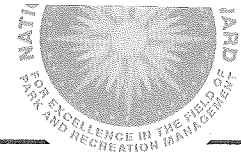




CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE

ORD-21



2760 N. Studebaker Road, Long Beach, CA 90815-1697
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January 18, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to declare Ordinance adding Sections 9.22.070, 9.22.075 and 9.22.080 to the Long Beach Municipal Code, related to alcohol use by bathers at the beaches, read the first time and laid over to the next regular meeting of the City Council for final reading. (Districts 2 and 3)

DISCUSSION

The Long Beach Municipal Code, Chapter 9.22, relates to the consumption of alcohol in public places. During this past summer, an event was advertised on the Internet inviting participants to come to Alamitos Bay with the intent of drinking alcohol on floats, to avoid the prohibition against drinking alcohol on City beaches. This activity, informally known as "floatapaloozas," was occurring in other cities with waterfront locations.

The Municipal Code does not currently prohibit the activity of consuming alcohol on floats; however, these are unsafe practices and create a detriment to safe recreation in our waterways. The attached Ordinance would create that prohibition.

This matter was reviewed by Deputy City Attorney Gary J. Anderson on November 5, 2010, and Budget Management Officer Victoria Bell on November 11, 2010.

TIMING CONSIDERATIONS

This item is not time sensitive.

FISCAL IMPACT

There is no fiscal or local job impact associated with the recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

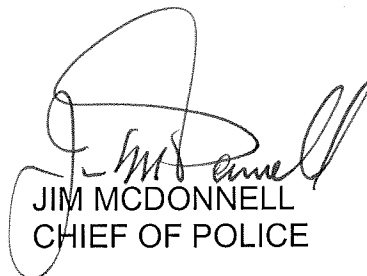


PHIL T. HESTER
DIRECTOR OF PARKS, RECREATION
AND MARINE



ALAN PATALANO
FIRE CHIEF

PTH:MS:eh
Attachment: Ordinance



JIM MCDONNELL
CHIEF OF POLICE

APPROVED:



PATRICK H. WEST
CITY MANAGER

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY ADDING SECTIONS 9.22.070,
9.22.075 AND 9.22.080 RELATING TO ALCOHOL
RESTRICTIONS

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

Section 1. Section 9.22.070 is added to the Long Beach Municipal Code
to read as follows:

9.22.070 - Unlawful alcohol consumption.

It is unlawful for any bather to consume any alcoholic beverage
within one marine league of any beach. However, this section shall not be
construed to regulate the consumption of alcoholic beverages on any
motorboat.

Section 2. Section 9.22.075 is added to the Long Beach Municipal Code
to read as follows:

9.22.075 – Bather.

“Bather” has the same meaning as that set forth in California
Harbor and Navigation Code Section 651.1.

Section 3. Section 9.22.080 is added to the Long Beach Municipal Code
to read as follows:

9.22.080 – Marine league.

“Marine League” means three nautical miles.

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Section 4. 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 _____, 20__, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor