

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY  
AMENDING VARIOUS SECTIONS IN TITLE 4, CHAPTER 30 OF THE  
OAKLEY MUNICIPAL CODE, DEALING WITH RENTAL DWELLING UNIT  
INSPECTION PROGRAM**

Section 1. Section 4.30.102 of the Oakley Municipal Code is hereby amended to read as follows:

**4.30.102 Purpose.**

The purpose of this Chapter is to establish a proactive rental property inspection program to protect the public health, safety and welfare through the identification, prevention, and correction of substandard housing conditions that adversely affect the quality of life for residents living in and around rental dwelling units.

Section 2. Section 4.30.202 of the Oakley Municipal Code is hereby amended to read as follows:

**4.30.202 Definitions.**

For purposes of this Chapter, the following words and phrases shall have the meanings set forth below:

- a) "City" means the City of Oakley, California;
- b) "Director" means the City Manager or his/her designee;
- c) "Deficiency" means any failure of a rental property subject to this Chapter to comply with applicable laws;
- d) "Enforcement Officer" means a code enforcement officer or other employee designated by the Director to issue notices of violations and administrative citations for violations of applicable laws;
- e) "Property Owner" means any person, persons, corporation, partnership, limited liability company, or any other entity holding fee title, ownership or control of the rental property, and shall include:
  - 1) The above person(s) or entities who own, as shown on the last equalized assessment roll, the property where the violation(s) exist;
  - 2) The above person(s) or entities who have management control of the property where the violation exists;
- f) "Rental property" means any building or portion of a building in the City which is hired, rented or leased by a person or persons within the meaning of Civil Code Sec. 1940. A "rental dwelling unit" includes a single family dwelling, either attached or unattached, a unit in a multifamily or multipurpose dwelling, or a unit in a condominium or cooperative housing project, or any room or group of rooms located within a dwelling forming a single unit with facilities that are used or intended to be used for living, sleeping, cooking or eating. This definition applies whether or not the unit is legally permitted.

Section 3. Section 4.30.208 of the Oakley Municipal Code is hereby amended to read as follows:

**4.30.208 Administration.**

This Chapter shall be administered and enforced by the City Manager.

Section 4. Section 4.30.210 of the Oakley Municipal Code is hereby amended to read as follows:

**4.30.210 Registration.**

Every owner of real property not exempted by this Chapter who offers property for rent shall register the rental property with the City by submitting a Rental Application and Property Use Verification Affidavit annually and pay the accompanying Rental Registration Fee. It shall be unlawful to rent or lease a rental property without registering the rental property with the City on an annual basis. The Rental Registration Fee shall be established from time to time by the City Council's adoption of a Resolution.

Section 5. Section 4.30.304 of the Oakley Municipal Code is hereby amended to read as follows:

**4.30.304 Site Maintenance Standards.**

All rental properties shall be in compliance with all provisions of the Oakley Municipal Code, including adopted uniform housing and building codes, at all times. Additionally, the City Manager shall promulgate, from time to time, a compliance checklist, listing the standards for site maintenance for rental properties. All rental properties shall also be in compliance with the then-current adopted checklist.

Section 6. Section 4.30.402(a) of the Oakley Municipal Code is hereby amended to read as follows:

- (a) Unless otherwise exempt under this Chapter, every rental property shall be subject to periodic inspection to determine whether any substandard condition exists at a rental dwelling or its premises, to determine whether there is a violation of this Code or the Checklist, and to ensure compliance with the requirements described in this Chapter.

Section 7. California Environmental Quality Act (CEQA) Finding.

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that the project will not have a significant effect on the environment; therefore the project is not subject to CEQA.

Section 8. Severability.

In the event any section or portion of this ordinance shall be determined to be invalid or unconstitutional, such section or portions shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

Section 9. Effective Date and Publication.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on \_\_\_\_\_, 2014 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

\_\_\_\_\_  
Randy Pope, Mayor

ATTEST:

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date