



OFFICE OF THE CITY ATTORNEY

333 W. Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664
Telephone (562) 570-2200
Facsimile: (562) 436-1579

ORD-27

PRINCIPAL DEPUTIES

Dominic Holzhaus
Anne C. Lattime
Monte H. Machit

DEPUTIES

C. Geoffrey Allred
Gary J. Anderson
Richard Anthony
Kendra L. Carney
Christina L. Checel
LaTasha N. Crow
Charles M. Gale
Michele L. Levinson
Barbara J. McTigue
Barry M. Meyers
Howard D. Russell
Tiffani L. Shin
Linda T. Vu
Amy R. Webber
Theodore B. Zinger

CHARLES PARKIN
Acting City Attorney

MICHAEL J. MAIS
Assistant City Attorney

August 6, 2013

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 5.51.060, and by adding Section 5.51.065, all relating to the operation of ice cream trucks, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

DISCUSSION:

Pursuant to your request on July 9, 2013, this ordinance has been prepared and is submitted for your consideration.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, Acting City Attorney

By

AMY R. WEBBER
Deputy City Attorney

REDLINE

1
2
3 5.51.060 Compliance with other laws.

4 Any person operating an ice cream truck shall at all times comply with other
5 ~~applicable sections of this Code and applicable s~~Sections of the California Vehicle
6 Code, including, without limitation, the Nicole Stout Memorial Act or any successor
7 statutes thereto. Ice cream trucks which play amplified music must comply with the
8 provisions of the Long Beach Municipal Code Chapter 8.80.

9
10 5.51.065 Additional noise restrictions.

11 A. No person shall use, play or employ any sound, outcry, amplifier,
12 loudspeaker or any other instrument or device for the production of sound from an ice
13 cream truck when the ice cream truck is stationary.

14 B. The City may set reasonable restrictions in the business license on
15 the type and use of any amplifier, loudspeaker, or any other instrument or device for the
16 production of sound employed on an ice cream truck in order to prevent a disturbance of
17 the peace.

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 20____, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor