



## OFFICE OF THE CITY ADMINISTRATOR

SPECIAL BUSINESS PERMITS

• 1 Frank H. Ogawa Plaza, 11<sup>th</sup> Floor

• Oakland, CA 94612

Nancy Marcus, Administrative Assistant I  
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May 24, 2010

Ye Ole Hut  
5515 College Ave.  
Oakland, CA 94618

Dear Business Owner,

The City Administrator's Office has received complaints from your residential neighbors regarding excessive noise generated by music at your establishment.

**The Oakland Municipal Code 8.18.020 Persistent noises a nuisance.** *The persistent maintenance or emission of any noise or sound produce by human, animal or mechanical means, between the hours of nine pm and seven am next ensuing, which, by reason of its raucous or nerve-racking nature, shall disturb the peace or comfort, or be injurious to the health or any person shall constitute a nuisance.*

The Cabaret Ordinance was recently modified and this may exempt you from the cabaret process, but only if you do not meet the following definition:

- A place where the general public is admitted for a fee; Entertainment is provided and alcohol is served.
- or
- A place that does not charge for admission, the general public is admitted, alcohol is served, dancing is permitted and the venue operates past 11:00pm.

You may also want to check your ABC conditions to make sure that entertainment is not prohibited on your license.

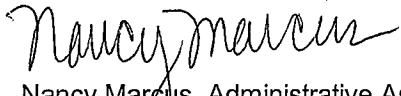
With the passing of the new Cabaret Ordinance exempting certain venues from being required to obtain a permit, you are still however required to operate your business without disturbing your neighbors.

If we continue to receive complaints regarding the noise disturbance, then the person responsible for the event causing the noise disturbance shall be guilty of a violation of this chapter.

Any person who violates or causes or permits another person to violate any provision of this chapter is subject to, but not limited to, fines and penalties specified in Chapter 1.28 of this code and civil penalties and administrative citations authorized pursuant to Chapters 1.08, 1.12 and 1.16 of this code.

Please contact our office by June 4, 2010 in regards as to how you plan to alleviate these disturbances.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Marcus".

Nancy Marcus, Administrative Assistant I  
Special Activity Permits

cc: CAO file

City Council Member Jane Brunner  
Patricia Rose, NSC 12x.