



City of Arts & Innovation

Public Safety Committee Memorandum

TO: PUBLIC SAFETY COMMITTEE **DATE:** MARCH 20, 2019
FROM: RIVERSIDE POLICE DEPARTMENT **WARD:** 3
SUBJECT: APPEAL OF REVOCATION OF MASSAGE ESTABLISHMENT PERMIT – HEALING HANDS SPA

ISSUE:

Consider the appeal by Attorney Long Z. Liu for appellant Mr. Hao Zhang, the owner of Healing Hands Spa located at 6702 Magnolia Ave, Riverside. The appeal is in regard to the Police Department's revocation of the Massage Establishment Permit for the business.

RECOMMENDATION:

That the Public Safety Committee deny the appeal, by Attorney Long Z. Liu for appellant Mr. Hao Zhang, and affirm the revocation of the massage establishment permit by the Riverside Police Department for Healing Hands Spa located at 6702 Magnolia Avenue, Riverside.

LEGISLATIVE HISTORY:

Riverside Municipal Code § 5.52.080(C)(2) – Prohibited conduct – states:

No owner, massage technician or other employee of a massage establishment, or any other person, shall touch or expose or cause to be touched, or expose the genitals, anus, or areola of any person before, during or after a massage.

Riverside Municipal Code § 5.52.130(A)(2) – Revocation – states:

The Chief of Police may revoke a massage establishment permit issued pursuant to this Chapter whenever the holder of an establishment permit is acting in a manner that constitutes a public nuisance.

BACKGROUND:

The City of Riverside Police Department's Vice Unit ascertained uncontroverted evidence that prohibited conduct occurred at Healing Hands Spa located at 6702 Magnolia Ave, Riverside (Business).

DISCUSSION:

Detectives from the Riverside Police Department's Vice Unit conducted undercover operations at the Business, on December 28, 2018 and January 3, 2019. During both visits, the detectives confirmed that prohibited conduct had occurred in violation of Riverside Municipal Code Section 5.52.080(C)(2), Prohibited Conduct.

Based on these investigations, the massage establishment permit for the Business was revoked per Riverside Municipal Code Section 5.52.130(A)(2). A Massage Establishment Revocation letter, dated January 4, 2019, was sent to Mr. Hao Zhang via certified mail.

On February 8, 2019, Attorney for the appellant, Long Z. Liu, attended a pre-imposition hearing with Deputy Chief Jeffrey Greer. On February 13, 2019, Attorney Long Liu was sent a letter via certified mail stating no new evidence was presented during the hearing that would refute the allegation of the prohibited conduct and the revocation was upheld.

On February 20, 2019, Attorney Long Liu submitted the attached letter of appeal through the City Clerk's Office. The letter was accepted by the City Clerk's Office and the appeal for the revocation of the Massage Establishment Permit of the Business is scheduled for the City Council Public Safety Committee on March 20, 2019.

FISCAL IMPACT:

There is no fiscal impact associated with this report.

Prepared by: Sergio G. Diaz, Chief of Police
Certified as to
availability of funds: Edward Enriquez, Chief Financial Officer/City Treasurer
Approved by: Lea Deesing, Assistant City Manager
Approved as to form: Gary G. Guess, City Attorney

Attachment:

1. Massage Establishment Revocation Letter
2. Letter from RPD regarding Hearing Findings
3. Appeal Letter with Declarations