

**City of Carson City
Agenda Report**

Date Submitted: November 25, 2013

Agenda Date Requested: December 5, 2013

Time Requested: 9:30a.m. - 9:45a.m.

To: Carson City Board of Supervisors

From: Community Development – Business License Division

Subject Title: For Possible Action: The Board will conduct a due process show cause hearing, deliberate and take action pursuant to CCMC 4.04.210 on the complaint for the suspension, cancelation or revocation of the business license of Chatman Sales, Inc. (Business License #13-30069) for having solicitors operate in Carson City without the required solicitors' registration permits issued by the Carson City Sheriff's Office. (Lena Reseck)

Staff Summary: Chatman Sales, Inc. applied for a Carson City Business License on June 7, 2013 for the business nature of selling cleaning products door to door. On October 2, 2013, a complaint was received by the Carson City Sheriff's Department regarding people selling cleaning products in the neighborhood. The solicitors were arrested for soliciting without a license. Upon further review, it was confirmed that the sales people for Chatman Sales, Inc. had not registered with the Carson City Sheriff's Department as stated in CCMC 4.16.010, entitled "registration permit required," all solicitors must first obtain a registration permit before engaging in business. A Notice of Complaint/Show Cause Hearing was sent to Chatman Sales, Inc. on November 15, 2013 via certified mail with no response from Chatman Sales, Inc. or confirmation of receipt of letter. CCMC 4.04.210(2)(d) provides "If the licensee or permittee fails to file a written answer within the time required, or if the licensee or permittee fails to appear at the place and time designated for the hearing, the board may order the license or permit suspended, canceled or revoked." CCMC 4.04.210(2)(e) provides "Unless the board enters its order orally on the official record of its public meeting with findings of fact, the board shall, within 15 days after the date of such hearing, enter its written order to suspend, cancel or revoke, or refuse to suspend, cancel or revoke, the license or permit. The licensee or permittee shall be allowed to operate until the written order or the transcribed oral order attested to by the City Clerk is served personally, or by certified mail to the last known address, upon the licensee or permittee."

Type of Action Requested:

- | | |
|--|--|
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Ordinance |
| <input checked="" type="checkbox"/> Formal Action/Motion | <input type="checkbox"/> Other (Specify) |

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move the Board hereby makes finds of fact that Chatman Sales, Inc. has not timely filed an answer to the served November 15, 2013 complaint issued pursuant to CCMC 4.04.210 and that the allegations in that complaint are true that Chatman Sales, Inc. had solicitors operating in Carson City on or about October 2, 2013 not in compliance with required registration permits issued by the Carson City Sheriff as set forth in CCMC 4.16.010, and therefore I further move to revoke the business license (Business License #13-30069) held by Chatman Sales, Inc., and instruct the Carson City Clerk to transcribe this oral Order, attest to such transcription, and deliver such Order to the Business License Division for its immediate service of the attested Order by certified mail-return receipt requested to the last known address of the licensee.

Explanation for Recommended Board Action: The continued operation of the licensed business without the solicitors first obtaining a registration permit from the Carson City Sheriff's Office per CCMC 4.16.010 constitutes a clear and immediate threat to the health, safety, and welfare of the residents of Carson City.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 4.04.210(2)(a)

Fiscal Impact: N/A

Explanation of Impact: N/A

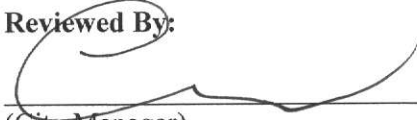
Funding Source: N/A

Alternatives: 1) Take no action

Supporting Material: 1) Copy of Business License Application
2) Carson City Sheriff's Office Case Summary by Detective Speegle
3) Notice of Show Cause Hearing sent to Chatman Sales, Inc.

Prepared By: Lena E. Reseck, Senior Permit Technician

Reviewed By:



(City Manager)

Date: 11/25/13

Marena Wark

(Deputy City Manager)

Date: 11/25/13



(District Attorney's Office)

Date: 11/25/13

Wade Carlson

(Finance Director)

Date: 11/25/13

Steve Tansky

(Planning Manager)

Date: 11.22.13

Board Action Taken:

Motion: _____ 1) _____ Aye/Nay
2) _____

(Vote Recorded By)



CARSON CITY LICENSE APPLICATION

Please type or print in black ink; Incomplete or illegible applications will not be accepted. Applications must bear an original signature

Business License #: **13-30069**
Submittal Date: **6-7-2013**

<input type="checkbox"/> New Business	<input type="checkbox"/> Change of Location/Mailing	<input type="checkbox"/> Change of Name	<input type="checkbox"/> Change of Corporate Officer	<input type="checkbox"/> Other
Type of License(s)		<input type="checkbox"/> Business	<input type="checkbox"/> Short-Term	<input type="checkbox"/> Gaming <input type="checkbox"/> Liquor
Type of Entity	<input type="checkbox"/> Sole Proprietor	<input type="checkbox"/> Corporation	<input type="checkbox"/> Partnership	<input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Non-Profit
Entity Name			Business Opening Date	
Business Name (DBA) CHATMAN Sales			EIN # NV	
Business Address 12569 Crenshaw Blvd		City Hawthorne	State CA	Zip Code 90250
Mailing Address SAME		City	State	Zip Code
Corporate Phone 909 730 6940	Business Phone	Cellular Phone	Business Fax	
E-mail Address		Business Website		

12 Owner(s), Manager(s), or other Principal(s) attach additional pages if required

Last, First, MI GREGORY CHATMAN	Percent Owned YES	Title OWNER	Date of Birth 12-6-65	SSN [REDACTED]
Residence Address (Street) 442 12th SPARKS		City, State, Zip SPARK NV 89431	Residence Telephone 725-359-1082	
Last, First, MI	Percent Owned	Title	Date of Birth	SSN
Residence Address (Street)		City, State, Zip	Residence Telephone	
Last, First, MI	Percent Owned	Title	Date of Birth	SSN
Residence Address (Street)		City, State, Zip	Residence Telephone	
Manager/Liquor Manager		<input type="checkbox"/> On-Site <input type="checkbox"/> Off-Site	Contact Phone Number	
Residence Address (Street)		City, State, Zip		

Pursuant to NRS 244.33507 and 42 U.S.C. Sec. 666, you are required to provide your social security number on the application for a license, permit, or certificate for the purpose of determining whether or not you have failed to comply with a subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child or you are in arrears in the payment for the support of one or more children

13 Describe in detail the activity of your business
Door To Door Selling ALL purpose cleaner.

14 Type of Liquor License Applying for (if applicable)

<input checked="" type="checkbox"/> Tavern/Bar	<input type="checkbox"/> Dining Room w/Beer and Wine Only	<input type="checkbox"/> Packaged Liquor	<input type="checkbox"/> Dining Room w/Hard Liquor	<input type="checkbox"/> Combo (On-Premise & Pkg)	<input type="checkbox"/> General Wholesale
<input type="checkbox"/> Catering	<input type="checkbox"/> Additional Wet Bars _____		Will there be an Interim Management Agreement?		

16 List number of slot machines (if applicable)

<input type="checkbox"/> 1 cent _____	<input type="checkbox"/> Multi _____	<input type="checkbox"/> Craps _____	<input type="checkbox"/> Backgammon _____
<input type="checkbox"/> 5 cent _____	<input type="checkbox"/> Poker _____	<input type="checkbox"/> Roulette _____	<input type="checkbox"/> Race Book _____
<input type="checkbox"/> 25 cent _____	<input type="checkbox"/> Mega Buck _____	<input type="checkbox"/> Twenty-One _____	<input type="checkbox"/> Sports Book _____
<input type="checkbox"/> 1.00 _____		<input type="checkbox"/> Keno _____	<input type="checkbox"/> Poker _____

17 If this application is for a change of business name, location, or ownership, list the previous name, address, and owner below

18 Check One

<input type="checkbox"/>	I am not subject to a court order for the support of a child
<input type="checkbox"/>	I am subject to a court order for the support of one or more children and am <i>in compliance</i> with a plan approved by the District Attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to order
<input type="checkbox"/>	I am subject to a court order for the support of one or more children and am <i>not in compliance</i> with a plan approved by the District Attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to order

Miscellaneous Information	Please answer this section if your business is located in Carson City. If you are unsure of your answer or are installing signage, contact the Planning Division at (775) 887-2180	
	Is your business location zoned for this type of business	Has a Special Use Permit been obtained for this business location
	Will you be installing any outdoor signs	Are there any existing signs of the property
	Will there be any outside storage (if yes, please explain items being stored and how being screened)	
	Will any commercial vehicles be used for this business (if yes, please describe size, type, and location of storage)	
	Please list the quantities, types, and storage location of any chemicals or hazardous materials that will be used for this business	

Rules and Regulations	I, the undersigned understand that I cannot operate my business until my license is actually issued by this office indicating approval by all necessary city departments
	<ul style="list-style-type: none"> If any changes are made after completing said license application this office must be notified immediately and an update is required. A business license, liquor license, and/or gaming license are issued to a given owner at a SPECIFIC LOCATION and are NON-TRANSFERRABLE to a different owner or different location Non-payment of annual and quarterly business license, liquor license, and/or gaming license fees by the due date will result in applied penalties and is grounds for the revocation of the license. Any exception to any of the above is considered a violation of the Carson City Municipal Code and is subject to citation
	I hereby certify that the above information is correct to the best of my knowledge and belief. I understand that failure to complete this form truthfully is an act of perjury.
	Applicant's Signature <u>Mary Clark</u> Date <u>6-7-13</u>

FEE STRUCTURE		FEE	LICENSE TOTAL FEES	
Business License Fee			Business License Annual Fee:	
Square Footage			Business License Pro-rated Fee:	
Number of Employees			Business License Application/Update Fee:	
Health Fee			Liquor License Annual Fee:	
Number of Rental Units			Liquor License Pro-rated Fee:	
Number of Coin Operated Machines			Liquor License Application Fee:	
Number of Slot Machines			Liquor License Investigation Fee:	
TOTAL FEES DUE: <u>71.34</u>			Gaming License Quarterly Fee:	
Payment Type	<u>CASH</u>		Gaming License Application Fee:	
Received By	<u>SU</u>	Date	Fictitious Name Fee:	
		<u>6-7-2013</u>	Health Pre-Inspection Fee:	
Date Applicant Fingerprinted	By	File #		



Carson City Business License Division
108 E. Proctor St.
Carson City, Nevada 89701
(775) 887-2105
Hearing Impaired: 711

CITY OF CARSON CITY BOARD OF SUPERVISORS

NOTICE OF COMPLAINT/SHOW CAUSE HEARING

DATE: November 15, 2013

NAME AND ADDRESS OF BUSINESS:

Chatman Sales, Inc.
Gregory Chatman, President
12569 Crenshaw Blvd.
Hawthorne, CA 90250

RE: ISSUANCE OF A COMPLAINT AND SHOW CAUSE HEARING NOTICE REGARDING SOLICITORS OPERATING IN CARSON CITY WITHOUT THE APPROPRIATE APPROVAL FROM THE CARSON CITY SHERIFF'S OFFICE.

Pursuant to Carson City Municipal Code, Section 4.04.210(2), the Carson City Board of Supervisors requires that you and/or your representative appear for a Show Cause Hearing at the Board of Supervisors meeting on **Thursday, December 5, 2013 at 9:30am** regarding solicitors operating under your business license in Carson City without the appropriate approval from the Carson City Sheriff's Office. The purpose of this hearing will be to determine if your business license should be suspended, canceled or revoked as a result of the aforementioned conduct. The Board of Supervisors will meet at the Community Center, Sierra Room, 851 East William Street, Carson City, Nevada.

The grounds for the business license suspension, cancellation, or revocation are as follows: **The continued operation of the licensed business without the solicitors first obtaining a registration permit from the Carson City Sheriff's Office per CCMC 4.16.010 constitutes a clear and immediate threat to the health, safety, and welfare of the residents of Carson City.**

Pursuant to Nevada Revised Statutes (NRS) 241.033 and 241.034, you are being provided notice that the Carson City Board of Supervisors may consider your character, alleged misconduct, professional competence, or physical or mental health relating to your business license. The Board of Supervisors may also discuss and take administrative action relating to your business license. Furthermore, the Board of Supervisors may, without further notice take administrative action against you if the Board of Supervisors determines that such administrative action is warranted after considering your character, alleged misconduct, professional competence, or physical or mental health.

Additional information regarding this complaint may be found on the November 7, 2013 Carson City Board of Supervisors Agenda Report attached for your reference. This is your notice to show cause as

to why your business license should not be suspended, canceled, or revoked. You and/or your representative shall have an opportunity to be heard, present witnesses and cross-examine witnesses against you. If you and/or your representative are not able to attend this meeting, you may submit written documentation to the Business License Division prior to 8:00am on Tuesday, December 3, 2013 explaining why you are not able to attend. Any written justification you wish to provide to the Board of Supervisors, whether you are able to attend the meeting or not, should be submitted to the Business License Division by the same aforementioned deadline.

The Board of Supervisors may take action on your business license on the hearing date or may take up to 20 days to render a decision as to the business license suspension, cancellation, or revocation and then give notice to the licensee.

Should you have any questions regarding this matter, please contact me at (775) 887-2105 or lreseck@carson.org.

Sincerely,



Lena E. Reseck
Senior Permit Technician

cc: Neil Rombardo, District Attorney
Ken Furlong, Sheriff
Lee Plemel, Community Development Director
Susan Dorr Pansky, Planning Manager
Antron Wilson, Chatman Sales, Inc.
Ian Farmer, Chatman Sales, Inc.

Attachment

Certified Mail Receipt #7011 2970 0000 0867 4950