



# CITY OF LONG BEACH **ORD-32**

DEPARTMENT OF COMMUNITY DEVELOPMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

October 2, 2007

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Declare Ordinance amending Long Beach Municipal Code Chapter 9.65 related to Administrative Citations and the use of Free Standing Canopies in Residential Areas read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

## DISCUSSION

On February 15, 2005, the City Council adopted Municipal Code 9.65, an Administrative Citation Ordinance. The Ordinance establishes authority for the issuance of an administrative citation to any person who violates any provision of the Long Beach Municipal Code. The use of unpermitted free standing canopies was one of the violations the Ordinance was specifically developed to address.

The Ordinance establishes authority for the issuance of an administrative citation of \$100 to any person who does not remove an unpermitted, free standing canopy within 30 days of an administrative citation warning.

On July 17, 2007, the City Council directed the City Manager to amend the Long Beach Municipal Code to allow for the use of free standing canopies in rear residential yards, provided they are properly maintained. Attached is an Ordinance amending Municipal Code 9.65 relating to administrative citations and free standing canopies in residential areas. It was prepared by the City Attorney's office with input from the Departments of Planning and Building and Community Development.

If approved by the City Council, free standing canopies in residential areas will be allowed in rear yards but must not:

- be located in residential front or side yard setback areas or driveways used for automobile parking;
- have a setback of less than four feet from the side and rear property lines;
- be maintained in a manner that is defective, unsightly or in a condition of deterioration; or
- be greater than ten feet in height.

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This item was reviewed by Deputy City Attorney Cristyl Meyers on September 10, 2007 and Budget and Performance Management Bureau Manager David Wodynski on September 12, 2007.

TIMING CONSIDERATIONS

At the request of the City Council on July 17, 2007, Code Enforcement Division inspectors have suspended enforcement of any illegal use of canopies in rear residential yards. City Council action is requested so that Code Enforcement Division inspectors can enforce the Municipal Code related to free standing canopies in residential areas.

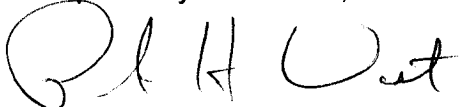
FISCAL IMPACT

It is anticipated that this amendment to the Municipal Code will not generate additional revenue. Administrative Citation Warnings have resulted in a 92% compliance rate without issuing \$100 citations. In FY 07, approximately \$17,000 in fine revenue has been collected with less than ten percent of the fines related to canopies.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "P. H. West". The signature is written in a cursive, flowing style.

PATRICK H. WEST  
CITY MANAGER

DJT/co

Attachment



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

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B. have a setback of less than four feet from the side and rear property lines;

C. be maintained in a manner that is defective, unsightly or in a condition of deterioration; or

D. be greater than ten (10) feet in height.

Section 3. 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 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 \_\_\_\_\_, 2007, by the following vote:

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

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

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

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

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

\_\_\_\_\_  
Mayor

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