

ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA, CALIFORNIA, RELINQUISHING ENFORCEMENT AUTHORITY OF THE MOBILEHOME PARKS ACT AND SPECIAL OCCUPANCY PARKS ACT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

WHEREAS, this Ordinance replaces and supersedes Ordinance No. 2024-2911 to revise technical deficiencies in order to relinquish authority of the Mobilehome Parks Act (MPA) and Special Occupancy Parks Act (SOPA), and related responsibilities for the enforcement of Division 13, Parts 2.1 and 2.3 of the Health and Safety Code;

WHEREAS, pursuant to Division 13, Part 2.1, commencing with section 18200, the Mobilehome Parks Act, and Part 2.3, commencing with section 18860, Special Occupancy Parks Act, require the Department of Housing and Community Development (HCD) to develop and enforce both the regulations and the laws as defined in the MPA and SOPA;

WHEREAS, pursuant to City Council Ordinance No. 2103, the City of La Mesa assumed responsibility for the enforcement of the MPA on May 10, 1977;

WHEREAS, pursuant to Title 25 of the California Code of Regulations (25 CCR), Section 1005, the City of La Mesa desires to repeal Ordinance No. 2103 and relinquish enforcement authority of the MPA and SOPA to the HCD; and

WHEREAS, HCD has the staff and expertise to further implement the MPA and SOPA, not currently provided or anticipated in the City's current or future fiscal year budgets.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of La Mesa, California as follows:

SECTION 1: Findings. The City Council hereby finds and declares all of the following:

A. The City of La Mesa desires to relinquish enforcement authority of the Mobilehome Parks Act (MPA), Special Occupancy Parks Act (SOPA) and related responsibilities for the enforcement of Division 13, Part 2.1, commencing with section 18200, and Part 2.3, commencing with section 18860, of the California Health and Safety Code and their implementing regulations set forth in Title 25, California Code of Regulations Division 1, Chapters 2 and 2.2, the building standards published in the California State Building Standards Code relating to mobilehome parks and the related administration regulations to the California Department of Housing and Community Development (HCD).

B. Pursuant to 25 CCR Section 1005(b)(1), the City must send written notice to HCD not less than ninety days prior to the proposed effective date of the relinquishment, along with a copy of the adopted ordinance relinquishing enforcement authority.

C. Pursuant to 25 CCR Section 1005(b)(2) and (3), the City must, on or before the effective date of transfer of enforcement responsibility: (i) remit the appropriate fees to HCD, as identified in 25 CCR Section 1006; and (ii) transfer all park records to HCD.

SECTION 2: Relinquishment of Enforcement Responsibility. The City of La Mesa hereby relinquishes its enforcement responsibility under the Mobilehome Parks Act, Special Occupancy Parks Act and all related enforcement provisions cited in City Council Ordinance No. 2103.

SECTION 3: Designation of Authority.

A. The City Manager, or his/her designee, is authorized and directed to provide written notification to HCD, along with a copy of this ordinance, not less than ninety days prior to a proposed effective date of transfer of enforcement responsibility (“effective transfer date”). The City Manager, or their designee, is authorized to identify the effective transfer date in the written notification to HCD.

B. The City Manager, or their designee, is authorized and directed to transfer the appropriate fees to HCD, as identified in 25 CCR Section 1006, on or before the effective transfer date.

C. The City Manager, or their designee, is authorized and directed to transfer all park records to HCD, on or before the effective transfer date.

INTRODUCED AND READ at a Regular meeting of the City Council of the City of La Mesa, California, held the 24th day of September 2024, and thereafter PASSED AND ADOPTED at a Regular meeting of said City Council held the ____th day of _____ 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

APPROVED:

MARK ARAPOSTATHIS, Mayor

ATTEST:

MEGAN WIEGELMAN, CMC, City Clerk

CERTIFICATE OF CITY CLERK

I, MEGAN WIEGELMAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and correct copy of Ordinance No. 2024-_____, duly passed and adopted by the City Council of said City on the date and by the vote therein recited and that the same has been duly published according to law.

MEGAN WIEGELMAN, CMC, City Clerk

(SEAL OF CITY)