

## ORDINANCE NO.

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY ADDING SUBSECTION E TO SECTION 5.09.010, ALL RELATING TO EMPLOYMENT DISCRIMINATION

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 5.09.010 of the Long Beach Municipal Code is hereby amended by adding Subsection E to read as follows:

A. "Business establishment" means any person that offers goods or services to the general public. An otherwise qualifying organization which has membership requirements shall be considered to be a "business establishment" if the following criteria are met:

1. Its membership requirements consist only of the payment of fees; or
2. Its membership standards are standards under which a substantial portion of the residents of the City could qualify; or
3. Its membership standards constitute an effort to avoid compliance with the requirements of the ordinance codified in this Chapter through subterfuge by creating membership standards with no bona fide relationship to the purpose or nature of the organization.

The term "business establishment" shall not include the following (a) Any religious association or corporation not organized for private profit; (b) The Federal government or any agency thereof or the State government or any agency or local subdivision thereof, including but not limited to, counties,

1 cities, districts, authorities and agencies.

2 B. "Employee" does not include any individual employed by his or  
3 her parents, spouse, or child, or any individual employed under a special  
4 license in a nonprofit sheltered workshop or rehabilitation facility.

5 C. "Person" means any natural person, and any firm, corporation,  
6 partnership or other organization, association or group of persons,  
7 however organized.

8 D. "Sexual orientation" means heterosexuality, homosexuality or  
9 bisexuality

10 E. "Gender Identity" means an individual's sense of being either  
11 male or female, something other or in-between.

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13 Section 2. The City Clerk shall certify to the passage of this Ordinance by  
14 the City Council and cause it to be posted in three conspicuous places in the City of Long  
15 Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

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

I hereby certify that the foregoing Ordinance was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2008, by the following vote:

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

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

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

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

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

\_\_\_\_\_  
Mayor

ATTACHMENT A  
REDLINED VERSION

CHAPTER 5.09  
EMPLOYMENT DISCRIMINATION

5.09.010 DEFINITIONS.

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