

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SUBSECTION 14.20.210, RELATING TO THE DOWNTOWN AREA NEWSRACKS PILOT PROGRAM

WHEREAS, the regulation of the placement and maintenance of newsracks 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 features which attract visitors from all over Long Beach and surrounding cities; and

WHEREAS, residents, visitors and commercial activity contribute to both pedestrian and vehicular traffic in that area; and

WHEREAS, a prior pilot program initiated in 2004 to regulate the appearance and location of newsracks has improved the appearance of the areas and has improved pedestrian and traffic safety by maintaining clearer sight lines for both pedestrians and drivers, and should be continued; and

WHEREAS, it has been determined that increasing the space between newsracks and between groups of newsracks will further improve pedestrian safety and will conform more closely with the Americans with Disabilities Act,

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

Section 1. Subsection 14.20.210 of the Long Beach Municipal Code is amended to read as follows:

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1 14.20.210 Downtown pilot program area.

2 A. The downtown pilot program area consists of both sides of  
3 Pine Avenue between Ocean Boulevard and Seventh Street, and both  
4 sides of Ocean Boulevard between Golden Avenue and Shoreline Drive.

5 B. In addition to the requirements set forth in sections 14.20.010  
6 through 14.20.100 above, the following additional requirements shall  
7 apply in the downtown pilot program area:

8 1. All newsracks within the downtown pilot program area  
9 shall be either the K Jack 100 flat top model or an approved equal, and  
10 shall be mounted on a single, double or triple box tray. The box tray  
11 shall be mounted on a square column style base fixed to a flat platform  
12 with a maximum size of twenty-four inches by thirty inches (24" x 30")  
13 and shall be either K Jack part number KJ 806 (known as the "Handi  
14 Mount") or an approved equivalent. The total height of the assembly  
15 shall not exceed forty-eight inches (48"). The City Engineer in his sole  
16 authority shall determine what constitutes an approved equal of the  
17 items specified in this section.

18 2. The City Engineer shall maintain and make available for  
19 inspection a list of newsracks determined to be approved equal products  
20 of the standard pilot program newsrack.

21 3. Notwithstanding other provisions in this Section to the  
22 minimum spacing required between newsracks, in the downtown pilot  
23 program area, the minimum spacing between two single newsracks,  
24 between a single newsrack and a group of newsracks, or between two  
25 groups of newsracks shall be five feet (5".)

26 4. Newsracks within the pilot program area which do not  
27 conform to the requirements of this Section shall be subject to the  
28 enforcement provisions of this Chapter.

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5. Notwithstanding other references in this code to the prohibition of the fastening of equipment or structures to the public right of way, newsracks within the downtown pilot program area must be bolted to the sidewalk pursuant to the requirements and under the direction of the city engineer. Where the sidewalk is composed of shallow pavers on a sand base, newsracks shall not be bolted, but shall be placed on a self supporting platform, all to the satisfaction of the city engineer.

6. In the event of a conflict between the requirements of this section and the general requirements for newsracks contained elsewhere in this chapter, this section shall control in the downtown pilot program area.

C. This section shall cease to be of any effect on July 1, 2006, unless extended.

Sec. 2. 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.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2005, by

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the following vote:

Ayes: Councilmembers:

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Noes: Councilmembers:

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Absent: Councilmembers:

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

Approved: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Mayor