

# City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: JANUARY 14, 2020  
FROM: CITY ATTORNEY'S OFFICE WARDS: ALL  
SUBJECT: ORDINANCE AMENDING SECTION 9.70.010 OF THE RIVERSIDE MUNICIPAL CODE TO ADD SUBSECTION (K) TO RESTRICT THE LOCATION OF ECOATM MACHINES AND OTHER SIMILAR DEVICES

**ISSUE:**

Introduce and subsequently adopt an Ordinance amending Section 9.70.010 of the Riverside Municipal Code to add Subsection (K) to restrict the location of ecoATM machines and other similar devices.

**RECOMMENDATION:**

That the City Council Introduce and subsequently adopt an Ordinance amending Section 9.70.010 of the Riverside Municipal Code to add Subsection (K) to restrict the location of ecoATM machines and other similar devices as approved by the Public Safety Committee.

**COMMITTEE RECOMMENDATION:**

On December 18, 2019, the Public Safety Committee, with Chair Perry and Vice Chair Melendrez present, unanimously voted to approve and recommend to the City Council an additional proposed change to Chapter 9.70 of the Riverside Municipal Code which would prohibit ecoATM machines and other similar devices from being operated outdoors or in residential zones.

**BACKGROUND:**

On July 17, 2019, the Public Safety Committee (Committee), with Chair Perry and Member Adams present, received a presentation from EcoATM that included a discussion regarding their company and current operations. The Committee was asked to consider repealing the prior ban on these kiosk machines. After discussion, the Committee unanimously voted to recommend that the City Council introduce and adopt an ordinance to repeal Riverside Municipal Code Chapter 9.70 relating to ecoATM machines and other similar devices or machines and to permit the types of kiosk machines that are in full compliance with standard security measures required by state law, including but not limited to, Business & Professions Code Section 21625 et seq.

On October 22, 2019, the City Council approved the proposed changes to Chapter 9.70 of the Riverside Municipal Code relating to ecoATM machines and other similar devices or machines, including amendments to Sections 9.70.010 and 9.70.040 as approved by the Public Safety Committee; introduced an Ordinance amending Chapter 9.70 repealing the prior ban and allowing operation if in full compliance with standard security measures required by State law, including, but not limited to, Business and Professions Code Section 21625, et seq.; and directed that a report return to the Public Safety Committee with regulations on location of the machines within 60 days; whereupon an ordinance entitled, "An Ordinance of the City of Riverside, California, Amending Chapter 9.70 of the Riverside Municipal Code Entitled ecoATM Machines and Other Similar Devices or Machines," was presented and introduced.

**DISCUSSION:**

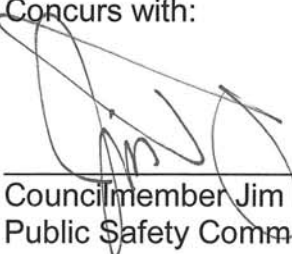
Following the City Council meeting on October 22, 2019, the Planning Division of the Community and Economic Development Department confirmed that Title 19 of the Riverside Municipal Code does not regulate similar vending or reverse vending machines and recommended amending Chapter 9.70 of the Riverside Municipal Code to include location restrictions.

As a result, the City Attorney's Office drafted subsection (K) to Section 9.70.010 to prohibit these kiosk machines from being operated outdoors or in residential zones. Specifically, it is proposed for Section 9.70.010 (K) to read: "EcoATM machines or similar kiosks operated in the City of Riverside shall not be located in any residential zones. In addition, they cannot be located outdoors, but rather must be located inside of a retail store or shopping mall."

**FISCAL IMPACT:**

There is no fiscal impact associated with this report.

Prepared by: Gary G. Geuss, City Attorney  
Concurs with: Larry Gonzalez, Interim Chief of Police



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Councilmember Jim Perry, Chair  
Public Safety Committee

Attachment: Ordinance