



## **PROPOSED ORDINANCE AMENDING RMC APPEAL PROCEDURES RELATED TO BUSINESS PERMITS SUBJECT TO RPD REVIEW**

### **Riverside Police Department**

**Safety, Wellness, and Youth Committee**

January 15, 2025

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1

## **BACKGROUND**

- RMC currently provides several different procedures for administrative appeals for business permits subject to RPD review
  - Appeal heard by Administrative Hearing Officer
  - Appeal heard by Safety Committee Hearing
  - Appeal heard by Safety, Wellness, and Youth Committee
- Goal of the proposed Ordinance is to:
  - Remove individual appeal language from 10 RMC sections
  - Add RMC Section 1.17.121 outlining a uniform appeals procedure
    - All permit appeals to be heard by 'Administrative Hearing Officer'



2

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2

## DISCUSSION

Appeal language to be removed from the following RMC sections:

- 5.28 – Poolrooms
- 5.52 – Massage Establishments
- 5.40 – Vehicle for Hire/Animal Drawn Vehicle
- 5.80 – Entertainment Permit
- 5.95 – Firearm Dealers License
- 6.24 – Tobacco Retail Establishment
- 6.90 – Pawnshop & Secondhand Dealer
- 9.40 – Adult Oriented Business
- 9.42 – Fortuneteller and Occult Arts
- 9.60 – Liability for False Report and for Extraordinary Police Services or Responses



3

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3

## DISCUSSION

- The following sections are proposed to be added to the RMC:
  - 1.17.121 – Appeal procedure for RPD review of business permits
  - 1.17.400 – Appeal of extraordinary police response bill (EPRB)
  - 1.17.410 – EPRB appeal hearing procedures
  - 1.17.420 – EPRB appeal ruling
  - 1.17.430 – Judicial review of EPRB appeal ruling
- RMC Section 1.17.121 is the uniform appeal procedure for permits requiring RPD review
- Other sections listed address extraordinary police response bill and the need for further clarification of appeal procedures



4

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4

## 1.17: ADMINISTRATIVE CODE ENFORCEMENT REMEDIES

- 1.17.121 (D): This section specifically states that should an appeal be timely filed, the denial, revocation, or suspension of a permit shall be **stayed** pending a determination by an Administrative Hearing Officer.
- Similar language was not included in 1.17.400-430 because extraordinary police response bills do not prevent businesses from operating; rather businesses are charged for the cost of extraordinary police responses.



5

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5

## RECOMMENDATIONS

That the Safety, Wellness, and Youth Committee:

1. Receive this report summarizing the proposed ordinance amending the Riverside Municipal Code to include a uniform appeal procedure for various types of businesses and their permits; and
2. Recommend that City Council adopt the proposed ordinance 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 uniform appeal procedure for various types of businesses and their permits, including the extraordinary police response bill procedure.



6

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6