

ORDINANCE NO. 758

**AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALISTOGA
RELINQUISHING ENFORCEMENT RESPONSIBILITY FOR MOBILEHOME PARKS
AND INSTALLATIONS AND SPECIAL OCCUPANCY PARKS**

WHEREAS, on May 21, 1991, the Calistoga City Council adopted its Resolution No. 91-32 declaring its intention to enforce mobile home park provisions of the California Health and Safety Code; and

WHEREAS, the City of Calistoga ("City") has limited financial and human resources to provide services to its residents; and

WHEREAS, California Government Code Section 18865 authorizes the City to relinquish enforcement responsibility for mobilehome parks and installations and special occupancy parks and transfer such responsibility back to the California Department of Housing and Community Development ("HCD"); and

WHEREAS, the Calistoga City Council finds that it is in the best interests of the City and its residents to effect the transfer of mobilehome park enforcement authority back to HCD;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALISTOGA DOES
ORDAIN AS FOLLOWS:**

SECTION 1. Findings. The above recitals are true and correct, and incorporated herein by reference and each is relied upon independently by the City Council for its adoption of the Ordinance.

SECTION 2. Purpose and Authority. The purpose of this Ordinance is to repeal the City's enforcement responsibility for mobilehome parks and installations and special occupancy parks pursuant to Health and Safety Code Section 18865 and Title 25 of the California Code of Regulations Section 2005.

SECTION 3. Repeal of Enforcement Responsibility. Resolution No. 91-32, declaring the City's intention to enforce mobile home park provisions of the Health and Safety Code, is rescinded and repealed.

SECTION 4. Authorization. The City Manager is authorized and directed to take the required actions to complete the transfer to HCD of enforcement responsibility for mobilehome parks and installations and special occupancy parks.

SECTION 5. Environmental Determination. The City Council finds and declares that the adoption and implementation of this Ordinance are exempt from the provisions of the California Environmental Quality Act under section 15061(b)(3) in that the City Council finds there is no possibility that the implementation of this Ordinance may have significant effects on the environment.

SECTION 6. Severability. If 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 7. Effective Date. This ordinance shall be effective 30 days from the date of passage and adoption.

SECTION 8. Publication. The City Clerk is directed to cause this Ordinance to be published in the manner required by law.

THIS ORDINANCE was introduced with the first reading waived at the City of Calistoga City Council meeting of the 6th day of **December 2022**, and was passed and adopted at a regular meeting of the Calistoga City Council on the 17th day of **January 2023**, by the following vote:

AYES: Councilmembers Cooper, Eisenberg, and Gift, Vice Mayor Lopez-Ortega and Mayor Williams
NOES: None
ABSTAIN: None
ABSENT: None

APPROVED:

By: 
Don Williams, Mayor

ATTEST:


Marni Rittburg, City Clerk

APPROVED AS TO FORM:


Michelle M. Kenyon, City Attorney