

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
 CITY OF LONG BEACH AMENDING ORDINANCE NO.  
 ORD-13-0016 EXTENDING FOR SIX (6) MONTHS THE  
 TEMPORARY LIMITATION (MORATORIUM) ON THE  
 ISSUANCE OF ENTERTAINMENT PERMITS AND/OR  
 BUSINESS LICENSES FOR BUSINESSES THAT OPERATE  
 WITH A TYPE 48 ABC LICENSE OR RELATED PERMIT IN  
 THE DOWNTOWN DINING AND ENTERTAINMENT  
 DISTRICT; DECLARING THE URGENCY THEREOF; AND  
 DECLARING THAT THIS ORDINANCE SHALL TAKE  
 EFFECT IMMEDIATELY

WHEREAS, on August 13, 2013, by Ordinance No. ORD-13-0016, the City  
 Council of the City of Long Beach imposed, on an urgency basis, a temporary  
 moratorium for one (1) year against the issuance of entertainment permits in the  
 Downtown Dining and Entertainment District ("District") for businesses that operate under  
 a Type 48 ABC license (Bar and Lounge-no kitchen); and

WHEREAS, additional time is required to study and complete the  
 comprehensive regulations amending the City's zoning and/or business license  
 regulations related to the above described use; and

WHEREAS, a duly noticed public hearing was held on August 12, 2014,  
 regarding the extension of the moratorium;

NOW, THEREFORE, the City Council of the City of Long Beach ordains as  
 follows:

Section 1. Ordinance No. ORD-13-0016, Section 2, adopted as an  
 emergency ordinance on August 13, 2013, is amended to read as follows:

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1                   Section 2.     Estimated Time for Completion of Study. It is  
2                   estimated that the study or studies undertaken in connection with the  
3                   adoption of this interim ordinance shall take the various involved  
4                   Departments and the Planning Commission approximately eighteen (18)  
5                   months to complete. For the purposes of this ordinance, this interim  
6                   moratorium study period shall expire no later than February 7, 2015, or  
7                   at such time as the City does adopt appropriate zoning or business  
8                   license regulations related to all or some of the above defined  
9                   businesses, whichever is sooner.

10  
11                   Section 2.     Ordinance No. ORD-13-0016, Section 3, adopted as an  
12                   emergency ordinance on August 13, 2013, is amended to read as follows:

13                   Section 3.     Prohibition. During the eighteen (18) month interim  
14                   moratorium period, no application shall be approved for an  
15                   Entertainment Permit, discretionary or ministerial permit including a  
16                   business license, conditional use permit, administrative use permit or  
17                   other land use entitlement for any business within the Downtown Dining  
18                   and Entertainment District which carries or intends to operate with a  
19                   Type 48 license issued by the State Department of Alcoholic Beverage  
20                   Control. Said prohibition shall apply in the Downtown Dining and  
21                   Entertainment District for the duration of the eighteen (18) month interim  
22                   moratorium period and shall not apply to the remodeling or repair of  
23                   existing facilities provided that the existing "footprint" of any site,  
24                   structure or building is not expanded.

25  
26                   Section 3.     Declaration of Urgency. This ordinance is an emergency  
27                   measure, and it is urgently required for the reason that, pending completion of the  
28                   necessary study, and a determination relative to the potential need to amend the City's

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1 zoning and/or business license regulations related to the above described use Code, it is  
2 necessary to temporarily prohibit the issuance of entertainment permits and/or business  
3 licenses for those establishments who carry or wish to operate with a Type 48 license or  
4 permit in the Downtown Dining and Entertainment District.

5 Section 3. This ordinance is an emergency ordinance duly adopted by  
6 the City Council on by a vote of five of its members and shall take effect immediately.  
7 The City Clerk shall certify to a separate roll call and vote on the question of the  
8 emergency of this ordinance and to its passage by the vote of five members of the City  
9 Council of the City of Long Beach, and cause the same to be posted in three  
10 conspicuous places in the City of Long Beach.

11 This ordinance shall also be adopted by the City Council as a regular  
12 ordinance, to the end that in the event of any defect or invalidity in connection with the  
13 adoption of this ordinance as an emergency ordinance, the same shall, nevertheless, be  
14 and become effective on the thirty-first day after it is approved by the Mayor.

15 The City Clerk shall certify to the passage of this ordinance by the City  
16 Council of the City of Long Beach and shall cause the same to be posted in three  
17 conspicuous places in the City of Long Beach.

18 I hereby certify that on a separate roll call and vote which was taken by  
19 the City Council of the City of Long Beach upon the question of emergency of this  
20 ordinance at its meeting of August 12, 2014, the ordinance was declared to be an  
21 emergency by the following vote:

22 Ayes: Councilmembers: \_\_\_\_\_

23 \_\_\_\_\_

24 \_\_\_\_\_

25 Noes: Councilmembers: \_\_\_\_\_

26 \_\_\_\_\_

27 Absent: Councilmembers: \_\_\_\_\_

28 \_\_\_\_\_

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1 I further certify that thereafter, at the same meeting, upon a roll call and  
2 vote on adoption of the ordinance, it was adopted by the City Council of the City of Long  
3 Beach by the following vote:

4 Ayes: Councilmembers: \_\_\_\_\_

5 \_\_\_\_\_

6 \_\_\_\_\_

7 Noes: Councilmembers: \_\_\_\_\_

8 \_\_\_\_\_

9 Absent: Councilmembers: \_\_\_\_\_

10 \_\_\_\_\_

11  
12 I further certify that the foregoing ordinance was thereafter adopted on  
13 final reading by the City Council of the City of Long Beach at its meeting of  
14 \_\_\_\_\_, 2014, by the following vote:

15 Ayes: Councilmembers: \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

18 Noes: Councilmembers: \_\_\_\_\_

19 \_\_\_\_\_

20 Absent: Councilmembers: \_\_\_\_\_

21 \_\_\_\_\_

22  
23 \_\_\_\_\_  
Clerk

24  
25 Approved: \_\_\_\_\_  
26 (Date)

27 \_\_\_\_\_  
Mayor