



City of Long Beach

Office of Robert Garcia
Councilmember, First District

Date: May 3, 2011

To: Honorable Mayor and Members of the City Council

From: Councilmember Robert Garcia, First District *RG*
Councilmember Dee Andrews, Sixth District *DA*
Councilmember Steven Neal, Ninth District *SN*

Subject: **Public Pay Phone Moratorium**

Background:

Chapter 5.71 of the Long Beach Municipal Code regulates pay telephones on the exterior of private property. Since these regulations were last amended in 2001, the wide availability of cellular telephones, including prepaid phones, has made public pay phones much less of a necessity in providing convenience and access to communications than they once were. Walt Sharp of AT&T said two years ago that pay phones are an "obsolete business."

Pay telephones may contribute to nuisance activity at surrounding businesses and residents. The Municipal Code declares pay phones a nuisance and allows their removal if they are instrumental in carrying out certain activities, including distribution of controlled substances, soliciting or engaging in prostitution, illegally consuming alcohol, loitering, or disturbing the peace, among other activities.

Addressing each instance of nuisance individually consumes scarce City resources; the prevalence of nuisance issues around pay phones necessitates a review of City policy to determine whether and how the Municipal Code should be amended to eliminate current nuisance locations and, most importantly, to prevent the installation of new phones at locations likely to present a nuisance.

Recommendation:

Adopt a minute order declaring a one year moratorium against the issuance of any new permits for the installation of publicly accessible exterior pay telephones on private property and requesting the City Attorneys Office, together with the staff from the Development Services Department and the Police Department, to develop recommendations relating to the possible amendment of Chapter 5.71 ("Publicly Accessible Exterior Pay Telephones") to better regulate the permitting and installation of such pay telephones.

Fiscal Impact:

There is no significant fiscal impact associated with this measure.