



Legislation Details (With Text)

File #: 08-1188 **Version:** 2 **Name:** CA - ORD restate residency sex offenders
Type: Ordinance **Status:** Adopted
File created: 11/10/2008 **In control:** City Council
On agenda: 12/2/2008 **Final action:** 12/2/2008
Title: Recommendation to 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 and adopted as read. (Citywide)
Sponsors: City Attorney
Indexes:
Code sections:
Attachments: 1. 111808-ORD-29sr&att.pdf, 2. 120208-ORD-32att.pdf, 3. ORD-08-0036

Date	Ver.	Action By	Action	Result
12/2/2008	2	City Council	approve recommendation and adopt	Pass
11/18/2008	1	City Council	declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading	Pass

Recommendation to 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 and adopted as read. (Citywide)

The City Council approved a recommendation to amend and restate in its entirety Title 9, Chapter 9.66 to eliminate potential conflict of land uses in residential neighborhoods, to reduce potential dangers associated with multiple registered sex offenders living near families with children and places where children gather, to clarify and streamline the statutory language, and to further identify civil consequences as described below:

- I. Clarification and Streamlining
 - A. Violations involving multi-family dwellings were consolidated, and were limited to the number of sex offenders per unit.
 - B. The definition of Child Day Care Facility parallels that term as defined in State law.
 - C. "Knowingly" was defined to identify the requisite scienter element for property owner related violations.
 - D. To address potential preemption with state law, the definition of Single Family Dwelling introduced an exemption for state licensed residential facilities serving six (6) or fewer persons.
- II. Elimination of Loitering Restrictions and violations

Due to the fact loitering violations may be appropriately addressed via existing provisions of the Penal Code, these portions of the ordinance were eliminated.

III. Civil Remedies

Because violations of Chapter 9.66 may be addressed via criminal and/or civil sanction, civil remedies were further defined.

IV. Prospective Application

Criminal and/or civil enforcement as to registered sex offenders and responsible property owners and/or agents shall occur prospectively as of the date the amended ordinance is enacted.

[Timing Considerations]

This program is currently unbudgeted.

Approve recommendation.

CRISTYL MEYERS
DEPUTY CITY ATTORNEY

Respectf
ully
submitted

,
ROBERT
E.
SHANNO
N, City
Attorney

By:

NAME
TITLE

INITIALS

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 AND LOITERING RESTRICTIONS FOR SEX OFFENDERS