



NEWPORT BEACH

City Council Staff Report

June 23, 2026
Agenda Item No. 2

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Ordinance No. 2026-08: Updating Title 1 (General Provisions) of the Newport Beach Municipal Code Related to City Employees' Enforcement of the Municipal Code and State Law

ABSTRACT:

For the City Council's consideration is the introduction of an ordinance which will amend Section 1.12.020 (Authority of Public Officers or Employees to Issue Citations) of the Newport Beach Municipal Code (NBMC) to clarify and expand citation authority for several categories of City of Newport Beach (City) employees. The proposed ordinance is driven primarily by the transfer of Park Patrol Officers from the Recreation and Senior Services Department to the Newport Beach Police Department (NBPD), effective July 1, 2026, and makes corresponding updates to ensure those officers can effectively carry out their duties under the new command structure. The ordinance will also clean up outdated references to the Finance Department, expand harbor-related citation authority to cover additional divisions of the California Harbors and Navigation Code, and grants new citation authority to the municipal operations director related to waste and other matters.

RECOMMENDATIONS:

- a) Find the introduction and adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Introduce Ordinance No. 2026-08, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Section 1.12.020 (Authority of Public Officers or Employees to Issue Citations), Chapter 1.12 (Citations and Warrants), Title 1 (General Provisions) of the Newport Beach Municipal Code Related to City Employees' Enforcement of the Municipal Code and State Law*, and pass to second reading on July 14, 2026.

DISCUSSION:

Section 1.12.020 (Authority of Public Officers or Employees to Issue Citations) of the NBMC currently designates specific City officers and employees with the authority to issue citations for violations of the NBMC and applicable State law. Under the existing

framework, park patrol officers are housed within the Recreation and Senior Services Department, and their citation authority has been scoped accordingly. However, effective July 1, 2026, park patrol officers will be formally transferred to the NBPD, relocating the park patrol function under a new operational oversight and command structure. This organizational change necessitates corresponding amendments to Section 1.12.020.

The proposed amendment ensures that park patrol officers are explicitly recognized within the NBPD's citation authority structure and can perform their duties in alignment with its mission and standards.

Additionally, Section 1.12.020 references the Finance Department and authorizes the fire chief, public works director, and harbor master to issue citations for violations of Division 3 of the California Harbors and Navigation Code (HNC). However, the Finance Department is now the Administrative Services Department, and Divisions 1, 1.5, and 2 of the HNC also contain provisions applicable to activities and enforcement within Newport Harbor despite the current limitation.

The proposed amendment will correct the outdated reference and will expand the scope of authority to include Divisions 1, 1.5 and 2 of the HNC thereby enhancing regulatory compliance, improving enforcement consistency, and better protecting public safety and harbor operations.

Finally, the proposed amendment will grant citation authority to the Municipal Operations Director and designated employees related to waste and other matters, which will help the City maintain compliance with State mandates and protect the public.

A redline-strikeout version of the proposed amendment is provided as Attachment B. Collectively, these updates are in alignment with organizational changes and serve to create clarity, promote efficient enforcement of municipal regulations, and better serve the public health, safety and welfare of the community.

FISCAL IMPACT:

There is no fiscal impact related to this item. The amendment is an administrative and organizational realignment that formalizes operational relationships and expands enforcement authority consistent with the transfer of Park Patrol Officers to the NBPD. Any staffing or resource adjustments associated with the departmental transfer have been addressed through the normal budget process.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find 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, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENTS:

Attachment A – Ordinance No. 2026-08

Attachment B – Redline-Strikeout of Section 1.12.020