

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Long Beach, CA 90802-4664

ORDINANCE NO.

~~ORD-27~~

**ORD-20**

1  
2  
3 AN ORDINANCE OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH AMENDING THE LONG BEACH  
5 MUNICIPAL CODE BY AMENDING SUBSECTION  
6 8.100.030.A., AND SECTIONS 8.100.040 AND 8.100.050;  
7 ALL RELATING TO THE TEMPORARY PROHIBITION OF  
8 EVICTIONS DUE TO COVID-19; DECLARING THE  
9 URGENCY THEREOF; AND DECLARING THAT THIS  
10 ORDINANCE SHALL TAKE EFFECT IMMEDIATELY  
11

12 WHEREAS, on March 4, 2020, the Governor proclaimed a State of  
13 Emergency to exist in California due to the threat posed by the novel coronavirus and the  
14 COVID-19 disease resulting therefrom; and

15 WHEREAS, on March 24, 2020 the City Council adopted Ordinance ORD-  
16 20-0010 adding Chapter 8.100 to the Long Beach Municipal Code affording residential and  
17 commercial tenants adversely impacted by COVID-19 with certain temporary protections,  
18 including eviction prohibition and rent deferment; and

19 WHEREAS, despite sustained efforts, COVID-19 remains a threat, and many  
20 residential and commercial tenants and housing providers continue to experience income  
21 loss resulting from COVID-19 and/or the governmental response thereto; and

22 WHEREAS, such income loss will impact some tenants' and housing  
23 providers' ability to pay rent or mortgages when due, leaving such tenants and housing  
24 providers vulnerable to eviction and possible homelessness or foreclosure, respectively;  
25 and

26 WHEREAS, such impacted tenants who cannot pay rent in full are  
27 encouraged to pay as much rent as possible to reduce the amount owed upon expiration  
28 of the temporary prohibition on evictions, and thereafter are encouraged to pay as much

1 deferred rent as possible as soon as possible or otherwise according to a negotiated  
2 payment plan during the deferred rent repayment period; and

3 WHEREAS, in the interests of protecting the public health and mitigating the  
4 economic impacts of COVID-19, it is essential to avoid displacement of tenants by  
5 extending the application of Ordinance 20-0010, subject to certain conditions;

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

8  
9 Section 1. Subsection 8.100.030.A of the Long Beach Municipal Code is  
10 amended to read as follows:

11 8.100.030 Prohibition on Evictions.

12 A. The owner of residential or commercial real property shall not  
13 take action to evict a residential or commercial tenancy if (1) the basis for the  
14 eviction is non-payment of rent which became due between March 4, 2020  
15 and July 31, 2020, or a foreclosure, arising out of a substantial decrease in  
16 household or business income (including, but not limited to, a substantial  
17 decrease in household income caused by layoffs or a reduction in the number  
18 of compensable hours of work, or a substantial decrease in business income  
19 caused by a reduction in opening hours or consumer demand), or substantial  
20 out-of-pocket medical expenses; and (2) the decrease in such household or  
21 business income or such out-of-pocket medical expenses was caused by the  
22 COVID-19 pandemic, or by any local, state or federal government (including  
23 school districts) response to COVID-19, and is documented and  
24 communicated to the owner in accordance herewith. After May 31, 2020, the  
25 following commercial tenancies shall be excluded from the application of this  
26 Chapter: (1) tenants and sub-tenants which are multi-national companies,  
27 publicly-traded companies or which have more than five hundred (500)  
28 employees; (2) tenancies and sub-tenancies managed by the Airport; (3)

1 tenancies and sub-tenancies managed by the Harbor Department; and (4)  
2 tenancies and sub-tenancies within the Tidelands area. Any such excluded  
3 commercial tenants which previously delayed rent in accordance with this  
4 Chapter shall repay the entirety of such rent on or before November 30, 2020  
5 (without any associated late charges).

6  
7 Section 2. Section 8.100.040 of the Long Beach Municipal Code is  
8 amended to read as follows:

9 8.100.040 Pay-or-Quit Notices.

10 Any pay-or-quit notices dated between March 25, 2020 and July 31,  
11 2020 shall include the following language (or substantially similar): "The City  
12 of Long Beach has declared a state of emergency in response to COVID-19.  
13 If you cannot pay your rent due to a loss of income or medical expenses  
14 resulting from COVID-19, you need to notify and provide supporting  
15 documentation to [provide owner or agent contact information] immediately.  
16 You may qualify for protections against eviction and you may have a right to  
17 delay your rent payment and to repay such delayed rent over a six-month  
18 period".

19  
20 Section 3. Section 8.100.050 of the Long Beach Municipal Code is  
21 amended to read as follows:

22 8.100.050 Grace Period.

23 Tenants which are protected against eviction under this Chapter shall  
24 have until July 31, 2021 to pay all delayed rent (without any associated late  
25 charges); provided, however, that all of such delayed and unpaid rent shall  
26 become immediately payable should a tenant fail to make a regularly  
27 scheduled monthly rental payment after July 31, 2020, and such failure to  
28 make a regularly scheduled payment persists after the expiration of a pay-

1 or-quit notice applicable thereto.

2

3 Section 4. This ordinance is an emergency ordinance duly adopted by the  
4 City Council by a vote of five of its members and shall take effect at 12:00 a.m. on May 26,  
5 2020. The City Clerk shall certify to a separate roll call and vote on the question of the  
6 emergency of this ordinance and to its passage by the vote of five members of the City  
7 Council of the City of Long Beach, and cause the same to be posted in three conspicuous  
8 places in the City of Long Beach.

9

10 Section 5. This ordinance shall also be adopted by the City Council as a  
11 regular ordinance, to the end that in the event of any defect or invalidity in connection with  
12 the adoption of this ordinance as an emergency ordinance, the same shall, nevertheless,  
13 be and become effective on the thirty-first (31st) day after it is approved by the Mayor. The  
14 City Clerk shall certify to the passage of this ordinance by the City Council of the City of  
15 Long Beach and shall cause the same to be posted in three (3) conspicuous places in the  
16 City of Long Beach.

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I hereby certify that on a separate roll call and vote which was taken by the City Council of the City of Long Beach upon the question of emergency of this ordinance at its meeting of May 26, 2020, the ordinance was declared to be an emergency by the following vote:

Ayes: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Noes: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_  
Absent: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_  
Recusal(s): Councilmembers: \_\_\_\_\_  
\_\_\_\_\_

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

Ayes: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Noes: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_  
Absent: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_  
Recusal(s): Councilmembers: \_\_\_\_\_  
\_\_\_\_\_

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I further certify that the foregoing ordinance was thereafter adopted on final reading by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2020, by the following vote:

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

Recusal(s): Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Clerk

Approved: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Mayor