



OFFICE OF THE CITY ATTORNEY  
Long Beach, California

**ORD-26**

ROBERT E. SHANNON  
City Attorney

HEATHER A. MAHOOD  
Chief Assistant City Attorney

MICHAEL J. MAIS  
Assistant City Attorney

PRINCIPAL DEPUTIES

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Anne C. Lattime  
Monte H. Machit  
J. Charles Parkin

DEPUTIES

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Theodore B. Zinger

June 21, 2011

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

RECOMMENDATION:

Declare Ordinance amending Long Beach Municipal Code Chapter 5.87 "Medical Marijuana Collective" by amending Subsection 5.87.015.L relating to the definition of "Park" and "Public Park," read for the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

DISCUSSION

Pursuant to City Council direction on June 7, 2011, an ordinance has been prepared to amend Chapter 5.87 related to the regulations pertaining to Medical Marijuana Collectives to include leased and operated parks in the definition of "Park" and "Public Park." The ordinance is transmitted for your consideration.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

ROBERT E. SHANNON, City Attorney

By   
Michael J. Mais  
Assistant City Attorney

MJM:kjm  
A09-03725  
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OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 ORDINANCE NO.

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 5.87.015.L RELATING TO THE DEFINITION OF "PARK"  
7 AND "PUBLIC PARK" TO INCLUDE ALL CITY OWNED,  
8 OPERATED OR LEASED PARKS

9  
10 WHEREAS, the City Council of the City of Long Beach adopted  
11 regulations relating to Medical Marijuana Collective by adding Chapter 5.87 to the Long  
12 Beach Municipal Code by adopting Ordinance No. ORD-10-0007 on March 23, 2010;

13 WHEREAS, Chapter 5.87 was amended and restated by adopting  
14 Ordinance No. ORD-11-0002 on January 18, 2011;

15 WHEREAS, the City Council of the City of Long Beach now desires to  
16 amend Chapter 5.87 to revise the definition of "Park" and "Public Park" to include all  
17 City owned, operated, or leased parks;

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

20 Section 1. Subsection 5.87.015.L of the Long Beach Municipal Code is  
21 amended to read as follows:

22 L. "Park" or "Public Park" shall mean publicly owned, operated  
23 or leased natural or open areas set aside for active and passive public  
24 use for recreational, cultural or community service activities. For  
25 purposes of this Chapter only, all beaches in the City, including but not  
26 limited to, all ocean facing beaches, Alamitos Bay, Marine Stadium,  
27 Colorado Lagoon, and Marina Park, are excluded from the definition of  
28 "Park" or "Public Park."

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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 conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31<sup>st</sup>) 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 \_\_\_\_\_, 2011, by the following vote:

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

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

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

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

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor