

May 17, 2016

Item No. 2

Ordinance No. 3004/16

The following Ordinance was moved by Pres. Torres  
and seconded by Mr. Mandel :

ORDINANCE TO AMEND THE CODE OF ORDINANCES  
OF THE CITY OF LONG BEACH RE: COMMERCIAL SANITATION  
AND STREETS, SIDEWALKS AND PUBLIC WAYS.

BE IT ENACTED, by the City Council of the City of Long Beach, New York, as follows:

Sec.1. Chapter 12, Article II, Division 1, Section 12-23(a)(1), (a)(2), (b) and (g) of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same is hereby amended and added to, to read as follows:

“Sec. 12-23. Service charges for collection of garbage imposed on commercial establishments.

(a)(1) *Commercial use:* The charge for each commercial establishment shall be based upon a survey conducted by the city, which survey shall be available for inspection by any person affected by the same, computed at the rate of **twenty-four dollars and fifty cents (\$24.50)** per cubic yard, as disclosed by such survey. Such survey shall remain effective until it shall be superseded by a subsequent survey.

(a)(2) Anything contained in the preceding paragraph (1) notwithstanding, the collection charge for hotels, adult homes, convalescent homes, nursing homes and other similar establishments shall be **one hundred seventy two dollars (\$172.00)** per annum per unit.

...

(b) The minimum collection charge for any commercial establishment shall be **one hundred ten dollars (\$110.00) per quarter.**

...

**(g) The owner or owners of every parcel of commercial real property shall pay a base charge of ten dollars (\$10) per front foot of real property, to the city annually in advance, one-half (1/2) on July 1 of each year, beginning July 1, 2016, and one-half ( 1/2) on January 1 of each year, beginning January 1, 2017.”**

Sec.2. Chapter 23, Article I, Section 23-7 of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same is hereby amended and added to, to read as follows:

“Sec. 23-7. Duty of merchants and others to keep sidewalks, curbs and gutters clean.

(a) The sidewalks and curbs, or boardwalk adjacent to and abutting upon each and every commercial, mercantile, business or other establishment in the city shall be kept clean and clear of any trash, refuse or other debris by the owner, operator or licensee of each such establishment. Each owner, operator or licensee of a commercial, mercantile, business or other establishment shall sweep such sidewalk and curb, or boardwalk, and also the gutter and street area adjacent to the curb to a distance of at least eighteen (18) inches from the curb, before 10:00 a.m. each day that such business or establishment is

open or operated. All sweepings and other debris shall be collected and removed to private containers by such owner, operator or licensee.

- (b) In commercial areas, it shall be unlawful to place any garbage, refuse or ashes upon the sidewalk or street for collection, or to permit such material or containers to remain upon the street EXCEPT during the following collection time periods only: 5:30 a.m. to 7:30 a.m. and 9:30 a.m. to 11:30 a.m.
- (c) Each person violating any provision of this section shall be guilty of a violation punishable by a fine of not more than two hundred fifty dollars (\$250.00), or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment for each such violation.
- (d) **Each owner or owners of every parcel of commercial real property located within the business districts along Park Avenue and West Beech Street shall be charged fifteen dollars (\$15) per front foot of real property owned, to provide for the maintenance and cleaning of the sidewalks and gutters by the City, to keep those business districts free from litter, trash and other debris.”**

Sec. 2. This Ordinance shall take effect immediately.