

**18-72 Application, processing, modification and revocation of permits.**

(a) All applications for permits required by this article shall be submitted to the city manager or designee on forms prescribed by the city manager.

(1) Upon receipt of an application for a permit under this article, the same shall be referred by the city manager to the appropriate agencies for investigation and report pertaining to relevant zoning, building, health, safety, fire, law enforcement and other factors and upon receipt of such reports the matter shall be set for hearing before the city council upon prior written notice to the applicant of not less than three days, unless such notice should be waived by the applicant. The requirement of a hearing may be waived by the applicant.

(2) All applications for permits shall be processed as expeditiously as possible, and hearings shall be held and a decision rendered by the city council within sixty days of receipt of a completed application. In the case of applications requesting permits for constitutionally protected activities such as free speech or free religion, the city manager shall make every effort to process the application as expeditiously as possible, and in any event the city council shall hold a hearing and make a decision within ten working days of receipt of the completed application. These time periods may be waived by the applicant.

(3) In the event of an application for a permit for a constitutionally protected activity, and the city manager cannot process the application within the above time limits, or the applicant shows reasonable cause for issuance of the permit within a shorter time, the city manager may issue a temporary permit subject to revocation. The temporary permit may be issued for a limited time period within the discretion of the city manager, and may be revoked or made permanent after hearing before the city council.

(b) At the time of the hearing, the city council shall consider and hear all reports and any relevant and material evidence. In any such hearing, the applicant shall be given an opportunity to appear either personally or by representative and to be heard and to call witnesses on his or her behalf. The hearing may be continued from time to time as determined necessary by the city council or upon request of the applicant upon cause being shown therefor.

(c) In considering the issuance, modification or revocation of a permit pursuant to this article, the city council or city manager shall have the right to approve, approve with conditions, deny, modify or revoke a permit based on the following factors:

(1) The applicant or any person associated with the application has been convicted of a felony or a misdemeanor involving moral turpitude, and the conviction directly relates to the applicant's qualifications to properly engage in the activities for which the permit is requested.

(2) The granting of the permit would result in the establishment of the use or occupancy of land in violation of the zoning regulations, law or map of the city.

(3) The granting of the permit would result in an occupancy or use in violation of any other provisions or regulation of the Walnut City Code.

(4) The granting of the permit would be contrary to any other standards or provisions of this article applicable to the application or permit.

(5) The granting of the permit or occupancy or use pursuant thereto would result in the creation or maintenance of a public nuisance.

(6) The granting of the permit by reason of special or unusual circumstances would be detrimental to the public interest or endanger the public health, safety, morals or welfare.

(7) The report of any department contains facts which specifically and reasonably show that the applicant is not qualified to engage in the activity for which the permit is sought.

(8) The applicant, or any person involved in the application, has violated any law of the city, the county or the State of California, and such violation directly relates to their qualification to engage in the activity requested by the permit.

(9) That the permittee has committed, or caused, permitted, encouraged or condoned the commission of, any lewd or immoral act or any act of prostitution.

(10) That the business has been conducted, in whole or in part, as a subterfuge to facilitate or to conceal the conduct of any unlawful or immoral business or practice.

(11) That the business has failed to comply with the requirements of this chapter or any conditions of its permit.

(12) Information provided in the application has been found to be false, untrue or incomplete.

(13) The applicant has had a permit or license refused or revoked, or has been employed at an establishment at the time that a license of permit has been refused or revoked either by the city of Walnut or any other public agency on any grounds by which the city could deny a permit or license.

(d) In granting, denying, modifying or revoking any such permit, the city council or city manager, may in the application of the aforementioned standards and principals, and in order to protect the public peace, health, safety, morals and welfare, impose reasonable conditions or regulations pertaining to the conducting of such business or the occupancy or use of any land or building in connection therewith in addition, but not limited thereby, those regulations contained in this article where necessary in order to protect the public health, safety, morals and welfare. The decision of the city council or city manager shall be in writing and supported by findings of fact. (Ord. No. 543, § 4; Ord. No. 594 §§ 4 — 6; Ord. No. 609, § 4)