

ORDINANCE NO. 2718

AN ORDINANCE OF THE CITY OF REDLANDS AMENDING, DELETING AND ADDING PORTIONS OF CHAPTERS 1.06, 1.08, 1.22, 2.08, 2.14, 3.40, 5.08, 5.20, 5.28, 5.40, 5.44, 5.56, 5.60, 5.64, 6.04, 8.04, 8.48, 8.64, 10.40, 10.44, 15.04, AND 15.24. OF THE REDLANDS MUNICIPAL CODE RELATING TO APPEALS, ADMINISTRATION AND PERSONNEL, REVENUE AND FINANCE, BUSINESS TAXES, LICENSES AND REGULATIONS, ANIMALS; HEALTH AND SAFETY, VEHICLES AND TRAFFIC, AND BUILDINGS AND CONSTRUCTION

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS FOLLOWS:

Section 1. Section 1.06.075 of the Redlands Municipal Code relating to appeals is hereby added to read as follows:

“Section 1.06.075 Withdrawal of Appeals. No appeal may be withdrawn without the prior consent of the City of Redlands.”

Section 2. Section 1.08.010 of the Redlands Municipal Code relating to the designation of the City seal is hereby amended to read as follows:

“Section 1.08.010 Designated. The official seal of the City of Redlands shall be in the form of a die approximately two inches in diameter. The form of the die shall be two circles, one inside the other. Within the smaller circle shall be imprinted the words “Incorporated 1888,” and within the larger circle and outside the limits of the inner circle shall be imprinted the words ‘City of Redlands California.’”

Section 3. Section 1.22.030 of the Redlands Municipal Code relating to the issuance of administrative citations is hereby amended to read as follows:

“Section 1.22.030(A) Authority to Issue Citations.

A. An enforcement officer may issue an administrative citation to any person violating any provision of this Code. When a violation pertains to building, plumbing, electrical or other similar structural or zoning violation that does not create an immediate danger to health or safety, the enforcement officer shall provide at least ten (10) days to correct or remedy the violation.”

Section 4. Section 1.22.060 of the Redlands Municipal Code relating to administrative citation fines is hereby amended to read as follows:

“Section 1.22.060 Fines.

A. Any violation of this Code that is punishable as an infraction shall be subject to a fine in the following amounts:

1. A fine not exceeding one hundred dollars (\$100.00) per Code provision violated for the first administrative citation;
2. A fine not exceeding two hundred dollars (\$200.00) per Code provision violated for a second administrative citation for violation of the same Code provision issued within a twelve (12) month period; and
3. A fine not exceeding five hundred dollars (\$500.00) per Code provision violated in any subsequent administrative citation issued for violation of the same Code provision within a twelve (12) month period.

B. Any violation of this Code that is punishable as a misdemeanor shall be subject to a fine not to exceed one thousand dollars (\$1,000.00) per code provision violated.”

Section 5. Section 1.22.070(A) of the Redlands Municipal Code relating to administrative citations is hereby amended to read as follows:

“A. Upon receipt of an administrative citation, the responsible person must pay the fine to the City within fifteen (15) days of issuance (subject to subsection 1.22.050A2 of this Chapter), or pay the fine and file an appeal pursuant to section 1.22.080 of this Chapter.”

Section 6. Section 2.08.010 of the Redlands Municipal Code relating to the duties of the Finance Director is hereby amended to read as follows:

“Section 2.08.010 Office Established. The office of Finance Director of the City is hereby established. The Finance Director shall be appointed by the City Manager.”

Section 7. Section 2.14.010 of the Redlands Municipal Code relating to the Police Department is hereby amended to read as follows:

“Section 2.14.010 Rules For Government. The Chief of Police shall establish rules and regulations for the government of the Police Department of the City. Such rules and regulations shall be reviewed annually by the Chief of Police, with the City Attorneys’ Office’s assistance, for compliance with applicable law. The Chief of Police, when establishing such rules and regulations, may utilize a service or agency that provides model rules and regulations for California police departments.”

Section 8. Chapter 3.40 of the Redlands Municipal Code relating to the establishment of a Special Gas Tax Street Improvement Fund is hereby deleted in its entirety.

Section 9. Section 5.08.125 of the Redlands Municipal Code relating to the minimum time period for a professional license is hereby amended to read as follows:

“Section 5.08.125 Six Month Minimum. No license fee shall be accepted by the City’s Finance Director or the Director’s designee under any of the provisions of Articles III and

IV of this Chapter for a period of less than six months; and no license shall be issued under any of such provisions for a period of time of less than six months.”

Section 10. Section 5.08.515 of the Redlands Municipal Code relating to seizure of coin operated machines for nonpayment of license fees is hereby amended to read as follows:

“Section 5.08.515 Seizure For Nonpayment. If any of the coin-operated machines, devices or games licensed under this article are maintained in any store, hotel, motel, restaurant, cafe, pool hall or other commercial establishment or public place in the City, without payment of the prescribed license taxes, they may be subject to seizure by the Chief of Police or the City’s Finance Director, or the Director’s designee. Such machine or machines shall be redeemable only by the true owner thereof within a period of not exceeding sixty days, upon the payment of costs to the City together with the license taxes plus penalty for the period during which such machines, devices, or games were maintained unlicensed.”

Section 11. Section 5.08.520 of the Redlands Municipal Code relating to redemption and/or sale of seized coin operated machines is hereby amended to read as follows:

“Section 5.08.520 Redemption and/or Sale. If the true owner cannot be found after reasonable inquiry, or if the owner fails to redeem, then the machine may be confiscated and sold by the City’s Finance Director, or the Director’s designee at the end of the sixty-day period, after notice by registered mail to the last known address, if any, of the owner. The proceeds of such sale shall be credited to the general fund of the City.”

Section 12. Section 5.20.030 of the Redlands Municipal Code relating to fortune-telling application investigations is hereby amended to read as follows:

“Section 5.20.030 License; Application. Upon filing, the application shall be referred to the Police Department for investigation to verify the facts contained in the application and any supporting data. The Police Department shall report its findings to the City’s Finance Director or the Director’s designee and shall recommend approval or denial of the license. A report recommending denial shall set forth the grounds for the recommendation, and a copy shall be provided to the applicant.”

Section 13. Section 5.28.060(D)(23)(d) of the Redlands Municipal Code relating to massage permit applications is hereby amended to read as follows:

“d. The applicant, if an individual, or any of the stockholders of the corporation, or any officers or director, if the applicant is a corporation; or a partner if the applicant is a partnership, or the managing responsible officer has not been convicted in a court of competent jurisdiction of an offense involving conduct which requires registration under California Penal Code Section 290, or of conduct which is a violation of the provisions of California Penal Code Sections 266(c), 266(d), 266(e), 266(g), 266(h), 266 (i), 315, 316, 318, 647(a), 647(b), 647(d) (as now written or amended), or any felony offense involving the sale or possession of controlled substance specified in California Health and Safety Code Sections 11054, 11055, 11056, 11057 or 11058; or that an injunction has not been

issued under Penal Code Section 11225. Convictions under the laws of other states or counties which proscribe the same or similar conduct as the previously designated California crimes shall be considered;"

Section 14. Section 5.28.180(B) of the Redlands Municipal Code relating to the suspension or revocation of massage permits is hereby amended to read as follows:

"B. A hearing before the Chief of Police shall be scheduled upon not less than ten (10) calendar days notice to the permittee stating the grounds for proposed the revocation or suspension of a license. Notice shall be given by personal service or certified mail to the address shown on the last application or renewal. If reasonable attempts to otherwise serve are not successful, service may be provided by first class mail. The proceedings shall be tape recorded for the purposes of the appeal procedure in section 5.28.190."

Section 15. Chapter 5.40 of the Redlands Municipal Code relating to pool rooms and cigar stores is hereby deleted in its entirety.

Section 16. Section 5.44.020 of the Redlands Municipal Code relating to a statement and inventory filing required for a regulated sale is hereby amended to read as follows:

"Section 5.44.020 Statement and Inventory; Filing Required. Every person who advertises, promotes, holds out to or who conducts and carries on a "regulated sale", defined as any sale of goods, wares and merchandise as an auction sale, insurance, bankruptcy, mortgage, insolvent, assignees, executors, administrators, receivers, trustees, removal, adjusters, wholesalers, jobbers, manufacturers sale, closing out sale or sale of goods damaged by fire, smoke, water or otherwise or as a sale conducted by a merchants' association, board of trade or other claimant or creditor, shall file with the City's Finance Director or the Director's designee a statement under oath stating the name of the person or persons, from whom the goods were obtained, whether the same are to be sold under an order of court and if so, the name of the court and proceeding in which such order was made, and an inventory shall be filed no less than ten days prior to such regulated sale."

Section 17. Section 5.44.110 of the Redlands Municipal Code relating to the continuation of regulated sales, as defined in Section 5.44.020, is hereby amended to read as follows:

"Section 5.44.110 License; Continuation. If such person, firm or corporation continues to conduct or carry on a regulated sale for longer than thirty days, a license tax of one hundred dollars shall be paid for a continuing period of thirty days, but for no less than thirty days. Notice of intent to continue a regulated sale must be filed with the City's Finance Director or the Director's designee not less than five days before expiration of the license. In no event shall any regulated sale be permitted to continue in excess of sixty days."

Section 18. Section 5.44.170 of the Redlands Municipal Code relating to scope of licenses for regulated sales is hereby amended to read as follows:

“Section 5.44.170 License; Scope. The license as provided for herein shall be valid only for a sale of goods, wares and merchandise, inventoried and described in the statement filed with the City’s Finance Director or the Director’s designee as provided in Section 5.44.020.”

Section 19. Section 5.44.180 of the Redlands Municipal Code relating to cancellation authority for a regulated sale license is hereby amended to read as follows:

“Section 5.44.180 License; Cancellation Authority. The City’s Finance Director or the Director’s designee is authorized to cancel the license to conduct any sale in the event that inspection discloses goods, wares or merchandise to be found in stock or on sale which have not been included in such inventory or which have been falsely advertised, or that the licensee has in any other respect violated the provisions of this Chapter.”

Section 20. Section 5.44.250 of the Redlands Municipal Code relating to enforcement of regulated sales is hereby amended to read as follows:

“Section 5.44.250 Enforcement. Authority is vested in the City’s Finance Director or the Director’s designee and any police officer of the City, to enter upon the premises where any of the sales herein provided for are being conducted, and to inspect, investigate and make an inventory of all merchandise being displayed, shown and offered for sale, and to inspect, examine and audit the books and accounts of the licensee insofar as they pertain to such sale and the goods so offered for sale; and any refusal, delay or failure by the licensee, his agents or employees or any one acting for or on behalf of such licensee, to furnish all necessary information and opportunity to the officers or the Director’s designee to make a thorough inspection, inventory, examination and/or audit, shall constitute a misdemeanor.”

Section 21. Chapter 5.56 of the Redlands Municipal Code relating to self-service laundries is hereby deleted in its entirety.

Section 22. Section 5.60.100 of the Redlands Municipal Code relating to peddler’s license applications is hereby amended to read as follows:

“Section 5.60.100 Application with Finance Director. Every solicitor, peddler, and itinerant salesman shall make application for police registration at the office of the City’s Finance Director on a form provided for that purpose and complying with the following provisions:

A. Giving the name of the applicant;

B. Giving the name and address of the person, employer, firm or corporation the applicant is to represent and credentials showing the applicant’s relationship to his employer or principal;

C. Giving a brief description of the nature of the activity and the kind of goods, wares, or services to be solicited, peddled or sold;

D. Giving the applicant's present address and the applicant's permanent address and the local address from which sales will be made;

E. Giving the date the applicant proposes to start the applicant's activity within the City."

Section 23. Section 5.60.110 of the Redlands Municipal Code relating to peddler's license application fees is hereby amended to read as follows:

"Section 5.60.110 Application Fee Nonrefundable. At the time of making application for Police registration, a nonreturnable fee of five dollars, in addition to the State costs for the processing of noncriminal fingerprints, shall be paid to the office of the City's Finance Director to cover the cost of investigation and registration."

Section 24. Section 5.60.120 of the Redlands Municipal Code relating to Police Department procedures pertaining to peddler's licenses is hereby amended to read as follows:

"Section 5.60.120 Police Department Procedures. The completed and signed application for Police registration shall be presented by the applicant to the Chief of Police and such further information furnished as may be required to enable the Police Department properly to investigate and evaluate the applicant's record. At this time, such applicant shall be fingerprinted and photographed, unless the applicant furnishes two satisfactory photographs of the applicant, taken within sixty days immediately prior to the date of filing application with the City's Finance Director or the Director's designee, which picture shall be two inches by two inches showing the head and shoulders of the applicant in a clear and distinguishable manner; and such photographs and fingerprints shall be made a part of the permanent registration record."

Section 25. Section 5.64.030(F)(6) of the Redlands Municipal Code relating to taxicab insurance requirements is hereby amended to read as follows:

"6. The applicant shall provide certificates of insurance endorsements to Risk Management prior to issuance of a permit."

Section 26. Section 6.04.150 of the Redlands Municipal Code relating to dog vaccinations is hereby amended to read as follows:

"Section 6.04.150 Vaccination; Prerequisite to License. No application receipt for owning or harboring a dog, as provided in Sections 6.04.010 through 6.04.130, shall be issued except on application to the City's Finance Director or the Director's designee and the display, at that time, of a certificate of vaccination or letter certifying to the vaccination from a licensed veterinarian showing that the dog has been vaccinated with canine rabies vaccine. The certificate must be valid for a period equaling or exceeding the life of the license being then applied for."

Section 27. Section 8.04.391 of the Redlands Municipal Code relating to collection of costs and attorney's fees prior to nuisance hearings is hereby amended to read as follows:

"The City's Finance Director or the Director's designee may accept payment of any amount due at any time prior to the City Council hearing on the reports and accounts."

Section 28. Chapter 8.48 of the Redlands Municipal Code relating to Gas Service Regulations is hereby deleted in its entirety.

Section 29. Section 8.64.100 of the Redlands Municipal Code relating to the police protection for outdoor festivals is hereby amended to read as follows:

"Section 8.64.100 Police Protection. Every licensee shall employ, at his own expense, adequate police protection to ensure the public safety. The number and type of officers shall be determined, specified and approved by the City Manager, based upon the recommendations of the Chief of Police, Fire Chief, Municipal Utilities and Engineering Director and other appropriate City Directors to provide for the preservation of order and protection of property in and around the place of the festival. Funds to employ this specified number of law enforcement officers at the current hourly salary rate for City police officers shall be deposited by the licensee with the office of the City's Finance Director at least ten days prior to the specified date the activity is to occur.

Where the City Manager determines that the employment of off-duty peace officers is necessary to meet the requirements of this chapter, the peace officers shall be under the complete direction and control of the City Manager. The City Manager must be satisfied that the requisite number of peace officers will be provided at all times of operations, plus any specified time prior to and following the event, before a license is issued. The licensee must also furnish to the City Manager, prior to issuance of the license, written permission for City law enforcement officers or City officials to enter upon the premises for the purpose of any inspections deemed necessary by the City Manager."

Section 30. Section 8.64.270(A) of the Redlands Municipal Code relating to revocation of licenses for outdoor festivals is hereby amended to read as follows:

"A. The licensee fails, neglects or refuses to pay to the office of the City's Finance Director the fee prescribed by this Chapter."

Section 31. Section 10.40.120 of the Redlands Municipal Code relating to parking for certain purposes is hereby amended to read as follows:

"Section 10.40.120 Parking for Certain Purposes Prohibited. No person shall park a vehicle upon any street, road or highway to wash, grease or repair such vehicle, except for repairs necessitated by an emergency. No person shall sleep in a parked vehicle on any street, road or highway."

Section 32. Section 10.44.060(B) of the Redlands Municipal Code relating to streets, sidewalks and public places is amended to read as follows:

“B. It is unlawful for any person to ride upon any bicycle, roller skate or skates, skateboard, or other contrivance upon any sidewalk within any business district within the city of Redlands, except for authorized law enforcement personnel of the city. Business district means any business district as defined by section 235 of the California Vehicle Code.”

Section 33. Section 10.44.110 of the Redlands Municipal Code relating to the manner of payment for parking citations is hereby amended to read:

“Section 10.44.110 Manner of Payment. Payment may be made in person to the office of the City’s Finance Director, City Hall, Redlands, or by mailing said penalty to the office of the City’s Finance Director.”

Section 34 Section 15.04.030 of the Redlands Municipal Code amending Section 110.3.2 of the California Building Code, Appendix Chapter 1, relating to certificates of occupancy is hereby amended to read as follows:

“Section 110.3.2. Certificate of Occupancy, A Requirement For Issuing A City Business License. No license to conduct a business, occupation or profession in a particular building or structure in the City of Redlands shall be issued by the City’s Finance Director or the Director’s designee in accordance with Chapters 5.04 and 5.08 of the Redlands Municipal Code until the Building Official has certified that a valid certificate of occupancy exists as required by this code.”

Section 35. Section 15.24.040 of the Redlands Municipal Code amending Uniform Housing Code Chapter 15 relating to performance of work or repair or demolition is hereby amended to read as follows:

“Uniform Housing Code Chapter 15, “Performance of Work or Repair or Demolition,” is amended by rewording Section 1501.1 and deleting Section 1502 as follows:

SECTION 1501.1. PROCEDURE.

When any work, repair or demolition is performed pursuant to Section 1401.3 item 3, of this Code, the Chief Building Official shall obtain at least three bids from contractors licensed to do business in the City of Redlands. The Chief Building Official may employ such architectural and engineering assistance on a contract basis as he may deem reasonably necessary.

SECTION 1501.2. COSTS.

The cost of such work shall be paid from the General Fund of the City of Redlands and may be made a special assessment against the property involved, or may be made a personal obligation of the property owner, whichever the City Council shall determine is

appropriate. All funds collected under the proceedings hereinafter provided for shall be paid to the City's Finance Director who shall credit the same to the General Fund."

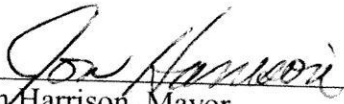
Section 36. Section 15.24.050 Uniform Housing Code of the Redlands Municipal Code amending Uniform Housing Code Chapter 16 is hereby amended to read as follows:

"Section 15.24.050: Repayment of Repair and Demolition Fund. Uniform Housing Code Chapter 16, entitled "Recovery of Cost of Repair or Demolition," is amended by rewording Section 1612, Repayment of Repair and Demolition Fund, as follows:

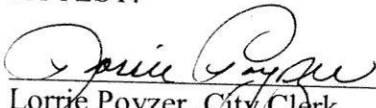
SECTION 1612.

All monies recovered by payment of the charge or assessment or from the sale of the property at foreclosure sale shall be paid to the City's Finance Director who shall credit the same to the General Fund. Only that amount owed to the City shall be collected at the time of foreclosure."

Section 37. The Mayor shall sign this ordinance and the City Clerk shall certify to the adoption of this ordinance and shall cause it, or a summary of it, to be published once in the Redlands Daily Facts, a newspaper of general circulation within the City, and thereafter this ordinance shall take effect in accordance with law.

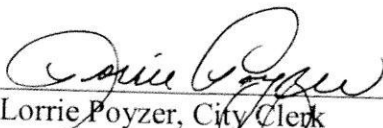

Jon Harrison, Mayor

ATTEST:


Lorrie Poyzer, City Clerk

I, Lorrie Poyzer, City Clerk of the City of Redlands, hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 19th day of May, 2009, by the following vote:

AYES:	Councilmembers Gilbreath, Gallagher, Aguilar, Bean; Mayor Harrison
NOES:	None
ABSENT:	None
ABSTAIN:	None


Lorrie Poyzer, City Clerk