



## OFFICE OF THE CITY ATTORNEY

411 W. Ocean Boulevard, 9th Floor  
Long Beach, CA 90802  
(562) 570-2200  
Facsimile: (562) 436-1579

# ORD-16

**DAWN A. MCINTOSH**  
City Attorney

**GARY J. ANDERSON**  
Assistant City Attorney

March 14, 2023

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

### RECOMMENDATION:

Recommendation to repeal Ordinance 20-0013, Long Beach Municipal Code Chapter 8.120 relating to Temporary Enforcement of Long Beach Health Orders Related to COVID-19. (Citywide)

### DISCUSSION

This office has prepared and submits the above described Ordinance for your consideration.

On March 10, 2020 the Long Beach City Council responded to the emerging COVID-19 pandemic declaring that a local emergency, as defined in Government Code Section 8630 existed, and ratifying the declaration by the City Health Officer of a local health emergency, all with respect to the threat of a Novel Coronavirus (COVID-19) pandemic.

Long Beach Municipal Code Chapter 8.120 (LBMC Ch. 8.120) regarding Temporary Enforcement of Long Beach Health Orders Related to COVID-19 was adopted on May 12, 2020 to temporarily allow for civil, administrative, and/or criminal enforcement of Health Orders issued by the Long Beach Health Officer and promulgated by the City Manager to protect the public health, safety, and general welfare, and to mitigate the impacts of COVID-19.

LBMC Ch. 8.120 was initially adopted for 180 days from the effective date of the ordinance unless further extended by the City Council in its discretion. The City Council, in its discretion, extended LBMC Ch. 8.120 on November 17, 2020, January 1, 2021, August 17, 2021, and February 8, 2022. LBMC Ch. 8.120 has been inoperative since August 7, 2022 as it was not extended by the City Council after it expired by its own terms.

On February 21, 2023, the City Council terminated of the Local Emergency and the Local Health Emergency caused by COVID-19. There is no longer a need for enforcement of Long Beach Health Orders related to COVID-19 since the local emergency due to COVID-19 was terminated. This Office recommends repealing

LBMC Ch. 8.120, as it is inoperative and no longer necessary to protect the public health, safety, and general welfare, and to mitigate the impacts of COVID-19.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

DAWN A. MCINTOSH, City Attorney



By

Taylor M. Anderson  
Deputy City Attorney

TMA:kd  
A23-00458  
01494578.DOCX

ATTACHMENT: CITY COUNCIL ORDINANCE

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

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH REPEALING ORDINANCE NO.  
ORD-20-0013, CHAPTER 8.120

WHEREAS, on March 10, 2020 the Long Beach City Council responded to the emerging COVID-19 pandemic declaring that a local emergency, as defined in Government Code Section 8630 existed, and ratifying the declaration by the City Health Officer of a local health emergency, all with respect to the threat of a Novel Coronavirus (COVID-19) pandemic; and

WHEREAS, Long Beach Municipal Code Chapter 8.120 (LBMC Ch. 8.120) regarding Temporary Enforcement of Long Beach Health Orders Related to COVID-19 was adopted as ORD-20-0013 on May 12, 2020 to temporarily allow for civil, administrative, and/or criminal enforcement of Health Orders issued by the Long Beach Health Officer and promulgated by the City Manager to protect the public health, safety, and general welfare, and to mitigate the impacts of COVID-19; and

WHEREAS, LBMC Ch. 8.120 was initially adopted for 180 days from the effective date of the ordinance unless further extended by the City Council in its discretion; and

WHEREAS, the City Council, in its discretion, extended LBMC Ch. 8.120 on November 17, 2020, January 1, 2021, August 17, 2021, and February 8, 2022; and

WHEREAS, LBMC Ch. 8.120 has been inoperative since August 7, 2022 as it was not extended by the City Council after it expired; and

WHEREAS, on February 21, 2023, the City Council terminated of the Local Emergency and the Local Health Emergency caused by COVID-19; and

WHEREAS, the provisions in LBMC Ch. 8.120, allowing for enforcement of Long Beach Health Orders related to COVID-19, are also no longer necessary since the

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

local emergency was terminated; and

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

Section 1. Ordinance No. ORD-20-0013, Chapter 8.120 of the Long Beach Municipal Code is hereby repealed.

Section 2. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2023, by the following vote:

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_  
City Clerk

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

\_\_\_\_\_  
Mayor

OFFICE OF THE CITY ATTORNEY  
DAWN MCINTOSH, City Attorney  
411 W. Ocean Boulevard, 9th Floor  
Long Beach, CA 90802