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APR 06 2017

City of Riverside
City Clerk's Office

6 Apr, '17

To: City Council's Public Safety Comm.
From: Timothy Moxley : DBA: Bodyworks
Re: Permit Denial

Dear Sir/Maam,

I Am hereby Appealling the denial of my establishment permit! The letter I received dated March 21st, tho had delivered to me on Apr. 5th.

FT states that due to a conviction of a crime they are denying my establishment permit.

The offense was not business related, nor had any thing to do with the business.

Just because I get convicted of a crime, non-business related, should not prevent me from operating a massage establishment.

My establishment has operated for many years with an untarnished record. No complaints, no citations, no violations.

IF according to the letter, I could be convicted of Jaywalking, and.....

it would give reason to deny my permit.

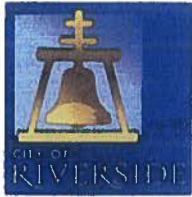
My conviction had nothing to do with the business, and just because I get convicted of a crime should not deny me the operation of a business that is in good standing of the community!

According to the letter "convicted of a crime committed while engaged in the ownership of an establishment"

As an owner, when are you not engaged, as an owner? makes no sense!

The event was totally outside the business, not during business hours, no employee involvement, was strictly personal!

Signed
Timothy A Moxley
Timothy A Moxley



Police Department

City of Arts & Innovation

March 21, 2017

Mr. Timothy Moxley
[REDACTED]

Re: Denial of Massage Establishment Permit Renewal Application for Body Works Massage

Dear Mr. Moxley

The City of Riverside Police Department has reviewed your application for a Massage Establishment Permit Renewal pursuant to Chapter 5.52 of the Riverside Municipal Code, and has conducted a thorough background investigation in reference to your application. The requirements and restrictions imposed by Chapter 5.52 are reasonably necessary to protect the health, safety and welfare of the citizens of the city (See Section 5.52.010).

In your Massage Establishment Permit Renewal Application for Body Works Massage, located at 11860 Magnolia Ave. Ste. L, question #26 asked if you had been arrested or convicted of a crime in the past 10 years. While completing your background verification, it was discovered that you were charged with a misdemeanor crime July 06, 2016, in Riverside, CA (Violation of Penal Code 417 (A)(2)). You were subsequently convicted of a misdemeanor (Violation of Penal Code 26350 (A)(1)), after being found guilty by a jury of your peers, on March 03, 2017, in Riverside, CA (Case RIM1612330). Riverside Municipal Code Section 5.52.050 (A)(4)(c) states the Chief of Police shall not issue or allow the transfer of a massage establishment permit to an applicant if the applicant has been convicted of a crime committed while engaged in the ownership of a massage establishment or the practice of massage; unless the Chief of Police finds the offense was so remote in time and that the applicant has been rehabilitated. Based on the facts recorded in Riverside Police Department file P16-122541, you were at Body Works Massage acting as the owner during the commission of the documented offense.

Consequently, your Massage Establishment Permit application to operate Body Works Massage is hereby denied. If the applicant wishes to appeal the decision pursuant to Section 5.52.140 of this Chapter, said person must do so by making an appeal to the City Council's Public Safety Committee and depositing said appeal notice with the City Clerk within ten (10) days following the denial of the application or following the serving of the Massage Establishment Permit denial letter. The appeal shall clearly state the applicable basis for the appeal, and the scope of the appeal hearing pursuant to this Section shall be limited to those issues raised by the appellant in the written appeal.

Sincerely,


Jeffrey Greer
Deputy Chief of Police

Received
5 Apr. '17
