



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

December 14, 2004

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

SUBJECT: Refer to Hearing Officer Appeal for Revocation of Business License Number
20447180 Held by ACCO Enterprises, 6543 East Spring Street (District 5)

DISCUSSION

Pursuant to Long Beach Municipal Code (LBMC) Section 3.80.429.1, the Department of Financial Management revoked business license number 20447180 held by ACCO Enterprises, 6543 East Spring Street, on November 23, 2004, based on findings that the business license was issued in error. Please see attached notice of Final Action dated November 23, 2004 (Attachment 1). The business has appealed the decision in a letter dated December 3, 2004 (Attachment 2).

LBMC Section 3.80.429.5 prescribes any licensee whose license is revoked shall have the right, within ten days after the date of written notice of revocation, to file a written appeal to the City Council. This time requirement was met. In addition, the LBMC prescribes the City Council shall hold a hearing on the appeal within thirty days after its receipt by the City, or at a time thereafter agreed upon, and provide the appellant ten days written notice of said hearing. Wherever it is provided that a hearing shall be heard by the City Council, the Council may, in its discretion, either conduct the hearing itself or appoint a hearing officer to conduct the hearing.

This matter was reviewed by Deputy City Attorney Cristyl Meyers on December 7, 2004.

TIMING CONSIDERATIONS

LBMC requires the hearing be held by January 3, 2005, or at a time thereafter agreed upon.

FISCAL IMPACT

There is no fiscal impact associated with this item.

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IT IS RECOMMENDED THAT THE CITY COUNCIL:

Refer the matter to a Hearing Officer, in accordance with Long Beach Municipal Code (LBMC) 2.93.050 (B) (1), and request the City Clerk to notify the licensee and affected City departments of the time and place of hearing.

Respectfully submitted,



MICHAEL A. KILLEBREW
ACTING DIRECTOR FINANCIAL MANAGEMENT

MAK:PW-H:JAG:lgc

Attachments

APPROVED:



GERALD R. MILLER
CITY MANAGER