



OFFICE OF THE CITY ATTORNEY
Long Beach, California

ORD-33

CHARLES PARKIN
City Attorney

MICHAEL J. MAIS
Assistant City Attorney

MONTE H. MACHIT
Assistant City Attorney

PRINCIPAL DEPUTIES

Gary J. Anderson
Dominic Holzhaus
Anne C. Lattime

DEPUTIES

C. Geoffrey Allred
Richard F. Anthony
William R. Baerg
Kendra L. Carney
LaTasha N. Corry
Charles M. Gale
Haleh R. Jenkins
Michele L. Levinson
Barbara J. McTigue
Lauren E. Misajon
Howard D. Russell
Arturo D. Sanchez
Linda T. Vu
Amy R. Webber
Theodore B. Zinger

June 14, 2016

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Declare Ordinance amending the Long Beach Municipal Code by amending and restating in its entirety Chapter 9.66 regarding residency restrictions for sex offenders read for 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 April 5, 2016, this Ordinance amending and restating in its entirety Chapter 9.66 of the Long Beach Municipal Code ("LBMC"), "Sex Offender Residency Restrictions," has been prepared and is submitted for your consideration.

California Sex Offender Regulations:

In 1996, the federal government adopted Megan's Law, creating a nationwide sex offender registry. The California legislature soon followed and adopted various regulations related to registrants. One such regulation provides that a parolee sex offender may not, during the duration of parole, reside in a single family dwelling with any other registrant not legally related by blood, marriage, or adoption.

"Jessica's Law," enacted by California voters in 2006, additionally prohibits registered sex offenders from residing within 2,000 feet of a public or private school or a park where children regularly gather.

Jessica's Law also authorizes cities to adopt ordinances further restricting the residency of registered sex offenders. Many California municipalities, including the

MJK:mb A16-00188
L:\Apps\CityLaw32\WPDOcs\D006\IP028\00633146.docx

City of Long Beach, enacted local ordinances further restricting sex offender registrants' residency and other activities of registrants within their jurisdictions.

The constitutionality of state and local laws regulating sex offender residency has been challenged in both state and federal courts. As a result of these lawsuits, several municipalities have amended or repealed their sex offender residency regulations. The City of Long Beach is currently involved in a lawsuit which challenges the constitutionality of LBMC Chapter 9.66 in its entirety.

California Supreme Court Decision Regarding Blanket Application of Sex Offender 2,000 ft. Residency Restriction:

In 2015, the California Supreme Court held that the aforementioned 2,000-foot residency restriction, as applied across the board to all registered sex offenders on parole in San Diego County, was unconstitutional. The Court determined that such blanket enforcement not only barred registrants from renting approximately 97% of multifamily housing units (often the only housing parolees could afford) in the County, but also caused parolees to face homelessness, inability to find or maintain employment, and hindered access to various assistance programs.

The Court determined that the restriction bore no rational relationship to advancing the State's legitimate goal of protecting children. The Court declared that residency restrictions in the County should instead be determined on a case-by-case basis based on the particularized circumstances of each parolee.

The California Attorney General has since advised the California Department of Corrections and Rehabilitation ("CDCR") that the above described residency restrictions would be found unconstitutional in every county. The CDCR is no longer enforcing blanket residency restrictions.

The CDCR has stated that residency restrictions, except those related to certain sex crimes involving minors under the age of 14, will be determined on a case-by-case basis, taking into consideration the parolee's criminal history and clearly articulated justifications for specific restrictions.

The City Attorney has analyzed the impact of the recent Supreme Court case and the Attorney General's opinion on the LBMC and is of the opinion that portions of LBMC Chapter 9.66 would fail to pass constitutional muster.

Suggested Revisions of Long Beach Municipal Code Chapter 9.66:

LBMC Chapter 9.66 prohibits registered sex offenders from permanently or temporarily residing in Residential Exclusion Zones ("Zones"), defined as all areas

located within 2,000 feet of Child Day Care Facilities (“CDCFs”), public or private schools (grades K through 12), and parks.

The City of Long Beach has over 462,000 residents, an area of approximately fifty (50) square miles, and nearly six miles of beaches. Long Beach has numerous CDCFs and public and private schools, approximately 190 parks and community centers, and over 3,100 acres of the City developed for recreation purposes. These statistics significantly hinder a registered sex offender’s ability to acquire residence outside the specified Zones. Furthermore, the CDCR has been clear that it will not enforce the blanket residency restrictions, based on a measurement of distance, within Long Beach or elsewhere. As such, it is recommended the City repeal the sections of LBMC Chapter 9.66 related to the Zones in their entirety.

The remaining provisions regulating clustering of sex offenders per dwelling unit or hotel/motel/inn guest room do not significantly affect a sex offender from acquiring permanent and/or temporary residence within the City.

However, the “responsible party prohibitions” should be amended to more clearly articulate that the prohibitions only apply per unit/room, and not per structure, as was intended when the restated Chapter 9.66 passed on December 2, 2008.

These proposed amendments would bring the City’s regulations of registered sex offenders into compliance with current state law.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By



MONICA J. KILAITA
Deputy City Attorney

REDLINE

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

9.66.010—_Definitions.

For purposes of this Chapter only, and unless the context clearly requires a different meaning, the words, terms and phrases set forth in this Section are defined as follows:

A. ~~"Child" or "Children" shall mean any person(s) under the age of eighteen (18) years of age.~~

~~B. "Child Day Care Facility" shall mean any State of California, Department of Social Services ("CDSS") licensed facility, as that term is defined under Health and Safety Code Section 1596.750, that provides nonmedical care to children under eighteen (18) years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a twenty four (24) hour basis, including, but not limited to, day care center, employer-sponsored child care center, family day care home, infant center, preschool, extended day care facility, or school-age child care center.~~

~~C. "Duplex" shall mean a residential land use for a building containing two (2) dwelling units.~~

~~D. "B. "Hotel/Motel" shall mean a commercial land use for the rental of six (6) or more guest rooms or suites for primarily temporary residency for a period of not more than thirty (30) consecutive days.~~

~~E. "C. "Inn" shall mean a commercial land use for the rental of five (5) or fewer guest rooms or suites primarily for temporary residency for a period of not more than thirty (30) consecutive days.~~

~~F. "D. "Knowingly" shall mean with knowledge of the existence of the facts in question. Knowledge of the unlawfulness of any act or omission is not required.~~

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

G. ~~"Multifamily"~~ "Multi-family Dwelling" shall mean a building designed for permanent residency for three (3) or more families living independently of each other. This does not include hotels, motels, or inns.

H. ~~"Owner's"~~ "Owner's Authorized Agent" shall mean any natural person, firm, association, joint venture, joint stock company, partnership, organization, club, company, corporation, business trust or the manager, lessee, agent, servant, officer or employee authorized to act for the owner of real property.

~~I. "Park" shall include any areas publicly owned, leased, controlled, maintained or managed by the City or County which are open to public use for recreational, cultural and/or community service activities, and include, but are not limited to, beaches, playgrounds, playfields, athletic courts, and dog park recreation areas, as well as those areas specifically dedicated or designated as "parks" in Chapter 21.35 of this Code.~~

J. ~~"G."~~ "Permanent Resident" shall mean any person who, as of a given date, obtained a legal right to occupy or reside in a duplex, multifamily dwelling, ~~single Duplex, Multi-family dwelling, hotel, motel or inn Dwelling, Single Family Dwelling, Hotel, Motel or Inn~~ for a period of more than thirty (30) consecutive days.

K. ~~"H."~~ "Property Owner" shall mean the owner of record of any parcel of real property as designated on the county assessor's tax roll, or a holder of a subsequently recorded deed to the property and shall include any part owner, joint owner, tenant, tenant in common, or joint tenant, of the whole or a part of such real property.

~~L. "Residential Exclusion Zone" shall include those areas located within two thousand feet (2,000') of the nearest property line of the subject property to the nearest property line of a child day care facility, public or private school (grades K through~~

1 42), or park in which a sex offender is prohibited from temporarily or permanently
2 residing.

3 M. ~~“I.”~~ “Responsible Party” shall mean the property
4 owner Property Owner and/or the owner's authorized agent Owner's
5 Authorized Agent.

6 N. ~~“J.”~~ “Sex Offender” means any person convicted of a crime
7 on or after the effective date of ~~the~~ this ordinance from which this Chapter
8 derives, for which registration is required pursuant to Section 290 of the
9 California Penal Code.

10 K. “Single Family Dwelling” means one (1) permanent
11 residential dwelling located on a single lot. For purposes of this Chapter,
12 ~~single-family dwelling~~ Single Family Dwelling shall not include any State-
13 licensed residential facility which serves six (6) or fewer persons.

14 P. ~~“L.”~~ “Temporary Resident” means any person who, as of a
15 given date, obtained a legal right to occupy or reside in a duplex, multifamily
16 dwelling, ~~single~~ Duplex, Multi-family dwelling Dwelling, Single Family
17 Dwelling, hotel, motel or inn for a period of thirty (30) consecutive days or
18 less.

19
20 9.66.020 ~~— Sex offender prohibition residential exclusion zone. —~~ Single
21 Family Dwellings.

22 ~~—~~ A sex offender shall be prohibited from becoming a permanent Permanent or
23 temporary resident Temporary Resident in any residential exclusion zone.

24 9.66.030 ~~— Sex offender prohibition —~~ a Single-family dwellings.

25 ~~—~~ A sex offender shall be prohibited from becoming a
26 permanent or temporary resident in a single-family dwelling Family Dwelling
27 if said dwelling is already occupied by a sex offender, unless the other
28 person is legally related by blood, marriage or adoption.

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

~~9.66.040-030~~ Sex offender prohibition—prohibitions – Duplex and multifamily dwellings. & Multi-family Dwellings.

——A sex offender shall be prohibited from becoming a ~~permanent~~Permanent or ~~temporary resident~~Temporary Resident in a ~~duplex~~Duplex and/or ~~multifamily dwelling~~Multi-family Dwelling unit if said dwelling unit is already occupied by a sex offender, unless the other person is legally related by blood, marriage or adoption.

~~9.66.050-040~~ Sex offender prohibition— - Hotel/motel/inn rooms. Motel/Inn Rooms.

——A sex offender shall be prohibited from becoming a ~~permanent~~Permanent or ~~temporary resident~~Temporary Resident in a ~~hotel, motel~~Hotel, Motel, or inn ~~inn guest~~ room if said guest room is already occupied by a sex offender, unless the other person is legally related by blood, marriage or adoption.

~~9.66.060-050~~ Responsible party prohibition— - Single-family dwellings. Family Dwellings.

——A ~~responsible party~~Responsible Party shall be prohibited from knowingly renting or leasing a ~~single-family dwelling~~Single Family Dwelling to more than one ~~(1)~~ sex offender during any given period of tenancy, unless those persons are legally related by blood, marriage or adoption.

~~9.66.070-060~~ Responsible party prohibition—prohibitions – Duplex and multifamily dwellings. & Multi-family Dwellings.

——A ~~responsible party~~Responsible Party shall be prohibited from knowingly renting or leasing ~~anyan individual~~ unit within a

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

~~duplex~~Duplex and/or ~~multifamily dwelling~~Multi-family Dwelling to more than one ~~(1)~~ sex offender during any given period of tenancy, unless those persons are legally related by blood, marriage or adoption.

9.66.080—070 _____ Responsible party prohibition—~~Hotel~~prohibitions - hotel/motel/inn.

_____ A ~~responsible party~~Responsible Party shall be prohibited from knowingly renting or leasing ~~aan individual~~ guest room in a ~~hotel,~~ Hotel, Motel, or ~~inn~~Inn to more than one (1) sex offender, unless those persons are legally related by blood, marriage or adoption.

9.66.090—080 _____ Criminal penalties.

_____ Any person who violates any provision of this Chapter is guilty of a misdemeanor subject to the penalties set forth in Section 1.32.010 of this Code.

9.66.110—090 _____ Criminal penalties do not satisfy administrative or civil _____ actions.

_____ Neither the arrest, prosecution, conviction, imprisonment, or payment of a fine for a criminal violation of Chapter 9.66 shall satisfy or diminish the authority of the City to commence civil or criminal proceedings under applicable ~~civil, penal~~Civil, Penal or Municipal Code provisions as an alternative or in addition to the proceedings set forth in this Chapter.

9.66.120—110 _____ Civil actions.

A. Civil actions include, but are not limited to, injunctive relief and civil and/or administrative actions or proceedings as defined in State law and local ordinances.

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

B. Any person required to comply with the provisions of this Chapter shall be liable in a civil action filed by the City in any court of competent jurisdiction in order to enforce such provision and to pay reasonable abatement costs incurred by the City and costs of the suit as a court may deem appropriate, including any and all ~~Attorney~~attorney fees incurred by the City in the prosecution of said enforcement action.

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

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING AND RESTATING IN
ITS ENTIRETY CHAPTER 9.66 REGARDING RESIDENCY
RESTRICTIONS FOR SEX OFFENDERS

WHEREAS, on November 7, 2006, the voters of the State of California
overwhelmingly approved Proposition 83, The Sexual Predator Punishment and Control
Act, commonly referred to as Jessica’s Law, so as to better protect Californians, and, in
particular, the children of this State from sex offenders; and

WHEREAS, Proposition 83 enacted subsection (b) of Penal Code Section
3003.5 which prohibits any person who is required to register as a sex offender under
Penal Code Section 290 (hereinafter referred to as a “sex offender”) from residing within
two thousand feet (2,000) of any public or private school, or any park where children
regularly gather; and

WHEREAS, on March 2, 2015, the California Supreme Court, *In re Taylor*,
60 Cal. 4th 1019 (2015), held that the residency restrictions of subsection (b) of Penal
Code Section 3003.5 which are applied across the board to all registered sex offenders
on parole in San Diego County were unconstitutional; and

WHEREAS, the California Attorney General advised the California
Department of Corrections and Rehabilitation (“CDCR”) that the blanket residency
restrictions of subsection (b) of Penal Code Section 3003.5 would be found
unconstitutional in every county, and the CDCR is no longer enforcing residency
restrictions prohibiting registered sex offenders from living within two thousand feet
(2,000) of a school or park; and

WHEREAS, it is likely subsection (b) of Penal Code Section 3003.5 would

1 be deemed unconstitutional if applied across the board in the City of Long Beach; and

2 WHEREAS, the unconstitutionality of blanket sex offender residency
3 restrictions based on a measurement of distance does not preclude the City of Long
4 Beach from enforcing other existing Penal Code provisions that regulate registered sex
5 offenders; and

6 WHEREAS, Proposition 83, as codified in subsection (c) of Penal Code
7 Section 3003.5, authorizes municipal jurisdictions to enact local ordinances that further
8 restrict the residency of any registered sex offender, whether or not on parole or
9 probation; and

10 WHEREAS, subsection (a) of Penal Code section 3003.5, enacted in
11 1998 prior to Proposition 83, prohibits registered sex offenders who are on parole from
12 residing in a "single-family dwelling" with another registered sex offender during the
13 parole period, unless those persons are legally related by blood, marriage or adoption;
14 and

15 WHEREAS, the City of Long Beach is becoming an increasingly attractive
16 place of residence for families with children; and

17 WHEREAS, there are approximately over eight hundred (800) registered
18 sex offenders in the City of Long Beach; and

19 WHEREAS, the City is concerned with recent occurrences, within the City
20 and elsewhere in California, where multiple registered sex offenders have been residing
21 together in clusters; and

22 WHEREAS, because Long Beach Municipal Code Chapter 9.66 is intended
23 to eliminate any potential conflict of land uses in residential neighborhoods and to reduce
24 the potential dangers affecting families with children, Chapter 9.66 shall also regulate the
25 number of registered sex offenders permitted to reside in multiple family dwellings units;
26 and

27 WHEREAS, in order to foster compliance with the intent of this ordinance,
28 Chapter 9.66 shall also establish regulations for property owners who knowingly rent or

1 lease residential dwellings and units to registered sex offenders in violation of Chapter
2 9.66; and

3 WHEREAS, sex offenders are still required to register their residences with
4 local police who, in turn, submit this information to the Department of Justice for inclusion
5 in the Department of Justice's "Megan's Law" website and, therefore the City is still
6 provided the protection of knowing where registered sex offenders reside and law
7 enforcement can thereby monitor their activities in the community; and

8 WHEREAS, this ordinance is required for the immediate preservation of the
9 public peace, health, and safety, and it shall be the intent of the City Council to construe
10 this ordinance as having a prospective application only;

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

13 Section 1. Chapter 9.66 of the Long Beach Municipal Code is amended
14 and restated in its entirety as follows:

15
16 CHAPTER 9.66

17 SEX OFFENDER RESIDENCY RESTRICTIONS

18
19 9.66.010 Definitions.

20 For purposes of this Chapter only, and unless the context clearly
21 requires a different meaning, the words, terms and phrases set forth in this
22 Section are defined as follows:

23 A. "Duplex" shall mean a residential land use for a building
24 containing two (2) dwelling units.

25 B. "Hotel/Motel" shall mean a commercial land use for the rental
26 of six (6) or more guest rooms or suites for primarily temporary residency
27 for a period of not more than thirty (30) consecutive days.

28 C. "Inn" shall mean a commercial land use for the rental of five

1 (5) or fewer guest rooms or suites primarily for temporary residency for a
2 period of not more than thirty (30) consecutive days.

3 D. "Knowingly" shall mean with knowledge of the existence of the
4 facts in question. Knowledge of the unlawfulness of any act or omission is
5 not required.

6 E. "Multi-family Dwelling" shall mean a building designed for
7 permanent residency for three (3) or more families living independently of
8 each other. This does not include hotels, motels, or inns.

9 F. "Owner's Authorized Agent" shall mean any natural person,
10 firm, association, joint venture, joint stock company, partnership,
11 organization, club, company, corporation, business trust or the manager,
12 lessee, agent, servant, officer or employee authorized to act for the owner
13 of real property.

14 G. "Permanent Resident" shall mean any person who, as of a
15 given date, obtained a legal right to occupy or reside in a Duplex, Multi-
16 family Dwelling, Single Family Dwelling, Hotel, Motel or Inn for a period of
17 more than thirty (30) consecutive days.

18 H. "Property Owner" shall mean the owner of record of any
19 parcel of real property as designated on the county assessor's tax roll, or a
20 holder of a subsequently recorded deed to the property and shall include
21 any part owner, joint owner, tenant, tenant in common, or joint tenant, of the
22 whole or a part of such real property.

23 I. "Responsible Party" shall mean the Property Owner and/or
24 the Owner's Authorized Agent.

25 J. "Sex Offender" means any person convicted of a crime on or
26 after the effective date of this ordinance, for which registration is required
27 pursuant to Section 290 of the California Penal Code.

28 ///

1 K. “Single Family Dwelling” means one (1) permanent residential
2 dwelling located on a single lot. For purposes of this Chapter, Single
3 Family Dwelling shall not include any State licensed residential facility
4 which serves six (6) or fewer persons.

5 L. “Temporary Resident” means any person who, as of a given
6 date, obtained a legal right to occupy or reside in a Duplex, Multi-family
7 Dwelling, Single Family Dwelling, hotel, motel or inn for a period of thirty
8 (30) consecutive days or less.

9
10 9.66.020 Sex offender prohibition – Single Family Dwellings.

11 A sex offender shall be prohibited from becoming a Permanent or
12 Temporary Resident in a Single Family Dwelling if said dwelling is already
13 occupied by a sex offender, unless the other person is legally related by
14 blood, marriage or adoption.

15
16 9.66.030 Sex offender prohibitions – Duplex & Multi-family Dwellings.

17 A sex offender shall be prohibited from becoming a Permanent or
18 Temporary Resident in a Duplex and/or Multi-family Dwelling unit if said
19 dwelling unit is already occupied by a sex offender, unless the other person
20 is legally related by blood, marriage or adoption.

21
22 9.66.040 Sex offender prohibition - Hotel/Motel/Inn Rooms.

23 A sex offender shall be prohibited from becoming a Permanent or
24 Temporary Resident in a Hotel, Motel, or Inn guest room if said guest room
25 is already occupied by a sex offender, unless the other person is legally
26 related by blood, marriage or adoption.

27 ///

28 ///

1 9.66.050 Responsible party prohibition - Single Family Dwellings.

2 A Responsible Party shall be prohibited from knowingly renting or
3 leasing a Single Family Dwelling to more than one sex offender during any
4 given period of tenancy, unless those persons are legally related by blood,
5 marriage or adoption.

6
7 9.66.060 Responsible party prohibitions – Duplex & Multi-family
8 Dwellings.

9 A Responsible Party shall be prohibited from knowingly renting or
10 leasing an individual unit within a Duplex and/or Multi-family Dwelling to
11 more than one sex offender during any given period of tenancy, unless
12 those persons are legally related by blood, marriage or adoption.

13
14 9.66.070 Responsible party prohibitions - hotel/motel/inn.

15 A Responsible Party shall be prohibited from knowingly renting or
16 leasing an individual guest room in a Hotel, Motel, or Inn to more than one
17 (1) sex offender, unless those persons are legally related by blood,
18 marriage or adoption.

19
20 9.66.080 Criminal penalties.

21 Any person who violates any provision of this Chapter is guilty of a
22 misdemeanor subject to the penalties set forth in Section 1.32.010 of this
23 Code.

24
25 9.66.090 Criminal penalties do not satisfy administrative or civil
26 actions.

27 Neither the arrest, prosecution, conviction, imprisonment, or payment
28 of a fine for a criminal violation of Chapter 9.66 shall satisfy or diminish the

1 authority of the City to commence civil or criminal proceedings under
2 applicable Civil, Penal or Municipal Code provisions as an alternative or in
3 addition to the proceedings set forth in this Chapter.

4 9.66.110 Civil actions.

5 A. Civil actions include, but are not limited to, injunctive relief and
6 civil and/or administrative actions or proceedings as defined in State law
7 and local ordinances.

8 B. Any person required to comply with the provisions of this
9 Chapter shall be liable in a civil action filed by the City in any court of
10 competent jurisdiction in order to enforce such provision and to pay
11 reasonable abatement costs incurred by the City and costs of the suit as a
12 court may deem appropriate, including any and all attorney fees incurred by
13 the City in the prosecution of said enforcement action.

14
15 Section 2. The City of Long Beach, Office of the Long Beach City
16 Attorney is directed, on the effective date of this ordinance, to send a copy of this
17 ordinance to the California Department of Corrections and Rehabilitation, Division of
18 Adult Operations.

19
20 Section 3. Nothing in this Chapter is intended to conflict with provisions
21 of California's Megan's Law as codified in Penal Code Sections 290.4 and 290.46.

22
23 Section 4. If any section, subsection, sentence, clause, phrase, or
24 portion of this ordinance is for any reason held to be invalid or unconstitutional by the
25 decision of any court of competent jurisdiction, such decision shall not affect the validity
26 of the remaining portions of this ordinance. The City Council hereby declares that it
27 would have adopted this ordinance and each section, subsection, sentence, clause,
28 phrase, or portion thereof, irrespective of the fact that any one or more sections,

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona 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

subsections, clauses, phrases or portions be declared invalid or unconstitutional.

Section 5 The City Clerk shall certify to the passage of this ordinance by the City Council of the City of Long Beach and cause it to be posted in three conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31) day after it is approved by the Mayor.

I hereby certify that the foregoing amended ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2016, by the following votes:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor