

ORDINANCE NO. ORD-11-0012

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY AMENDING SUBSECTIONS  
3.90.020.A, 9.37.090.B, 9.65.060.D.4, AND 9.65.140.A  
RELATING TO UPDATING SECTION REFERENCES TO  
TITLE 18 AND UPDATING CHAPTER 9.65  
(ADMINISTRATIVE CITATIONS) RELATING TO  
ALLOWING DELINQUENT FEES TO ACCRUE INTEREST  
WHERE ADMINISTRATIVE CITATIONS HAVE BEEN  
ISSUED

WHEREAS, with the recent reorganization of Title 18 of the Long Beach  
Municipal Code, certain other sections in the Code need to be updated to correspond to  
the proper Title 18 code sections and California Building Code sections; and

WHEREAS, Title 8 and Title 18 of the Long Beach Municipal Code impose  
liens due to non-payment and charge interest at the rate of twelve percent (12%) per  
annum until paid, and in an effort to standardize collection processes in the City, Chapter  
9.65 needs to be amended to clarify that any delinquent fines assessed under that  
Chapter which result in the filing of a lien would also bear interest at the rate of twelve  
(12%) per annum until paid;

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

Section 1. Subsection 3.90.020.A of the Long Beach Municipal Code is  
amended to read as follows:

A. There shall be added to each fee imposed or  
authorized by the provisions of Titles 12, 14, 18, 20 and 21 of this Code;

1 and Part 12.01 of the rules, regulations, and charges governing potable  
2 water, reclaimed water, sewer service, and the emergency water  
3 conservation plan adopted by the Long Beach Board of Water  
4 Commissioners, a surcharge in an amount as set forth in the schedule of  
5 fees and charges established by City Council resolution of such fee.

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7 Exception. The surcharge shall not apply to the fees or charges provided  
8 in Chapters 18.17, 18.18, 18.19, 18.22, and 18.23 of this Code; and  
9 Sections 18.20.150, 21.60.650 and 21.61.070 of this Code.

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11 Section 2. Subsection 9.37.090.B of the Long Beach Municipal Code is  
12 amended to read as follows:

13 B. The violation of any provisions of the latest edition of  
14 the California Building Standards Code ("Title 24 of the California Codes  
15 of Regulations") that have been adopted, as amended, by the City:

- 16 1. California Building Code;
- 17 2. California Residential Code;
- 18 3. California Electrical Code;
- 19 4. California Mechanical Code;
- 20 5. California Plumbing Code;
- 21 6. California Energy Code;
- 22 7. California Historical Building Code;
- 23 8. California Fire Code;
- 24 9. California Existing Building;
- 25 10. California Green Building Standards Code;
- 26 11. Uniform Housing Code.

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Section 3. Subsection 9.65.060.D.4 of the Long Beach Municipal Code is amended to read as follows:

4. A fine for each violation of Municipal Code, Section 21.41.170 illegal garage conversions, 18.02.050 for dangerous buildings, 18.08.010 for certificates of occupancy, 18.09.010 for failure to comply with Title 18, and/or Subsection 21.31.245.C unlawful dwelling units, in an amount established by the City Council by resolution; and

Section 4. Section 9.65.140.A of the Long Beach Municipal Code is amended to read as follows:

A. The failure of the cited party to pay a civil fine or late penalty in a timely manner may result in the imposition of a special assessment and/or lien against the real property on which the violation occurred, after which the amount so determined shall bear interest at the rate of twelve percent (12%) per annum until paid, and/or filing of an action with the Small Claims Court for recovery of the fine and late penalty. The only issue to be adjudicated by the Small Claims Court shall be whether or not the fines and possible late fees were paid. A cited party may only obtain judicial review of the validity of the citation by first requesting and participating in an administrative hearing before a hearing officer. In the small claims court action, the City may also recover its costs, according to proof.

Section 5. 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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OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of June 14, 2011, by the following vote:

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

Noes: Councilmembers: None.

Absent: Councilmembers: DeLong.



City Clerk

Approved: 6/22/11  
(Date)



Mayor