



Legislation Details (With Text)

File #: 20-0025 **Version:** 3 **Name:** CA-ORD-Private Family Daycare Homes
Type: Ordinance **Status:** Adopted
File created: 12/30/2019 **In control:** City Council
On agenda: 1/7/2020 **Final action:** 1/21/2020
Title: Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 3.80.327 relating to private family daycare home, read and adopted as read. (Citywide)
Sponsors: City Attorney
Indexes:
Code sections:
Attachments: 1. 010720-ORD-29sr&att.pdf, 2. 011420-ORD-18att.pdf, 3. 012120-ORD-30att.pdf, 4. ORD-20-0004.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|---|--------|
| 1/21/2020 | 3 | City Council | approve recommendation and adopt | Pass |
| 1/14/2020 | 2 | City Council | withdrawn | |
| 1/7/2020 | 1 | City Council | declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading | Pass |

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 3.80.327 relating to private family daycare home, read and adopted as read. (Citywide)

Long Beach Municipal Code (LBMC) Section 3.80.327 currently requires private family daycare homes to obtain a business license and pay a business license tax pursuant to the California Child Day Care Facilities Act (Act). Pursuant to the Act, a small family daycare home, which may provide care for up to eight (8) children, is considered a residential use of property for the purposes of all local ordinances and is exempt from obtaining a business license or paying a business license tax. A large family daycare home, which may provide care for up to fourteen (14) children, is required to obtain a business license to operate a large family daycare home and pay half the business license tax charged to a commercial daycare facility.

On September 5, 2019, Senate Bill 234 (SB 234) was enacted, amending the provisions put in place by the California Child Day Care Facilities Act. Under SB 234, local jurisdictions are prohibited from requiring a business license, fee, or tax for the privilege of operating a small or large family daycare home. Due to these changes, LBMC Section 3.80.327 must be amended to reflect this exemption.

Although large private family day care homes will no longer be required to obtain a business license from the City, the State of California will continue to license and inspect these types of daycare operations. The proposed change to the LBMC ensures the City is consistent with

enacted State laws, while still protecting the public health, safety, and welfare.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING
THE LONG BEACH MUNICIPAL CODE BY AMENDING SECTION 3.80.327 RELATING TO
PRIVATE FAMILY DAYCARE HOME

Approve recommendation.

CHARLES PARKIN
CITY ATTORNEY

BY:

AMY R. WEBBER
DEPUTY CITY ATTORNEY