


# City of Long Beach

Working Together to Serve

## Memorandum **ORD-32**

Date: May 26, 2005

To: Larry Herrera, City Clerk

From: Carol A. Shaw, Deputy City Attorney 

Subject: REVISED ORDINANCE AMENDING CHAPTER 3.64 OF THE MUNICIPAL CODE RELATING TO TRANSIENT OCCUPANCY TAX

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Item 29 on the May 24, 2005 City Council agenda, an ordinance amending Chapter 3.64, had a portion of one sentence inadvertently omitted in Section 24. The City Attorney's office has corrected the document at pages 21 and 22, and the attached revised ordinance should be presented to the City Council for the second reading on the June 7th, 2005 Agenda.

The only change appears in Section 24 of the ordinance in Municipal Code Section 3.64.150.A beginning on page 21. The revised subsection A will read as follows with the underlined section added:

**3.64.150 Enjoining Collection Forbidden**

A. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the City or an officer thereof, to prevent or enjoin the collection of taxes sought to be collected pursuant to this Chapter and payment of all tax, interest and penalties shall be required as a condition precedent to seeking judicial review of any tax liability.

The above change results in correction to pages 21 and 22 only and the remainder of the pages are unchanged.

Please contact me at 8-2224 if you have any questions in this regard.

Encl.