



General Information

---

*Applicant:* Jon Scott, P.O. Box 4191, Chico, CA 95973

*Property Owner:* Jay DeCaneva, 372 Chestnut Rose Lane, Chico, CA 95973

*Purpose:* A request to: 1) operate a cardroom with 7 game tables located within an 800 square foot area of an existing restaurant/sports bar "Quackers", 2) to allow a fence to exceed the 6-foot maximum height by 2-feet, and 3) to allow 24-hour operation of a business within 300-feet of a residential zoning district.

*Location:* 968 East Avenue

*Assessor's Parcel Nos.:* 015-230-031

*Parcel Acreage:* 0.78 acre

*Existing Land Use:* Restaurant/sports bar ("Quackers")

*Existing Zoning:* CR-AOB2 (Regional Commercial-Aircraft Operations B2) overlay zoning district

*General Plan Designation:* Regional Commercial

*Surrounding Land Uses:*

- N* Commercial (parking area of Courtesy Motors)
- S* Retail commercial (Fairview Shopping Center)
- E* Retail commercial/Elementary school (McManus)
- W* Office (new dialysis service)

*Environmental Review:* Categorical Exemption, CEQA Guidelines Section 15301 (Existing Facilities)



REPORT: June 30, 2016

Files: UP 16-02

TO: Planning Commission

FROM: Bob Summerville, AICP, Senior Planner (879-6807, bob.summerville@chicoca.gov)

RE: Use Permit 16-02 (Scott) – 968 East Avenue – New Card Room

## SUMMARY

The applicant proposes to operate a card room with 7 game tables located within an 800 square foot area of an existing restaurant and sports bar (“Quackers”). The request includes authorization for 24-hour business operation within 300-feet of a residential zoning district, and construction of an 8-foot high screen fence along the site’s common property line with the McManus Elementary School playground. With the proposed screen fence and the applicant’s monitoring program of the site, the Chico Unified School District has withdrawn its previous opposition of the card room. The proposal meets the development standards required by the Chico Municipal Code. State approval for the subject card room is being processed, including a standard investigation of the applicant’s background by the Department of Justice’s Bureau of Gambling Control Licensing Division out of Sacramento. The final report will be generated by the Bureau of Gambling Control, and forwarded to the California Gambling Control Commission for final approval and prior to any operation of the card room.

### Recommendation:

Planning staff recommends that the Planning Commission adopt Resolution 16-08 (**Attachment A**) approving Use Permit 16-02 (Scott).

### Proposed Motion:

I move that the Planning Commission adopt Resolution 16-08, approving Use Permit 16-02 (Scott), based on the required findings and subject to the conditions contained therein.

## BACKGROUND

Designated Regional Commercial on the General Plan Diagram and within the CR-AOB2 (Regional Commercial-Aircraft Operations B2) overlay zoning district, the site is surrounded predominantly by retail uses, with the exception of the McManus Elementary School playground that abuts a portion of the site’s parking lot (see location map, **Attachment B** and site plan/use permit plat, **Attachment C**). As previously noted, an 8-foot high decorative fence is proposed along the common property line of the site with the McManus playground to screen the student’s exterior play activities from activities of the card room that may extend into the parking lot. To accommodate card game tournaments (which can extend over multiple days), the applicant is seeking authorization for 24-hour business use since the site is within 300 feet of a residential zoning district (to the southeast across East Avenue). Three large hotels are within one mile of the site around the intersection of Highway 99 and Cohasset Road to accommodate game patrons.

### Chico Municipal Code Regulations for Card rooms

Card rooms are permissible in the DS (Downtown South), CC (Community Commercial), CS (Service Commercial), and CR (Regional Commercial) zoning districts subject to issuance of a use permit. In addition to the zoning requirements, card rooms are regulated by Chapter 5.32 (Business Regulations) of the Chico Municipal Code. Under Chapter 5.32, card rooms require a City license approved by the Administrative Services Director, and a valid gambling license issued by the California Bureau of Gambling Control. Card rooms are defined under CMC Section 5.32.010 as:

*"Any space, room or enclosure, furnished, or equipped with a table used or intended to be used as a card table for the lawful playing of controlled games as defined in California Penal Code Section 337j(e) or any successor statutes thereto."*

Under Chapter 5.32, up to three card rooms may operate in the City, with no more than 15 tables for all card rooms combined, and no more than eight tables in any one card room. Compliance with all regulations in CMC 5.32 is required, and no latitude is available through the use permit process.

The Planning Commission approved Use Permit 12-11 on October 4, 2012, authorizing the City's only current card room at 175 E. 20th Street (formerly known as "Angie's Poker Club" but later changed to "Casino 99"). Casino 99 is authorized to operate a card room with up to 8 tables. If the proposed card room is approved with 7 tables as proposed, the maximum number of 15 game tables in the City would be reached.

### State Requirements

The California Bureau of Gambling Control (BGC) requires a license to operate a card room. The State has adopted a moratorium on any new card rooms, but will consider re-licensing card rooms that were operated with a valid license prior to 2000. The applicant previously operated a card room in Chico and will be seeking the necessary state license under this provision. No new card room license requests will be considered by the state until 2020, when the moratorium will either be rescinded or extended. As previously noted, State approval for the subject card room is being processed, including a standard investigation of the applicant's background by the Department of Justice Bureau of Gambling Control Licensing Division out of Sacramento. The final report is generated by the Bureau of Gambling Control, and forwarded to the California Gambling Control Commission for final approval.

### Parking Requirements

Although no parking standard is established for cardrooms in CMC 19.70, the 48 available parking spaces on the property should be adequate for the proposed use based on requirements for a sit-down restaurant/bar the size of Quackers, as follows:

The current "Quackers" restaurant/sports bar includes a dance floor, restaurant customer area, and billiards (pool table) area that totals 2,348 square feet. The proposed 800 square foot cardroom area would bring the total to 3,148 square feet. The "Quackers" business owner anticipates adding a future outside dining patio of approximately 625 square feet. The total customer service area the project would be 3,773 square feet. Parking requirements for

restaurant/bars are based on one space per 94 square feet of customer floor area equating to 40 parking spaces required for the project. The proposed site plan illustrates 48 existing spaces are available. Should overflow parking for card tournaments be necessary, a small parcel adjacent north of the site is paved and under the same ownership as the project site and available for overflow parking.

## GENERAL PLAN

The Regional Commercial designation accommodates sites for larger retail and service businesses that serve residents from the City and the region. Mixed-use projects integrating office or residential uses are also allowed.

The following General Plan policies are applicable to the project:

*CD-5: Support infill and redevelopment compatible with the surrounding neighborhood.*

*ED-2.1: Protect and maintain existing recreation and tourism assets, and encourage the development of additional recreation and tourism businesses and industries, such as an aquatic center or hotels.*

According to the Wikipedia website, a card room is a gaming establishment that exclusively offers card games for play by the public. The applicant has noted that card rooms offer a popular form of recreation, and with tournaments, offer tourist attraction that supports local hotels and restaurants.

## DISCUSSION

With the exception of residentially zoned properties located across East Avenue to the southeast, and the adjacent McManus Elementary School campus, the project site appears well suited for the proposed card room, being surrounded by mostly retail uses, and close to the intersection of two major streets (East Avenue and Cohasset Road). The site is also within one mile of hotels around the intersection of Highway 99 and Cohasset Road that can accommodate participants of card game tournaments.

In the case of the McManus school, the Chico Unified School District had originally opposed the card room, but withdrew its opposition after considering the applicant's proposed decorative screen fence (see fence design elevation, **Attachment D**) and operational measures (contained in **Exhibit I, Conditions of Approval**) that include security employees that will monitor the parking lot for offensive activities, installation of exterior security cameras, improved site lighting, and a 24-hour contact phone number to report problems. Each of the operational measures are required by the California Bureau of Gambling Control which are incorporated by reference in the recommended conditions of approval (see the Bureau's required Emergency Preparedness, Security and Surveillance Plans, **Attachment E**).

In soliciting comments from other City departments, the Chico Police Department affirmed its support of the project with compliance of all regulations required by CMC 5.32, and applying most of the conditions from the current Casino 99 card room, including the following:

*"The Chico Police Department reserves the right to recommend that restrictions be placed on*

*any alcoholic beverage license for this business as part of the ABC approval process, including but not limited to: hours of alcohol sales; display of alcohol-related signs; and volume of alcohol sales in relation to food sales."*

## **FINDINGS**

### Environmental Review

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities). Consistent with this exemption, the project consists of the minor interior modification of an existing restaurant building on a commercial property.

### Use Permit Findings

- A. *The proposed use is allowed within the subject zoning district and complies with all of the applicable provisions of Chapter 19.24 (Use Permits).*

Pursuant to Chico Municipal Code (CMC) Sections 5.32 and 19.44, operation of a card room, including 24-hour operations within 300 feet of residentially-zoned property, and an 8-foot screen fence, may be allowed in the CC (Community Commercial) zoning district, subject to use permit approval. This use permit has been processed in accordance with CMC 19.24 (Use Permits).

- B. *The proposed use would not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the proposed use.*

Cardrooms are heavily regulated by both the City and the State, in part to help ensure the safety and welfare of those patronizing cardrooms as well as those living and working near such businesses. Food safety of the restaurant and bar will be achieved by compliance with Butte County Environmental Health regulations. No other health, safety, or welfare impacts have been identified.

- C. *The proposed use will not be detrimental and/or injurious to property and improvements in the neighborhood of the proposed use, as well as the general welfare of the City.*

Use of the property as a cardroom, including a restaurant and bar, would not impact property or improvements in the neighborhood as the use will occupy an existing building and parking lot, and no off-site improvements are required. Compliance with all applicable building codes will be required. No other negative impacts to property or improvements have been identified.

- D. *The proposed use will be consistent with the policies, standards, and land use designations established by the General Plan.*

The proposal is consistent with General Plan policies that encourage infill and redevelopment of existing properties (CD-5), and that encourage the creation of recreation and tourism businesses (ED-2.1).

- E. *The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.*

The project consists of a portion of an existing restaurant building with a cardroom which will operate compatibly with the existing restaurant use. Recommended conditions of approval will lend compatible operations of the cardroom with the adjacent McManus School playground through construction of a decorative screen fence along the common property line, and enforcement of security measures including regular site monitoring, a 24-hour emergency contact number, and security cameras. Additional compatibility may be ensured through approval by the State Gambling Control Commission of a gambling license.

### **PUBLIC CONTACT**

A 10-day public hearing notice was mailed to all landowners and residents within 500 feet of the site, and a legal notice was published in the *Chico Enterprise Record*.

### **DISTRIBUTION:**

PC Distribution

Bob Summerville, Senior Planner

File: Use Permit 16-02 (Scott)

### **External**

Jon Scott, P.O. Box 4191, Chico, CA 95973

Jay DeCaneva, 372 Chestnut Rose Lane, Chico, CA 95973

Amber Moore, Field Representative, Department of Justice, Bureau of Gambling Control,  
1656 Zachy Way, Redding, CA 96003

Joanne Parsley, Assistant Superintendent, Chico Unified School District, 1163 E. 7th Street,  
Chico, CA 95928

Dave Purvis Consulting (copy by email)

Alicia Rock (Consulting Attorney, copy by email)

Rob Mowry (Restaurant Owner, copy by email)

Elizabeth Slimmer (Parent, McManus Elementary School, copy by email)

Dan Breedon (Parent, McManus Elementary School, copy by email)

### **ATTACHMENTS:**

- A. Planning Commission Resolution No. 16-08  
Exhibit I Conditions of Approval
- B. Location Map
- C. Site Plan/Plat To Accompany UP 16-02
- D. Screen Fence Details
- E. State Bureau of Gambling Control Security Requirements



1 C. The proposed use will not be detrimental and/or injurious to property and  
2 improvements in the neighborhood of the proposed use, as well as the general  
3 welfare of the city in that use of the property as a cardroom, including a restaurant  
4 and bar, would not impact property or improvements in the neighborhood as the  
5 use will occupy an existing building and parking lot, and no off-site improvements  
6 are required. Compliance with all applicable building codes will be required. No  
7 other negative impacts to property or improvements have been identified.

8 D. The proposed use will be consistent with the policies, standards, and land use  
9 designations established by the General Plan in that the proposal is consistent with  
10 General Plan policies that encourage infill and redevelopment of existing properties  
11 (CD-5), and that encourage the creation of recreation and tourism businesses (ED-  
12 2.1).

13 E. The design, location, size, and operating characteristics of the proposed use are  
14 compatible with the existing and future land uses in the vicinity in that the project  
15 consists of a portion of an existing restaurant building with a cardroom which will  
16 operate compatibly with the existing restaurant use. Recommended conditions of  
17 approval will lend compatible operations of the cardroom with the adjacent  
18 McManus School playground through construction of a decorative screen fence  
19 along the common property line, and enforcement of security measures including  
20 regular site monitoring, a 24-hour emergency contact number, and security  
21 cameras. Additional compatibility may be ensured through approval by the State  
22 Gambling Control Commission of a gambling license.

23 II. Based on all of the above, the Planning Commission approves the project subject to the  
24 conditions set forth in Exhibit I attached hereto.

25 III. The Planning Commission hereby specifies that the materials and documents which  
26 constitute the record of proceedings upon which its decision is based are located at and  
27 under the custody of the City of Chico Community Development Department.  
28

1 THE FOREGOING RESOLUTION WAS ADOPTED at a meeting of the Planning  
2 Commission of the City of Chico held on July 7, 2016, by the following vote:

3 AYES:

4 NOES:

5 ABSENT:

6 ABSTAIN:

7 DISQUALIFIED:

8 ATTEST:

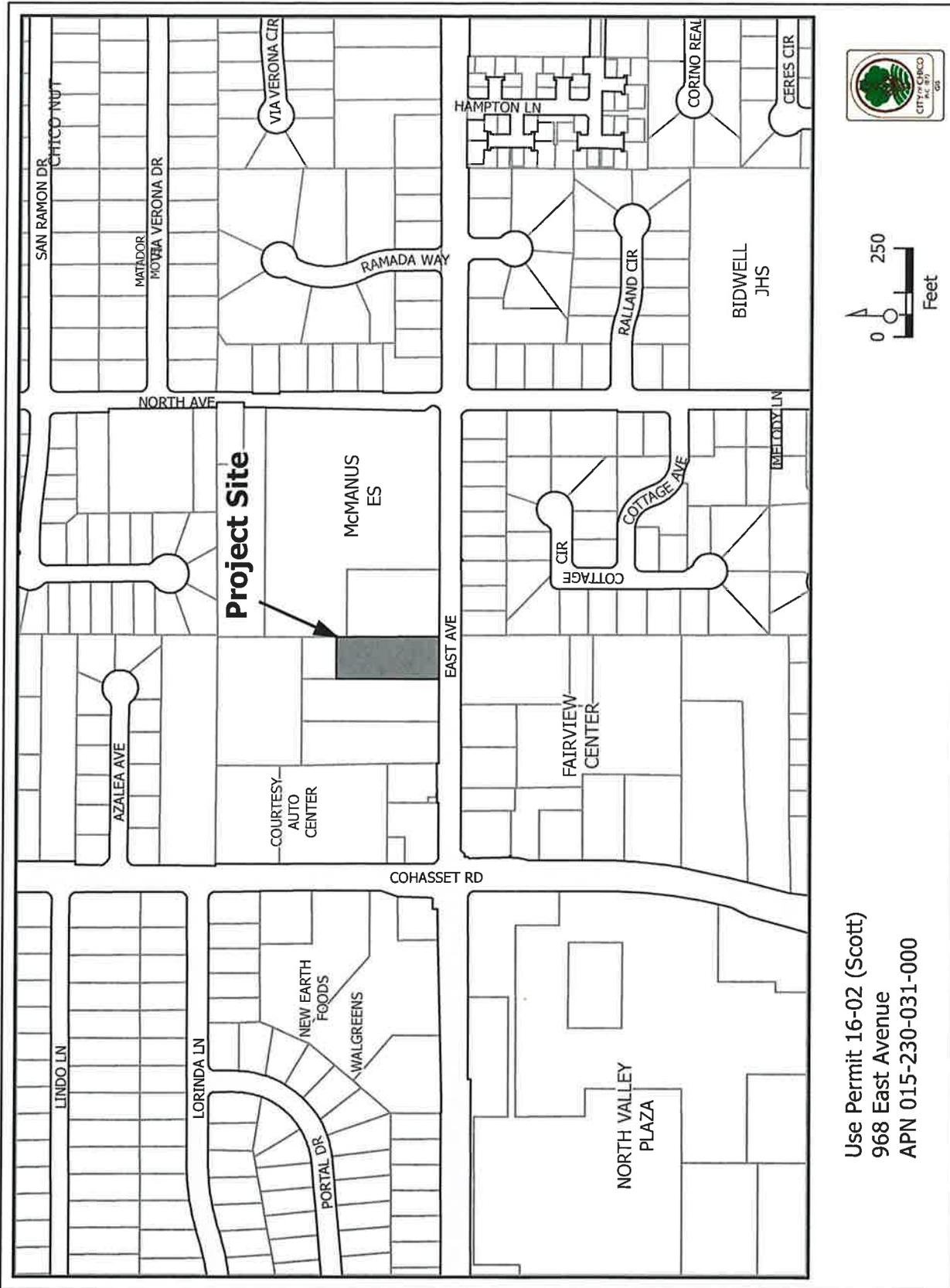
APPROVED AS TO FORM:

9  
10 \_\_\_\_\_  
11 MARK WOLFE  
12 Planning Commission Secretary

10 \_\_\_\_\_  
11 ANDREW L. JARED  
12 Assistant City Attorney

**EXHIBIT I**  
**CONDITIONS OF APPROVAL**  
**Use Permit 16-02 (Scott)**

1. Use Permit 16-02 (Scott) authorizes 1) a card room with 7 game tables located within an 800 square foot area of an existing restaurant and sports bar, 2) 24-hour business operation within 300-feet of a residential zoning district, and 3) construction of an 8-foot high decorative screen fence along the site's common property line with the McManus Elementary School playground, in substantial accordance with the "Plat to Accompany Use Permit 16-02 (Scott)" (date stamped June 2, 2016), except as modified by any other condition of approval.
2. The permittee shall comply with all other State and local Code provisions, including those of the Butte County Environmental Health Division, Alcoholic Beverage Control, Bureau of Gambling Control, City Building and Development Services Department, Finance Department, Police Department, and Fire Department. The applicant is responsible for contacting these offices to verify the need for permits.
3. All Emergency Preparedness, Security, and Surveillance Plans required under Article 2 of the California Bureau of Gambling Control regulations shall be enforced.
4. The permittee shall obtain a cardroom license from the Chico Finance Department prior to commencing cardroom operations. The cardroom shall be operated in compliance with the requirements of CMC 5.32.
5. The Chico Police Department reserves the right to recommend that restrictions be placed on any alcoholic beverage license for this business as part of the ABC approval process, including but not limited to: hours of alcohol sales; display of alcohol-related signs; and volume of alcohol sales in relation to food sales.
6. All exterior improvements shall be subject to site design and architectural review as set forth in CMC 19.18, including the construction of an 8-foot high decorative fence along the common property line with the adjacent McManus Elementary School playground, consistent with design details approved by the Planning Commission (attached hereto).

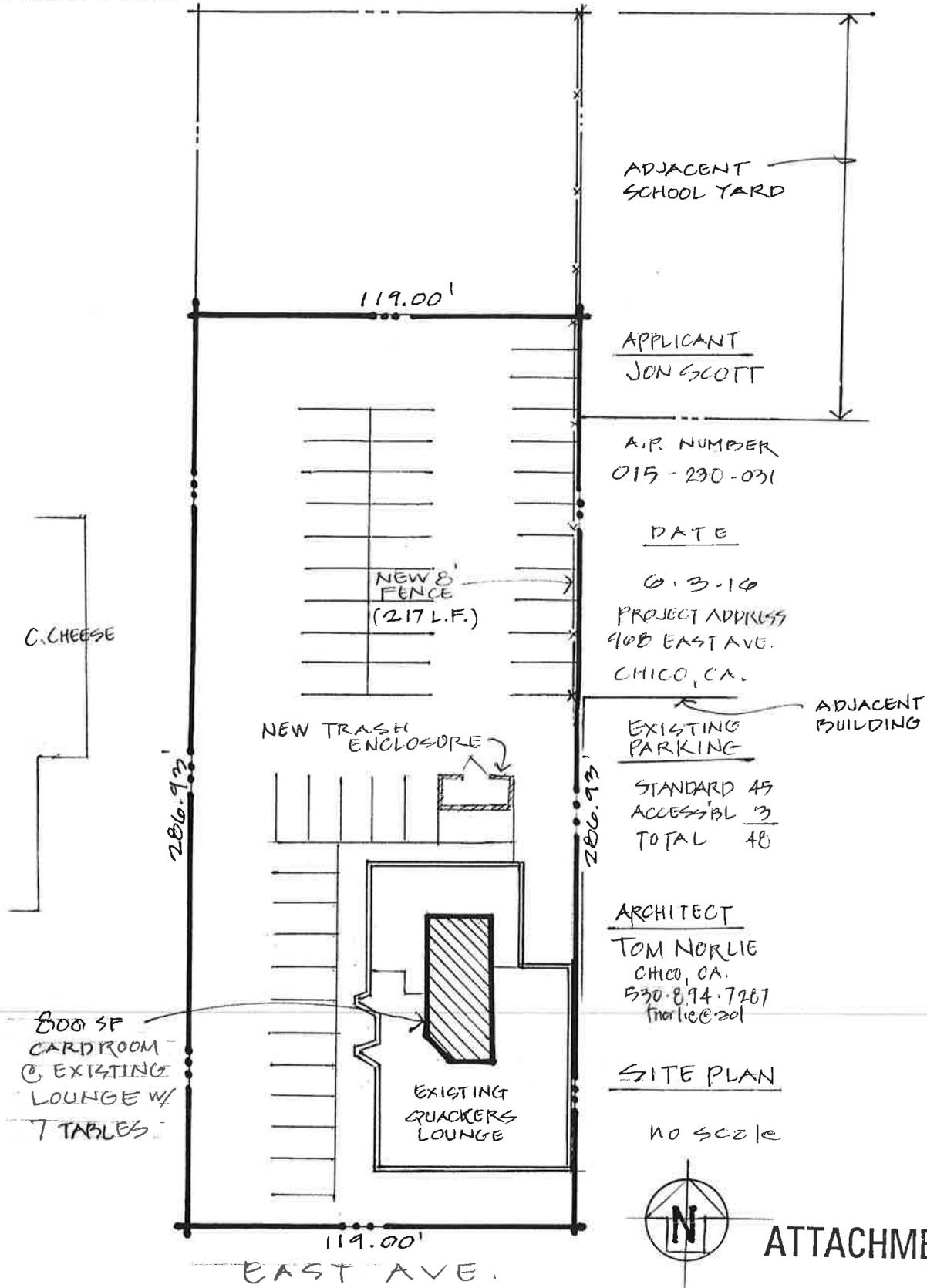


Use Permit 16-02 (Scott)  
 968 East Avenue  
 APN 015-230-031-000

RECEIVED

JUN 02 2016

CITY OF CHICO  
PLANNING SERVICES



ADJACENT SCHOOL YARD

119.00'

APPLICANT  
JON SCOTT

A.P. NUMBER  
015-230-031

DATE

6.3.16

PROJECT ADDRESS  
908 EAST AVE.  
CHICO, CA.

C. CHEESE

NEW 8' FENCE  
(217 L.F.)

ADJACENT BUILDING

EXISTING PARKING

STANDARD	45
ACCESSIBL	3
TOTAL	48

NEW TRASH ENCLOSURE

286.93'

286.93'

ARCHITECT

TOM NORLIE  
CHICO, CA.  
530-894-7267  
tnorlie@201

800 SF  
CARDROOM  
& EXISTING  
LOUNGE W/  
T TABLES

EXISTING  
QUACKERS  
LOUNGE

SITE PLAN

NO SCALE

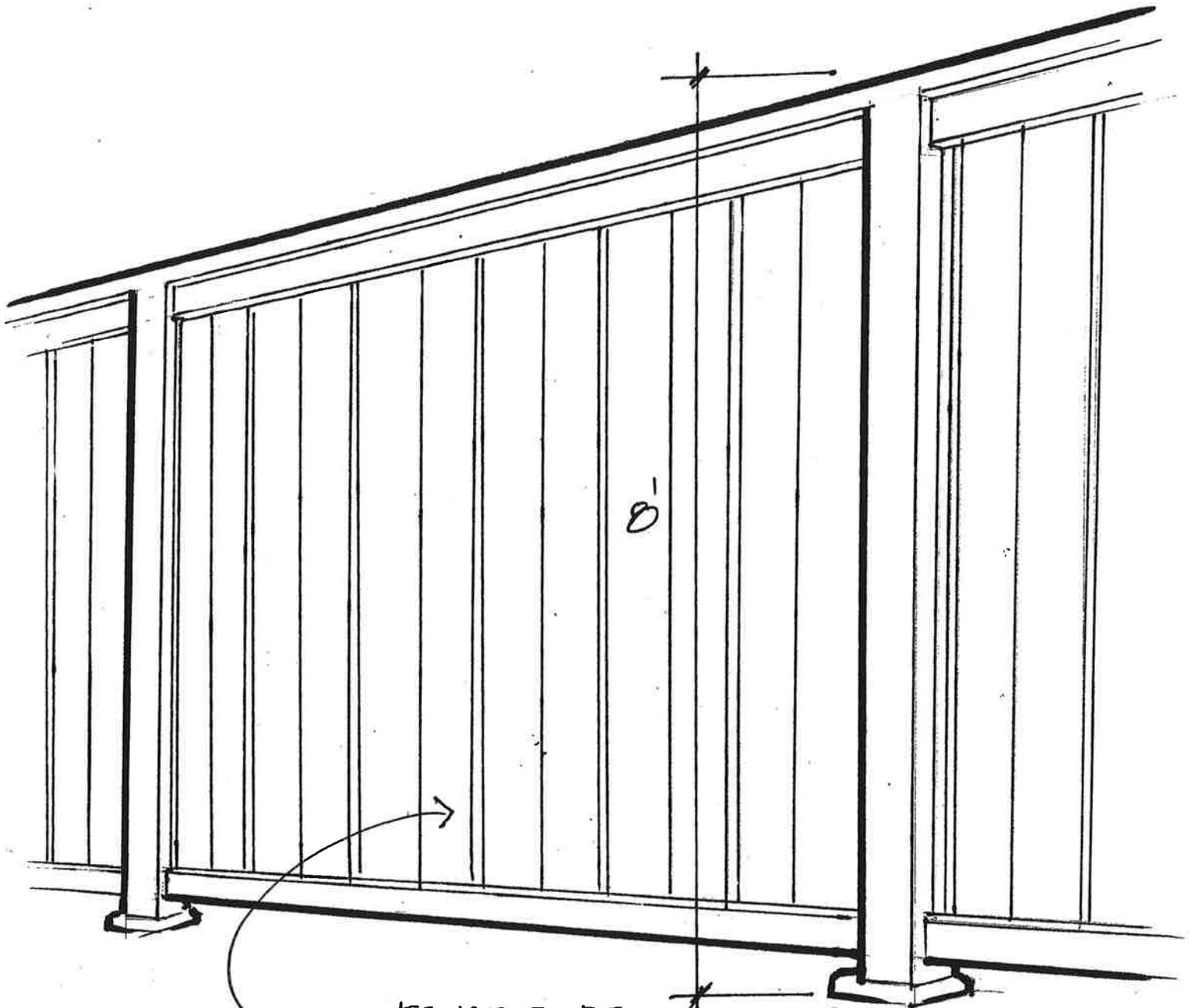
119.00'

EAST AVE.



ATTACHMENT **C**

Plat to Accompany Use Permit 16-02 (Scott)



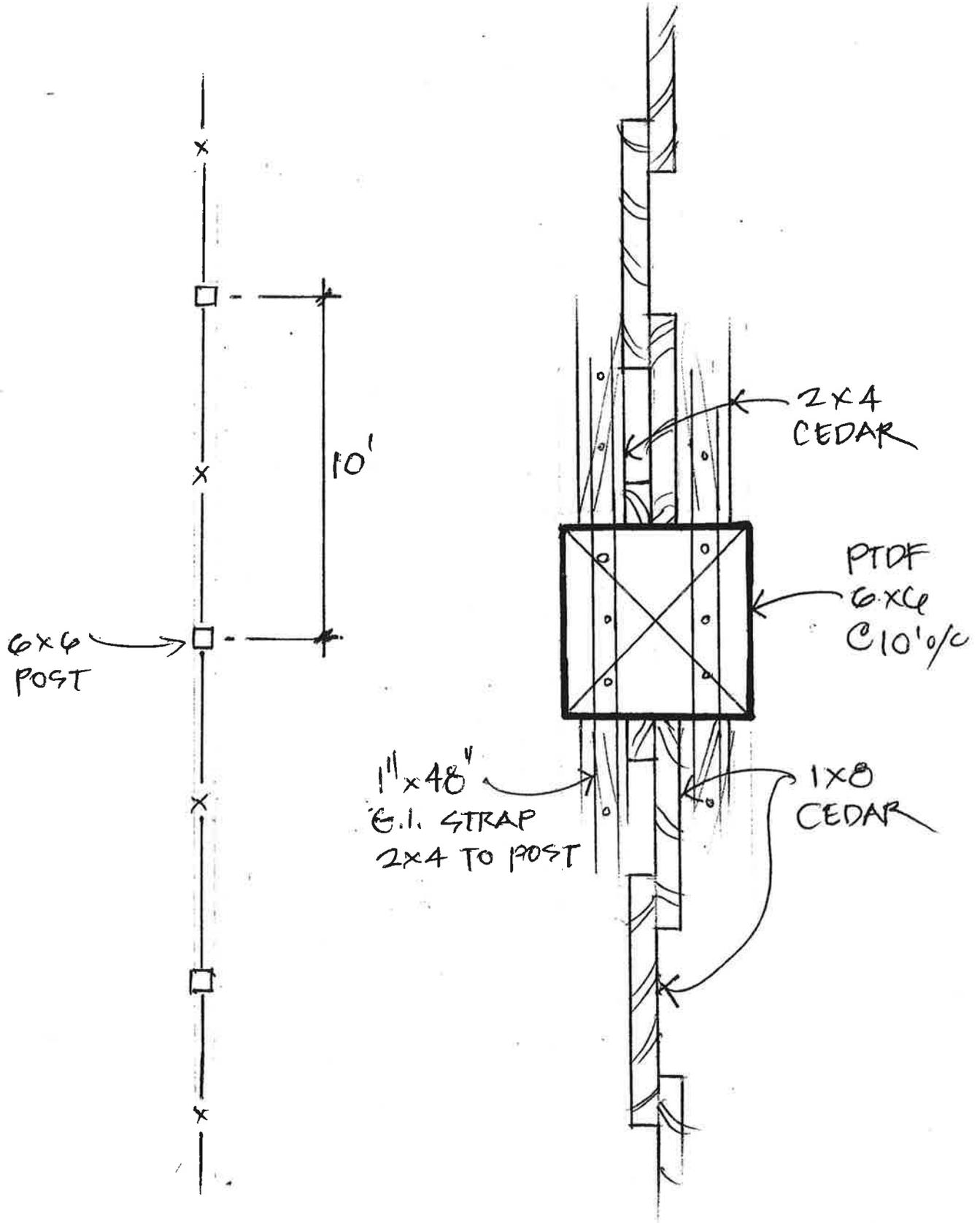
FENCE TO BE  
PAINTED GREY  
TO MATCH BLDG.  
W/ANTI GRAFFITI  
SEALER

ELEVATION

NO SCALE

968 EAST AVE.

ATTACHMENT D



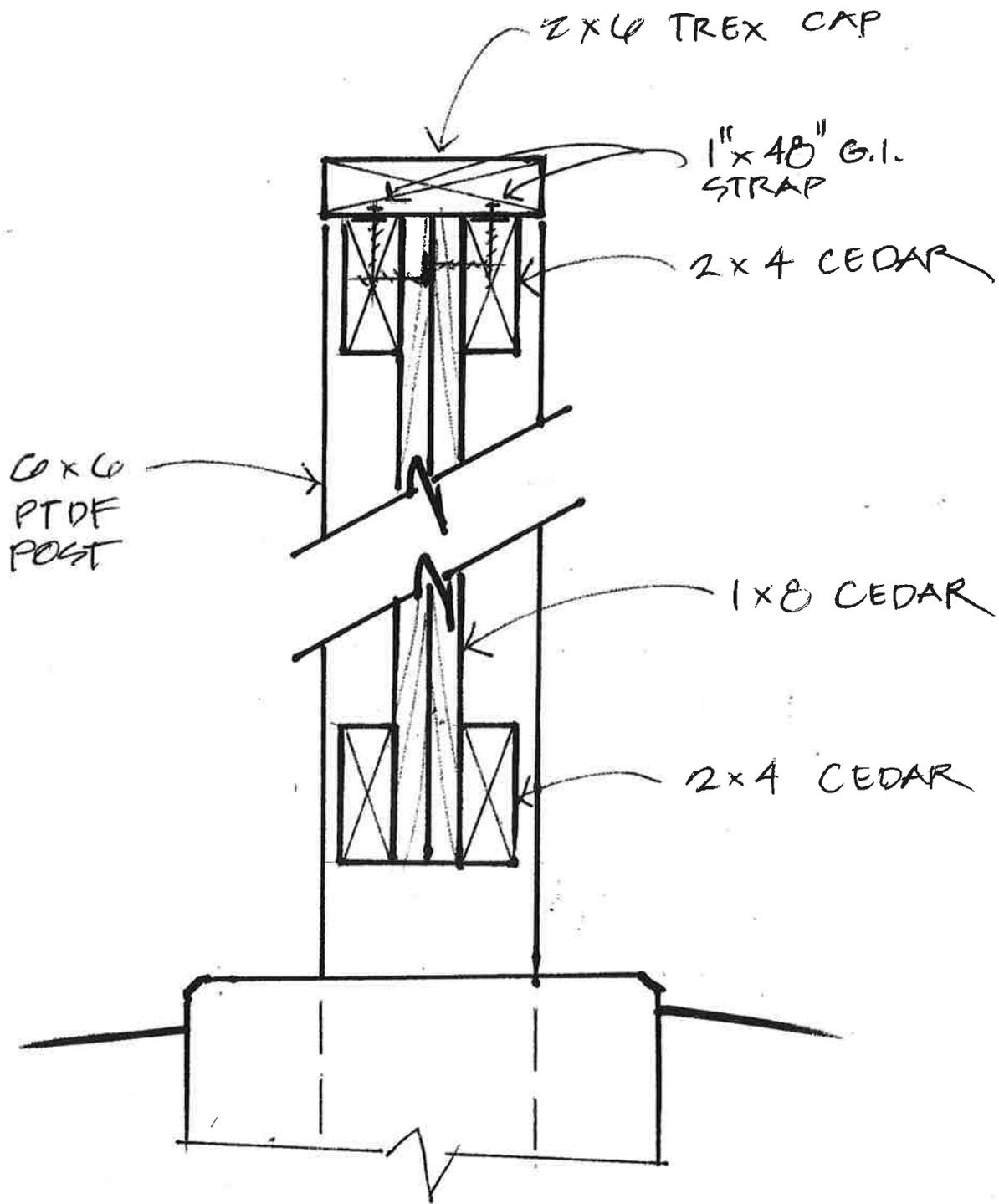
1/4" = 1'-0"

PLAN VIEW

3" = 1'-0"

HORIZONTAL SECTION

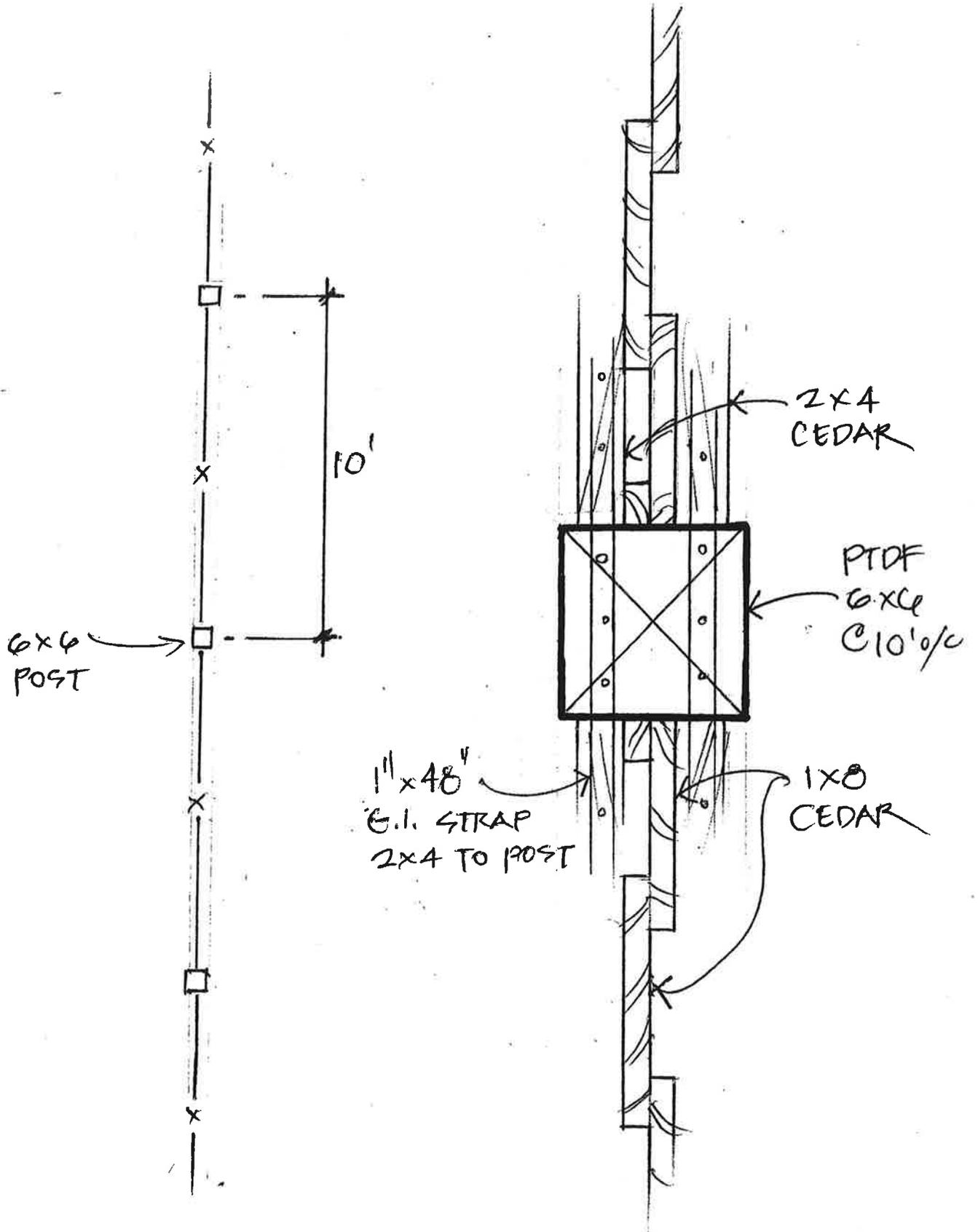
968 EAST AVE.



VERTICAL SECTION

3" = 1'-0"

968 EAST AVE.



$\frac{1}{4}'' = 1'-0''$

PLAN VIEW

$3'' = 1'-0''$

HORIZONTAL SECTION

908 EAST AVE.

**ARTICLE 2. EMERGENCY PREPAREDNESS, SECURITY AND SURVEILLANCE PLANS.**

**12370. EMERGENCY PLANNING AND PREPAREDNESS.**

(a) As required by California Code of Regulations Title 24, Part 9, Chapter 4 (commencing with Section 401), and Title 19, Section 3.09, a gambling establishment shall prepare and maintain a fire safety and evacuation plan, conduct emergency evacuation drills and conduct employee training on the content of their fire safety and evacuation plan. Fire safety and evacuation plans, emergency evacuation drills and employee training procedures adopted pursuant to this section shall comply with, as applicable, California Code of Regulations Title 24, Part 9, Chapter 4 (commencing with Section 401) and Title 19, Section 3.09, or those standards adopted by local ordinance pursuant to Health and Safety Code section 13143.5.

(b) Each applicant as an owner-licensee under Chapter 6 of this Division shall submit to the Bureau one copy of a current fire safety and evacuation plan, pursuant to this section, together with those application documents required by Section 12342.

(c) Each licensee shall submit one copy of its current fire safety and evacuation plan, pursuant to this section, with the first biennial license renewal application submitted after the effective date of this section, and with every second renewal application submitted thereafter.

(d) If a licensee's fire safety and evacuation plan is revised as a result of the addition of permanent tables, or as a result of any change to the physical premises which alters the locations of phones, fire extinguishers, manual fire alarm pull stations or exits, or which alters evacuation routes or procedures, the licensee shall submit one copy of its revised fire safety and evacuation plan with the first biennial license renewal application submitted immediately following any revision, and, subsection (c) notwithstanding, with every second renewal application submitted thereafter.

(e) Each fire safety and evacuation plan submitted to the Bureau pursuant to this Section shall include the following documentation, as applicable:

- (1) If the responsible local authority provides reviews, the licensee shall send to the Bureau documentation showing that the local authority approved the fire safety and evacuation plan, pursuant to Health and Safety Code section 13143.5 and California Code of Regulations Title 24, Part 9, Chapter 1, Section 111.2.1.1. Health and Safety Code section 13143.5, subdivision (f), paragraph (2), provides that any fee charged pursuant to the enforcement authority of subdivision (f) shall not exceed the estimated reasonable cost of providing the service for which the fee is charged.
- (2) If the responsible local authority does not provide reviews, the licensee shall send the fire safety and evacuation plan to the State Fire Marshal, and shall send to the Bureau documentation showing that the State Fire Marshal has approved the fire safety and evacuation plan.

(f) Failure by a licensee to develop and implement a fire safety and evacuation plan, conduct emergency evacuation drills or conduct employee training on the content of its fire safety and evacuation plan pursuant to this section, constitutes an unsuitable method of operation and also may result in denial of an application for license renewal, pursuant to Section 12348, or in the suspension or revocation of its existing license, pursuant to Chapter 10 of this division.

(g) In addition to any other remedy under the Act or this division, the Commission may assess a civil penalty of at least \$500 but not more than \$5000 for each violation of this section.

Note: Authority cited: Sections 19811, 19824 and 19840, Business and Professions Code.  
Reference: Sections 19801, 19823, 19841, 19860, 19920 and 19924, Business and Professions Code.

#### **12372. SECURITY AND SURVEILLANCE PLAN.**

(a) No later than December 1, 2011, each gambling establishment in Tier I and Tier II, as provided in subsection (b) of Section 12380, shall develop and implement a written security and surveillance plan for the gambling establishment that includes, but is not limited to, provisions for the following:

- (1) Close monitoring and control of all controlled gambling and gaming activity;

- (2) Close monitoring and control of access to restricted areas of the gambling establishment that include, but are not limited to, cages, count rooms, vaults, security offices and surveillance rooms;
- (3) Surveillance procedures, including video recording requirements, as applicable;
- (4) Lighting in and around the gambling establishment;
- (5) Specific conditions, procedures and instructions for reporting suspected criminal incidents or activity to state and local law enforcement agencies;
- (6) Procedures for securing or protecting persons, property, assets and records.

(b) No later than December 1, 2011, each gambling establishment in Tiers III through and including V, as provided in subsection (b) of Section 12380, shall develop and implement a security and surveillance plan for the gambling establishment that, in addition to the requirements of subsection (a), includes, but is not limited to, provisions for the following:

- (1) A listing of the names and job titles of the employees who are responsible for making decisions that involve the security of patrons, patrons' property, employees, employees' property, and the gambling establishment's property, cash or equivalent assets and records;
- (2) The presence and duties of uniformed security personnel;
- (3) Surveillance procedures, including video recording and monitoring requirements, as applicable;
- (4) Specific conditions, procedures and instructions for stopping controlled gambling and gaming activities; and
- (5) Specific employee training schedules that relate to the gambling establishment's security and surveillance plan.

(c)(1) Each security and surveillance plan shall identify and comply with all state and local requirements and shall implement all applicable provisions of Article 3 of this chapter. Each licensee shall submit, pursuant to paragraph (2), (3) or (4), as an attachment to its security and surveillance plan, copies of identified, applicable local ordinances and any locally-issued certificate of compliance with those ordinances.

- (2) Each applicant as an owner-licensee under Chapter 6 of this Division shall submit to the Bureau one copy of a current security and surveillance plan, pursuant to this section, together with those application documents required by Section 12342.
- (3) Each licensee shall submit to the Bureau one copy of its current security and surveillance plan with the first biennial license renewal application that is submitted eighteen months after the effective date of this section, and with every second renewal application submitted thereafter.
- (4) If a licensee's security and surveillance plan is revised as a result of the addition of permanent tables, or as a result of any change to the physical premises which alters the locations or configurations of any

restricted areas of the gambling establishment, or which alters or affects any security or surveillance capabilities or procedures, the licensee shall submit one copy of its revised security and surveillance plan with the first biennial license renewal application submitted immediately following any revision to its security and surveillance plan, and, paragraph (3) notwithstanding, with every second renewal application submitted thereafter.

- (5) If the responsible local authority provides reviews of security or surveillance plans, the licensee shall send documentation of the areas reviewed by the responsible local authority and whether or not the responsible local authority approved those areas of the security and surveillance plan under the responsible local authority's jurisdiction.

(d) The Bureau shall review the licensee's security and surveillance plan, including those provisions under the responsible local authority's jurisdiction, whether reviewed by the local authority or not, and those provisions not under the responsible local authority's jurisdiction. If the Bureau determines that the licensee's security and surveillance plan does not address the elements set forth in this section, then the Bureau may issue a determination identifying the deficiencies and specifying a time certain within which those deficiencies shall be cured.

(e)(1) Each licensee shall, at least annually, provide for a review of the requirements of the security and surveillance plan with those employees that have been assigned duties under the plan, ensuring that each employee has a general understanding of the provisions of the plan applicable to his or her position and understands his or her specific duties under the plan. This annual review shall be documented, including a signature from each employee indicating that they have participated in the review and a signature from the person who provided the review.

- (2) When a new employee begins work, the licensee, or the licensee's designate, shall review the requirements of the security and surveillance plan with the new employee, ensuring that each new employee has a general understanding of the provisions of the plan applicable to his or her position and understands his or her specific duties under the plan. This initial review shall be documented as provided in paragraph (1).

(f) Failure by a licensee to develop and implement a security and surveillance plan, or to cure a deficiency identified pursuant to subsection (d), constitutes an unsuitable method of operation and also may result in denial of an application for license renewal pursuant to Section 12348, or in the suspension or revocation of its existing license pursuant to Chapter 10 of this division.

(g) In addition to any other remedy under the Act or this division, the Commission may assess a civil penalty of at least \$500 but no more than \$5000 for each violation of this section.

Note: Authority cited: Sections 19811, 19824, 19840, 19841 and 19924, Business and Professions Code. Reference: Sections 19841, 19860, 19920 and 19924, Business and Professions Code.