

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

ORDINANCE NO. ORD-12-0021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SUBSECTIONS 5.72.120.H.3, 5.72.120.5 and 5.72.120.6 ALL RELATING TO ENTERTAINMENT AND SIMILAR ACTIVITIES; DECLARING THE URGENCY THEREOF; AND DECLARING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

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

Section 1. Subsection 5.72.120.H.3 of the Long Beach Municipal Code is amended to read as follows:

H. Hearing notices.

3. Notice of the time and place of the hearing shall also be given:

a. By mail to each owner of property within three hundred feet (300') of the site of the proposed activity;

b. By mail to occupants of property within three hundred feet (300') of the site of the proposed activity;

c. By posting the property in a conspicuous location at the site of the proposed activity.

The applicant shall pay all costs of such notice in the manner prescribed by the City's Director of Financial Management.

Section 2. Subsection 5.72.120.5 of the Long Beach Municipal Code is 1 (VERSION "B")

1 amended to read as follows:

2 5.72.120.5 Duration of Permit.

3 A permit issued pursuant to this Chapter shall be valid for an
4 indefinite duration, subject to administrative review by Financial
5 Management every two (2) years. If grounds exist for modification,
6 revocation or suspension of the permit, a hearing shall be held for that
7 purpose. This provision does not affect the City's ability to modify, revoke or
8 suspend a permit at any time pursuant to Section 5.72.145 of the Long
9 Beach Municipal Code.

10

11 Section 3. Subsection 5.72.120.6 of the Long Beach Municipal Code is
12 amended to read as follows:

13 5.72.120.6 Permits issued prior to the effective date of ordinance.

14 A permit issued prior to the effective date of the Ordinance codified in
15 this Section shall be valid until the expiration date specified in the permit.
16 Thereafter, permittees shall be subject to the provisions of this Chapter.
17 Nothing in this Subsection shall interfere with the City's ability to modify,
18 revoke or suspend a permit at any time pursuant to Section 5.72.145 of the
19 Long Beach Municipal Code.

20

21 Section 4. Declaration of Urgency. This ordinance is an emergency
22 measure, and it is urgently required for the reason that entertainment permits must be
23 processed immediately so that business is not interrupted in the City of Long Beach,
24 making it necessary to immediately implement the provisions of the ordinance.

25

26 Section 5. This ordinance is an emergency ordinance duly adopted by
27 the City Council on December 18, 2012, by a vote of at least five (5) of its
28 members and shall take effect immediately. The City Clerk shall certify to a separate
2 (VERSION "B")

1 roll call and vote on the question of the emergency of this ordinance and to its passage
2 by the vote of five (5) members of the City Council of the City of Long Beach, and
3 cause the same to be posted in three conspicuous places in the City of Long Beach.

4
5 Section 6. This ordinance shall also be adopted by the City Council as
6 a regular ordinance, to the end that in the event of any defect or invalidity in connection
7 with the adoption of this ordinance as an emergency ordinance, the same shall,
8 nevertheless, be and become effective on the thirty-first day after it is approved by the
9 Mayor.

10
11 Section 7. The City Clerk shall certify to the passage of this Ordinance
12 by the City Council and cause it to be posted in three conspicuous places in the City of
13 Long Beach, and it shall take effect on the thirty-first day after it is approved by the
14 Mayor.

15
16 I hereby certify that on a separate roll call and vote which was taken by
17 the City Council of the City of Long Beach upon the question of emergency of this
18 ordinance at its meeting of December 18, 2012, the ordinance was declared
19 to be an emergency by the following vote:

20 Ayes: Councilmembers: Garcia, Lowenthal, DeLong, O'Donnell,
21 Schipske, Andrews, Johnson, Austin,
22 Neal.

23
24 Noes: Councilmembers: None.

25
26 Absent: Councilmembers: None.

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I further certify that thereafter, at the same meeting, upon a roll call and vote on adoption of the ordinance, it was adopted by the City Council of the City of Long Beach by the following vote:

Ayes: Councilmembers: Garcia, Lowenthal, DeLong, O'Donnell,
Schipske, Andrews, Johnson, Austin,
Neal.

Noes: Councilmembers: None.

Absent: Councilmembers: None.

I further certify that the foregoing ordinance was thereafter adopted on final reading of the City Council of the City of Long Beach at its meeting of January 8, 2013, by the following vote:

Ayes: Councilmembers: Garcia, Lowenthal, O'Donnell, Schipske,
Andrews, Johnson, Austin, Neal.

Noes: Councilmembers: None.

Absent: Councilmembers: DeLong.

Approved: 1/10/13
(Date)

[Signature]
City Clerk

[Signature]
Mayor

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA) ss
COUNTY OF LOS ANGELES)
CITY OF LONG BEACH)

Megan Wiegelman being duly sworn says: That I am employed in the Department of the City Clerk of the City of Long Beach; that on the 19th day of December, 2012, I posted three true and correct copies of Emergency Ordinance No. ORD-12-0021 in three conspicuous places in the City of Long Beach, to wit: One of said copies in the entrance lobby of City Hall in front of the Information Desk; one of said copies in the Main Library; and one of said copies in the entrance lobby of the 14th Floor of City Hall.



A handwritten signature in cursive script, appearing to read 'Megan Wiegelman', is written over a horizontal line.

Subscribed and sworn to before me
this 19th day of December, 2012.



A handwritten signature in cursive script is written over a horizontal line.

CITY CLERK

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA) ss
COUNTY OF LOS ANGELES)
CITY OF LONG BEACH)

Megan Wiegelman being duly sworn says: That I am employed in the Department of the City Clerk of the City of Long Beach; that on the 11th day of January, 2013, I posted three true and correct copies of Ordinance No. ORD-12-0021 in three conspicuous places in the City of Long Beach, to wit: One of said copies in the entrance lobby of City Hall in front of the Information Desk; one of said copies in the Main Library; and one of said copies in the entrance lobby of the 14th Floor of City Hall.



A handwritten signature in cursive script, appearing to read 'Megan Wiegelman', is written over a horizontal line.

Subscribed and sworn to before me
this 11th day of January, 2013.



A handwritten signature in cursive script, appearing to read 'D. J. Ben', is written over a horizontal line.

CITY CLERK