

ORDINANCE NO. ORD-14-0005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY ADDING SUBSECTION 5.48.010.F RELATING TO HOTEL AND MOTEL RENTALS; DECLARING THE URGENCY THEREOF; AND DECLARING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

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

Section 1. Subsection 5.48.010.F is added to the Long Beach Municipal Code to read as follows:

F. Right to Judicial Review.

If permission to inspect is refused or cannot be obtained, a valid court order for inspection shall be obtained from a court of competent jurisdiction upon a showing of probable cause to believe that a violation of this Chapter may exist.

Section 2. Declaration of Urgency. This ordinance is an emergency measure, and it is urgently required in order to bring the City's Municipal Code into compliance with the ruling of the Ninth Circuit Court of Appeal in *Patel v. City of Long Beach* (No. 09-56099; DC No. 2:08-cv-02806-ABC-VBK).

Section 3. This ordinance is an emergency ordinance duly adopted by the City Council on May 20, 2014, by a vote of at least five (5) of its members and shall take effect immediately. The City Clerk shall certify to a separate roll

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

1 call and vote on the question of the emergency of this ordinance and to its passage by
2 the vote of five (5) members of the City Council of the City of Long Beach, and cause the
3 same to be posted in three conspicuous places in the City of Long Beach.

4
5 Section 4. This ordinance shall also be adopted by the City Council as a
6 regular ordinance, to the end that in the event of any defect or invalidity in connection
7 with the adoption of this ordinance as an emergency ordinance, the same shall,
8 nevertheless, be and become effective on the thirty-first day after it is approved by the
9 Mayor.

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

14 Ayes: Councilmembers: Garcia, DeLong, O'Donnell, Johnson,
15 Austin, Neal.

16 _____
17 _____
18 Noes: Councilmembers: None.

19 _____
20 Absent: Councilmembers: Lowenthal, Schipske, Andrews.

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I further certify that on May 20, 2014, upon a roll call and vote on first reading of the ordinance, it was adopted by the City Council of the City of Long Beach by the following vote:

Ayes: Councilmembers: Garcia, DeLong, O'Donnell, Johnson,
Austin, Neal.

Noes: Councilmembers: None.

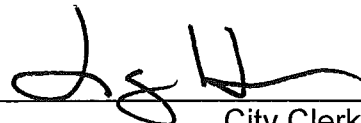
Absent: Councilmembers: Lowenthal, Schipske, Andrews.

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 _____, 2014, by the following vote

Ayes: Councilmembers: _____

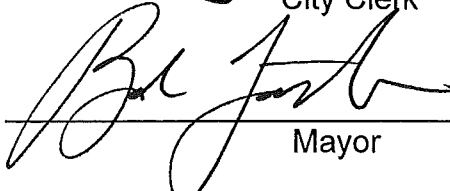
Noes: Councilmembers: _____

Absent: Councilmembers: _____



City Clerk

Approved: 5/27/14
(Date)



Mayor