

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SECTIONS 14.36.010, 14.36.020 AND 14.36.050, ALL RELATING TO HOUSE NUMBERS ON CURBS

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 14.36.010 of the Long Beach Municipal Code is hereby amended to read as follows:

14.36.010 Permitted when.

A. Subject to the uniform standards provided in this Chapter, property owners may paint, stencil or otherwise mark their house number on the curb adjacent to their property.

B. Any business or person (other than the property owners) who paints, stencils or otherwise marks the house numbers of others must obtain a permit from the Director of Financial Management and comply with the uniform standards of this Chapter.

C. No such permit shall be issued until the applicant has satisfied the following requirements:

1. The applicant shall make an application on forms provided by the Director of Financial Management and shall be accompanied by the payment of the applicable fees as prescribed by resolution of the City Council.

2. The applicant shall file with the Director of Financial Management, and shall procure and maintain in full force and effect during

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 the term of the permit, a policy of public liability insurance, as prescribed in
2 regulations issued by the City Manager pursuant to Section 2.84.040. The
3 insurance policy shall name the City as insured or additional insured with
4 the permittee, and shall insure the City, its boards and commissions, and
5 their officials, employees and agents against all claims arising out of or in
6 connection with the issuance of the permit or the operation of the applicant
7 or his agents pursuant to the permit.

8 3. Charitable organizations desiring to paint, stencil or
9 otherwise mark house numbers on curbs of others must obtain a permit to
10 make charitable solicitations pursuant to Chapter 5.28.

11
12 Section 2. Section 14.36.020 of the Long Beach Municipal Code is
13 hereby amended to read as follows:

14 14.36.020 Permit procedure.

15 A. Any business or person desiring to paint, stencil or otherwise
16 mark house numbers on curbs of others shall obtain a written permit by
17 filing an application on forms provided by the Director of Financial
18 Management. The application shall require the following information:

- 19 1. Name and address of applicant and all persons
20 performing work under the provisions of this Chapter;
- 21 2. Date of application;
- 22 3. Name of sponsoring organization, if any, whether
23 nonprofit, charitable or otherwise;
- 24 4. Name and telephone number of responsible adult
25 representing the organization;
- 26 5. Precise description of area to be covered under permit;
27 and
- 28 6. Such other or further information deemed pertinent by

1 the Director of Financial Management.

2 B. Any change in any information in the application must be
3 submitted to the Director of Financial Management immediately after the
4 change has occurred.

5 C. On receipt of the application, the Director of Financial
6 Management shall refer it to the Police Department for background
7 investigation. The Chief of Police or his/her designee shall provide his/her
8 recommendation regarding the approval or denial of a permit with the
9 Director of Financial Management within ten (10) business days after the
10 application for a permit is filed, except where circumstances beyond the
11 control of the City justifiably delay such response. Upon the
12 recommendation of the Chief of Police for approval and issuance of a
13 permit, the Director of Financial Management may approve the application
14 for the permit, provided that the applicant has met all conditions, if any,
15 imposed by the Police Department, has complied with all applicable
16 provisions of this Chapter, and has paid the applicable permit fees and
17 license tax required pursuant to Chapter 3.80.

18 D. All permits issued under the provisions of this Chapter shall
19 expire on the thirty-first (31st) day of December following the date on which
20 the permit was issued; however, such permits may be renewed by the
21 Director of Financial Management upon application of the permittee,
22 provided the Director of Financial Management determines that the
23 permittee, during the prior permit period, has operated in conformity with
24 the provisions of this Chapter and that permittee is capable of such
25 continued operation in the succeeding permit period. Notwithstanding the
26 foregoing, failure to comply with any of the provisions of this Chapter,
27 including any conditions attached to the permit at the time of approval, will
28 constitute grounds for suspension, denial, or revocation of the permit.

1 E. No fee shall be charged for a permit unless authorized by a
2 resolution of the City Council. In establishing a fee schedule by resolution
3 pursuant to this Subsection 14.36.020.E, the City Council may create
4 exemptions from such fees, in whole or in part, for such charitable
5 organizations lawfully operating within the City as may be defined in and by
6 the resolution.

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8 Section 3. Section 14.36.050 of the Long Beach Municipal Code is
9 hereby amended to read as follows:

10 14.36.050 General restrictions.

11 A. In order to assure a reasonable quality of workmanship, the
12 minimum age for persons doing the work shall be eighteen (18) years and
13 graduation from high school.

14 B. Before starting work in the area described in the permit, the
15 workers operating under the provisions of this Chapter shall give written
16 notice to all residents in the area of their intent to paint, stencil or otherwise
17 mark house numbers. This written notice shall include the following
18 information:

- 19 1. The name, address and telephone number of the
20 organization or person doing the work;
- 21 2. If the organization or person doing the work is soliciting
22 donations, this written notice shall include a statement advising the resident
23 that such organization or person is permitted to solicit donations and that
24 such donations are not required and are only voluntary; or if the
25 organization or person doing the work is soliciting payment for the work, this
26 written notice shall include the fixed payment amount and a statement
27 advising the resident that such organization or person is permitted to
28 request payment for work completed with the owner's prior written approval

1 required by Subsection 14.36.050.C; and

2 3. A statement that this written notice is for information
3 only and the work is not required, sponsored, endorsed or guaranteed by
4 the City.

5 4. The form of written notice required by this Subsection
6 14.36.050.B shall, prior to it being given to residents, be submitted to the
7 Director of Financial Management, as part of the permit application, for
8 review by the City as to form and content.

9 C. No house number shall be painted, stenciled or otherwise
10 marked on any curb by any person until that person has obtained a permit
11 pursuant to this Chapter, and has obtained written approval from the owner
12 of the property for the painting, stenciling or other marking of the house
13 number on the curb of that property. The permittee shall keep and maintain
14 such written approval for up to three (3) years after completion of the work
15 and shall be made available for inspection on demand of the Director of
16 Financial Management.

17 D. No person shall fail to keep a copy of such permit upon his
18 person and available for inspection at all times while performing such work,
19 and no person shall represent in any way to the owner or occupant of the
20 premises in question or to any other person that the painting of such
21 numbers upon curbs or elsewhere is required by any law, rule or regulation.

22
23 Section 4. The City Clerk shall certify to the passage of this ordinance by
24 the City Council and cause it to be posted in three (3) conspicuous places in the City of
25 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the
26 Mayor.

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ROBERT E. SHANNON, City Attorney
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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2011, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor

REDLINE

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3 14.36.010 Permitted when.

4 A. Subject to the uniform standards provided in this eChapter, and
5 after obtaining a permit from the chief of police, property owners may
6 paint, stencil or otherwise mark their house number on the curb adjacent
7 to their property.

8 B. Any business or persons (other than the property owners) who
9 paints, stencils or otherwise marks the house numbers of others must also
10 obtain a permit from the chief of police/Director of Financial Management
11 and comply with the uniform standards of this eChapter.

12 C. No such permit shall be issued until the applicant has satisfied the
13 following requirements:

14 1. The applicant shall make an application on forms provided
15 by the Director of Financial Management and shall be accompanied by the
16 payment of the applicable fees as prescribed by resolution of the City
17 Council.

18 2. The applicant shall file with the Director of Financial
19 Management, and shall procure and maintain in full force and effect during
20 the term of the permit, a policy of public liability insurance, as prescribed in
21 regulations issued by the City Manager pursuant to Section 2.84.040. The
22 insurance policy shall name the City as insured or additional insured with
23 the permittee, and shall insure the City, its boards and commissions, and
24 their officials, employees and agents against all claims arising out of or in
25 connection with the issuance of the permit or the operation of the applicant
26 or his agents pursuant to the permit.

27 3. Charitable organizations desiring to paint, stencil or
28 otherwise mark house numbers on curbs of others must obtain a permit to

1 make charitable solicitations pursuant to Chapter 5.28.

2
3 14.36.020 Permit procedure.

4 A. Any business or persons desiring to paint, stencil or otherwise
5 mark house numbers on curbs of others shall obtain a written permit by
6 filling an application on forms provided by the~~with the chief of police on a~~
7 ~~form provided by the city~~ Director of Financial Management. The
8 application shall require~~contain~~ the following information:

9 1. Name and address of applicant and all persons performing work
10 under the provisions of this Chapter;

11 2. Date of application;

12 3. Name of sponsoring organization, if any, whether nonprofit,
13 charitable or otherwise;

14 4. Name and telephone number of responsible adult representing
15 the organization; and

16 5. Precise description of area to be covered under permit; and

17 6. Such other or further information deemed pertinent by the
18 Director of Financial Management.

19 B. ~~The chief of police has discretionary authority to deny a permit in~~
20 ~~the interest of the public health, safety or welfare; and a permit shall be~~
21 ~~valid for a period of ninety (90) days after issuance~~ Any change in any
22 information in the application must be submitted to the Director of
23 Financial Management immediately after the change has occurred.

24 C. ~~A record of the issued permits shall be maintained and appropriate~~
25 ~~designations shall be made on a map so that house numbers are not~~
26 ~~repainted more than once every twelve (12) months~~ On receipt of the
27 application, the Director of Financial Management shall refer it to the
28 Police Department for background investigation. The Chief of Police or

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his/her designee shall provide his/her recommendation regarding the approval or denial of a permit with the Director of Financial Management within ten (10) business days after the application for a permit is filed, except where circumstances beyond the control of the City justifiably delay such response. Upon the recommendation of the Chief of Police for approval and issuance of a permit, the Director of Financial Management may approve the application for the permit, provided that the applicant has met all conditions, if any, imposed by the Police Department, has complied with all applicable provisions of this Chapter, and has paid the applicable permit fees and license tax required pursuant to Chapter 3.80.

D. All permits issued under the provisions of this Chapter shall expire on the thirty-first (31st) day of December following the date on which the permit was issued; however, such permits may be renewed by the Director of Financial Management upon application of the permittee, provided the Director of Financial Management determines that the permittee, during the prior permit period, has operated in conformity with the provisions of this Chapter and that permittee is capable of such continued operation in the succeeding permit period. Notwithstanding the foregoing, failure to comply with any of the provisions of this Chapter, including any conditions attached to the permit at the time of approval, will constitute grounds for suspension, denial, or revocation of the permit.~~Every applicant shall be provided with a copy of the uniform standards provided in this chapter and a sketch of the numbering standards.~~

E. No fee shall be charged for a permit unless authorized by a resolution of the eCity eCouncil. In establishing a fee schedule by resolution pursuant to this sSubsection 14.36.020.E., the eCity eCouncil may create exemptions from such fees, in whole or in part, for such

1 charitable organizations lawfully operating within the eCity as may be
2 defined in and by the resolution.

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4 14.36.050 General restrictions.

5 A.____-In order to assure a reasonable quality of workmanship, the
6 minimum age for persons doing the work shall be ~~fourteen (14) years (or~~
7 ~~enrollment in the ninth grade)~~eighteen (18) years and graduation from
8 high school.

9 B.____Before starting work in the area described in the permit, the
10 workers operating under the provisions of this Chapter shall give written
11 notice to all residents in the area of their intent to paint, stencil or
12 otherwise mark house numbers. This written notice shall include the
13 following information:

14 1.____The name, address and telephone number of the
15 organization or person doing the work;

16 2.____ If the organization or person doing the work is soliciting
17 donations, this written notice shall include ~~A~~ a statement advising the
18 resident that ~~the~~ such organization or person is permitted to solicit a
19 donations ~~for the work done but~~ that such donations is are not
20 required and are only voluntary; or if the organization or person doing the
21 work is soliciting payment for the work, this written notice shall include the
22 fixed payment amount and a statement advising the resident that such
23 organization or person is permitted to request payment for work completed
24 with the owner's prior written approval required by Subsection
25 14.36.050.C; and

26 3.____A statement that this written notice is for information only
27 and the work is not required, sponsored, endorsed or guaranteed by the
28 eCity;

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4.—The form of written notice required by this ~~§~~Subsection 14.36.050.B shall, prior to its being given to residents, be submitted to the ~~chief of police~~ Director of Financial Management, as part of the permit application, for review by the City as to form and content.

C.—No house number shall be painted, stenciled or otherwise marked on any curb by any person until that person has obtained a permit pursuant to this Chapter, and has obtained and filed with the chief of police written approval of from the owner of the property for the painting, stenciling or other marking of the house number on the curb of that property. The permittee shall keep and maintain such written approval for up to three (3) years after completion of the work and shall be made available for inspection on demand of the Director of Financial Management.

D. No person shall fail to keep a copy of such permit upon his person and available for inspection at all times while performing such work, and no person shall represent in any way to the owner or occupant of the premises in question or to any other person that the painting of such numbers upon curbs or elsewhere is required by any law, rule or regulation.