

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA,
AMENDING RIVERSIDE MUNICIPAL CODE CHAPTER 9.60
ESTABLISHING LIABILITY FOR EXTRAORDINARY RESPONSES TO
CERTAIN EMERGENCY INCIDENTS AND DANGEROUS PROPERTIES

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

Section 1: Chapter 9.60 of the Riverside Municipal Code is hereby amended as follows:

Section 9.60.010	Findings.
Section 9.60.020	Authority and Purpose.
Section 9.60.030	Definitions.
Section 9.60.040	False Reports.
Section 9.60.050	Security and Safety Plan.
Section 9.60.060	Extraordinary City Service or Response Fee Liability.
Section 9.60.070	Payment of City's Costs and Penalties.
Section 9.60.080	Severability.

Section 2: Section 9.60.010 of the Riverside Municipal Code is hereby amended as follows:

“Section 9.60.010 Findings.

The City Council finds as follows:

- A. City of Riverside Police, Fire, Community and Economic Development Departments and Code Enforcement and Building and Safety Divisions provide normal services, to residents and business owners of the City, which are funded through taxes collected by the City and paid principally from the City's general fund or user fees.
- B. Departments are frequently called upon to provide services and respond to emergency incidents that exceeds what they normally provide or that are otherwise covered by user fees.
- C. Extraordinary services arise when Departments are called upon to respond to the same or similar incidents on multiple occasions or respond to certain emergency incidents, or dangerous properties and those services are not covered by a user fee.
- D. Residents and business owners abuse the services of the Departments when the Departments are forced to repeatedly respond to the same or similar incidents.

- 1 E. The false reporting of an emergency or of a criminal offense or fire officials responding
2 seven or more times to false medical alarms in a year to the same residence or business,
3 unreasonably diverts vital and critical public safety resources.
- 4 F. Owners and/or occupants of certain businesses and properties utilize a disproportionate
5 amount of public safety resources thereby diverting these critical resources from other parts
6 of the City.
- 7 G. Moreover, owners and/or occupants of certain businesses and properties require
8 extraordinary police services in response to criminal and/or nuisance activities associated
9 with the use and/or occupancy of the premises.
- 10 H. It is in the public interest for those who misuse police and fire resources by falsely reporting
11 an emergency or a criminal offense or who utilize a disproportionate amount of public
12 safety resources and require extraordinary police, fire, community and economic
13 development or code enforcement and building safety services or responses to be liable for
14 the costs incurred by the City.
- 15 I. Multiple responses by Code Enforcement to the same residence or business after issuance
16 of a Courtesy notice of violation and two citations for the same violation, is a drain on
17 limited public resources.
- 18 J. These extraordinary services are more than what the Riverside taxpayers expect and are
19 prepared to pay for.”

20 Section 3: Section 9.60.020 of the Riverside Municipal Code is hereby amended as follows:
21 **“Section 9.60.020 Authority and Purpose.**

22 This chapter is adopted pursuant to the authority granted in Article XI, Section 5(a) of the
23 California Constitution, Section 200 of the Riverside City Charter, and Section 53158 of the California
24 Government Code. The effective and efficient provision of public safety services including, police,
25 and community and economic development departments, code enforcement and building and safety
26 divisions, ambulance, and fire safety services is a "municipal affair" appropriate for regulation by the
27 City of Riverside.

28 This chapter is adopted for the purpose of recovering all of the costs expended in responding

1 to and investigating false reports of an emergency, nuisance, or of a criminal offense. This chapter is
2 further adopted for the purpose of holding owners and occupants of certain businesses and properties
3 responsible for the extraordinary police, fire, community and economic development departments,
4 code enforcement and building and safety division services or responses caused by dangerous
5 properties, emergency incidents or criminal and/or nuisance activities associated with these properties
6 and to deter or prevent future extraordinary police responses to these businesses or properties and the
7 diversion of critically-important public safety resources.”

8 Section 4: Section 9.60.030 of the Riverside Municipal Code is hereby amended as
9 follows:

10 **“Section 9.60.030 Definitions.**

11 The following definitions apply to this chapter:

12 *Community and Economic Development Departments:* Included in this chapter entail Code
13 Enforcement and Building and Safety Divisions.

14 *False report* means either:

- 15 1. A person reports to the City that an "emergency" exists, knowing that the report is false.
- 16 2. A person reports to a Riverside Police Officer or to the Riverside Police Department that a
17 felony or misdemeanor has been committed, knowing the report to be false.

18 *Emergency* means any condition that results in, or could result in, the response of a public
19 official in an authorized emergency vehicle or aircraft.

20 *Emergency incident* includes responding to: a hazardous material incident or emergency; an
21 illegal fire; a threat of harm to oneself or others; any person obstructing, removing, tampering with or
22 otherwise damaging any fire hydrant or city fire appliance; a structure demolition or utility line failure;
23 water rescue attempts; a bomb threat; or any other incident where emergency medical, public safety,
24 police, or community and economic development services are necessary.

25 *Emergency response* means the dispatch of one or more police officers to a business or property
26 for a disturbance at the property. A response to a security or fire alarm under Riverside Municipal
27 Code Chapters 5.58 or 5.59 does not constitute an "emergency response" under this chapter.

28 *Dangerous properties.* If a building or property is determined by the Building Official or Fire

1 Marshall to be uninhabitable or unoccupiable due to a dangerous condition existing on the property,
2 and the building and/or property is posted by the City as “Do Not Occupy,” “Do Not Enter,” or
3 equivalent, the property owner is liable for costs of emergency fire, medical, police, and public utility
4 responses to the property, including without limitation the expenses of fighting a fire, which are
5 determined by the Fire Chief, Police Chief, or Building Official to have been caused by or attributed
6 to, in whole or part, the dangerous condition. This section shall only apply if the City notified the
7 property owner of the dangerous condition prior to the response per the applicable code.

8 *Extraordinary police service or response* means any of the following:

- 9 1. The response of three (3) or more police officers and a supervisor to a single emergency
10 response; or
- 11 2. The second emergency response to the same business or property within a 30-day period;
12 or
- 13 3. The third emergency response to the same business or property within a 90-day period.

14 *Extraordinary fire service or response* means any of the following:

- 15 1. The response of fire/EMS crews to an Emergency Incident or Dangerous Properties;
- 16 2. The response of fire/EMS crews to five (5) or more false medical alarms within a one-year
17 period;
- 18 3. The response of fire/EMS crews to the same property or business four (4) or more times
19 within a 30-day period.

20 *"Extraordinary fire service or response"* refers to fire or emergency medical services (EMS)
21 activities that go beyond routine service levels due to frequency, hazard, or misuse of the emergency
22 system. This includes, but is not limited to, the following circumstances:

- 23 1. Emergency Incidents or Hazardous Properties
 - 24 ○ Responses involving significant emergency incidents or properties that pose ongoing,
25 unusual, or excessive risk to life, safety, or properties such as vacant structures with
26 repeated fire activity, known hazardous sites, or locations requiring specialized
27 operational resources.
- 28 2. Chronic False Medical Alarms

- Five (5) or more false or non-emergency medical alarm activations originating from the same property within a 12-month period.

- *Note:* A false medical alarm is defined as any activation of the emergency medical system where no actual medical emergency exists upon arrival, including accidental, unfounded, or knowingly improper calls for service.

3. Repeated Responses to the Same Location

- Five (5) or more emergency responses by fire or EMS personnel to the same property, address, or business within a 30-day period, excluding authorized activities. This includes responses for medical aid, fire alarms, hazardous conditions, or other service calls.

Extraordinary code services or responses means any of the following:

1. The response and issuance of a second or more administrative citation, for an identical violation(s) at the same business or property within a 90 day period.

Occupant means any individual person or business entity that occupies or controls the business or property at the time of the emergency response.

Owner means any individual person or business entity that has legal title to the business or property at the time of the emergency response.”

Section 5: Section 9.60.050 of the Riverside Municipal Code is hereby amended as follows:

“Section 9.60.050 Security and safety plan, or other remedial measures by the City.

A. Whenever the City provides an extraordinary service or response to a particular business or property, the City may provide the property owner or occupant with written notice specifying the emergency services provided during the extraordinary service response and, if available, the costs of the response, and may require the owner or occupant to provide the City a written plan for improving the security and safety of the property, or the operation of the business. The plan shall demonstrate in detail:

1. The specific, tangible methods detailing how the plan will be implemented;
2. A time line for implementation of the plan (if the plan cannot be immediately implemented);

3. A good faith analysis by the owner/occupant setting forth how the specific methods to be implemented will reduce those situations necessitating an emergency response; and
4. A statement by the owner/occupant that he/she is committed to implementing the plan.

The plan shall be submitted to the City no later than 14 calendar days after receipt of the notice.

- A. The City shall review the proposed plan and determine if it adequately addresses the public safety and security issues which have led to the emergency responses. If the City determines that the plan adequately addresses the public safety and security issues, the City shall approve the plan, and notify the owner/occupant to immediately implement the plan.
- B. If the City determines that the proposed plan does not adequately address the security and safety issues, or if no plan is received, the City shall develop a plan to address public safety and security issues. The plan may include any reasonable changes in the design or operation of the property or business, including the requirement for provision of private security at no cost to the City of Riverside. The City shall notify the owner or occupant of the plan and shall specify a reasonable deadline for compliance.
- C. The City may also require that the owner and/or occupant execute a trespass arrest authorization form pursuant to Riverside Municipal Code Section 9.04.300 G to assist the Riverside Police Department in arresting all persons loitering on the property and not patronizing the businesses located thereon. The City may further require that the owner and/or occupant erect one or more signs conspicuously posted at every walkway and driveway entering the property or as otherwise directed by the City. The sign shall state in substantial form as follows:

WARNING
NO LOITERING PERMITTED
BUSINESS PATRONS ONLY
Violators Subject to Arrest
(CPC 602/RMC 9.04.300)”

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1 Section 6: Section 9.60.060 of the Riverside Municipal Code is hereby amended as
2 follows:

3 **“Section 9.60.060 Extraordinary City service or response fee liability.**

4 A. The owner and/or occupant of the business or property shall be liable for the cost of the
5 extraordinary police, fire, community and economic development, code enforcement, or
6 building and safety division service or response.

7 B. “Assessable costs” means the direct and reasonable costs incurred in connection with a
8 response to a public safety or fire emergency incident within the City.

9 (1) Assessable costs include all, but are not limited to:

10 a. Salaries, wages, or fringe benefits of the City personnel responding to the
11 incident;

12 b. Salaries, wages, or fringe benefits of the City personnel engaged in the
13 investigation, supervision and report preparation regarding the incident;

14 c. Salaries, wages, or fringe benefits of the personnel of assisting governmental
15 agencies or any other private or public entities operating at the request,
16 direction, or on behalf of the City in response to the incident.

17 C. The failure of an owner or occupant to implement and/or abide by the plan approved
18 by the City under Riverside Municipal Code Section 9.60.050, shall render the owner and
19 occupants of the property jointly and severally liable for the actual cost of providing the
20 extraordinary City service incurred in the future, until the owner or occupant implements
21 and/or abides by the plan.

22 D. The cost of the extraordinary police, fire, community and economic development, code
23 enforcement, and building and safety service or response shall be calculated based upon
24 the actual costs, both direct and indirect, of providing the extraordinary City service or
25 response and shall be billed to the owner and/or occupants of the business or property.

26 E. Any person whose negligence causes an incident resulting in an emergency response
27 necessary to protect the public from a real and imminent threat to health and safety to
28 confine, prevent, or mitigate the release escape, or burning of hazardous substances shall

1 be liable for all expenses incurred to the extent permissible under California Health and
2 Safety Code Section 13009.6.

3 F. An owner or occupant shall not be liable under this section if that person was not the
4 owner or occupant of the property during the time the extraordinary City service was
5 rendered.

6 G. An owner or occupant who is an individual person and is the victim of a crime shall
7 not be liable for the extraordinary City service or response related to that crime.

8 H. Any violation of this chapter is civil, not criminal, and is in addition to any other
9 available remedy provided by law, including administrative citations and penalties.”

10 Section 7: The City Council has reviewed the matter and, based upon the facts and
11 information contained in the staff reports, administrative record, and written and oral testimony,
12 hereby finds that this ordinance is not subject to CEQA pursuant to Section 15061(b)(3) (General
13 Rule), as it can be seen with certainty that approval of the project will not have an effect on the
14 environment.

15 Section 8: The City Clerk shall certify to the adoption of this ordinance and cause publication
16 once in a newspaper of general circulation in accordance with Section 414 of the Charter of the City
17 of Riverside. This ordinance shall become effective on the 30th day after the date of its adoption.

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

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PATRICIA LOCK DAWSON
Mayor of the City of Riverside

22 Attest:

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DONESIA GAUSE
City Clerk of the City of Riverside

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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.

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DONESIA GAUSE
City Clerk of the City of Riverside

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