

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Lona Beach, CA 90802-4664

1 RESOLUTION NO. RES-21-0060

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH AMENDING THE MASTER FEE  
5 AND CHARGES SCHEDULE ESTABLISHING FIREWORKS  
6 FEES

7  
8 WHEREAS, the City Council of the City of Long Beach ("City") seeks to  
9 establish service fees and charges to recover the full, lawfully recoverable costs incurred  
10 by the City for the administration and enforcement of fireworks as established in Chapter  
11 8.81 of the Long Beach Municipal Code; and

12 WHEREAS, the City has conducted an extensive analysis of its services,  
13 the costs reasonably borne by the City in providing those services, the beneficiaries of  
14 those services, and the revenues produced by those paying service fees and charges for  
15 said services; and

16 WHEREAS, the City Council, at a duly noticed public hearing, took public  
17 testimony and input regarding certain proposed new or increased service fees and  
18 charges; and

19 WHEREAS, California Government Code Section 66000, et. seq.,  
20 authorizes the City to adopt service fees and charges for municipal services, provided  
21 such fees do not exceed the cost to the City of providing the service; and

22 WHEREAS, in accordance with the provisions of Government Code Section  
23 66016, at least fourteen (14) days prior to the public hearing at which this Resolution is  
24 adopted, notice of the time and place of the hearing was mailed to eligible interested  
25 parties who filed written requests with the City for mailed notice of meetings regarding  
26 new or increased fees or service charges; and

27 WHEREAS, in accordance with the provisions of the Government Code  
28 66016, data regarding the estimated cost of the services and the revenue sources

1 anticipated to provide the services was available for public review and comment for ten  
2 (10) days prior to the public hearing at which this Resolution was adopted; and

3 WHEREAS, publication of the notice of public hearing was given in  
4 accordance with the provisions of Government Code Section 6062a, ten (10) days in  
5 advance of the public hearing at which the adoption of this Resolution was considered;

6 NOW, THEREFORE, the City Council of the City of Long Beach hereby  
7 resolves as follows:

8 Section 1. The facts set forth in the Recitals of this Resolution are true  
9 and correct and are hereby incorporated by reference herein as though set forth in full.

10 Section 2. The City Council hereby adopts and approves the new service  
11 fees and charges as set forth and described in Exhibit "A", which is attached hereto and  
12 incorporated herein by this reference. The fees and charges set forth in said Exhibit "A"  
13 shall thereafter be incorporated into those fees and charges previously adopted and  
14 approved by the City Council by Resolution and shall collectively be known as the Master  
15 Fee and Charges Schedule of the City of Long Beach and may be made available to the  
16 public for its information and review.

17 Section 3. Adoption of the new service fees and charges set forth and  
18 described in this Resolution for the specified City services, as shown in Exhibit "A"  
19 attached hereto and incorporated herein by this reference, are intended to recover costs  
20 necessary to provide the services within the City for which the fees are charged. In  
21 adopting the new service fees and charges set forth in this Resolution, the City Council of  
22 the City of Long Beach is exercising its powers under Article XI, Section 7 of the  
23 California Constitution.

24 Section 4. All requirements of California Government Code Sections  
25 66000, et seq., are hereby found to have been satisfied.

26 Section 5. The service fees and charges set forth in Exhibit "A" are  
27 reasonable estimates of the costs incurred by the City in providing the services to those  
28 who request them. The service fees and charges for such services are necessary to

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1 recover the reasonable, estimated cost of providing such services.

2 Section 6. The fees established by this resolution shall be effective as of  
3 the adoption of this resolution.

4 Section 7. This resolution shall take effect immediately upon its adoption  
5 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

6 I hereby certify that the foregoing resolution was adopted by the City  
7 Council of the City of Long Beach at its meeting of June 15, 2021  
8 by the following vote:

9 Ayes: Councilmembers: Zendejas, Allen, Price, Supernaw,  
10 Mungo, Saro, Uranga, Austin,  
11 Richardson.

12  
13 Noes: Councilmembers: None.

14  
15 Absent: Councilmembers: None.

16  
17 Recusal(s): Councilmembers: None.

18  
19   
City Clerk

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# EXHIBIT "A"

**FY 21 List of Proposed Adjustments - Fireworks Ordinance Enforcement**

Fee Description	Description	Current Fee	Requested Fee	Per	Annual Revenue Change*	Fund Group
<b>DEPARTMENT: CITYWIDE FEES &amp; CHARGES</b>						
Fireworks - Administrative Penalty	Any responsible person or host found in violation of Long Beach Municipal Code Chapter 8.81 may be issued an administrative penalty pursuant to Chapter 9.65.	New	\$1,000.00	Per Violation, Per Day	\$0	General Fund
Fireworks - Disposal Fee	Charge will apply and be added to the Fireworks - Administrative Penalty in the event that fireworks are confiscated and have to be disposed of by the Fire Marshall, after a responsible person or host is found to be in violation of Long Beach Municipal Code Chapter 8.81.	New	\$250.00	Per Violation (if applicable)	\$0	General Fund
Fireworks - Response Costs	Any responsible person or host found in violation of Long Beach Municipal Code Chapter 8.81 will be held liable for the City's actual costs incurred for response. The actual cost of response constitutes a debt owed to the City, and will be charged in addition to applicable penalties charged for violation of Long Beach Municipal Code Chapter 8.81.	New	Actual Cost of Response	Violation	\$0	General Fund

\*Annual Revenue change from fees and penalties effective under the new ordinance is currently unavailable and will be based on the number of violations.