



City of Arts & Innovation

Public Safety Committee Memorandum

TO: PUBLIC SAFETY COMMITTEE **DATE: JULY 19, 2017**
FROM: RIVERSIDE POLICE DEPARTMENT **WARD: 3**
SUBJECT: APPEAL OF REVOCATION OF MASSAGE ESTABLISHMENT PERMIT - LA ASIAN SPA

ISSUE:

Deny or grant the appeal by Ms. Chune Fu from the revocation of the massage establishment permit for LA Asian Spa (6863 Brockton Ave., #A).

RECOMMENDATION:

That the Public Safety Committee deny the appeal and affirm the revocation of the massage establishment permit.

LEGISLATIVE HISTORY:

Riverside Municipal Code § 5.52.080(C) and (D) - Prohibited conduct – states:

- C. No owner, massage technician or other employee of a massage establishment, or any other person shall:
- (1) Expose the genitals, anus, or areola of any person before, during, or after a massage.
 - (2) Touch or expose or cause to be touched, or exposed the genitals, anus, or areola of any person before, during, or after a massage.
 - (3) Permit a patron to touch, expose, or view the genitals, anus, or areola of any person before, during, or after a massage.
 - (4) Be employed while under the age of eighteen (18) years of age.
 - (5) Provide a massage on a suspended certificate or permit.
 - (6) Engage in sexually suggestive advertising furthering the business.
 - (7) Engage in any form of sexual activity on the Property.
- D. No massage establishment shall be used for residential or sleeping purposes.

BACKGROUND:

The Police Department's Vice Unit ascertained uncontroverted evidence that prohibited conduct occurred at LA Asian Spa located at 6863 Brockton Ave., #A. The Vice Unit visited the business

on April 27, 2017, and again on May 4, 2017. During these visits, they confirmed that prohibited conduct was occurring at this business in violation of Riverside Municipal Code § 5.52.080(C)(2), Prohibited Conduct. Based on the evidence gathered during this investigation, the massage establishment permit for LA Asian Spa was revoked. A Massage Establishment Permit Revocation letter, dated May 10, 2017, was sent to Ms. Chune Fu via certified mail.

DISCUSSION:

On May 24, 2017, Ms. Chune Fu submitted the attached letter to the City Clerk appealing the revocation. Thereafter, a hearing on the appeal from the revocation of the massage establishment permit for LA Asian Spa was set to be heard by the Public Safety Committee on July 19, 2017. Notice of said Hearing was provided to appellant by the City Clerk.

FISCAL IMPACT:

There is no fiscal impact to the City of Riverside.

Prepared by: Sergio G. Diaz, Chief of Police
Certified as to
Availability of funds: Scott G. Miller, Ph.D., Chief Financial Officer/City Treasurer
Approved by: Alexander Nguyen, Assistant City Manager
Approved as to form: Gary G. Geuss, City Attorney

Attachment: Appeal Letter