



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL

DATE: SEPTEMBER 16, 2025

FROM: CITY ATTORNEY'S OFFICE

WARDS: ALL

SUBJECT: ORDINANCE AMENDING RIVERSIDE MUNICIPAL CODE SECTION 1.17.121(A) TO INCLUDE CHAPTER 5.85 IN THE INCLUDED LIST, AND THE TITLE OF SECTION 9.40.120 REGARDING APPEAL

ISSUE:

The purpose of this ordinance is to (1) update Riverside Municipal Code Section 1.17.121(A) to include "Chapter 5.85" (Junk Dealers/Scrap Metal Recyclers) in the included list (since Chapter 5.85 was passed and approved by the City Council as part of Ordinance No. 7709 on April 8, 2025), and (2) fix an error in Ordinance No. 7708, in which the title of Riverside Municipal Code Section 9.40.120 should actually read "Appeal."

RECOMMENDATIONS:

That the City Council:

1. Receive this report summarizing the proposed amendments to Riverside Municipal Code Sections 1.17.121(A) and 9.40.120; and
2. Recommend that the City Council introduce and subsequently adopt the proposed ordinance amending Riverside Municipal Code Sections 1.17.121(A) and 9.40.120.

BACKGROUND:

On March 25, 2025, the City Council adopted Ordinance 7708, which added Riverside Municipal Code ("RMC") Section 1.17.121. RMC Section 1.17.121 is designed to act as a uniform appeal procedure whenever a business listed in RMC Section 1.17.121(A) seeks to appeal a denial of a business permit application, or suspension or revocation of a business permit license. RMC Section 1.17.121(A) states the following: "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 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."

As RMC Section 1.17.121(A) indicates, the nine types of applicable businesses include (1) Poolrooms (Chapter 5.28), (2) Vehicles for Hire, Taxicabs, and Animal-Drawn Vehicles (Chapter 5.40), (3) Massage Establishments (Chapter 5.52), (4) Entertainment and Entertainment

Establishments (Chapter 5.80), (5) Pawnshops and Secondhand Dealers (Chapter 5.90), (6) Firearm Dealers (Chapter 5.95), (7) Tobacco Retail Establishments (Chapter 6.24), (8) Adult-Oriented Businesses (Chapter 9.40), and (9) Fortunetelling and Occult Arts Establishments (Chapter 9.42).

On April 8, 2025, the City Council adopted Ordinance 7709, which added RMC Chapter 5.85 regarding Junk Dealers and Scrap Metal Recyclers. Chapter 5.85 was designed to regulate how Junk Dealer and Scrap Metal Recycler establishments apply for licensure in the City, how they must operate on a day-to-day basis, and how said businesses can file an appeal if their business permit application is denied, or if their business permit license is revoked.

DISCUSSION:

When Ordinance 7708 was adopted by the City Council on March 25, 2025 (thereby approving the uniform appeal process outlined in RMC Section 1.17.121), Chapter 5.85 regarding Junk Dealers and Scrap Metal Recyclers had not yet been adopted. Thus, Chapter 5.85 is not included in the list of applicable chapters in RMC Section 1.17.121(A).

Thereafter on April 8, 2025, Ordinance 7709 regarding Junk Dealers and Scrap Metal Recyclers was adopted. This included RMC Section 5.85.180, which states the following: “A denial or revocation of a junk dealer and/or scrap metal recycler establishment permit may be appealed as set forth in Section 1.17.121 of this Code.” The City staff that drafted Chapter 5.85 foresaw RMC Section 1.17.121 as an appropriate appeal process for Junk Dealers and Scrap Metal Recyclers wishing to appeal application denials or license revocations, and thus made reference to it in RMC Section 5.85.180.

Currently, RMC Section 1.17.121(A) does not include “Chapter 5.85” (Junk Dealers and Scrap Metal Recyclers) because RMC Section 1.17.121(A) was adopted as part of Ordinance 7708, two weeks before RMC Chapter 5.85 was adopted as part of Ordinance 7709. Thus, since RMC Section 5.85.180 already points readers to RMC Section 1.17.121 to find the appeal process for Junk Dealers and Scrap Metal Recyclers, RMC Section 1.17.121(A) must be amended to include Chapter 5.85 in the list of chapters that the uniform appeal process is applicable to.

Additionally, when Ordinance 7708 was originally drafted, a minor error was made. Page 15 of Ordinance 7708 lists the title of RMC Section 9.40.120 as “Appeal of denial.” On the other hand, page 17 of Ordinance 7708 lists the title of RMC Section 9.40.120 as “Appeal of denial; suspension or revocation; Administrative appeal to the Safety, Wellness and Youth Committee; expedited review of free speech claim; automatic stay of enforcement.”

In both places, the title of RMC Section 9.40.120 should have simply read as, “Appeal.” As it currently stands, the online version of the Riverside Municipal Code lists the title of RMC Section 9.40.120 as “Appeal of denial.”

Thus, the title of RMC Section 9.40.120 should be amended to simply read as “Appeal.”

FISCAL IMPACT:

There is no fiscal impact associated with this report.

Prepared by:	Jacob Castrejon, Deputy City Attorney
Approved as to form:	Rebecca McKee-Reimbold, Interim City Attorney

Attachments:

1. Exhibit “A” – Proposed Ordinance
2. Presentation