ORD-26 ORDINANCE NO. 1 2 AN ORDINANCE OF THE CITY COUNCIL OF THE 3 CITY OF LONG BEACH AMENDING THE LONG BEACH 4 CODE BY ADDING CHAPTER 10.49 MUNICIPAL 5 RELATING TO THE PROHIBITION ON REPAIRS AND 6 SALES OF BICYCLES AND BICYCLE PARTS ON PUBLIC 7 PROPERTY 8 9 WHEREAS, the City of Long Beach is a leading city in providing bicycle 10 infrastructure and encouraging the use of bicycles in daily transportation for commuting 11 and recreational purposes; and 12 WHEREAS, still, reported bicycle thefts in Long Beach averaged over 700 13 instances per year between 2011 and 2016, and statistics show the number of actual 14 15 thefts is likely much greater; and WHEREAS, many of these bicycles are also dismantled in public areas and 16 sold within days of being stolen, and, thus, there is a narrow window for bicycles to be 17 recovered while they are being taken apart in public spaces before being sold; and 18 WHEREAS, such open-air "bike chop shops" can be seen throughout the 19 City, but confronting the illegal activities this practice supports is difficult without better 20 21 tools to reduce the occurrences; and WHEREAS, prohibiting such activity and allowing removal of bicycles 22 and/or bicycle parts from the public right-of-way and public property will help clear the 23 public right-of-way and public property, prevent unauthorized commercial activity in these 24 areas, and, if any items are lost or stolen, restore such items to their lawful owners and 25 deter future bicycle theft; and 26 WHEREAS, in furtherance of this effort, on February 13, 2018, the City 27 Council requested the City Attorney to draft an ordinance to prohibit the assembly, 28 1

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	1	disassembly, sale, offer of sale, distribution, or offer of distribution of bicycles and bicycle
	2	parts on public property or public right-of-way, under certain conditions and with certain
	3	exceptions;
	4	NOW, THEREFORE, the City Council of the City of Long Beach ordains as
	5	follows:
	6	Section 1. Chapter 10.49 entitled "Prohibition on Repairs and Sales of
	7	Bicycles and Bicycle Parts on Public Property" is hereby added to the Long Beach
	8	Municipal Code to read as follows:
	9	
	10	CHAPTER 10.49
	11	PROHIBITION ON REPAIRS AND SALES OF BICYCLES AND BICYCLE PARTS ON
	12	PUBLIC PROPERTY
	13	
	14	10.49.010 – Repairs and sales on public property prohibited.
	15	Except where otherwise stated in this Chapter, no person
	16	shall assemble, disassemble, sell, offer to sell, distribute, offer to distribute,
	17	or store the following items on any street, sidewalk, alley, public
	18	passageway, public right-of-way, public beach, public park, or other public
	19	property within the City:
	20	A. Three (3) or more bicycles;
	21	B. A bicycle frame with the gear cables or brake cables cut;
	22	C. Two (2) or more bicycles with missing parts (the term "parts"
	23	shall mean handlebars, wheels, forks, pedals, cranks, seats, or chains); or
	24	D. Five (5) or more bicycle parts.
	25	
	26	10.49.020 – Exceptions.
	27	The prohibition contained in Section 10.49.010 of this Chapter
	28	shall not apply in any of the following situations:
		2

A. An individual is operating under a valid City of Long Beach License or Permit authorizing such activities.

B. The owner of a bicycle or bicycle part is present during the repair of his or her single bicycle or bicycle part. Supporting evidence for a claim of lawful ownership may include, but is not limited to, video or photographic evidence, a bill of sale, the correct serial number, bicycle registration, and the like.

10.49.030 - Severability.

If any section, subsection, sentence, clause, phrase, or word of this Chapter 10.49, or any application thereof to any person or circumstance, is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby and such provision shall be ineffective only to the extent of such invalidity, illegality or unenforceability.

Section 2. The City Clerk shall certify to the passage of this ordinance by
the City Council and cause it to be posted in three (3) conspicuous places in the City of
Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the
Mayor.

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