

ORDINANCE NO. 7708

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA, 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 MORE UNIFORM APPEAL PROCEDURE FOR VARIOUS TYPES OF BUSINESSES AND THEIR PERMITS, AS WELL AS THE EXTRAORDINARY POLICE RESPONSE BILL PROCESS PURSUANT TO CHAPTER 9.60. WITH AMENDMENTS THERETO.

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

Section 1: The Table of Contents for Chapter 1.17 of the Riverside Municipal Code entitled "Administrative Code Enforcement Remedies" is hereby amended to read as follows:

"Chapter 1.17 – Administrative Code Enforcement Remedies

Sections:

1.17.005 Statement of purpose and intent.

...

1.17.120 Procedure for requesting an administrative appeal hearing.

1.17.121 Appeal procedure for Riverside Police Department review of business permits.

1.17.130 General procedures for all administrative hearings.

...

1.17.390 Failure to comply with an Administrative Civil Penalties Enforcement Order; alternative remedies.

1.17.400 Appeal of extraordinary police response bill.

1.17.410 Extraordinary police response bill appeal hearing procedures.

1.17.420 Extraordinary police response bill appeal ruling.

1.17.430 Judicial review of extraordinary police response bill appeal ruling."

1 Section 2: Section 1.17.121 of the Riverside Municipal Code is hereby added
2 as follows:

3 **“Section 1.17.121 Appeal procedure for Riverside Police Department review of**
4 **business permits.**

- 5 A. Absent any contradictory procedure, the following appeal procedure applies to all
6 appeals from the Riverside Police Department’s review of business permits referred
7 to in the following Chapters of this Code: (1) Chapter 5.28, (2) Chapter 5.40, (3)
8 Chapter 5.52, (4) Chapter 5.80, (5) Chapter 5.90, (6) Chapter 5.95, (7) Chapter 6.24,
9 (8) Chapter 9.40, and (9) Chapter 9.42.
- 10 B. An appeal of the Chief of Police’s decision to deny, revoke, or suspend a permit
11 must be filed with the City Clerk, in writing, within ten calendar days after denial
12 of the application, revocation of the permit, or suspension of the permit has been
13 served. The appeal shall clearly state the applicable basis for the appeal. The City
14 Manager shall cause the matter to be set for a hearing before an Administrative
15 Hearing Officer to hear such matters.
- 16 C. The scope of the appeal hearing pursuant to this section and the Chapters listed in
17 subsection A shall be limited to those issues raised by the appellant in the written
18 appeal, as submitted pursuant to subsection B above.
- 19 D. Should an appeal of a denial, revocation, or suspension of a permit be timely filed,
20 the denial, revocation, or suspension of the permit shall be stayed pending a
21 determination by an Administrative Hearing Officer after an administrative
22 hearing.
- 23 E. Notice of the date of hearing shall be given in writing. The date of the hearing shall
24 be no sooner than ten days from the date when the notice of hearing is served on
25 the appellant.

1 F. At the time fixed in the notice of hearing, the Administrative Hearing Officer shall
2 review all relevant evidence and hear the testimony of all competent persons
3 desiring to testify respecting the incident or alleged violation.

4 G. The general evidentiary procedures for all administrative hearings shall be
5 governed by Chapter 1.17.130. However, evidence shall include, but is not limited
6 to, police reports, criminal citations, photographs, videos, audio recordings, and the
7 like.

8 H. At the conclusion of the hearing, the Administrative Hearing Officer shall
9 determine whether the appellant violated the applicable Chapter from the list in
10 subsection A, or any other relevant law, statute, or code. If the Administrative
11 Hearing Officer concludes the appellant was in violation of the law, the
12 Administrative Hearing Officer shall uphold the denial of the application, revoke
13 the permit, or suspend the permit.

14 I. The decision of the Administrative Hearing Officer on the determination of a
15 violation of the Riverside Municipal Code or other relevant law is final. Any appeal
16 of the Administrative Hearing Officer's decision shall be governed by California
17 Code of Civil Procedure section 1094.6 or such section as may be amended from
18 time to time.

19 J. Any withdrawal of an appeal or the surrender of the permit will be deemed a
20 revocation of that permit."

21 Section 3: Section 1.17.400 of the Riverside Municipal Code is hereby added
22 as follows:

23 **"Section 1.17.400 Appeal of extraordinary police response bill.**

24
25 A. Absent any contradictory procedure, the following appeal procedure applies to all
26 appeals of a bill for the cost of extraordinary police services or responses, issued
27 pursuant to Chapter 9.60 of this Code.
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1 B. An appeal of an extraordinary police response bill must be filed with the City Clerk,
2 in writing, within 30 calendar days of the invoice date on the extraordinary police
3 response bill. The appeal shall clearly state the applicable basis for the appeal. The
4 City Attorney's Office shall cause the matter to be set for an appeal hearing before
5 an Administrative Hearing Officer to hear such matters.

6 C. The person requesting the appeal hearing shall be notified of the time and place for
7 the hearing at least ten days prior to the date of the hearing.

8 D. Any withdrawal of an appeal will be deemed a forfeiture of the invoice fine."

9 Section 4: Section 1.17.410 of the Riverside Municipal Code is hereby added
10 as follows:

11 **"Section 1.17.410 Extraordinary police response bill appeal hearing procedures.**

12 A. An appeal hearing before the Administrative Hearing Officer shall be set for a date
13 that is not less than 15 days and not more than 60 days from the date that the request
14 for hearing is filed.

15 B. The scope of the appeal hearing shall be limited to those issues raised by the
16 appellant in the written appeal, as submitted pursuant to Section 1.17.400(B).

17 C. At the appeal hearing, the party contesting the extraordinary police response bill
18 shall be given the opportunity to testify and to present evidence concerning the
19 extraordinary police response bill.

20 D. The Administrative Hearing Officer shall review all relevant evidence and hear the
21 testimony of all competent persons desiring to testify.

22 E. The failure of any responsible party who is subject to an extraordinary police
23 response bill to appear at the appeal hearing shall constitute a forfeiture of the
24 invoice fine and a failure to exhaust administrative remedies.

25 F. The general evidentiary procedures for all administrative hearings shall be
26 governed by Chapter 1.17.130. However, evidence shall include, but is not limited
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1 to, police reports, criminal citations, photographs, videos, audio recordings, and the
2 like.

3 G. The extraordinary police response bill and any additional report submitted by the
4 City Attorney's Office shall constitute prima facie evidence of the respective facts
5 contained in those documents.

6 H. The Administrative Hearing Officer may continue the appeal hearing and request
7 additional information from the City Attorney's Office or the recipient of the
8 extraordinary police response bill prior to issuing a written decision."

9 Section 5: Section 1.17.420 of the Riverside Municipal Code is hereby added
10 as follows:

11 **"Section 1.17.420 Extraordinary police response bill appeal ruling.**

12 A. After considering all of the testimony and evidence submitted at the appeal hearing,
13 the Administrative Hearing Officer shall issue a written decision to uphold or
14 cancel the extraordinary police response bill and shall list in the decision the reasons
15 for that decision.

16 B. If the Administrative Hearing Officer determines that the extraordinary police
17 response bill should be upheld, then the amount of the fine set forth in the invoice
18 shall not be reduced or waived for any reason.

19 C. If the Administrative Hearing Officer determines that the extraordinary police
20 response bill should be upheld, then any fine amount on deposit with the City shall
21 be retained by the City.

22 D. If the Administrative Hearing Officer determines that the extraordinary police
23 response bill should be canceled and a fine was deposited with the City, then the
24 City shall promptly refund the amount of the deposited fine, together with interest
25 at the average rate earned on the City's portfolio for the period of time that the fine
26 amount was held by the City.
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1 E. The recipient of the extraordinary police response bill shall be served with a copy
2 of the Administrative Hearing Officer's written decision.

3 F. The Administrative Hearing Officer's written decision shall become final on the
4 date of mailing of the notice of decision."

5 Section 6: Section 1.17.430 of the Riverside Municipal Code is hereby added
6 as follows:

7 **"Section 1.17.430 Judicial review of extraordinary police response bill appeal ruling.**

8 Once the Administrative Hearing Officer's written decision becomes final as provided in
9 this chapter, the time in which judicial review must be sought shall be governed by
10 California Government Code section 53069.4, as that section may be amended from time
11 to time, or the successor provision thereto."

12 Section 7: The Table of Contents for Chapter 5.28 of the Riverside Municipal
13 Code entitled "Poolrooms" is hereby amended to read as follows:

14 **"Chapter 5.28 – Poolrooms**

15 **Sections:**

16 **5.28.010 Purpose.**

17 ...

18 **5.28.040 Permit procedures.**

19 **5.28.050 Appeal.**

20 **5.28.060 Term of permit—Renewal.**

21 ...

22 **5.28.150 Severability."**

23 Section 8: Section 5.28.050 of the Riverside Municipal Code is hereby
24 amended as follows:
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1 **"Section 5.28.050 Appeal.**

2 A denial or revocation of a permit may be appealed as set forth in Section 1.17.121 of
3 this Code."

4 Section 9: Section 5.28.140 of the Riverside Municipal Code is hereby
5 amended as follows:

6 **"Section 5.28.140 Revocation of permit.**

7 The Chief of Police shall revoke any permit issued if it reasonably appears that after
8 investigation, any of the grounds set forth in Section 5.28.040(A) have been violated or the
9 existence of the business has become a public nuisance as defined under the various
10 applicable laws of this State to such a degree which impairs the peace, health or morals of
11 the surrounding business or residential community. To revoke a permit, the Chief of Police
12 shall serve upon the holder thereof, either by personal service or certified mail sent to the
13 address shown on the application or otherwise more recently of record, a written notice
14 that the permit has been revoked effective five days after service or date of mailing of such
15 notice, and stating the grounds thereof, and advising of the procedures for the appeal of
16 such revocation." A revocation of a permit may be appealed as set forth above in Section
17 5.28.050.

18 Section 10: Section 5.40.090 of the Riverside Municipal Code is hereby
19 amended as follows:

20 **"Section 5.40.090 Appeal from denial or revocation of vehicle for hire or animal-
21 drawn vehicle permit.**

22 A denial or revocation of a vehicle for hire or animal-drawn permit may be appealed as set
23 forth in Section 1.17.121 of this Code."

24 Section 11: Section 5.40.185 of the Riverside Municipal Code is hereby
25 amended as follows:

26 **"Section 5.40.185 Appeal from denial or revocation of driver's permit.**

1 A denial or revocation of a driver's permit may be appealed as set forth in Section 1.17.121
2 of this Code."

3 Section 12: Section 5.40.310 of the Riverside Municipal Code is hereby
4 amended as follows:

5 **"Section 5.40.310 Fines for noncompliance with standards.**

6 C. *Appeal.* If a permit holder or franchisee objects to the imposition of a fine pursuant
7 to this section, the imposition of the fine may be appealed as set forth in Section
8 1.17.121 of this Code.

9 D. *Payment following appeal.* If the permit holder or franchisee has appealed the
10 imposition of the fine in a timely manner, and if an Administrative Hearing Officer
11 upholds the imposition of the fine following a hearing thereon, the permit holder or
12 franchisee shall pay the fine to the City within 15 days following the rendering of
13 the decision."

14 Section 13: Section 5.52.050(B) of the Riverside Municipal Code is hereby
15 amended as follows:

16 **"Section 5.52.050 Refusal to issue massage establishment permit.**

17 B. Denial of a massage establishment permit shall be given to the applicant in writing
18 and shall specify the grounds for such denial. Notice of the denial shall be deemed
19 to have been served upon personal service or when deposited in the United States
20 Mail with postage prepaid and addressed to the applicant at the address listed on
21 the application. Such refusal to issue a permit may be appealed as set forth below
22 in Section 5.52.140."

23 Section 14: Section 5.52.130 of the Riverside Municipal Code is hereby
24 amended as follows:

25 **"Section 5.52.130 Revocation.**

1 A. Subject to the procedures set forth in this section, the Chief of Police may revoke
2 or suspend a massage establishment permit issued pursuant to this chapter
3 whenever any of the following has occurred:

4 ...

5 C. Any massage establishment permit may be revoked or suspended by the Chief of
6 Police upon determination that the holder of the permit has directly or indirectly
7 allowed or has violated any regulation set forth in this chapter. To revoke or
8 suspend a massage establishment permit, the Chief of Police shall serve upon the
9 holder thereof, either by personal service or by United States Mail sent to the last
10 known address, a written notice that said permit shall be revoked or suspended on
11 the tenth day from the date of said notice. If, however, the permit holder files a
12 timely request for a hearing as set forth in Section 5.52.140 below, the revocation
13 or suspension of the permit shall be stayed pending a determination by an
14 Administrative Hearing Officer after an administrative hearing.

15 D. A revoked permit shall be immediately surrendered to the Chief of Police.”

16 Section 15: Section 5.52.140 of the Riverside Municipal Code is hereby
17 amended as follows:

18 **“Section 5.52.140 Appeal.**

19 A. A denial, revocation, or suspension of a massage establishment permit may be
20 appealed as set forth in Section 1.17.121 of this Code.”

21 Section 16: The Table of Contents for Chapter 5.80 of the Riverside Municipal
22 Code entitled “Entertainment Permit” is hereby amended to read as follows:

23 **“Chapter 5.80 – Entertainment Permit**

24 **Sections:**

25 **5.80.010 Purpose and intent.**

26 ...

27 **5.80.110 Fees.**

1 **5.80.120 Appeal.**

2 **5.80.130 Violation—Penalty.**

3 **5.80.140 Severability.”**

4 Section 17: Section 5.80.120 of the Riverside Municipal Code is hereby
5 amended as follows:

6 **“Section 5.80.120 Appeal.**

7 A. A denial, revocation, or suspension of an entertainment permit may be appealed as
8 set forth in Section 1.17.121 of this Code.”

9 Section 18: Section 5.90.060 of the Riverside Municipal Code is hereby
10 amended as follows:

11 **“Section 5.90.060 Pawnshop and secondhand dealer establishment permit required.**

12 A. No person shall own, operate, or manage any pawnshop establishment in any
13 location within the city without first having obtained a pawnshop business
14 establishment permit from the chief of police. No person shall own, operate, or
15 manage any secondhand dealer establishment in any location within the city without
16 first having obtained a secondhand dealer establishment permit from the chief of
17 police.

18 ...

19 E. Each permit issued under this section shall expire two years from the date of
20 issuance.

21 F. An unrevoked permit may be renewed for two years by filing, under penalty of
22 perjury, a written application on forms provided by and submitted to the chief of
23 police. The renewal fees accompanied with the application may be established by
24 resolution of the city council.

25 ...”

26 Section 19: Section 5.90.070(B) of the Riverside Municipal Code is hereby
27 amended as follows:

1 **"Section 5.90.070 Refusal to issue a pawnshop or secondhand dealer establishment**
2 **permit.**

3 B. Denial of a pawnbroker or secondhand dealer establishment permit shall be given
4 to the applicant in writing and shall specify the grounds for such denial. Notice of
5 the denial shall be deemed to have been served upon personal service or when
6 deposited in the United States Mail with postage prepaid and addresses to the
7 applicant at the address listed on the application." Such refusal to issue a permit
8 may be appealed as set forth below in Section 5.90.140.

9 Section 20: Section 5.90.130(C) of the Riverside Municipal Code is hereby
10 amended as follows:

11 **"Section 5.90.130 Revocation of a pawnshop or secondhand dealer establishment**
12 **permit.**

13 C. To revoke an establishment permit, the chief of police shall serve upon the holder
14 thereof, either by personal service or by United States Mail sent to address(es) listed
15 on the establishment permit application, a written notice that said permit shall be
16 revoked on a date specified in said notice. The cause or causes for revocation may
17 be appealed as set forth below in Section 5.90.140. All pawning and secondhand
18 dealing or work activity by an employee shall cease following issuance of the notice
19 of revocation and no activity for which the permit is required shall be conducted."

20 Section 21: Section 5.90.140 of the Riverside Municipal Code is hereby
21 amended as follows:

22 **"Section 5.90.140 Appeal.**

23 A. A denial or revocation of a pawnbroker or secondhand dealer establishment permit
24 may be appealed as set forth in Section 1.17.121 of this Code."

25 Section 22: Section 5.95.120 of the Riverside Municipal Code is hereby
26 amended as follows:

27 **"Section 5.95.120 Suspension or revocation of firearm dealer's license.**
28

1 A. Subject to the procedures set forth in this section, the Chief of Police may revoke
2 or suspend a firearm dealer's license issued pursuant to this chapter whenever any
3 of the following has occurred:

- 4 1. The holder of a firearm dealer's license is acting in a manner contrary to, or
5 has violated, any of the provisions of this Code or other applicable state or
6 federal statutes.
- 7 2. The holder of a firearm dealer's license is acting in a manner that constitutes
8 a public nuisance.
- 9 3. The holder of a firearm dealer's license is acting in a manner that is
10 detrimental to the health, safety or welfare of the city or its inhabitants.
- 11 4. The holder of a firearm dealer's license or their officers, employees or
12 agents has violated any laws in connection with the operation of this
13 business or failed to cooperate with the Riverside Police Department.
- 14 5. Upon any circumstances constituting a ground for denial of a permit set
15 forth in this chapter.

16 ...

17 C. Any firearm dealer's license may be revoked or suspended by the Chief of Police
18 upon determination that the holder of said license has directly or indirectly allowed
19 or has violated any regulation set forth in this chapter or state/federal law. To revoke
20 or suspend a firearm dealer's license, the Chief of Police shall serve upon the holder
21 thereof, either by personal service or by United States Mail sent to the last known
22 address, a written notice that said license shall be revoked or suspended on the tenth
23 day from the date of said notice. If, however, the license holder files a timely request
24 for a hearing as set forth below in Section 5.95.130, the revocation or suspension
25 of the license shall be stayed pending a determination by an Administrative Hearing
26 Officer at the hearing. Failure to timely request a hearing shall deem the firearm
27 dealer's license revoked.

1 D. A revoked license shall be immediately surrendered to the Chief of Police.”

2 Section 23: Section 5.95.130 of the Riverside Municipal Code is hereby
3 amended as follows:

4 **“Section 5.95.130 Appeal.**

5 A. A denial, revocation, or suspension of a firearm dealer’s license may be appealed
6 as set forth in Section 1.17.121 of this Code.”

7 Section 24: Section 6.24.120 of the Riverside Municipal Code is hereby
8 amended as follows:

9 **“Section 6.24.120 Suspension or revocation of tobacco retail establishment permit.**

10 A. Subject to the procedures set forth in this section, the Chief of Police may revoke
11 or suspend a tobacco retail establishment permit issued pursuant to this chapter
12 whenever any of the following has occurred:

13 ...

14 C. Any tobacco retail establishment Permit may be revoked or suspended by the Chief
15 of Police upon determination that the holder of said permit has directly or indirectly
16 allowed or has violated any regulation set forth in this chapter or state law. To revoke
17 or suspend a tobacco retail establishment permit, the Chief of Police shall serve upon
18 the holder thereof, either by personal service or by United States Mail sent to the last
19 known address, a written notice that said permit shall be revoked or suspended on the
20 tenth day from the date of said notice. If, however, the permit holder files a timely
21 request for a hearing as set forth below in Section 6.24.130, the revocation or
22 suspension of the permit shall be stayed pending a determination by an Administrative
23 Hearing Officer at the hearing. Failure to timely request a hearing shall deem the
24 tobacco retail establishment permit revoked.

25 D. A revoked permit shall be immediately surrendered to the Chief of Police.

26 E. *New permit after revocation.*
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- 1 1. After revocation for a first permit violation of this chapter at a location
2 within any 60-month period, no new permit may be issued for the location
3 until ten days have passed from the date of the revocation.
- 4 2. After revocation for a second violation of this chapter at a location within
5 any 60-month period, no new permit may be issued for the location until 30
6 days have passed from the date of the last revocation.
- 7 3. After revocation for a third violation of this chapter at a location within any
8 60-month period, no new permit may be issued for the location until 90 days
9 have passed from the date of the last revocation.
- 10 4. After revocation for a fourth or subsequent violation of this chapter at a
11 location within any 60-month period, no new permit may be issued for the
12 location until five years have passed from the date of revocation.

13 F. *Revocation of permit issued in error.* A tobacco retail establishment permit shall be
14 revoked if the Department finds, after the permit holder is afforded a reasonable
15 notice and opportunity to be heard, that one or more of the basis for denial of a
16 permit under Section 6.24.050 existed at the time application was made or at any
17 time before the permit was issued. The revocation shall be without prejudice to the
18 filing of a new permit application.”

19 Section 25: Section 6.24.130 of the Riverside Municipal Code is hereby
20 amended as follows:

21 **“Section 6.24.130 Appeal.**

22 A. A denial, revocation, or suspension of a tobacco retail establishment permit may be
23 appealed as set forth in Section 1.17.121 of this Code.”

24 Section 26: The Table of Contents for Chapter 9.40 of the Riverside Municipal
25 Code entitled “Adult-Oriented Businesses” is hereby amended to read as follows:

26 **“Chapter 9.40 – Adult-Oriented Businesses**

27 **Sections:**

1 **9.40.010 Legislative Purpose**

2 ...

3 **9.40.110 Suspension or revocation of adult-oriented business regulatory permits**
4 **and adult-oriented business performer permits.**

5 **9.40.120 Appeal of denial.**

6 **9.40.130 Adult-oriented business development and performance standards.**

7 ...

8 **9.40.200 Severability.”**

9 Section 27: Section 9.40.110 of the Riverside Municipal Code is hereby
10 amended as follows:

11 **“Section 9.40.110 Suspension or revocation of adult-oriented business regulatory**
12 **permits and adult-oriented business performer permits.**

13 An adult-oriented business regulatory permit or adult-oriented business employee permit
14 may be suspended or revoked in accordance with the procedures and standards of this
15 section.

16 A. On determining that grounds for permit revocation exist, the Police Chief shall
17 furnish written notice of the proposed suspension or revocation to the permittee.
18 Such notice shall set forth the ground or grounds upon which the suspension or
19 revocation is based, the pertinent Code sections, and a brief statement of the factual
20 matters in support thereof. The notice shall be mailed, postage prepaid, addressed
21 to the last known address of the permittee, or shall be delivered to the permittee
22 personally or to the person effectively in control of the adult-oriented business at
23 the time of delivery.

24 1.

25 B. A permittee may be subject to suspension or revocation of his permit, or be subject
26 to other appropriate disciplinary action, for any of the following causes arising from

1 the acts or omissions of the permittee, or an employee, agent, partner, director,
2 stockholder, or manager of an adult-oriented business:

3 1. The permittee has knowingly made any false, misleading or fraudulent
4 statement of material facts in the application for a permit, or in any report
5 or record required to be filed with the City.

6 2. The permittee, employee, agent, partner, director, stockholder, or manager
7 of an adult-oriented business has knowingly allowed or permitted, and has
8 failed to make a reasonable effort to prevent the occurrence of any of the
9 following on the premises of the adult-oriented business, or in the case of
10 an adult-oriented business performer, the permittee has engaged in one of
11 the activities described below while on the premises of an adult-oriented
12 business:

13 a. Any act of unlawful sexual intercourse, sodomy, oral copulation,
14 or masturbation.

15 b. Use of the establishment as a place where unlawful solicitations
16 for sexual intercourse, sodomy, oral copulation, or masturbation
17 openly occur.

18 c. Any conduct constituting a criminal offense which requires
19 registration under Section 290 of the California Penal Code.

20 d. The occurrence of acts of lewdness, assignation, or prostitution,
21 including any conduct constituting violations of Sections 315,
22 316, or 318 or Subdivision b of Section 647 of the California Penal
23 Code.

24 e. Any act constituting a violation of provisions in the California
25 Penal Code relating to obscene matter or distribution of harmful
26 matter to minors, including but not limited to Sections 311 through
27 313.4.
28

1 f. Any conduct prohibited by this chapter, including, but not limited
2 to, allowing any person to engage in or participate in any live
3 performance depicting specified anatomical areas or involving
4 specified sexual activities in an adult-oriented business, without a
5 valid performer permit pursuant to Section 9.40.090.

6 3. Failure to abide by any disciplinary action previously imposed by an
7 appropriate City official.

8 C. If the Police Chief finds and determines that there are grounds for disciplinary
9 action, based upon the severity of the violation, the Police Chief shall impose one
10 of the following:

11 1. A warning.

12 2. Suspension of the permit for a specified period not to exceed six months.

13 3. Revocation of the permit.

14 Section 28: Section 9.40.120 of the Riverside Municipal Code is hereby
15 amended as follows:

16 **“Section 9.40.120 Appeal of denial; suspension or revocation; Administrative appeal**
17 **to the Safety, Wellness and Youth Committee; expedited review of free speech claim;**
18 **automatic stay of enforcement.**

19 A. A denial of an application for an adult-oriented business permit, a denial of a
20 permit’s renewal, a suspension of a permit, or a revocation of a permit may be
21 appealed as set forth in Section 1.17.121 of this Code.

22 Section 29: The Table of Contents for Chapter 9.42 of the Riverside Municipal
23 Code entitled “Fortunetelling and Occult Arts” is hereby amended to read as follows:

24 **“Chapter 9.42 – Fortunetelling and Occult Arts**

25 **Sections:**

26 **9.42.010 Definitions.**

27 ...

1 **9.42.060 Notification of change.**

2

3 **9.42.070 Refusal to issue license.**

4 ...

5 **9.42.115 Severability.”**

6 Section 30: Section 9.42.035 of the Riverside Municipal Code is hereby
7 amended as follows:

8 **“Section 9.42.035 License application and renewal: fees.**

9 An application for a license to practice fortunetelling and occult arts shall be made to a
10 duly authorized representative of the Chief of Police under penalty of perjury on forms
11 provided by the Chief of Police.

12 Fees are not refundable in the event such application is denied.

13 Licenses and fees required under this chapter shall be in addition to any license, permit or
14 fee required under any other chapter of this Code.

15 Each permit issued under this section shall expire one year from the date of issuance.

16 The Chief of Police shall complete an investigation of the qualifications and moral
17 character of the applicant and either grant or deny the permit within 90 days after the
18 submission of the completed application; provided, however, if good cause exists, the Chief
19 of Police may extend the period of investigation for an additional 30 days, provided the
20 applicant is mailed notification or verbally notified that the investigation has not been
21 completed.”

22 Section 31: Section 9.42.065 of the Riverside Municipal Code is hereby deleted.

23 Section 32: Section 9.42.080 of the Riverside Municipal Code is hereby
24 amended as follows:

25 **“Section 9.42.080 Appeal.**

26 A denial of an application or revocation of a license may be appealed as set forth in Section
27 1.17.121 of this Code.”

28

1 Section 33: The Table of Contents for Chapter 9.60 of the Riverside Municipal
2 Code entitled "Liability for False Report of an Emergency or of a Criminal Offense and
3 for Extraordinary Police Services or Responses" is hereby amended to read as follows:

4 **"Chapter 9.60 – Liability for False Report of an Emergency or of a Criminal Offense
5 and for Extraordinary Police Services or Responses**

6 **Sections:**

7 **9.60.010 Findings.**

8 ...

9 **9.60.070 Payment of City's costs and penalties.**

10 **9.60.080 Appeal.**

11 **9.60.090 Severability."**

12 Section 34: Section 9.60.080 of the Riverside Municipal Code is hereby added
13 as follows:

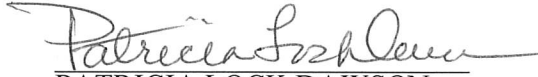
14 **"Section 9.60.080 Appeal.**

15 A bill for the cost of the extraordinary police service or response may be appealed as set
16 forth in Section 1.17.400 et seq."

17 Section 35: The City Council has reviewed the matter and, based upon the facts
18 and information contained in the staff reports, administrative record, and written and oral
19 testimony, hereby finds that this ordinance is not subject to CEQA pursuant to Sections
20 15060(c)(2), 15060(c)(3) and/or 15061(b)(3) of the State CEQA Guidelines, California
21 Code of Regulations, Title 14, Chapter 3, in that it will not result in a direct or reasonably
22 foreseeable indirect physical change in the environment nor have a significant impact on
23 the environment.

24 Section 36: The City Clerk shall certify to the adoption of this ordinance and
25 cause publication once in a newspaper of general circulation in accordance with Section
26 414 of the Charter of the City of Riverside. This ordinance shall become effective on the
27 30th day after the date of its adoption.
28

ADOPTED by the City Council this 25th day of March, 2025.


PATRICIA LOCK DAWSON
Mayor of the City of Riverside

Attest:



DONESIA GAUSE
City Clerk of the City of Riverside

I, Donesia Gause, 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 4th day of March, 2025, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the 25th day of March, 2025, by the following vote, to wit:

Ayes: Falcone, Cervantes, Robillard, Conder, Mill, Perry, and Hemenway

Noes:

Absent:

Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 26th day of March, 2025.



DONESIA GAUSE
City Clerk of the City of Riverside

24-0232 JJC 02/04/25