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AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING CHAPTERS 1.17, 5.28, 5.40, 5.52, 5.80, 5.90, 5.95, 6.24, 9.40, 9.42, AND 9.60 OF THE RIVERSIDE MUNICIPAL CODE TO INCLUDE A MORE UNIFORM APPEAL PROCEDURE FOR VARIOUS TYPES OF BUSINESSES AND THEIR PERMITS, AS WELL AS THE EXTRAORDINARY POLICE REPSONSE BILL PROCESS PURSUANT TO CHAPTER 9.60. WITH AMENDMENTS THERETO.

The City Council of the City of Riverside does ordain as follows:

Section 1: The Table of Contents for Chapter 1.17 of the Riverside Municipal Code entitled “Administrative Code Enforcement Remedies” is hereby amended to read as follows:

“Chapter 1.17 – Administrative Code Enforcement Remedies

Sections:

- 1.17.005 Statement of purpose and intent.**
- ...
- 1.17.120 Procedure for requesting an administrative appeal hearing.**
- 1.17.121 Appeal procedure for Riverside Police Department review of business permits.**
- 1.17.130 General procedures for all administrative hearings.**
- ...
- 1.17.390 Failure to comply with an Administrative Civil Penalties Enforcement Order; alternative remedies.**
- 1.17.400 Appeal of extraordinary police response bill.**
- 1.17.410 Extraordinary police response bill appeal hearing procedures.**
- 1.17.420 Extraordinary police response bill appeal ruling.**
- 1.17.430 Judicial review of extraordinary police response bill appeal ruling.”**

Section 2: Section 1.17.121 of the Riverside Municipal Code is hereby added as follows:

“Section 1.17.121 Appeal procedure for Riverside Police Department review of business permits.

- A. Absent any contradictory procedure, the following appeal procedure applies to all appeals from the Riverside Police Department’s review of business permits referred to in the following

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Chapters of this Code: (1) Chapter 5.28, (2) Chapter 5.40, (3) Chapter 5.52, (4) Chapter 5.80, (5) Chapter 5.90, (6) Chapter 5.95, (7) Chapter 6.24, (8) Chapter 9.40, and (9) Chapter 9.42.

B. An appeal of the Chief of Police’s decision to deny, revoke, or suspend a permit must be filed with the City Clerk, in writing, within ten calendar days after denial of the application, revocation of the permit, or suspension of the permit has been served. The appeal shall clearly state the applicable basis for the appeal. The City Manager shall cause the matter to be set for a hearing before an Administrative Hearing Officer to hear such matters.

C. The scope of the appeal hearing pursuant to this section and the Chapters listed in subsection A shall be limited to those issues raised by the appellant in the written appeal, as submitted pursuant to subsection B above.

D. Should an appeal of a denial, revocation, or suspension of a permit be timely filed, the denial, revocation, or suspension of the permit shall be stayed pending a determination by an Administrative Hearing Officer after an administrative hearing.

E. Notice of the date of hearing shall be given in writing. The date of the hearing shall be no sooner than ten days from the date when the notice of hearing is served on the appellant.

F. At the time fixed in the notice of hearing, the Administrative Hearing Officer shall review all relevant evidence and hear the testimony of all competent persons desiring to testify respecting the incident or alleged violation.

G. The general evidentiary procedures for all administrative hearings shall be governed by Chapter 1.17.130. However, evidence shall include, but is not limited to, police reports, criminal citations, photographs, videos, audio recordings, and the like.

H. At the conclusion of the hearing, the Administrative Hearing Officer shall determine whether the appellant violated the applicable Chapter from the list in subsection A, or any other relevant law, statute, or code. If the Administrative Hearing Officer concludes the appellant was in violation of the law, the Administrative Hearing Officer shall uphold the denial of the application, revoke the permit, or suspend the permit.

- 1 I. The decision of the Administrative Hearing Officer on the determination of a violation of the
2 Riverside Municipal Code or other relevant law is final. Any appeal of the Administrative
3 Hearing Officer’s decision shall be governed by California Code of Civil Procedure section
4 1094.6 or such section as may be amended from time to time.
- 5 J. Any withdrawal of an appeal or the surrender of the permit will be deemed a revocation of that
6 permit.”

7 Section 3: Section 1.17.400 of the Riverside Municipal Code is hereby added as follows:

8 **“Section 1.17.400 Appeal of extraordinary police response bill.**

- 9
- 10 A. Absent any contradictory procedure, the following appeal procedure applies to all appeals of a
11 bill for the cost of extraordinary police services or responses, issued pursuant to Chapter 9.60
12 of this Code.
- 13 B. An appeal of an extraordinary police response bill must be filed with the City Clerk, in writing,
14 within 30 calendar days of the invoice date on the extraordinary police response bill. The
15 appeal shall clearly state the applicable basis for the appeal. The City Attorney’s Office shall
16 cause the matter to be set for an appeal hearing before an Administrative Hearing Officer to
17 hear such matters.
- 18 C. The person requesting the appeal hearing shall be notified of the time and place for the hearing
19 at least ten days prior to the date of the hearing.
- 20 D. Any withdrawal of an appeal will be deemed a forfeiture of the invoice fine.”

21 Section 4: Section 1.17.410 of the Riverside Municipal Code is hereby added as follows:

22 **“Section 1.17.410 Extraordinary police response bill appeal hearing procedures.**

- 23 A. An appeal hearing before the Administrative Hearing Officer shall be set for a date that is not
24 less than 15 days and not more than 60 days from the date that the request for hearing is filed.
- 25 B. The scope of the appeal hearing shall be limited to those issues raised by the appellant in the
26 written appeal, as submitted pursuant to Section 1.17.400(B).
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- 28

- 1 C. At the appeal hearing, the party contesting the extraordinary police response bill shall be given
2 the opportunity to testify and to present evidence concerning the extraordinary police response
3 bill.
- 4 D. The Administrative Hearing Officer shall review all relevant evidence and hear the testimony
5 of all competent persons desiring to testify.
- 6 E. The failure of any responsible party who is subject to an extraordinary police response bill to
7 appear at the appeal hearing shall constitute a forfeiture of the invoice fine and a failure to
8 exhaust administrative remedies.
- 9 F. The general evidentiary procedures for all administrative hearings shall be governed by
10 Chapter 1.17.130. However, evidence shall include, but is not limited to, police reports,
11 criminal citations, photographs, videos, audio recordings, and the like.
- 12 G. The extraordinary police response bill and any additional report submitted by the City
13 Attorney's Office shall constitute prima facie evidence of the respective facts contained in
14 those documents.
- 15 H. The Administrative Hearing Officer may continue the appeal hearing and request additional
16 information from the City Attorney's Office or the recipient of the extraordinary police
17 response bill prior to issuing a written decision.”

18 Section 5: Section 1.17.420 of the Riverside Municipal Code is hereby added as follows:

19
20 **“Section 1.17.420 Extraordinary police response bill appeal ruling.**

- 21 A. After considering all of the testimony and evidence submitted at the appeal hearing, the
22 Administrative Hearing Officer shall issue a written decision to uphold or cancel the
23 extraordinary police response bill and shall list in the decision the reasons for that decision.
- 24 B. If the Administrative Hearing Officer determines that the extraordinary police response bill
25 should be upheld, then the amount of the fine set forth in the invoice shall not be reduced or
26 waived for any reason.
- 27 C. If the Administrative Hearing Officer determines that the extraordinary police response bill
28 should be upheld, then any fine amount on deposit with the City shall be retained by the City.

1 D. If the Administrative Hearing Officer determines that the extraordinary police response bill
2 should be canceled and a fine was deposited with the City, then the City shall promptly refund
3 the amount of the deposited fine, together with interest at the average rate earned on the City's
4 portfolio for the period of time that the fine amount was held by the City.

5 E. The recipient of the extraordinary police response bill shall be served with a copy of the
6 Administrative Hearing Officer's written decision.

7 F. The Administrative Hearing Officer's written decision shall become final on the date of
8 mailing of the notice of decision."

9 Section 6: Section 1.17.430 of the Riverside Municipal Code is hereby added as follows:

10 **"Section 1.17.430 Judicial review of extraordinary police response bill appeal ruling.**

11 Once the Administrative Hearing Officer's written decision becomes final as provided in this chapter,
12 the time in which judicial review must be sought shall be governed by California Government Code
13 section 53069.4, as that section may be amended from time to time, or the successor provision thereto."

14 Section 7: The Table of Contents for Chapter 5.28 of the Riverside Municipal Code
15 entitled "Poolrooms" is hereby amended to read as follows:

16 **"Chapter 5.28 – Poolrooms**

17 **Sections:**

18 **5.28.010 Purpose.**

19 ...

20 **5.28.040 Permit procedures.**

21 ...

22 **5.28.050 Appeal.**

23 **5.28.060 Term of permit—Renewal.**

24 ...

25 **5.28.150 Severability."**

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1 Section 8: Section 5.28.050 of the Riverside Municipal Code is hereby amended as
2 follows:

3 **“Section 5.28.050 Appeal.**

4 A denial or revocation of a permit may be appealed as set forth in Section 1.17.121 of this Code.”

5 Section 9: Section 5.28.140 of the Riverside Municipal Code is hereby amended as
6 follows:

7 **“Section 5.28.140 Revocation of permit.**

8 The Chief of Police shall revoke any permit issued if it reasonably appears that after investigation, any
9 of the grounds set forth in Section 5.28.040(A) have been violated or the existence of the business has
10 become a public nuisance as defined under the various applicable laws of this State to such a degree
11 which impairs the peace, health or morals of the surrounding business or residential community. To
12 revoke a permit, the Chief of Police shall serve upon the holder thereof, either by personal service or
13 certified mail sent to the address shown on the application or otherwise more recently of record, a
14 written notice that the permit has been revoked effective five days after service or date of mailing of
15 such notice, and stating the grounds thereof, and advising of the procedures for the appeal of such
16 revocation.” A revocation of a permit may be appealed as set forth above in Section 5.28.050.

17 Section 10: Section 5.40.090 of the Riverside Municipal Code is hereby amended as
18 follows:

19 **“Section 5.40.090 Appeal from denial or revocation of vehicle for hire or animal-drawn vehicle
20 permit.**

21 A denial or revocation of a vehicle for hire or animal-drawn permit may be appealed as set forth in
22 Section 1.17.121 of this Code.”

23 Section 11: Section 5.40.185 of the Riverside Municipal Code is hereby amended as
24 follows:

25 **“Section 5.40.185 Appeal from denial or revocation of driver’s permit.**

26 A denial or revocation of a driver’s permit may be appealed as set forth in Section 1.17.121 of this
27 Code.”

1 Section 12: Section 5.40.310 of the Riverside Municipal Code is hereby amended as
2 follows:

3 **“Section 5.40.310 Fines for noncompliance with standards.**

4 C. *Appeal.* If a permit holder or franchisee objects to the imposition of a fine pursuant to this
5 section, the imposition of the fine may be appealed as set forth in Section 1.17.121 of this
6 Code.

7 D. *Payment following appeal.* If the permit holder or franchisee has appealed the imposition of
8 the fine in a timely manner, and if an Administrative Hearing Officer upholds the imposition
9 of the fine following a hearing thereon, the permit holder or franchisee shall pay the fine to the
10 City within 15 days following the rendering of the decision.”

11 Section 13: Section 5.52.050(B) of the Riverside Municipal Code is hereby amended as
12 follows:

13 **“Section 5.52.050 Refusal to issue massage establishment permit.**

14 B. Denial of a massage establishment permit shall be given to the applicant in writing and shall
15 specify the grounds for such denial. Notice of the denial shall be deemed to have been served
16 upon personal service or when deposited in the United States Mail with postage prepaid and
17 addressed to the applicant at the address listed on the application. Such refusal to issue a permit
18 may be appealed as set forth below in Section 5.52.140.”

19 Section 14: Section 5.52.130 of the Riverside Municipal Code is hereby amended as
20 follows:

21 **“Section 5.52.130 Revocation.**

22 A. Subject to the procedures set forth in this section, the Chief of Police may revoke or suspend
23 a massage establishment permit issued pursuant to this chapter whenever any of the
24 following has occurred:

25 •••

26 C. Any massage establishment permit may be revoked or suspended by the Chief of Police upon
27 determination that the holder of the permit has directly or indirectly allowed or has violated
28 any regulation set forth in this chapter. To revoke or suspend a massage establishment permit,

1 the Chief of Police shall serve upon the holder thereof, either by personal service or by United
2 States Mail sent to the last known address, a written notice that said permit shall be revoked or
3 suspended on the tenth day from the date of said notice. If, however, the permit holder files a
4 timely request for a hearing as set forth in Section 5.52.140 below, the revocation or suspension
5 of the permit shall be stayed pending a determination by an Administrative Hearing Officer
6 after an administrative hearing.

7 D. A revoked permit shall be immediately surrendered to the Chief of Police.”

8 Section 15: Section 5.52.140 of the Riverside Municipal Code is hereby amended as
9 follows:

10 **“Section 5.52.140 Appeal.**

11 A. A denial, revocation, or suspension of a massage establishment permit may be appealed as set
12 forth in Section 1.17.121 of this Code.”

13 Section 16: The Table of Contents for Chapter 5.80 of the Riverside Municipal Code
14 entitled “Entertainment Permit” is hereby amended to read as follows:

15 **“Chapter 5.80 – Entertainment Permit**

16 **Sections:**

17 **5.80.010 Purpose and intent.**

18 ...

19 **5.80.110 Fees.**

20 **5.80.120 Appeal.**

21 **5.80.130 Violation—Penalty.**

22 **5.80.140 Severability.”**

23 Section 17: Section 5.80.120 of the Riverside Municipal Code is hereby amended as
24 follows:

25 **“Section 5.80.120 Appeal.**

26 A. A denial, revocation, or suspension of an entertainment permit may be appealed as set forth in
27 Section 1.17.121 of this Code.”

1 Section 18: Section 5.90.060 of the Riverside Municipal Code is hereby amended as
2 follows:

3 **“Section 5.90.060 Pawnshop and secondhand dealer establishment permit required.**

4 A. No person shall own, operate, or manage any pawnshop establishment in any location within
5 the city without first having obtained a pawnshop business establishment permit from the chief
6 of police. No person shall own, operate, or manage any secondhand dealer establishment in any
7 location within the city without first having obtained a secondhand dealer establishment permit
8 from the chief of police.

9 ...

10 E. Each permit issued under this section shall expire two years from the date of issuance.

11 F. An unrevoked permit may be renewed for two years by filing, under penalty of perjury, a
12 written application on forms provided by and submitted to the chief of police. The renewal
13 fees accompanied with the application may be established by resolution of the city council.

14 ...”

15 Section 19: Section 5.90.070(B) of the Riverside Municipal Code is hereby amended as
16 follows:

17 **“Section 5.90.070 Refusal to issue a pawnshop or secondhand dealer establishment permit.**

18 B. Denial of a pawnbroker or secondhand dealer establishment permit shall be given to the
19 applicant in writing and shall specify the grounds for such denial. Notice of the denial shall be
20 deemed to have been served upon personal service or when deposited in the United States Mail
21 with postage prepaid and addresses to the applicant at the address listed on the application.”

22 Such refusal to issue a permit may be appealed as set forth below in Section 5.90.140.

23 Section 20: Section 5.90.130(C) of the Riverside Municipal Code is hereby amended as
24 follows:

25 **“Section 5.90.130 Revocation of a pawnshop or secondhand dealer establishment permit.**

26 C. To revoke an establishment permit, the chief of police shall serve upon the holder thereof,
27 either by personal service or by United States Mail sent to address(es) listed on the
28 establishment permit application, a written notice that said permit shall be revoked on a date

1 specified in said notice. The cause or causes for revocation may be appealed as set forth below
2 in Section 5.90.140. All pawning and secondhand dealing or work activity by an employee
3 shall cease following issuance of the notice of revocation and no activity for which the permit
4 is required shall be conducted.”

5 Section 21: Section 5.90.140 of the Riverside Municipal Code is hereby amended as
6 follows:

7 **“Section 5.90.140 Appeal.**

8 A. A denial or revocation of a pawnbroker or secondhand dealer establishment permit may be
9 appealed as set forth in Section 1.17.121 of this Code.”

10 Section 22: Section 5.95.120 of the Riverside Municipal Code is hereby amended as
11 follows:

12 **“Section 5.95.120 Suspension or revocation of firearm dealer’s license.**

13 A. Subject to the procedures set forth in this section, the Chief of Police may revoke or suspend a
14 firearm dealer’s license issued pursuant to this chapter whenever any of the following has
15 occurred:

- 16 1. The holder of a firearm dealer’s license is acting in a manner contrary to, or has
17 violated, any of the provisions of this Code or other applicable state or federal statutes.
- 18 2. The holder of a firearm dealer’s license is acting in a manner that constitutes a public
19 nuisance.
- 20 3. The holder of a firearm dealer’s license is acting in a manner that is detrimental to the
21 health, safety or welfare of the city or its inhabitants.
- 22 4. The holder of a firearm dealer’s license or their officers, employees or agents has
23 violated any laws in connection with the operation of this business or failed to
24 cooperate with the Riverside Police Department.
- 25 5. Upon any circumstances constituting a ground for denial of a permit set forth in this
26 chapter.

27 ...

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1 C. Any firearm dealer's license may be revoked or suspended by the Chief of Police upon
2 determination that the holder of said license has directly or indirectly allowed or has violated
3 any regulation set forth in this chapter or state/federal law. To revoke or suspend a firearm
4 dealer's license, the Chief of Police shall serve upon the holder thereof, either by personal
5 service or by United States Mail sent to the last known address, a written notice that said license
6 shall be revoked or suspended on the tenth day from the date of said notice. If, however, the
7 license holder files a timely request for a hearing as set forth below in Section 5.95.130, the
8 revocation or suspension of the license shall be stayed pending a determination by an
9 Administrative Hearing Officer at the hearing. Failure to timely request a hearing shall deem
10 the firearm dealer's license revoked.

11 D. A revoked license shall be immediately surrendered to the Chief of Police.”

12 Section 23: Section 5.95.130 of the Riverside Municipal Code is hereby amended as
13 follows:

14 **“Section 5.95.130 Appeal.**

15 A. A denial, revocation, or suspension of a firearm dealer’s license may be appealed as set forth
16 in Section 1.17.121 of this Code.”

17 Section 24: Section 6.24.120 of the Riverside Municipal Code is hereby amended as
18 follows:

19 **“Section 6.24.120 Suspension or revocation of tobacco retail establishment permit.**

20 A. Subject to the procedures set forth in this section, the Chief of Police may revoke or suspend
21 a tobacco retail establishment permit issued pursuant to this chapter whenever any of the
22 following has occurred:

23 •••

24 C. Any tobacco retail establishment Permit may be revoked or suspended by the Chief of Police
25 upon determination that the holder of said permit has directly or indirectly allowed or has violated
26 any regulation set forth in this chapter or state law. To revoke or suspend a tobacco retail
27 establishment permit, the Chief of Police shall serve upon the holder thereof, either by personal
28 service or by United States Mail sent to the last known address, a written notice that said permit

1 shall be revoked or suspended on the tenth day from the date of said notice. If, however, the permit
2 holder files a timely request for a hearing as set forth below in Section 6.24.130, the revocation or
3 suspension of the permit shall be stayed pending a determination by an Administrative Hearing
4 Officer at the hearing. Failure to timely request a hearing shall deem the tobacco retail
5 establishment permit revoked.

6 D. A revoked permit shall be immediately surrendered to the Chief of Police.

7 E. *New permit after revocation.*

- 8 1. After revocation for a first permit violation of this chapter at a location within any 60-
9 month period, no new permit may be issued for the location until ten days have passed
10 from the date of the revocation.
- 11 2. After revocation for a second violation of this chapter at a location within any 60-month
12 period, no new permit may be issued for the location until 30 days have passed from
13 the date of the last revocation.
- 14 3. After revocation for a third violation of this chapter at a location within any 60-month
15 period, no new permit may be issued for the location until 90 days have passed from
16 the date of the last revocation.
- 17 4. After revocation for a fourth or subsequent violation of this chapter at a location within
18 any 60-month period, no new permit may be issued for the location until five years
19 have passed from the date of revocation.

20 F. *Revocation of permit issued in error.* A tobacco retail establishment permit shall be revoked if
21 the Department finds, after the permit holder is afforded a reasonable notice and opportunity
22 to be heard, that one or more of the basis for denial of a permit under Section 6.24.050 existed
23 at the time application was made or at any time before the permit was issued. The revocation
24 shall be without prejudice to the filing of a new permit application.”

25 Section 25: Section 6.24.130 of the Riverside Municipal Code is hereby amended as
26 follows:

27 **“Section 6.24.130 Appeal.**

1 A. A denial, revocation, or suspension of a tobacco retail establishment permit may be appealed
2 as set forth in Section 1.17.121 of this Code.”

3 Section 26: The Table of Contents for Chapter 9.40 of the Riverside Municipal Code
4 entitled “Adult-Oriented Businesses” is hereby amended to read as follows:

5 **“Chapter 9.40 – Adult-Oriented Businesses**

6 **Sections:**

7 **9.40.010 Legislative Purpose**

8 ...

9 **9.40.110 Suspension or revocation of adult-oriented business regulatory permits and adult-**
10 **oriented business performer permits.**

11 **9.40.120 Appeal of denial.**

12 **9.40.130 Adult-oriented business development and performance standards.**

13 ...

14 **9.40.200 Severability.”**

15 Section 27: Section 9.40.110 of the Riverside Municipal Code is hereby amended as
16 follows:

17 **“Section 9.40.110 Suspension or revocation of adult-oriented business regulatory permits and**
18 **adult-oriented business performer permits.**

19 An adult-oriented business regulatory permit or adult-oriented business employee permit may be
20 suspended or revoked in accordance with the procedures and standards of this section.

21 A. On determining that grounds for permit revocation exist, the Police Chief shall furnish written
22 notice of the proposed suspension or revocation to the permittee. Such notice shall set forth
23 the ground or grounds upon which the suspension or revocation is based, the pertinent Code
24 sections, and a brief statement of the factual matters in support thereof. The notice shall be
25 mailed, postage prepaid, addressed to the last known address of the permittee, or shall be
26 delivered to the permittee personally or to the person effectively in control of the adult-oriented
27 business at the time of delivery.

28 1.

1 B. A permittee may be subject to suspension or revocation of his permit, or be subject to other
2 appropriate disciplinary action, for any of the following causes arising from the acts or
3 omissions of the permittee, or an employee, agent, partner, director, stockholder, or manager
4 of an adult-oriented business:

5 1. The permittee has knowingly made any false, misleading or fraudulent statement of
6 material facts in the application for a permit, or in any report or record required to be
7 filed with the City.

8 2. The permittee, employee, agent, partner, director, stockholder, or manager of an adult-
9 oriented business has knowingly allowed or permitted, and has failed to make a
10 reasonable effort to prevent the occurrence of any of the following on the premises of
11 the adult-oriented business, or in the case of an adult-oriented business performer, the
12 permittee has engaged in one of the activities described below while on the premises
13 of an adult-oriented business:

14 a. Any act of unlawful sexual intercourse, sodomy, oral copulation, or
15 masturbation.

16 b. Use of the establishment as a place where unlawful solicitations for sexual
17 intercourse, sodomy, oral copulation, or masturbation openly occur.

18 c. Any conduct constituting a criminal offense which requires registration under
19 Section 290 of the California Penal Code.

20 d. The occurrence of acts of lewdness, assignation, or prostitution, including any
21 conduct constituting violations of Sections 315, 316, or 318 or Subdivision b
22 of Section 647 of the California Penal Code.

23 e. Any act constituting a violation of provisions in the California Penal Code
24 relating to obscene matter or distribution of harmful matter to minors,
25 including but not limited to Sections 311 through 313.4.

26 f. Any conduct prohibited by this chapter, including, but not limited to, allowing
27 any person to engage in or participate in any live performance depicting
28 specified anatomical areas or involving specified sexual activities in an adult-

1 oriented business, without a valid performer permit pursuant to Section
2 9.40.090.

3 3. Failure to abide by any disciplinary action previously imposed by an appropriate City
4 official.

5 C. If the Police Chief finds and determines that there are grounds for disciplinary action, based
6 upon the severity of the violation, the Police Chief shall impose one of the following:

- 7 1. A warning.
- 8 2. Suspension of the permit for a specified period not to exceed six months.
- 9 3. Revocation of the permit.

10 Section 28: Section 9.40.120 of the Riverside Municipal Code is hereby amended as
11 follows:

12 **“Section 9.40.120 Appeal of denial; suspension or revocation; Administrative appeal to the**
13 **Safety, Wellness and Youth Committee; expedited review of free speech claim; automatic stay**
14 **of enforcement.**

15 A. A denial of an application for an adult-oriented business permit, a denial of a permit’s renewal,
16 a suspension of a permit, or a revocation of a permit may be appealed as set forth in Section
17 1.17.121 of this Code.

18 Section 29: The Table of Contents for Chapter 9.42 of the Riverside Municipal Code
19 entitled “Fortunetelling and Occult Arts” is hereby amended to read as follows:

20 **“Chapter 9.42 – Fortunetelling and Occult Arts**

21 **Sections:**

22 **9.42.010 Definitions.**

23 ...

24 **9.42.060 Notification of change.**

25

26 **9.42.070 Refusal to issue license.**

27 ...

28 **9.42.115 Severability.”**

1 Section 30: Section 9.42.035 of the Riverside Municipal Code is hereby amended as
2 follows:

3 **“Section 9.42.035 License application and renewal: fees.**

4 An application for a license to practice fortunetelling and occult arts shall be made to a duly authorized
5 representative of the Chief of Police under penalty of perjury on forms provided by the Chief of Police.

6 Fees are not refundable in the event such application is denied.

7 Licenses and fees required under this chapter shall be in addition to any license, permit or fee required
8 under any other chapter of this Code.

9 Each permit issued under this section shall expire one year from the date of issuance.

10 The Chief of Police shall complete an investigation of the qualifications and moral character of the
11 applicant and either grant or deny the permit within 90 days after the submission of the completed
12 application; provided, however, if good cause exists, the Chief of Police may extend the period of
13 investigation for an additional 30 days, provided the applicant is mailed notification or verbally
14 notified that the investigation has not been completed.”

15 Section 31: Section 9.42.065 of the Riverside Municipal Code is hereby deleted.

16 Section 32: Section 9.42.080 of the Riverside Municipal Code is hereby amended as
17 follows:

18 **“Section 9.42.080 Appeal.**

19 A denial of an application or revocation of a license may be appealed as set forth in Section 1.17.121
20 of this Code.”

21 Section 33: The Table of Contents for Chapter 9.60 of the Riverside Municipal Code
22 entitled “Liability for False Report of an Emergency or of a Criminal Offense and for Extraordinary
23 Police Services or Responses” is hereby amended to read as follows:

24 **“Chapter 9.60 – Liability for False Report of an Emergency or of a Criminal Offense and for
25 Extraordinary Police Services or Responses**

26 **Sections:**

27 **9.60.010 Findings.**

28 ...

1 **9.60.070 Payment of City’s costs and penalties.**

2 **9.60.080 Appeal.**

3 **9.60.090 Severability.”**

4 Section 34: Section 9.60.080 of the Riverside Municipal Code is hereby added as follows:

5 **“Section 9.60.080 Appeal.**

6 A bill for the cost of the extraordinary police service or response may be appealed as set forth in
7 Section 1.17.400 et seq.”

8 Section 35: The City Council has reviewed the matter and, based upon the facts and
9 information contained in the staff reports, administrative record, and written and oral testimony,
10 hereby finds that this ordinance is not subject to CEQA pursuant to Sections 15060(c)(2), 15060(c)(3)
11 and/or 15061(b)(3) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter
12 3, in that it will not result in a direct or reasonably foreseeable indirect physical change in the
13 environment nor have a significant impact on the environment.

14 Section 36: The City Clerk shall certify to the adoption of this ordinance and cause
15 publication once in a newspaper of general circulation in accordance with Section 414 of the Charter
16 of the City of Riverside. This ordinance shall become effective on the 30th day after the date of its
17 adoption.

ADOPTED by the City Council this _____ day of _____, 2025.

18
19
20 PATRICIA LOCK DAWSON
Mayor of the City of Riverside

21 Attest:

22 _____
23 DONESIA GAUSE
City Clerk of the City of Riverside

1 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the
3 _____ day of _____, 2025, and that thereafter the said ordinance was duly and regularly
4 adopted at a meeting of the City Council on the _____ day of _____, 2025, by the
5 following vote, to wit:

6 Ayes:

7 Noes:

8 Absent:

9 Abstain:

10 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
11 City of Riverside, California, this _____ day of _____, 2025.

12
13 _____
14 DONESIA GAUSE
15 City Clerk of the City of Riverside
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