

## CHAPTER 14B.

DRIVE-IN, TAKE-OUT AND SELF-SERVICE BUSINESS ESTABLISHMENTS.<sup>1</sup>

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Sec. 14B-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Drive-in, take-out restaurant, shopping or service centers. Any retail or wholesale store, display area, serve yourself areas or food establishment where soft goods, hard goods, food and beverages are offered for sale, personal services performed, serve yourself facilities made available for use at a fee for use or consumption on the premises at tables, stands, stalls or roped off areas in the open, or closed areas or in any type vehicle stopped, standing or parked upon the premises or in or upon any street, alley, land, parking area or grounds immediately adjacent to such premises or for use or consumption off of the premises.

Permittee. Such term shall include the following, all of whom shall be responsible for all of the duties and obligations imposed upon the permittee by this chapter: Applicant, permittee, owner, manager, proprietor, employee of the foregoing or any other person in charge of any such premises. (Ord. No. 271)

Sec. 14B-2. Health permit required.<sup>2</sup>

No permit shall be issued under this chapter for any drive-in, take-out restaurant and shopping or service center unless a health permit has been issued and remains in full force and effect for the conducting of such business on such premises.

Each application for a permit under this chapter shall be referred to the health officer for processing and report. If the health officer approves the issuance of a permit, the director of ordinance enforcement shall, upon payment of the required business license fee and upon compliance with the terms and provisions of this chapter and this Code, issue a permit to such applicant. (Ord. No. 271)

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<sup>1</sup>For state law as to sanitation of restaurants, itinerant restaurants, vehicles and vending machines, see H. & S. C., Sec. 28520 et seq.

<sup>2</sup>As to health and sanitation generally, see Ch. 24 of this Code.

Sec. 14B-3. Maintenance of premises generally; noise; nuisances.

The permittee shall maintain such premises in accordance with the terms and provisions of this chapter and this Code, and shall not cause or create or permit any loud music, noise or other sounds by means of phonograph, radio or other broadcasting apparatus or device, the sound output of which exceeds at peak volume seventy-five decibels measured twenty feet from the loudspeaker or horn, or seventy decibels measured seventy-five feet from the loudspeaker or horn, and shall not permit fighting, quarreling, loitering or loud noise or other nuisance whereby the quiet and peace of the premises or of the neighborhood is disturbed. (Ord. No. 271)

Sec. 14B-4. Parking and driveway areas.

No permit shall be issued for a drive-in, take-out restaurant or shopping service center and no permits shall be maintained in full force and effect for any permittee unless:

- (a) The parking and driveway area of any such premises are adequately illuminated by electrical lights in accordance with the standards established by the chief building official for commercial parking areas, but all illumination shall be so arranged by the permittee so as to reflect away from any adjoining residential property.
- (b) The parking and driveway areas of the premises shall be satisfactorily paved or treated so as to avoid creating dust and so as to provide for adequate drainage of surface water.
- (c) Any drive-in restaurant, shopping and service center constructed in the future, in addition, shall be provided with access available to public streets or other public ways from at least two points at all times. Such means of access shall be kept clear by the permittee at all times to facilitate the departure of persons in motor vehicles and to permit entrance of fire apparatus or ambulances, law enforcement vehicles or other emergency vehicles.
- (d) Each permittee shall provide and maintain a reinforced cement or block masonry wall not less than three feet and not more than six feet in height at the exterior boundaries of any area provided for customer vehicle parking and driveway, except within the front yard setback area and at those locations approved for ingress and egress. Where such parking or driveway area abuts a street, other than an alley, no such wall shall be required. Where such parking and driveway area abuts upon an adjoining use devoted to vehicle parking or driveways, no such wall shall be required. The requirements of this subsection may be modified upon application to the planning commission and the establishment of unusual circumstances making the application of this subsection under circumstances unreasonable or unnecessary. In granting such a modification, the planning commission may impose any reasonable conditions in order to protect the public health, peace, safety and welfare. (Ord. No. 271)

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Sec. 14B-5

Sec. 14B-6

Sec. 14B-5. Disposal of waste; waste defined.<sup>3</sup>

The permittee shall, at least once in every forty-eight hours, dispose of waste materials or refuse deposited or accumulating on the premises of the permittee. The permittee shall provide and maintain on the premises a sufficient number of adequate waste receptacles, not less than two in number, for the use of consumers and the permittee. Waste or refuse as used herein includes paper cups, paper plates, straws, napkins, food, beverage, drink, frozen dessert, garbage and all other waste material intended for disposal and which, if not placed in a proper receptacle therefor, tends to create a public nuisance by rendering such property unclean, unsafe and unsightly. (Ord. No. 271)

Sec. 14B-6. Traffic control.<sup>4</sup>

Each permittee shall place and maintain at suitable locations on the premises, as approved by the city manager, appropriate traffic control devices and signs and markings directing traffic entering and leaving the premises and shall designate and mark parking spaces for the parking of vehicles of patrons on the premises. (Ord. No. 271)

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<sup>3</sup>As to accumulation of garbage, rubbish, etc., on premises, see Secs. 33-28 to 33-46 of this Code.

<sup>4</sup>As to motor vehicles and traffic generally, see Ch. 29 of this Code.

Sec. 14B-7. Prohibited acts.

In order to protect the public peace, health, safety and welfare and the quiet and peace of the surrounding neighborhood, and in order to prevent activity which may be inimical to premises upon which food is prepared or served, or any article is sold, or services performed or made available for sale, the following conduct is prohibited, and no person shall enter or remain on such premises, or conduct any activity, or cause to be conducted any activity contrary thereto:

- (a) No person on the premises shall race or accelerate the motor of any vehicle, or bring to a sudden start or stop any motor vehicle, or blow or honk the horn of any motor vehicle, except where reasonably necessary in the operation thereof.
- (b) No person shall place, throw or deposit any garbage, refuse or waste material upon, in or outside of the premises, except in waste or refuse receptacles provided therefor on the premises.
- (c) No person shall enter the premises of any drive-in restaurant, store, car wash or other business facility made available, in a motor vehicle of any description and park such vehicle and leave the premises thereof without getting the consent of the permittee or owner or operator of such business.
- (d) No person shall enter the premises of a drive-in restaurant, store, car wash or other business facility made available, in a motor vehicle, except for the purpose of conducting business with the permittee, owner, manager or proprietor thereof, and no such person shall enter such premises for the purpose of racing a motor vehicle on the premises, or as a short cut to another street or alley, or for the purpose of annoying or endangering any person or other vehicle lawfully on such premises.
- (e) No person shall drive a motor vehicle onto any of such premises and then off of such premises without first parking thereon, unless there is no unoccupied parking space available on the premises, or unless such person makes or attempts to make a purchase thereon.
- (f) No person shall leave a motor vehicle on such premises so as to block any driveway of ingress or egress.
- (g) It is unlawful for any person on such premises to have in his possession any bottle, can or other receptacle containing any alcoholic beverage which has been opened or a seal broken, or the contents of which have been partially removed. This subsection does not apply within premises licensed under the Alcoholic Beverage Control Act, or to any persons under twenty-one years of age, or to anyone keeping alcoholic beverages in a vehicle in the manner authorized by the Vehicle Code of the state.
- (h) Any person remaining on such premises after being asked by the permittee, proprietor, manager or employee thereof to leave and refusing to do so is guilty of a misdemeanor. It shall be unlawful for a group of two or more persons to congregate and linger on any of such premises other than in a restaurant or cafe or public eating house or other building provided for delivery or consumption of food, or other than in a legally parked motor vehicle, except where such persons are in the process of waiting for, receiving or consuming a product on such premises. (Ord. No. 271)

Sec. 14B-8. Signs required at exit and entrance.

- (a) Each permittee owning, operating, managing or conducting a drive-in restaurant, shopping or service center where motor vehicle parking space or driveways are provided for customer use shall place in conspicuous places at each entrance and exit from such premises, as well as in at least two other places, signs in letters at least two inches in height, on a contrasting background, containing words or phrases as follows:

"Unnecessary noise, motor racing, vehicle cruising or congregating and loitering outside of a motor vehicle is unlawful. No unoccupied vehicles may be left on the premises without the consent of the owner."

- (b) In addition to the foregoing sign, any permittee may add the following:

"Parking Limited to Customers of (Name of Premises)  
Public Parking Prohibited  
Unauthorized Vehicles Will Be Removed  
Paramount Municipal Code  
Law Enforcement Agency, Los Angeles County Sheriff  
(Telephone Number of Sheriff's Department)"

- (c) No person shall park or leave standing any vehicle on such premises, where posted, unless with the actual consent of the permittee or for the purpose of conducting business with the permittee or for the purpose of receiving or purchasing a product from the permittee or consuming or receiving a product of food vended, sold or delivered by the permittee. (Ord. No. 271)

(Ord. No. 271)

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