

Eminent domain's limits

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Dozens of property owners showed up at City Hall Tuesday to tell city officials not to seize their homes and businesses. It was a healthy reminder.

The topic was a planned 12-year extension of eminent domain authority in North Long Beach. The real issue was trust.

City officials tried to reassure the crowd of about 200 that homeowners had nothing to fear because Proposition 99, approved by voters in June, would protect them. This is partly true, but there are many exceptions (they still can seize property for public, as opposed to private, projects, or to prevent threats to health or safety, or repeated criminal activity).

Businesses, churches and farms don't have the same protection. Those properties can be seized to replace properties with something more desirable. That, to say the least, is not enough reassurance for some people.

Our sympathy is with the fearful property owners, although we concede that Long Beach has used the powers of eminent domain prudently. Redevelopment officials gave as examples several motels and liquor stores in North Long Beach that had become neighborhood nuisances, replaced by condos, benign businesses, a community center and a library.

They also could have pointed to the time they wisely refrained from using eminent domain to remove a storefront church from the site of a major housing redevelopment on Atlantic Avenue. The church soon will sit in the middle of the project.

In our opinion, California would do well without the use of eminent domain for anything except public purposes. But as a practical matter, in the 12 years the Redevelopment Agency has had the power of eminent domain, it has never used it.

The main advantage of eminent domain is to use the threat of it to impel property owners to cooperate and sell. The main concern is that public officials use it as responsibly in the future as they have so far.

City Council members will decide the matter on Oct. 7, and almost surely will approve it. But at least they have been made aware that in North Long Beach, as elsewhere, eminent domain can stretch trust to the limit.

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