

ENTERTAINMENT PERMIT NO. 23-32
CITY OF SANTA CRUZ, CALIFORNIA-
2023

ISSUED IN ACCORDANCE WITH CHAPTER 5.44 OF THE SANTA CRUZ MUNICIPAL CODE. ANY VIOLATION IS A MISDEMEANOR AND PUNISHABLE PER CHAPTER 1.08 OF THIS CODE.

BUSINESS NAME, PERMIT HOLDER AND LIQUOR LICENSE INFORMATION

BUSINESS NAME: THE CATALYST
BUSINESS ADDRESS: 1011 Pacific Avenue, Santa Cruz, CA

PERMIT HOLDER/BUSINESS

OWNER: David Farling
First MI Last
Igor Gavric

LIQUOR LICENSE: NO Beer and Wine License No. and Type
X YES X Hard Liquor 47-403619 License No. and Type

PERMITTED ENTERTAINMENT

TYPE X Dancing X Acoustical Music X Amplified Music
X Theater Play X Singing Other (Specify)

DAYS &

HOURS:

Monday 10am-1:00am Tuesday 10am-1:00am Wednesday 10am-1:00am Thursday 10am-1:00am
Friday 10am-1:30am Saturday 10am-1:30am Sunday 10am-1:00am

ADDITIONAL CONDITIONS DURING ENTERTAINMENT HOURS

OCCUPANCY (MAXIMUM): * Persons *107 UPSTAIRS BILLIARD ROOM
*237 RESTAURANT/ATRIUM
SECURITY PERSONNEL (MINIMUM): 1 Licensed, Uniformed Security Officers
*800 SHOWROOM/BALCONIES
2 In-House Security (Not including managers) Other (Describe)

PERMIT CONDITIONS: Note amended conditions incorporated within.

For a detailed description of the entertainment operation approved and the permit conditions, refer to attachment A, Conditions 1 through 48.

*Note: This permit is not transferable. Any change in the entertainment operations as described and permitted in this permit and attached conditions requires submittal of a new application by the permit holder to the Chief of Police prior to any such change. A new permit will be issued upon approval. This permit and attached conditions are to be posted in a conspicuous place on the premises, and presented to any City of Santa Cruz official upon request.

AUTHORITY

PERMIT ISSUED BY

 Jones #106

TITLE POLICE LIEUTENANT DATE 4-12-2023

PERMIT EXPIRATION DATE: 01-01-2024



**THE CATALYST
1011 Pacific Avenue, Santa Cruz, CA**

**POLICE DEPARTMENT
ENTERTAINMENT PERMIT
CONDITIONS**

Entertainment Operation

1. This Entertainment Permit is non-transferable between business owners and/or sites. A new Entertainment Permit must be applied for if there are any changes in the business owner, entertainment operation or the site.
2. The entertainment operation at **1011 Pacific Avenue** is as follows:
 - A. Business Owner: **David Farling, Igor Gavric, and Adam Benson.**
 - B. Type of Entertainment: **Dancing, acoustical music, amplified music, theater/play, and singing.**
 - C. Bar/Alcohol Service: **Monday – Sunday, 9:00 a.m. – 1:30 a.m.**
 - D. Restaurant/Food Service: **Monday – Sunday, 9:00 a.m. – 1:30 a.m.**
 - E. Entertainment Hours: **Sunday – Thursday, 10:00 a.m. – 1:00 a.m.; Friday – Saturday, 10:00 a.m. – 1:30 a.m. (subject to the City of Santa Cruz’s right to review said schedule, beginning January 1, 2006).**
 - F. Maximum Occupancy during entertainment operation: (determined by Fire Department after inspection)

107 Upstairs Billiard Room
237 Restaurant/Atrium
800 Showroom/Balconies
(Showroom includes stage, balconies, and back bar area past control gate.)

Occupancy Level

3. Maximum occupancy of the entertainment operation, as determined by the City Fire Department, and shall be posted in accordance with section 1002.3 of the Uniform Building Code.

4. During all business hours, the occupancy level shall not exceed the maximum determined by the Fire Department. At all times, management and staff shall keep a record of the current occupancy level. This occupancy level will be given to any Peace Officer, Fire Inspector, or City Code Enforcement Officer upon demand.

Security

5. The business owner(s) shall submit a current security plan on a yearly basis as part of the entertainment permit renewal process.

1-100 people = Two (2) in-house, security staff;

101-200 people = Two (2) in-house, security staff; and,
One (1) State licensed, uniformed security officer;

201-400 people = Two (2) in-house security staff; and,
Two (2) State licensed, uniformed security officers.

401 – 600 = Three (3) in-house security staff; and,
Three (3) State licensed, uniformed security officers.
Between the hours of 10:00 p.m. and one half hour after termination of alcoholic beverage sales, the business owner(s) shall provide a minimum of four (4) properly identified security personnel in front of the premises, not including door personnel, and two (2) properly identified security personnel in the rear parking lot and shall maintain order therein and prevent any activity which would interfere with nearby residents' quiet enjoyment of their property.

600+ = Four (4) in-house security staff, and,
Four (4) State licensed, uniformed security officers.
Between the hours of 10:00 p.m. and one half hour after termination of alcoholic beverage sales, the business owner(s) shall provide a minimum of four (4) properly identified security personnel in front of the premises, not including door personnel, and two (2) properly identified security personnel in the rear parking lot and shall maintain order therein and prevent any activity which would interfere with nearby residents' quiet enjoyment of their property.

The business owner(s) are responsible for having the required number and type of security personnel at the site during all hours of live, amplified music and entertainment, which includes dancing and/or music. Security must be on-duty until one hour after entertainment ceases. Uniformed security shall patrol both inside and outside the establishment, including adjacent parking areas and businesses. Proprietor shall have written post duties of security officers regarding responsibilities of employment.

These post orders shall be forwarded to the Police Department and kept in the Entertainment Permit file. If the business owner(s) do not have the requisite number of State licensed, uniformed security on staff, or if sufficient licensed staff are unavailable, the business owner(s) shall contract with a State licensed security agency for the requisite number of uniformed, State licensed security officers.

The business owner(s) shall be in full compliance with this condition, obtaining the required number of State licensed security staff and submitting the current security plan to the Police Department, by no later than **October 1, 2005**.

6. The business owner(s) shall submit to the Police Department by no later than **October 1, 2005**, a directory of their security staff, itemizing who is currently State licensed, who is scheduled for testing to obtain his/her State license, and the total number of State licensed security staff.
7. The business owner(s) shall adopt a policy and procedure manual for security staff. Security staff shall be properly trained in anger management, conflict resolution, crowd management and first aid. The business owner(s) shall submit to the Police Department a copy of the Policy and Procedure Manual by no later than **October 15, 2005**.
8. The business owner(s) shall submit a copy of its contract with a licensed security company and its written standing orders for its security personnel on a yearly basis as part of the Entertainment Permit.
9. The State licensed and uniformed security officers (herein referred to as Officers) shall at all times carry the necessary state permits authorizing them to carry their safety equipment (i.e., mace, baton, etc.).
10. The City of Santa Cruz Police Department maintains the authority to require the business owner(s) to contract with a different security company if the current

security officers are found to be ineffective.

In addition, the Police Department may require the business owner(s) to increase the number of security personnel, including officers, at the premises and/or pay the cost of City Police services because of safety needs and/or public nuisance occurrences.

11. All security staff (other than the uniformed officers), while on duty, will wear identifiable name tags and/or clothing displaying the business name, their name and their status as security. Identifiable clothing may include, though is not limited to: shirts, jackets and vests. Business owner(s) shall provide a sample of the name tags and/or clothing for Department review.
12. All bouncers/doormen and other security staff, while on duty and/or in uniform, will not drink alcoholic beverages.
13. Business owner(s) and security staff are responsible for inspecting, on a regular basis during entertainment hours, the exterior of the premises, including the adjacent public parking areas. These regular inspections are to minimize and eliminate any undesirable activity, including though not limited to: loud and/or intoxicated patrons, criminal activity and/or loitering.
14. At closing time, and for the thirty (30) minutes thereafter, the Officers and other security staff are responsible for dispersing the customers from the sidewalk, street area and alley areas adjacent to the premises.
15. Business owner(s) and staff are responsible for managing crowds and/or lines of people waiting to enter business or purchase tickets. They shall insure sidewalks are accessible and passable at all times.
16. The business owner(s) shall install video security systems in front of the business, hallways, entrance areas, adjacent back parking areas and around the bar service areas. These systems shall be recorded at all times when the business is open and be available for review upon the request of the Police Department. These systems shall be in place by **November 1, 2005.**
17. The business owner(s), management, and staff shall call the Police Department to report any incidents of a violent nature or injury.

Security Lighting

18. The perimeter, exits and entrances of the premises, and any adjacent walkways shall be equipped and maintained with sufficient lighting to illuminate and make easily discernible the appearance and conduct of all persons on or about these areas. All lighting shall be directed, positioned and shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.
19. The area directly in front of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the front of the premises. The positioning of such lighting shall not disturb the normal privacy and use of any nearby residences. Such lighting shall commence no later than 9:00 p.m. and remain on until 2:30 a.m. and then extinguish.
20. In order to make the site more easily identifiable for Fire and Police emergency response, the business owner(s) shall install and maintain a lamp to illuminate the address of the site. All lighting shall be directed, positioned and shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.

Alcohol Beverage Control

21. Violations of ABC rules will result in Entertainment Permit revocation.
22. The owner(s) shall provide the Police Department with evidence of the adoption and implementation of responsible beverage service (RBS) policies and practices, including but not limited to employee participation in a RBS training program acceptable to the Santa Cruz County Alcohol and Drug Program. The owner shall contact the County Alcohol and Drug Program Administrator at: 454-4050 for a referral to an acceptable program. All current employees including the owner, ABC Licensee, managers, servers, and security staff shall attend RBS training within 30 days after the permit is issued. Copies of their training certification shall be provided to the Police Department. New employees shall attend RBS training within 30 days of their hire date. Copies of their training certification shall be provided to the Police Department.
23. Reduced price alcoholic beverage promotion shall only be allowed at the premises a

maximum of six (6) times per calendar year. Such reduced price alcoholic beverage promotion shall only be allowed between 3:00 p.m. and 10:00 p.m.

24. No beer or malt beverage shall be sold at the premises with an alcoholic content of greater than 9% volume.
25. Alcoholic beverage service at all portable locations on the premises shall be limited as follows: patrons shall be limited to two (2) beverages per transaction at the portable alcoholic beverage service locations. Service at all portable locations shall terminate thirty (30) minutes before the conclusion of all entertainment.

Sound Level

26. Any live entertainment or other amplified sounds must not be audible outside the structure of the establishment (including without limitation the Atrium). Complaints about entertainment sound level, received by the City, will be documented and may result in additional conditions placed on this Entertainment Permit or revocation of the permit.
27. Initial remedial measures to sound-proof the premises, including without limitation, the Atrium, shall be in place by **October 1, 2005.**
28. The business owner(s) shall conduct and complete a sound study of the licensed premises to assess sufficient noise levels. The sound study shall include the taking of remote readings to assess noise levels. This sound study shall be completed by **November 1, 2005.** A copy of the sound study shall be provided to the Police Department for review and comment.
29. The rear doors of the premises shall be equipped on the inside with an automatic closing and locking devices, shall be closed at all times, and shall not be used as a means of access by patrons to and from the premises. Temporary use of these doors for delivery of supplies does not constitute a violation.
30. Business owner(s), management and staff will be responsible for inspecting the exterior of the premises, on a regular basis during entertainment hours, to keep control of open doors and windows that may be contributing to sound leaving the premises.

Entertainment Schedule

31. Entertainment at the premises shall terminate by 1:00 a.m. on Sundays, Mondays, Tuesdays, Wednesdays, and Thursdays and shall terminate by 1:30 a.m. on Fridays and Saturdays.

After December 31, 2014, this entertainment schedule is subject to review and/or modification by the City in consultation with the business owner(s).

Litter and Trash

32. The business owner(s), management and staff shall be responsible for maintaining free of litter the premises and areas adjacent to the premises that are affected by the entertainment operation.
33. The business owner(s) and management are responsible for trash pick up in front and behind the premises to the adjacent side streets of Elm and Cathcart Streets each night of the week that entertainment is provided.
34. The sidewalk area directly in front and attached to the premises shall be cleaned at least once a week and in the appropriate manner that follows the standards set forth by State and City law pertaining to the collection and disposal of waste water products.
35. All trash disposal containers shall be stored in the back of the premises. The business owner(s) shall coordinate with the Department of Public Works Sanitation for the change of pick up location.
36. The business owner(s) shall explore and implement remedial measures to minimize noise resulting from the emptying of trash from the premises into the outside trash containers.

Miscellaneous

37. No smoking on the premises.
38. **This Entertainment Permit expires on January 1, 2024. An application for permit renewal and an applicable non-refundable fee must be submitted by December 1, 2023, if the business owner(s) intend to continue the entertainment operations after January 1, 2024.**

39. During all business hours the establishment is open to the public, all permits, including conditions of operation, and licenses (e.g. ABC alcohol license) shall be posted and available for viewing by any City Official when requested.

40. At all times during the operation of the facility, the exit doors will be clearly marked and will not be blocked, either temporarily or otherwise.
41. No person shall be excluded from membership in the club on the basis of race, color, sex, religion, ancestry, disability, marital status or national origin.
42. Loitering is prohibited on or around the premises or the area under control of the licensee(s) as depicted on the current ABC-257 license.
43. No person, patron, employee, or performer shall engage in or expose his/her person, or the private parts thereof, in any public place, or in any place where there are present other persons to be offended or annoyed, or which is adapted to excite vicious or lewd thoughts.
44. Failure to operate and maintain the facility within the parameters set forth in these Entertainment Permit Conditions may result in additional conditions being placed on the permit and/or permit revocation.
45. The business owner(s) must comply with all the parameters set forth in these Entertainment Permit Conditions as part of the Use Permit for the premises. Any conflict between the Entertainment Permit and the Use Permit shall be resolved in favor of the Entertainment Permit.

If any conditions set forth in these Entertainment Permit Conditions are different from, stricter than, or in conflict with those set forth in the Use Permit, the Entertainment Permit controls.

46. Failure to operate and maintain the facility within the parameters set forth in these Entertainment Permit Conditions may result in additional conditions being placed on the Use Permit for the premises, suspension of the Use Permit, and/or revocation of the Use Permit.

47. The Entertainment Permit shall be reviewed by the City every six months for further review of additional conditions as needed.

48. The business owner(s) shall comply with all local, state, and federal laws, regulations, and rules applicable to the running of their business. Failure to do so may result in additional conditions being placed on the permit and/or permit revocation.

49. An operational and recorded video surveillance system is to be in place on the premises. The system shall provide video surveillance coverage of all common areas where alcoholic beverages are served and consumed, and shall also provide video surveillance coverage of the exterior of the premises, including outdoor patio area(s), parking lot(s), and entry/exit areas. The system must maintain at least twenty one (21) days of recorded video storage which must be made available to law enforcement within twenty four (24) hours when requested.

April 12, 2023