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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 ~~Finance~~ 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 ~~Public Safety~~ Safety, Wellness and Youth
17 Committee.

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

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

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

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

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

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

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 ~~Finance~~Financial Performance and
5 Budget Committee within 15 days after notice thereof by filing with the City Clerk a written notice
6 of 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 ~~Finance~~Financial Performance and Budget Committee within 30 days from the date of receipt of
9 such notice of appeal, giving the appellant not less than ten days' notice in writing of the time and
10 place of hearing. The findings and determination of the ~~Finance~~Financial Performance and Budget
11 Committee at such hearing shall be final and conclusive, and within three days after such findings
12 and 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 ~~Public Safety~~Safety, Wellness and Youth Committee,
20 which hearing shall be within 60 days after receipt of said notice of appeal. The City Clerk shall give
21 notice of the time set at least five days before the date of such hearing to the applicant or driver's
22 permit holder, by mail, at the address set out in such application or permit. At the time set for
23 hearing of such appeal, the Safety, Wellness and Youth ~~Public Safety~~ Committee shall receive from
24 the Chief of Police and the applicant or driver's permit holder information regarding the denial or
25 revocation and appeal. The ~~Public Safety~~Safety, Wellness and Youth Committee shall make a
26 determination whether to uphold or reverse the denial or revocation within ten days after the date of
27 said hearing. The determination of the ~~Public Safety~~Safety, Wellness and Youth Committee shall be
28 the final determination of the matter.”

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 ~~Public Safety~~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 ~~Public Safety~~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 ~~Public Safety~~Safety, Wellness and Youth Committee of the City
26 Council, and shall give notice to the applicant or permit holder of the time set for hearing at least ten
27 days before the date of such hearing, by mail, at the address set out in such application or permit. At
28 the time set for hearing of such appeal, the ~~Public Safety~~Safety, Wellness and Youth Committee

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

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

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

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

14 “F. Chairperson - Safety, Wellness and Youth ~~Public Safety~~ Committee;”

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

17 “P. Chairperson - Safety, Wellness and Youth ~~Public Safety~~ Committee;”

18 Section 13: Section 9.40.120 of the Riverside Municipal Code is hereby amended as
19 follows:
20

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

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

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

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

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

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

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

26 The decision of the Safety, Wellness and Youth ~~Public Safety~~ Committee shall be final with
27 no right of further appeal to the City Council.”
28

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 Public
7 Safety Committee of the City ~~of Riverside~~ Council. The fire code official shall be an ex officio
8 member of said board but shall have no vote on any matter before the board. The board shall adopt
9 rules of procedure for conducting its business, and shall render all decisions and findings in writing
10 to the appellant with a duplicate copy 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 ~~Utility Services, Land Use and Energy~~
18 ~~Development~~ Land Use, Sustainability, and Resilience 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

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

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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