

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING CHAPTER 5.72 TO CREATE A DOWNTOWN DINING AND ENTERTAINMENT DISTRICT PILOT PROGRAM

WHEREAS, the development of a vital and lively downtown is a matter of concern for the City Council of the City of Long Beach, and

WHEREAS, the City Council finds that the downtown area is a unique part of Long Beach, containing new housing which is attracting residents seeking an urban lifestyle;

WHEREAS, the revitalized downtown area also contains unique dining and entertainment opportunities which attract visitors from all over Long Beach and surrounding cities; and

WHEREAS, until this time, the requirements of entertainment permits varied among permittees; and

WHEREAS, the City Council intends, as part of a one-year pilot program, to regulate entertainment in the downtown area in a manner which balances the needs of businesses, residents, and visitors ("the Downtown Entertainment Permit"); and

WHEREAS, the City Council intends that the requirements be more consistent among permittees, and that business owners be permitted to make certain business decisions for their own businesses as to how to best meet the general requirements of the Downtown Entertainment Permit, subject to existing state and local laws and regulations.

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

Section 1. Section 5.72 of the Long Beach Municipal Code is amended
to add the following sections:

5.72.200 Downtown Dining and Entertainment District pilot program area.

A downtown dining and entertainment district shall be
established as a one-year pilot program, known as the Downtown Pilot
Program. Business operators presently holding entertainment permits in
good standing who agree in writing to comply with the requirements of
the downtown dining and entertainment district pilot program shall be
issued downtown entertainment permits, which shall expire when the
pilot program expires or is terminated.

5.72.210 Boundaries of the downtown pilot program.

The downtown pilot program area consists of the area bounded
by the north side of Ocean Boulevard, the south side of Third Street,
the east side of Pacific and the west side of Long Beach Boulevard,
and the areas known as the Pike at Rainbow Harbor and Shoreline
Village, as shown on maps on file in the Office of the City Clerk.
Hotels within the boundaries are excluded from the requirements of
the Downtown Pilot Program but continue to be subject to all other
provisions of this chapter and shall continue to operate under the
conditions of their previously-issued entertainment permits.

5.72.220 Standard conditions.

The City Council shall adopt standard conditions which shall
become part of each downtown entertainment permit. These conditions
shall be in addition to those set forth in Sections 5.72.110 through

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5.72.150, in any conditional use permit issued by the city, any other requirement of the municipal code, or any Department of Alcoholic Beverage Control license. In the event of a conflict between the requirements of the downtown pilot program and the more general provisions of this chapter, the requirements of the Downtown Pilot Program shall control within the program area. In the event of a conflict between a downtown entertainment permit and a license issued by the Department of Alcoholic Beverage Control, the more stringent regulation shall govern.

Sec. 2. This section shall cease to be of any effect on January 1, 2007, unless extended.

Sec. 3. The City Clerk shall certify to the passage of this ordinance by the City Council of the City of Long Beach 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, whichever occurs later.

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1 I hereby certify that the foregoing ordinance was adopted by the City Council of
2 the City of Long Beach at its meeting of _____, 2006, by
3 the following vote:

4 Ayes: Councilmembers:

8 Noes: Councilmembers:

10 Absent: Councilmembers:

14 _____
15 City Clerk

17 Approved: _____
18 (Date)

17 _____
18 Mayor