

**ORDINANCE NO. 2022-23**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF NEWPORT BEACH, CALIFORNIA, AMENDING  
NEWPORT BEACH MUNICIPAL CODE SECTIONS  
1.12.020(C) AND 5.12.230(E) TO REMOVE REFERENCE  
TO LICENSE SUPERVISOR AND LICENSE INSPECTOR**

**WHEREAS**, Section 200 of the Charter of the City of Newport Beach ("Charter") vests the City Council with the authority to make and enforce all laws, rules and regulations with respect to municipal affairs subject only to the restrictions and limitations contained in the Charter and the State Constitution, and the power to exercise, or act pursuant to any and all rights, power, and privileges, or procedures granted or prescribed by any law of the State of California;

**WHEREAS**, Newport Beach Municipal Code ("NBMC") Section 1.12.020(C) authorizes the Revenue Manager, License Supervisor and License Inspectors to issue citations for violations of NBMC Titles 3, 5, 6 and 10, as well as Section 12.40.060 and Chapters 12.62 and 12.63;

**WHEREAS**, NBMC Section 5.12.230(E) requires applications for renewal of a driver's permit to operate a vehicle for hire be made with the License Supervisor;

**WHEREAS**, the positions of Management Assistant and Senior Fiscal Clerk in the Revenue Division now perform the functions of the License Supervisor and License Inspector, and the License Supervisor and License Inspector titles no longer exist; and

**WHEREAS**, to ensure compliance with NBMC Titles 3, 5, 6 and 10, as well as Section 12.40.060 and Chapters 12.62 and 12.63, the City Council wishes to authorize qualified staff in the Revenue Division designated by the Finance Director to issue citations, and to direct applications for renewal of driver's permits to operate a vehicle for hire.

**NOW THEREFORE**, the City Council of the City of Newport Beach ordains as follows:

**Section 1:** NBMC Section 1.12.020(C) is hereby amended to read as follows:

The Revenue Manager and department staff designated by the Finance Director shall have the power to issue citations for any violations of Titles 3, 5, 6 and 10 of this Code, Section 12.40.060 of this Code and Chapters 12.62 and 12.63 of this Code.

**Section 2:** NBMC Section 5.12.230(E) is hereby amended to read as follows:

**Term—Renewal.** All driver's permit shall expire on the last day of the twelfth month following its issuance. Applications for renewal shall be made with the Revenue Division of the Finance Department on or before the first day of the month in which the permit expires. The fee for renewal made within the prescribed period shall be as established by resolution of the City Council.

**Section 3:** The recitals provided in this ordinance are true and correct and are incorporated into the substantive portion of this ordinance.

**Section 4:** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**Section 5:** The City Council finds the introduction and adoption of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**Section 6:** Except as expressly modified in this ordinance, all other sections, subsections, terms, clauses and phrases set forth in the Newport Beach Municipal Code shall remain unchanged and shall be in full force and effect.

**Section 7:** The Mayor shall sign and the City Clerk shall attest to the passage of this ordinance. The City Clerk shall cause the ordinance, or a summary thereof, to be published pursuant to City Charter Section 414. This ordinance shall be effective thirty (30) calendar days after its adoption.

This ordinance was introduced at a regular meeting of the City Council of the City of Newport Beach held on the 15th day of November, 2022, and adopted on the 29th day of November, 2022, by the following vote, to-wit:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
KEVIN MULDOON, MAYOR

**ATTEST:**

\_\_\_\_\_  
LEILANI I. BROWN, CITY CLERK

**APPROVED AS TO FORM:**  
CITY ATTORNEY'S OFFICE

  
\_\_\_\_\_  
AARON C. HARP, CITY ATTORNEY