitting and replacing glass in motor vehicle windows; 7) Cutting and fitting seat covers; 8) The installation of such minor parts or the making of such trivial repairs as is customarily done as an incident to the business of selling motor fuel, oil or accessories, including the testing, adjustment and replacement of the following parts: carburetors, coils, condensers, distributor caps, filters, generators, points, rotors, spark plugs, voltage regulators, water and fuel pumps, water hoses, or wiring; 9) Painting or enameling; 10) Body and fender work; or 11) Radiator cleaning and flushing.

“Outdoor festival” means any music festival, dance festival, “rock festival” or similar musical activity to which both of the following apply: 1) Attendance by more than 500 persons is desired or may reasonably be expected; and 2) The festival will be held at any place other than in a permanent building or permanent installation which has been constructed for the purpose of/ or is so constructed that it can be used for conducting such activities. It is immaterial whether music will be provided by paid, or professional, or amateur performers, or by prerecorded means, or whether admission is to be charged.

“Pawnbroker” means any person engaged in any one or more of the following businesses: 1) Pawnbroking; or 2) Lending money for himself or any other person upon personal property, pawns or pledges, in the possession of the lender; or 3) Purchasing articles of personal property and reselling or agreeing to resell such articles to the vendors or assignees at prices agreed upon at or before the time of such purchase.



“Peddling-solicitation” means any person, whether as an employee or otherwise, engaged in the business of itinerant peddling, selling, hawking, vending, delivery or soliciting for sale, either retail or wholesale, any merchandise, including but not limited to liquids or edibles for human consumption, from packs, baskets, temporary stands or facilities, handcarts, or vehicles, at any place other than a fixed place of business in the City. The term “peddling” or “solicitation” shall not include a person engaged in the delivery or sale of pre-ordered goods to a private residence or business with the prior consent of the owner, occupant, lessee, or the designee of said persons, including but not limited to employees.

“Plant nursery” means a place where plants are grown commercially, either for sale direct to the public or to other retailers

“Psychic reading” means the engagement, practice, business or art of astrology, phrenology, life reading, fortunetelling, cartomancy, clairvoyance, crystal gazing, hypnotism, mediumship, mesmerism, oriental mysteries, palmistry, spirits, etherealization, numerology, physiognomy, seership, prophecy, augury, divination, magic, necromancy, reading of tarot or similar cards, or use of other similar occult powers for any form of compensation.

“Public eating place” means and includes every restaurant, lunch room, tea room, coffee shop, soda fountain, public boarding house, hotel, club, beer parlor, cocktail lounge, and every other public place where food or drinks are prepared or served, or both, to be consumed by the public on the premises, and all kitchens, commissaries and other rooms appurtenant thereto, or connected therewith. All places where sandwiches, lunches, or similar food are prepared for sale or gift to the public, shall be classified as public eating places.

“School private” means any school giving a course of training similar to that given in any grade of a public school from kindergarten to the twelfth grade, inclusive, but shall not include: 1) Public schools; 2) Trade schools; 3) Institutions for the conduct of which a license from the state is obtained; or 4) Institutions maintained by any bona fide religious organization, or by and for the adherents of a bona fide church, sect or denomination.

“Second hand dealer” means a person, other than a used-car dealer or dealer in secondhand books or magazines, engaged in conducting, managing or carrying on the business of buying, selling or otherwise dealing in secondhand goods, wares or merchandise, including gold, silver, platinum and mercury, but does not include a person who does not sell, or offer to sell, secondhand goods, wares or merchandise except such as is received by such person as payment or part payment for a new article sold by him.



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"Taxi cab driver" means an individual who drives or is in actual physical control of a taxicab, either as agent, association member, employee, or otherwise, in providing taxicab service such that passengers are accepted for transportation in such taxicab within the City limits. "Taxicab" means every automobile or motor-propelled vehicle having a distinctive insignia and color scheme, used for the transportation of not more than eight passengers for hire, excluding the driver, at rates based on the distance, duration or number of trips, or on the riding time, or on any combination of such rates, which vehicle is routed under the direction or with the agreement of such passengers or other persons hiring such vehicle.



"Taxi cab operator" means any person in the business of providing taxicab service such that passengers are accepted for transportation in taxicabs within City limits, provided that such person operates or uses three or more taxicabs, whether as owner, lessor, lessee, employer or otherwise, in providing such taxicab services, and directly conducts, manages or carries on the business of providing taxicab service with such taxicabs. "Taxi cab operator" also means any association with a membership solely of licensed taxicab drivers, all of whom are engaged in providing taxicab service such that passengers are accepted for transportation in their taxicabs within City limits, provided that each such taxicab driver shall be the owner, lessor, lessee, or otherwise have an ownership interest in one taxicab, which is driven by such taxicab driver on a regular shift basis, and each such taxicab driver shall be required as a condition of association membership to abide by the operating procedures of the association, including but not limited to recordkeeping, service standards, safety standards, maintenance schedules, dispatching procedures, and discipline rules, and the association shall be a registered nonprofit corporation organized to provide supervisory disciplinary and dispatching services to not less than twenty-five (25) nor more than one hundred (100) taxicab drivers each of whose taxicabs have the same uniform insignia and color scheme. "Taxicab" means every automobile or motor-propelled vehicle having a distinctive insignia and color scheme, used for the transportation of not more than eight passengers for hire, excluding the

driver, at rates based on the distance, duration or number of trips, or on the riding time, or on any combination of such rates, which vehicle is routed under the direction or with the agreement of such passengers or other persons hiring such vehicle.

"Taxicab vehicle" means every automobile or motor-propelled vehicle having a distinctive insignia and color scheme, used for the transportation of not more than eight passengers for hire, excluding the driver, at rates based on the distance, duration or number of trips, or on the riding time, or on any combination of such rates, which vehicle is routed under the direction or with the agreement of such passengers or other persons hiring such vehicle.

"Theatre" means an enclosed building used for public assembly and/or entertainment, including sporting events, theatrical performances, concerts and recitals, circuses, stock shows and conventions. "Theatre" shall include auditorium.





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Category C Businesses:

Accupressure &
Accupressure Technicians
Ambulance Operator
Ambulance Vehicle
Ambulance Driver
Apartment Houses
16 or more units
Auto Body & Fender
Auto Paint Shop
Billiard Room*
Boarding Room
Bookstore*
Carnival*

Carnival Game Booth* Circus/
Travel Show
Close Out Sale
Coin Game
Cold Storage Warehouse
Dance*
Door-to-Door Sales
Entertainment Manager*
Exhibition*
Filling Stations
Food Establishments
(food sales as accessory use)
Game Arcade*

Gun Dealer*
Hay, Grain & Feed
Hotel 16 units or more
Health Gym/Spa*
Launderette/
Laundromat Livery
Stable Lumberyard
Locksmith*
Massage
Establishment* Model
Studio*
Motor Vehicle Rental
Motor Vehicle Repair*
Outdoor Festival*

Plant Nursery
Public Eating
School Private*
Pawnbrokers &
Second Hand
Dealers* Peddling* T
Taxi Cab Driver*
Taxi Cab Operator*
Taxicab Vehicle*
Theatre*
Tow Truck

** Denotes Background Check*

