



## AGENDA REPORT

**Meeting Date:** September 21, 2010  
**Item Number:** F-5  
**To:** Honorable Mayor & City Council  
**From:** City Attorney  
**Subject:** AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO INCLUDE THE ISSUANCE, PAYMENT AND ADJUDICATION OF ADMINISTRATIVE VIOLATIONS FOR TAXICAB AND VALET PARKING PERMIT ENFORCEMENT  
**Attachments:** 1. Ordinance

---

### **RECOMMENDATION**

It is recommended that the proposed ordinance be adopted.

### **INTRODUCTION**

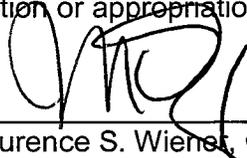
This ordinance amends various sections of the Beverly Hills Municipal Code to expand staff's ability to enforce taxicab and valet parking permits through the use of administrative violations in addition to misdemeanor, infraction and parking citations.

### **DISCUSSION**

At the City Council meeting of August 31, 2010, the City Council conducted a first reading of this ordinance.

### **FISCAL IMPACT**

This is expected to be a financially self-sustaining program, with fines from violations used to fund the additional expenses associated with the issuance and adjudication of the violations. Proceeds from fines are estimated at \$19,200 annually. Staff estimates costs of \$10,000 per year for the adjudication of violations that require hearings and/or court appearances. Additional expenses for this program have been accounted for in the current General Fund. No additional budget allocation or appropriation is necessary.

  
\_\_\_\_\_  
Laurence S. Wiener, City Attorney

# **Attachment 1**

ORDINANCE NO. 10-O-

AN ORDINANCE OF THE CITY OF BEVERLY HILLS  
AMENDING THE BEVERLY HILLS MUNICIPAL  
CODE TO INCLUDE THE ISSUANCE, PAYMENT  
AND ADJUDICATION OF ADMINISTRATIVE  
VIOLATIONS FOR TAXICAB AND VALET PARKING  
PERMIT ENFORCEMENT

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY  
ORDAINS AS FOLLOWS:

Section 1. Section 7-4-213 of Article 2 of Chapter 4 of Title 7 of the Beverly

Hills Municipal Code is hereby amended to add a new paragraph "J" to read as follows:

"J. Any person violating this section shall be subject to an administrative citation as provided by Title 1, Chapter 3, Article 3 of this Code or such other penalties as determined by the City Prosecutor."

Section 2. Section 7-4-214 of Article 2 of Chapter 4 of Title 7 of the Beverly

Hills Municipal Code is hereby amended to add a new paragraph "L" to read as follows:

"L. Any person not in compliance with this section shall be subject to an administrative citation as provided by Title 1, Chapter 3, Article 3 of this Code or such other penalties as determined by the City Prosecutor."

Section 3. Section 7-4-217 of Article 2 of Chapter 4 of Title 7 of the Beverly

Hills Municipal Code is hereby amended to read as follows:

"7-4-217. Authority to Promulgate Rules and Regulations: The transportation official shall have the power and authority to promulgate rules and regulations for the implementation and enforcement of provisions of this article and when duly promulgated, such rules and regulations shall be in full force and effect. The holder of the public transportation vehicle permit shall comply with such rules and regulations and any violation shall constitute a violation of this code subject to an administrative citation as provided by Title 1, Chapter 3, Article 3 of this Code or such other penalties as determined by the City Prosecutor."

Section 4. Section 7-4-311 of Article 3 of Chapter 4 of Title 7 of the Beverly

Hills Municipal Code is hereby amended to read as follows:

“7-4-311. Authority to Promulgate Rules and Regulations: The transportation official shall have the power and authority to promulgate rules and regulations for the implementation and enforcement of provisions of this article and when duly promulgated, such rules and regulations shall be in full force and effect. The holder of an operator’s permit shall comply with such rules and regulations and any violation shall constitute a violation of this code subject to an administrative citation as provided by Title 1, Chapter 3, Article 3 of this Code or such other penalties as determined by the City Prosecutor.”

Section 5. Section 4-2-1505 of Article 15 of Chapter 2 of Title 4 of the

Beverly Hills Municipal Code is hereby amended to add a new paragraph “C” to read as follows:

“C. Any person violating this section shall be subject to an administrative citation as provided by Title 1, Chapter 3, Article 3 of this Code or such other penalties as determined by the City Prosecutor.”

Section 6. Section 4-2-1515 of Article 15 of Chapter 2 of Title 4 of the

Beverly Hills Municipal Code is hereby amended to read as follows:

“4-2-1515. Authority to Promulgate Rules and Regulations: The transportation official shall have the power and authority to promulgate rules and regulations for the implementation and enforcement of provisions of this article and when duly promulgated, such rules and regulations shall be in full force and effect. The permittee and any person employed by, or engaged in automobile parking and shuttle service operations and who drives a vehicle of a customer, or who handles keys of a vehicle of a customer who is required to obtain an identification card pursuant to Section 4-2-1510, shall comply with such rules and regulations and any violation shall constitute a violation of this code subject to an administrative citation as provided by Title 1, Chapter 3, Article 3 of this Code or such other penalties as determined by the City Prosecutor.”

Section 7. Publication. The City Clerk shall cause this Ordinance to be

published at least once in a newspaper of general circulation published and circulated in

the City within fifteen (15) days after its passage, in accordance with Section 36933 of the Government Code; shall attest and certify to the adoption of this Ordinance and shall cause this Ordinance and the City Clerk's certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Section 8.     Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

Adopted:  
Effective:

PASSED, APPROVED and ADOPTED this \_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
JIMMY DELSHAD  
Mayor of the City of  
Beverly Hills, California

ATTEST:

\_\_\_\_\_  
(SEAL)  
BYRON POPE  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
JEFFREY KOLIN  
City Manager

  
\_\_\_\_\_  
DAVID D. GUSTAVSON  
Director of Public Works &  
Transportation

  
\_\_\_\_\_  
CHAD LYNN  
Director of Parking Operations