



CITY OF ENCINITAS
Planning & Building Department
505 S. Vulcan Ave
Encinitas, CA 92024
www.encinitasca.gov
Phone: 760-633-2708
Email: permits@encinitasca.gov

AMUSEMENT ESTABLISHMENT PERMIT APPLICATION

An Amusement Establishment permit is required for any commercially operated establishment having five or more amusement devices. An amusement device is any machine or apparatus in which the operation, or use of, is made possible by some type of fee.

Approved permits are valid for one year and are not transferable to another location or to another person. A change in location or ownership requires a new application.

A renewal permit application must be submitted each year along with appropriate fees. All fees associated with this application are non-refundable.

<u>Fees:</u>	<u>New Application</u>	<u>Renewal Application</u>
Application Fee	\$457	\$457
Amusement Device Fee	\$64 per device	\$64 per device
Business Registration	\$36	\$21 (renewal, \$36 if expired)
Live Scan	\$49 per person*	
Background Check	\$86 per person*	

*If a business is applying for this permit in conjunction with an Entertainment Establishment or Public Dance permit, the applicant will only be charged the Live Scan and Background Check fees on one permit, so long as the application has the same owners, officers, managers, partners or affiliates with vested interest.

Information Attached

- Application Packet
- Encinitas Municipal Code & San Diego County Code of Regulatory Ordinances

How To Apply

Complete and submit the following documents with appropriate fees:

New Application

- Amusement Establishment Permit Application
- List of Amusement Devices
- Background Application
- Authorization To Release Information
- Proof of Ownership/Permission From Owner
- Site Plan
- Driver's License (or Govt issued ID)
- Business Registration Application
- Live Scan – completed

Renewal Application

- Amusement Establishment Permit Application
- List of Amusement Devices
- Background Application
- Authorization To Release Information
- Proof of Ownership/Permission From Owner
- Site Plan
- Driver's License (or Govt Issued ID)
- Current Business Registration Number

Payments can be made by mail (check only), in person at City Hall (cash check or credit card) or by email permits@encinitasca.gov (credit card only – a staff member will contact you for credit card details). Checks are payable to City of Encinitas.

Please allow a minimum four weeks processing time due to background checks and departmental reviews associated with this permit.



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AMUSEMENT ESTABLISHMENT PERMIT APPLICATION

COMPANY INFORMATION: (Check box for contact preference: email, phone, mail.)

Company: Name: _____ DBA: _____

Contact Person: First: _____ Middle: _____ Last: _____

Email: _____

Phone: Mobile: _____ Business: _____

Business Address: _____

City: _____ State: _____ Zip: _____

COMPANY OWNER: (Check box for contact preference: email, home phone, etc.)

Name: First: _____ Middle: _____ Last: _____

Email: _____ Home Phone: _____ Mobile Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

Are you the sole owner of this business? Yes No*

*If no, each partner/business associate must complete a **Background Application and Authorization to Release Information form.**

APPLICANT: Same as COMPANY OWNER (Check box for contact preference: email, home phone, etc.)

Company Name: _____ Business Phone: _____

Name: First: _____ Middle: _____ Last: _____

Company Name: _____ Business Phone: _____

Email: _____ Home Phone: _____ Mobile Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

PROPERTY OWNER: Same as COMPANY OWNER (Check box for contact preference: email, home phone, etc.)

Company Name: _____ Business Phone: _____

Name: First: _____ Middle: _____ Last: _____

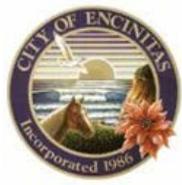
Email: _____ Home Phone: _____ Mobile Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

I hereby certify under penalty of perjury that the statements made in this application are true and correct to the best of my knowledge. I understand any false statements or information are grounds for denial of this application or revocation of the permit. I acknowledge I will adhere to the conditions as stated on the permit. Any misuse of privileges or multiple complaints received by the City may constitute violations of this permit resulting in fines and/or revocation of the permit.

Applicant Signature: _____ Date: _____



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AUTHORIZATION TO RELEASE INFORMATION SHERIFF REGULATED PERMIT

Each owner, officer, partner, manager, affiliate with vested interest in the business or any type of Solicitor must complete an Authorization to Release Information.

Name: First: _____ Middle: _____ Last: _____

Driver's License (State, Number): _____ Social Security Number: _____

As an applicant for a business permit/license from the San Diego Sheriff's Department, I am required to furnish information for use in determining my qualifications. In this connection, I authorize the disclosure and release of any and all truthful information that you may have concerning me, including, but not limited to, employment records, personnel files, background investigation files, disciplinary records, complaints or grievances filed by or against me, training files, arrest, criminal, probation and driving records, military, academic or other records.

I direct you to release this information upon request of the bearer. This release is executed with full knowledge and understanding that the information is for the official use of the San Diego County Sheriff's Department.

I understand I will not receive and am not entitled to know the contents of confidential reports received and I further understand that these reports are privileged.

I hereby release you, your organization, their agents and representatives, and any person furnishing information, from any and all liability and/or damage that may result from furnishing the above information. A photocopy of this release is to be considered as valid as an original. This release will expire one (1) year after the date signed.

I hereby certify under penalty of perjury that the statements made in this application are true and correct to the best of my knowledge. I understand any false statements or information are grounds for denial of this application or revocation of the permit. I acknowledge I will adhere to the conditions as stated on the permit. Any misuse of privileges or multiple complaints received by the City may constitute violations of this permit resulting in fines and/or revocation of the permit.

Applicant Signature: _____

Date: _____



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BACKGROUND APPLICATION SHERIFF REGULATED PERMIT

Each owner, officer, partner, manager, affiliate with vested interest in the business or any type of Solicitor must complete a Background Application.

Type of permit applied for: _____

Affiliation with Business (circle one): Owner Officer Partner Manager Other: _____

Name: First: _____ Middle: _____ Last: _____

All other names used (past and present, including maiden name): _____

Date of Birth: _____ Place of Birth (City, State): _____ Circle One: M F

Height: _____ Weight: _____ Hair Color: _____ Eye Color _____

Driver's License (State, Number): _____ Social Security Number: _____

Previous Residences (last 5 years):

Address: _____

City: _____ State: _____ Zip: _____

Have you applied for a similar permit in any jurisdiction in the past five years?

If yes, where: _____

List all charges (misdemeanors & felonies) resulting in conviction or plea of nolo contendere:

DATE	CHARGE	INVESTIGATING AGENCY	DISPOSITION

I hereby certify under penalty of perjury that the statements made in this application are true and correct to the best of my knowledge. I understand any false statements or information are grounds for denial of this application or revocation of the permit. I acknowledge I will adhere to the conditions as stated on the permit. Any misuse of privileges or multiple complaints received by the City may constitute violations of this permit resulting in fines and/or revocation of the permit.

Applicant Signature: _____

Date: _____



REQUEST FOR LIVE SCAN SERVICE

Applicant Submission

A0526

ORI (Code assigned by DOJ)

Authorized Applicant Type

License/Cert/Permit

Type of License/Certification/Permit OR Working Title (Maximum 30 characters - if assigned by DOJ, use exact title assigned)

Contributing Agency Information:

City of Encinitas

07197

Agency Authorized to Receive Criminal Record Information

Mail Code (five-digit code assigned by DOJ)

505 S. Vulcan Ave.

Jodene Dunphy

Street Address or P.O. Box

Contact Name (mandatory for all school submissions)

Encinitas

CA 92024

(760) 633-2708

City

State ZIP Code

Contact Telephone Number

Applicant Information:

Last Name

First Name Middle Initial Suffix

Other Name (AKA or Alias) Last

First Suffix

Date of Birth Sex Male Female

Driver's License Number

Height Weight Eye Color Hair Color

Billing Number 110014
(Agency Billing Number)

Place of Birth (State or Country) Social Security Number

Misc. Number
(Other Identification Number)

Home Address Street Address or P.O. Box

City State ZIP Code

Your Number: _____
OCA Number (Agency Identifying Number)

Level of Service: DOJ FBI

If re-submission, list original ATI number:
(Must provide proof of rejection)

Original ATI Number

Employer (Additional response for agencies specified by statute):

Employer Name

Mail Code (five digit code assigned by DOJ)

Street Address or P.O. Box

City State ZIP Code

Telephone Number (optional)

Live Scan Transaction Completed By:

Name of Operator

Date

Transmitting Agency LSID

ATI Number Amount Collected/Billed



Live Scan Fingerprinting

What is live scan fingerprinting? Live Scan is an electronic capture of your fingerprints. They are sent to the DOJ and or the FBI for a background check and the results are sent to this agency. It is a requirement prior to being employed or volunteering. Please visit the location below to complete this process:

COASTAL LIVE SCAN

144 West "D" Street
Encinitas, Ca 92024
Ph. (760) 230-1830

Website: www.coastallivescan.com

Email: info@coastallivescan.com

Directions: 5 Freeway and exit Encinitas Blvd. Head WEST toward Coast Hwy. Make a LEFT on Coast Hwy then make next RIGHT on "D" Street. Our building will be on the RIGHT side, Look for door 144-c. Free parking is available.

Hours: Monday -Friday 10:00am—5:00pm
1:30pm— 2:30pm (closed for lunch)

Walk in Basis; No appointment necessary

What to bring:

1. Request for Live Scan Form (prefilled)
2. Valid Photo ID (Driver's License, State ID or Military ID).
3. We Accept: Cash, Check, Visa, MasterCard.



Coastal
Live Scan
& Insurance
Services, Inc.



CITY OF ENCINITAS

City Clerk's Department

505 S. Vulcan Ave, Encinitas, CA 92024

Contact: 760-633-2606 or clerkstaff@encinitasca.gov

Instructions & Information: www.encinitasca.gov/clerk

BUSINESS REGISTRATION APPLICATION

\$36 Processing Fee (\$35 Business Registration Fee + \$1 SB1186 State Mandated Fee)

The City of Encinitas does not have a business "license" program. The Business Registration is used in lieu of a licensing program.

Annual renewals are \$21 (\$20 business registration fee + \$1 SB1186 State Mandated Fee)

***If using a DBA, a Fictitious Name Statement must be filed with the County Clerk, PRIOR to applying for a Business Registration.**

Company Name:			
Company Type (choose one):	Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Trust <input type="checkbox"/>		
Street Address:			
City:			
State:		County (if outside San Diego):	
Zip Code:			
Business Email Address:			
Business Phone:			
Business Description:			
Contact Preference (choose one):	Email <input type="checkbox"/> Mail <input type="checkbox"/>		
*DBA (Fictitious Name):			
Is this a Home Based Business?	Y / N		
Is this Business a Rental Booth?	Y / N		
EIN # (If Applicable):	_____ - _____		
Date Business Opened (Mo/Yr):			
Web Page Address:			
Is Business a Non-Profit 501(c)(3)?	Y / N	# of Employees working in Encinitas:	
Mailing address, if different from business location:			
Street Address:			
City:			
State:		County (if outside San Diego):	
Zip Code:			
Business Owner Contact Info			
First Name:			
Middle Name:			
Last Name:			
Title:			
Email Address:			
Business Phone:			
Home Phone:			
Mobile Phone:			
Contact Preference (choose one):	Email <input type="checkbox"/> Mail <input type="checkbox"/>		
Street Address:			
City:			
State:		County (if outside San Diego):	
Zip Code:			
Additional Owner/Agent Contact Info			
First Name:			
Middle Name:			
Last Name:			
Title:			
Email Address:			
Mobile Phone:			
Business Phone:			
Home Phone:			

Contact Preference (choose one):	Email <input type="checkbox"/> Mail <input type="checkbox"/>
Street Address:	
City:	
State:	County (if outside San Diego):
Zip Code:	
Choose one:	Business Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/>
24 Hour Emergency Contact Info (for businesses located in Encinitas)	
Same as Business Owner <input type="checkbox"/> Same as Additional Owner/Agent <input type="checkbox"/>	
First Name:	
Middle Name:	
Last Name:	
Title:	
Email Address:	
Business Phone:	
Home Phone:	
Mobile Phone:	
Contact Preference (choose one):	Email <input type="checkbox"/> Mail <input type="checkbox"/>
Street Address:	
City:	
State:	County (if outside San Diego):
Zip Code:	

HOME OCCUPATIONS

If your business is located in a residential area in the City of Encinitas, it is considered to be a Home Based Business and shall be permitted in compliance with the following conditions:

1. There shall be no exterior evidence of the conduct of a home occupation out of character with the normally appropriate appearance of the dwelling.
2. A home occupation shall be conducted entirely within a dwelling or a garage.
3. Electrical or mechanical equipment which creates visible or audible interference in radio or television receivers or causes fluctuations in line voltage outside the dwelling shall be prohibited.
4. Only the residents of the dwelling unit may be engaged in the home occupation except by temporary minor use permits.
5. There shall be no on-premise sale of goods not produced on the premises.
6. The establishment and conduct of the home occupation shall not change the principal character or use of the dwelling unit involved.
7. There shall be no signs other than those permitted by the sign ordinance (Municipal Code 30.60).
8. The required residential off street parking shall be maintained.
9. A home occupation shall not create vehicular or pedestrian traffic in excess of that which is normal for the zone in which it is located.

SB1186 Mandated Fee: On September 19, 2012 Governor Brown signed into law SB-1186 which adds a state fee of \$1 on any applicant for a local business license or similar instrument or permit, or renewal thereof. The purpose is to increase disability access and compliance with construction-related accessibility requirements and to develop educational resources for businesses in order to facilitate compliance with federal and state disability laws, as specified.

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

- The Division of the State Architect at www.dgs.ca.gov/dsa/Home.aspx
- The California Department of Rehabilitation at www.rehab.cahwnet.gov
- The California Commission on Disability Access at www.cdda.ca.gov

I DECLARE, UNDER PENALTY OF PERJURY, THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND CORRECT, AND THAT ALL REQUIRED LICENSES ARE IN FULL FORCE AND EFFECT.

The issuance of a certificate does not serve as verification that all regulatory provisions of the City of Encinitas have been met, nor does it allow the right to operate a business which is not in conformance with the regulatory provisions of the City, County, State or other applicable agency.

Signature of Owner or Agent: _____

Date: _____

Encinitas Municipal Code

Title 6 OPERATIONS PERMITS

Chapter 6.08 REGULATED BUSINESSES

6.08.010 Purpose.

Any person who conducts a business or activity which is described in this chapter shall first obtain a permit or license required by the provisions of this chapter, together with any other licenses and permits required by this Code. Notwithstanding the provisions of this chapter, proposed activities shall be subject to Zoning Regulations and Coastal Development Requirements, pursuant to Title 30 of this Code. (Ord. 94-06)

6.08.020 Adoption of Code by Reference.

There is hereby adopted, by reference, by the City of Encinitas, for the purpose of prescribing rules and regulations for the protection of the public health and safety, the following portions of the San Diego County Code, together with such secondary references as are included in those portions, effective as of the date set forth in Section [6.08.030](#) of this chapter. The provisions thereof shall be controlling within the limits of the City of Encinitas to include, without limitation, regulatory provisions, and definitions, but excluding the procedural provisions, to include fees:

- A. Title 2, Division 1, Chapter 1 relating to Procedures, except that an appeal must be filed with the City Clerk for hearing by the City Council. (See Chapter [1.12.](#))
- B. Title 2, Division 1, commencing with Section 21.301 relating to Taxicabs and Taxicab Operations. Amendments to references to the San Diego County Code are as follows:
 1. Section 21.301(a) reference is amended to read:

“Medallion” means the unique, pre-numbered decal placed on a taxicab windshield by the Issuing Officer or designee annually, signifying that the “taxicab operator” is authorized to operate the vehicle as a taxicab in the City of Encinitas.
 2. Section 21.301(g) reference is amended to read:

“Taxicab operator’s license” means the annual license issued by the Issuing Officer authorizing a taxicab operator to pick up passengers in the County of San Diego.
 3. Section 21.305(c) reference is amended to read:

If the Issuing Officer is satisfied that a taxicab has passed an inspection required by this section, the Issuing Officer shall issue an annual taxicab permit and he or she or his/her designee shall affix a medallion on the vehicle rear window thereby authorizing the operator to place the taxicab in service for one year or until the expiration of the medallion.
 4. Section 21.305(d) reference is amended to read:

It shall be unlawful for any person other than the Issuing Officer or his/her designee to place a medallion on or remove a medallion from a taxicab. It shall also be unlawful to tamper with or alter a medallion. As designees, law enforcement officers are authorized to remove expired medallions or medallions found on vehicles for which the medallions were not issued.
 5. Section 21.305(e) reference is amended to read:

The absence of a valid medallion on a taxicab operating in the City of Encinitas is a violation of Encinitas Municipal Code and the violator is subject to citation and fine.

6. Section 21.307(a) reference is amended to read:

It shall be unlawful for any taxicab driver to pickup or discharge passengers in the City of Encinitas without first obtaining a taxicab driver's identification card from the Issuing Officer. The Issuing Officer may issue an applicant a temporary identification card for up to 60 days, while an investigation is pending.

7. Section 21.308 reference is amended to add:

(e) Driving a taxicab in the City of Encinitas with an expired Driver's Identification Card is a violation of Encinitas Municipal Code and the violator is subject to citation and fine.

8. Section 21.308 reference is amended to add:

(f) Driving a taxicab in the City of Encinitas without a Driver's Identification Card is a violation of Encinitas Municipal Code and the violator is subject to citation and fine.

9. Section 21.311(a) reference is amended to read:

It shall be unlawful for any person to operate a taxicab business within the City of Encinitas unless the person has in effect insurance coverage issued by a company authorized to transact insurance business in the State of California with coverage for combined single limit of \$1,000,000 pursuant to Section 21.311(b). A taxicab operator shall furnish the Issuing Officer and the City with a Certificate of Insurance coverage and a separate endorsement of the City of Encinitas as additional insured. This is a prerequisite to obtaining a taxicab operator's license. The certificate shall provide that the insurer will notify the Issuing Officer in writing of any policy status change, including cancellation and any cancellation notice shall be sent to the Issuing Officer by registered mail at least 30 days prior to cancellation of the policy. The certificate shall also state:

- (1) The full name, address and phone number of the insurer;
- (2) The full name, address and phone number of the insured as they appear on the taxicab operator permit and on the City taxicab permit application;
- (3) The insurance policy number;
- (4) The type and limits of coverage;
- (5) The specific vehicle(s) insured;
- (6) The effective dates of the certificate; and
- (7) The certificate issuance date.

10. Section 21.315(h) reference is amended to read:

A taxicab driver shall not operate a taxicab unless he or she has affixed his or her driver's identification card in a prominent location inside the taxicab, visible to passengers in the passenger compartment. A taxicab driver while working shall display the name and photo identification badge issued to him or her by the Issuing Officer. The driver shall prominently display the badge on the outside front of the driver's clothing, between the waist and shoulders. A taxicab driver in violation of any provisions of this section shall be subject to citation and fine.

C. Title 2, Division 1, commencing with Section 21.601 relating to Junk Yards and Motor Vehicle Wrecking Yards.

D. Title 2, Division 1, commencing with Section 21.701 relating to Pawnbrokers and Secondhand Dealers.

E. Title 2, Division 1, commencing with Section 21.901 relating to Amusement Devices and Establishments.

F. Title 2, Division 1, commencing with Section 21.1201 relating to Firearm Dealers.

- G. Title 2, Division 1, commencing with Section 21.1301 relating to Swap Meets.
- H. Title 2, Division 1, commencing with Section 21.2101 relating to Entertainment Establishments.
- I. Title 2, Division 1, commencing with Section 21.2201 relating to Public Dances.
- J. Title 2, Division 1, commencing with Section 21.2301 relating to Teenage Public Dances.
- K. Title 3, Division 7, commencing with Section 37.400 relating to Bingo.
- L. Title 2, Division 1, commencing with Section 21.1051 relating to Regulation of Carnivals.
- M. Title 2, Division 1, commencing with Section 21.1901 relating to Fees. (Ord. 2008-01; Ord. 2011-02)

6.08.030 Effective Date.

The operative date of this chapter is July 1, 2011. (Ord. 2011-02)

6.08.040 Issuing Authority.

The City's law enforcement agency is the issuing authority for the permits specified in this chapter.

6.08.050 Regulations.

Each applicant for a permit or license required by this chapter shall submit the application to City Hall.

6.08.060 Penalties for Delinquent Payment.

- A. In any case where the applicant has failed for a period of 30 days to file the application and obtain the required permit, there shall be added to and collected with the required fee a penalty equal to 10% of the fee and for each additional month or fraction of a month after the expiration of said 30-day period that the applicant fails to file such application and obtain such permit, there shall be added to and collected with the fee an additional penalty equal to 10% of the fee; provided, however, in no event shall the total penalty added to the fee pursuant to this section be more than 60% of the fee. The imposition of or payment of the penalty imposed by this section shall not prevent the imposition of any other penalty prescribed by this Code or prevent the prosecution for violation of this Code.
- B. The annual fee for renewal, if unpaid, is delinquent on the first day of the second month after the month in which the permit expires and thereafter a penalty equal to 10% of the annual fee shall be added thereto, and shall be collected at the time application for renewal is made.
- C. If the annual fee for renewal and the penalty is not paid the first month after it is due there shall be added to and collected with the annual fee, an additional penalty equal to 10% of the annual fee for each month or fraction of a month during which the annual fee or any penalty continues to remain unpaid; provided, however, in no event shall the total penalty added to the annual fee pursuant to this section be more than 60% of the annual fee. The imposition of, or payment of the penalty imposed by this section, shall not prevent the imposition of any other penalty prescribed by this Code or prevent the prosecution for violation of this Code.

CHAPTER 9. AMUSEMENT DEVICES AND ESTABLISHMENTS

SEC. 21.901. DEFINITIONS.

For the purpose of this chapter the following terms shall be defined as follows:

- (a) "ABC license" means a license to sell alcoholic beverages issued by the State Department of Alcoholic Beverage Control.
- (b) "Alcohol prohibited area" means a designated area, in an amusement establishment that has been granted an ABC License, where consumption of an alcoholic beverage is prohibited.
- (c) "Amusement device" means a machine, or apparatus, the operation or use of which is controlled, allowed or made possible by depositing or placing a coin, plate, disk, slug or key into a slot, crevice or other opening or by paying a fee for use as a game, contest or amusement of any description, the use or possession of which is not prohibited by any law of the State of California.
- (d) "Amusement establishment" means a commercially operated establishment having five or more amusement devices.
- (e) "Minors prohibited area" means a restricted area in an amusement establishment that prohibits the entry or presence of persons under the age of 21.

(Amended by Ord. No. 3049 (N.S.), effective 3-30-67; repealed and new Section added by Ord. No. 5200 (N.S.), effective 8-10-78; amended by Ord. No. 7163 (N.S.), effective 8-7-86; amended by Ord. No. 8963 (N.S.), effective 11-12-98; amended by Ord. No. 9889 (N.S.), effective 10-26-07)

Cross reference(s)--Definitions, § 12.101 et seq.

SEC. 21.902. LICENSE REQUIRED.

It shall be unlawful to operate an amusement establishment unless a license has been issued as required by section 21.101 et seq. of this code. The Sheriff shall be the Issuing Officer for any license required by this chapter.

(Added by Ord. No. 5200 (N.S.), effective 8-10-78; amended by Ord. No. 7163 (N.S.), effective 8-7-86; amended by Ord. No. 8244 (N.S.), effective 6-17-93; amended by Ord. No. 9479 (N.S.), effective 7-19-02; amended by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.903. ALCOHOLIC BEVERAGES PROHIBITED.

(a) It shall be unlawful for the proprietor, manager, or employee of any amusement establishment to allow the consumption of any alcoholic beverage in an amusement establishment unless:

- (1) The establishment has an ABC license type 61, 42 or 48.
- (2) The establishment has an ABC license type 41 or 47, the establishment has designated an area where alcohol is prohibited and:
 - (A) The alcohol prohibited area is separated from the area where alcoholic beverages may be consumed, and
 - (B) All amusement devices in the amusement establishment are located in the alcohol prohibited area,
 - (C) The alcohol prohibited area is partitioned off with walls of no less than 8' high, with not more than two combination entrances/ exits that are no wider than 44" or minimum allowable per Uniform Fire Code, and
 - (D) The alcohol prohibited area is not part of or a path to or from public restrooms and is insulated from the general traffic to and from the area where alcoholic beverages may be consumed, and

(E) Each entrance to an alcohol prohibited area is clearly posted with a sign no less than 18 by 24 inches, on a white background and reading as follows: "Warning - Alcoholic beverages are prohibited in this area. Violation is a misdemeanor per San Diego County Code Section 21.903."

(3) The establishment has an ABC license type 41 or 47, the establishment has designated a minors prohibited area and the entrance to the minors prohibited area is clearly posted with a sign at least 18 by 24 inches, on a white background, reading as follows: "Warning -- No person under 21 years of age allowed in minors prohibited area. Violation is a misdemeanor per San Diego County Code Section 21.903."

(b) It shall be unlawful for:

(1) Any person to possess any alcoholic beverage in an alcohol prohibited area when the area is posted as required by Section 21.903(a)(2)(E).

(2) Any person under 21 years of age to enter or be present in an alcohol prohibited area if the area is posted as required by section 21.903(a)(3).

(3) The proprietor, manager or employee of a licensed amusement establishment to allow any person under 21 years of age to enter in or be present in an alcohol prohibited area.

(Added by Ord. No. 5200 (N.S.), effective 8-10-78; amended by Ord. No. 7163 (N.S.), effective 8-7-86; amended by Ord. No. 7603 (N.S.), effective 4-13-89; amended by Ord. No. 8963 (N.S.), effective 11-12-98; amended by Ord. No. 9889 (N.S.), effective 10-26-07)

Cross reference(s)--Alcoholic beverages in county parks, § 41.139; alcoholic beverage warning signs, § 61.401 et seq.

SEC. 21.904. PERSONS INTOXICATED OR UNDER THE INFLUENCE OF DRUGS PROHIBITED.

It shall be unlawful for any person to be in any establishment licensed pursuant to this chapter who is:

(a) Under the influence of any controlled substance or

(b) Is intoxicated.

(Added by Ord. No. 5200 (N.S.), effective 8-10-78; amended by Ord. No. 7163 (N.S.), effective 8-7-86; amended by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.905. OPERATION OF ESTABLISHMENT.

The proprietor, manager or employee of any licensed amusement establishment shall not allow any lewd or disorderly conduct, loud or unreasonable noise, fighting or profane language within the establishment and shall not allow any person under the influence of a controlled substance or alcoholic beverage to remain in or around the establishment or in any surrounding area of the establishment under the establishment's control.

(Added by Ord. No. 5200 (N.S.), effective 8-10-78; amended by Ord. No. 7163 (N.S.), effective 8-7-86; amended by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.906. LICENSE FEE.

An application for an amusement establishment license shall be accompanied by the fee set forth in the San Diego County Sheriff's Licensing Fee Ordinance.

(Added by Ord. No. 5200 (N.S.), effective 8-10-78; amended by Ord. No. 5737 (N.S.), effective 5-29-80; amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8049 (N.S.), effective 5-7-92; amended by Ord. No. 9889 (N.S.), effective 10-26-07)

Cross reference(s)--Sheriff's regulatory fees, § 21.1901.