



*City of Arts & Innovation*

# Public Safety Committee Memorandum

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**TO: PUBLIC SAFETY COMMITTEE** **DATE: SEPTEMBER 20, 2017**  
**FROM: RIVERSIDE POLICE DEPARTMENT** **WARD: 7**  
**SUBJECT: APPEAL OF REVOCATION OF MASSAGE ESTABLISHMENT PERMIT – ARLINGTON SPA**

## **ISSUE:**

Deny or grant the appeal by Attorney Thomas Chapin for appellant Mr. Yong Chun, the owner of Arlington Spa located at 5959 Arlington Ave. #C, Riverside, for the Police Department's revocation of the massage establishment permit for the business.

## **RECOMMENDATION:**

The Public Safety Committee deny the appeal and affirm the revocation of the massage establishment permit by the Riverside Police Department.

## **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 exposed the genitals, anus, or areola of any person before, during or after a massage.

Riverside Municipal Code § 5.52.090(A) – Valid State Certificate – states:

No person, other than those holding valid state certificates, shall practice massage therapy in a massage establishment in the City of Riverside.

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.

## **DISCUSSION:**

The City of Riverside Police Department's Vice Unit ascertained uncontroverted evidence that prohibited conduct occurred at Arlington Spa located at 5959 Arlington Ave #C. The Vice Unit conducted several undercover operations at the business on the following dates: February 24, 2017, March 8, 2017 and June 29, 2017. During those visits, they confirmed that prohibited conduct was occurring in violation of Riverside Municipal Code Section 5.52.080 (C)(2), as well as a massage therapist practicing massage without being licensed in violation of Riverside Municipal Code Section 5.52.090 (A). Based on this investigation, the massage establishment permit for Arlington Spa was revoked per Riverside Municipal Code Section 5.52.130(A)(2). A Massage Establishment Revocation letter, dated July 21, 2017, was sent to Mr. Yong Chun via certified mail.

On August 3, 2017, Attorney Thomas Chapin 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 Arlington Spa is scheduled to the City Council Public Safety Committee for September 20, 2017.

## **FISCAL IMPACT:**

There is no fiscal impact.

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

Attachment: Appeal Letter