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1 Section 2: Section 3.18.030(D) of the Riverside Municipal Code is hereby amended as
2 follows:

3 “D. Monitor and report annually to the City’s Financial Performance and Budget
4 Committee and City Council the insurance administration, and the compliance of City departments,
5 offices, and agencies with the internal controls; and”

6 Section 3: Sections 5.15.145(I) and (J) of the Riverside Municipal Code are hereby
7 amended as follows:

8 “I. If the Tow Board arrives at a decision to suspend or terminate the services of an
9 Official Police Tow Service, the decision will be forwarded as a recommendation to the Field
10 Operations Captain.

11 1. If the Field Operations Captain concurs with the decision to suspend an
12 Official Police Tow Service, the company will be notified in writing of the impending disciplinary
13 action and the right to appeal to the Chief of Police or his designee.

14 2. If the Field Operations Captain concurs with the decision to terminate a
15 contract with an Official Police Tow Service, the company will be notified in writing of the
16 impending disciplinary action and the right to appeal to the Safety, Wellness and Youth Committee.

17 J. If the Official Police Tow Service exercises the right to appeal, a request for an
18 appeal hearing must be made in writing to the Riverside Police Department Traffic Bureau
19 Commander or designee within five business days after receiving the notice to suspend or terminate
20 towing services.

21 1. Upon receiving a request for an appeal regarding a suspension, the Chief of
22 Police will set a hearing date within ten business days. The scope of the appeal hearing pursuant to
23 this section shall be limited to those issues raised by Official Police Tow Service in the written
24 appeal. The Official Police Tow Service will be given written notice at least ten business days before
25 the hearing date. This notice will include the date, time, and place of the hearing. The hearing may
26 take place at an earlier date, if all parties agree. Within a reasonable time after the conclusion of the
27 appeal hearing, the Chief of Police or his designee shall make a finding as to any disciplinary action
28

1 to be taken against Official Police Tow Service (other than termination) and notify Official Police
2 Tow Service in writing of his finding. All findings of the Chief of Police are final.

3 2. Upon receiving a request for an appeal regarding a termination of an Official
4 Police Tow Service contract, the Riverside Police Department will request that a hearing be
5 conducted by the Safety, Wellness and Youth Committee at its next available public meeting. The
6 scope of the appeal hearing pursuant to this section shall be limited to those issues raised by Official
7 Police Tow Service in the written appeal. The Official Police Tow Service will be given written
8 notice at least ten business days before the hearing date. This notice will include the date, time, and
9 place of the hearing. Within a reasonable time after the conclusion of the appeal hearing, the Safety,
10 Wellness and Youth Committee shall make any finding regarding any termination of any Official
11 Police Tow Service Agreement and notify the Official Police Tow Service in writing of its finding.
12 All findings of the Safety, Wellness and Youth Committee are final.”

13 Section 4: Section 5.28.050 of the Riverside Municipal Code is hereby amended as
14 follows:

15 “An applicant may appeal a decision of the Chief of Police to deny an application. The
16 appeal shall be heard by the Safety, Wellness and Youth Committee of the City Council. The City
17 Attorney or designated representative shall be present at all appeal hearings. A notice of appeal must
18 be filed by the applicant with the City Clerk within 30 days after being notified of the final
19 determination of the Chief of Police by personal service or by certified mail. Such appeal shall be
20 accompanied by a fee in an amount as set from time to time by resolution of the City Council.”

21 Upon the filing of the notice of appeal, the City Clerk shall set the matter for hearing before
22 the Safety, Wellness and Youth Committee not more than 40 days after receipt of said notice. The
23 Committee shall hear all relevant evidence and shall render its decision within ten days after the
24 conclusion of the hearing. The Committee may uphold, reverse or modify the decision of the Chief
25 of Police. The decision of the Committee shall be final with no further right of appeal to the City
26 Council.”

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1 Section 5: Section 5.32.120 of the Riverside Municipal Code is hereby amended as
2 follows:

3 “Any operator aggrieved by any decision of the Tax Administrator with respect to the
4 amount of any tax, interest or penalties, if any, may appeal to the Financial Performance and Budget
5 Committee within 15 days after notice thereof by filing with the City Clerk a written notice of
6 appeal, briefly stating in such notice the grounds relied upon for appeal. If such appeal is made
7 within the time prescribed, the City Clerk shall cause the matter to be set for hearing before the
8 Financial Performance and Budget Committee within 30 days from the date of receipt of such notice
9 of appeal, giving the appellant not less than ten days' notice in writing of the time and place of
10 hearing. The findings and determination of the Financial Performance and Budget Committee at
11 such hearing shall be final and conclusive, and within three days after such findings and
12 determination are made, the City Clerk shall give notice thereof to the appellant.”

13 Section 6: Section 5.40.185 of the Riverside Municipal Code is hereby amended as
14 follows:

15 “Any applicant under this chapter who has been denied a driver's permit or any driver's
16 permit holder who has had his or her permit revoked may, within 15 days of notification of the
17 denial or revocation of such permit, file an appeal in writing with the City Clerk. The applicant shall
18 set forth in writing the grounds for the appeal. Upon filing of the appeal, the City Clerk shall set the
19 matter for hearing before the City Council's Safety, Wellness and Youth Committee, which hearing
20 shall be within 60 days after receipt of said notice of appeal. The City Clerk shall give notice of the
21 time set at least five days before the date of such hearing to the applicant or driver's permit holder,
22 by mail, at the address set out in such application or permit. At the time set for hearing of such
23 appeal, the Safety, Wellness and Youth Committee shall receive from the Chief of Police and the
24 applicant or driver's permit holder information regarding the denial or revocation and appeal. The
25 Safety, Wellness and Youth Committee shall make a determination whether to uphold or reverse the
26 denial or revocation within ten days after the date of said hearing. The determination of the Safety,
27 Wellness and Youth Committee shall be the final determination of the matter.”
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1 Section 7: Section 5.52.050(B) of the Riverside Municipal Code is hereby amended as
2 follows:

3 “B. Denial of a massage establishment permit shall be given to the applicant in writing
4 and shall specify the grounds for such denial. Notice of the denial shall be deemed to have been
5 served upon personal service or when deposited in the United States Mail with postage prepaid and
6 addressed to the applicant at the address listed on the application. Such refusal to issue a permit may
7 be appealed to the City Council’s Safety, Wellness and Youth Committee.”

8 Section 8: Section 5.66.010 of the Riverside Municipal Code is hereby amended as
9 follows:

10 **“Definitions.**

11 . . .

12 *City* means the City Council of the City.

13 *Committee* means the City Council’s Safety, Wellness and Youth Committee.

14 *Consumer price index* means the price index as set by the United States Bureau of Labor
15 Statistics.
16

17 . . .”

18 Section 9: Section 5.66.060(D) of the Riverside Municipal Code is hereby amended as
19 follows:

20 “D. Appeal. Any applicant under this chapter who has been denied a permit or who has
21 had his, her or its permit revoked or suspended, may, within 15 days of notification of the denial or
22 revocation or suspension of such permit, pay a nonrefundable fee as set by resolution and file an
23 appeal in writing with the City Clerk. The applicant shall set forth in writing the grounds for the
24 appeal. The City Clerk shall set a time not less than 30 but no more than 60 days thereafter for the
25 hearing of the appeal before the Safety, Wellness and Youth Committee of the City Council, and
26 shall give notice to the applicant or permit holder of the time set for hearing at least ten days before
27 the date of such hearing, by mail, at the address set out in such application or permit. At the time set
28 for hearing of such appeal, the Safety, Wellness and Youth Committee shall receive from the

1 Administrator and the applicant or permit holder information regarding the denial or revocation or
2 suspension of the permit. The Safety, Wellness and Youth Committee shall make a determination
3 whether to uphold or reverse the denial or revocation or suspension. The determination of the Safety,
4 Wellness and Youth Committee shall be a final determination of the matter.”

5 Section 10: Section 6.04.055(G) of the Riverside Municipal Code is hereby amended as
6 follows:

7 “G. A denial or revocation may be appealed to the Safety, Wellness and Youth
8 Committee of the City Council whose decision shall be final. Such appeal shall be filed with the City
9 Clerk within ten days after the receipt of the Public Works Director’s written notice of denial or
10 revocation.”

11 Section 11: Section 9.20.200 (F) of the Riverside Municipal Code is hereby amended as
12 follows:

13 “F. Chairperson - Safety, Wellness and Youth Committee;”

14 Section 12: Section 9.20.220(P) of the Riverside Municipal Code is hereby amended as
15 follows:

16 “P. Chairperson - Safety, Wellness and Youth Committee;”

17 Section 13: Section 9.40.120 of the Riverside Municipal Code is hereby amended as
18 follows:

19
20 **“Section 9.40.120 - Appeal of denial; suspension or revocation; Administrative appeal to**
21 **the Safety, Wellness and Youth Committee; expedited review of free speech claim; automatic**
22 **stay of enforcement.**

23 A. After denial of an application for an adult-oriented business regulatory permit or an adult-
24 oriented business performer permit, or after denial of renewal of a permit, or suspension or
25 revocation of a permit, the applicant or person to whom the permit was granted may seek review of
26 such administrative action by the Safety, Wellness and Youth Committee of the City of Riverside.
27 An administrative appeal must be filed with the City Clerk within ten calendar days of a denial,
28 suspension or revocation of a permit. The hearing before the Safety, Wellness and Youth Committee

1 shall be held no less than five business days from the date of the filing of the appeal or at the next
2 regularly scheduled meeting of the Safety, Wellness and Youth Committee. The Committee shall
3 issue its decision within ten calendar days of the hearing. The decision of the Safety, Wellness and
4 Youth Committee shall be final. If the denial, suspension or revocation is affirmed on review, the
5 applicant, permittee may seek expedited judicial review of such administrative action pursuant to
6 California Code of Civil Procedure Section 1094.8 because the permits regulate expressive conduct
7 protected by the First Amendment to the United States Constitution. The petitioner shall be
8 responsible for reimbursing the City for its actual costs for transcribing, copying, or otherwise
9 preparing the administrative record.

10 B. There shall be an automatic stay of enforcement of a permit suspension or revocation
11 throughout the administrative and/or judicial appeal process.”

12 Section 14: Section 9.42.080 of the Riverside Municipal Code is hereby amended as
13 follows:

14 “A notice of appeal must be deposited with the City Clerk within 30 days after denial of the
15 application or revocation of the license has been served. Upon the filing of a notice of appeal, the
16 revocation of a license shall remain in effect until such time as a decision has been rendered.

17 Upon the filing of the written notice of appeal, the City Clerk shall set the matter for hearing
18 before the Safety, Wellness and Youth Committee, which hearing shall be within 30 days after the
19 date of said notice. The Safety, Wellness and Youth Committee shall receive a copy of the denial or
20 revocation notice and shall conduct a hearing to determine whether or not the license should be
21 granted or reinstated. The scope of evidence presented to the Safety, Wellness and Youth Committee
22 shall be limited to evidence regarding the reasons for denial or revocation. The burden of proof shall
23 be upon the appellant/applicant.

24 The decision of the Safety, Wellness and Youth Committee shall be final with no right of
25 further appeal to the City Council.”

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1 Section 15: Section 16.32.170 of the Riverside Municipal Code is hereby amended as
2 follows:

3 “Section 109 is amended to read as follows:

4 In order to hear and decide appeals of orders, decisions or determinations made by the fire
5 code official relative to the application and interpretation of this code, there shall be and is hereby
6 created a board of appeals. The board of appeals shall be the Safety, Wellness and Youth Committee
7 of the City Council. The fire code official shall be an ex officio member of said board but shall have
8 no vote on any matter before the board. The board shall adopt rules of procedure for conducting its
9 business, and shall render all decisions and findings in writing to the appellant with a duplicate copy
10 to the fire code official.

11 An application for appeal shall be based on a claim that the intent of this code or the rules
12 legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully
13 apply, or an equivalent method of protection or safety is proposed. The board shall have no authority
14 to waive requirements of this code.”

15 Section 16: Section 20.50.010(T) of the Riverside Municipal Code is hereby amended as
16 follows:

17 “T. Land Use Committee means the Land Use, Sustainability, and Resilience
18 Committee.”

19 Section 17: The City Council has reviewed the matter and, based upon the facts and
20 information contained in the staff reports, administrative record, and written and oral testimony,
21 hereby finds that this ordinance is not subject to CEQA pursuant to Sections 15060(c)(2),
22 15060(c)(3) and/or 15061(b)(3) of the State CEQA Guidelines, California Code of Regulations, Title
23 14, Chapter 3, in that it will not result in a direct or reasonably foreseeable indirect physical change
24 in the environment nor have a significant impact on the environment.

25 Section 18: The City Clerk shall certify to the adoption of this ordinance and cause
26 publication once in a newspaper of general circulation in accordance with Section 414 of the Charter
27 of the City of Riverside. This ordinance shall become effective on the 30th day after the date of its
28 adoption.

1 ADOPTED by the City Council this _____ day of _____, 2020.

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Mayor of the City of Riverside

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Attest:

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City Clerk of the City of Riverside

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I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the _____ day of _____, 2020, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the _____ day of _____, 2020, by the following vote, to wit:

13

Ayes:

14

Noes:

15

Absent:

16

Abstain:

17

18

19

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this _____ day of _____, 2020.

20

21

City Clerk of the City of Riverside

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CA 20-0639