

**EFFECTIVE DATE
OF ORDINANCE**

Month DD, YYYY

ORDINANCE NO. ____ N.C.S.

Introduced by: _____

Seconded by: _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PETALUMA AMENDING THE SUNSET DATE OF ORDINANCE NO. 2823 N.C.S. (ADDING CHAPTER 6.60 TO THE PETALUMA MUNICIPAL CODE, TITLED “RESIDENTIAL TENANCY PROTECTIONS”) TO MAINTAIN THE ORDINANCE IN EFFECT UNTIL A SUCCESSOR AMENDMENT TAKES EFFECT

WHEREAS, on September 12, 2022, City Council adopted Ordinance No. 2823 N.C.S., amending the Petaluma Municipal Code to add Chapter 6.60 titled, “Residential Tenancy Protections”; and

WHEREAS, Ordinance No. 2823 was adopted with a sunset of March 1, 2023, and accordingly on March 1, 2023, Ordinance No. 2823 will expire and cease to be in effect; and

WHEREAS, staff are seeking additional time to continue gathering information from stakeholders to assist with preparation of a permanent Residential Tenancy Protection Ordinance that is equitable for both tenants and landlords; and

WHEREAS, staff have tentatively scheduled stakeholder meetings with advocacy groups for January 25 and 26; and

WHEREAS, staff have tentatively scheduled public outreach for February 1, 2023 at a virtual meeting, for February 4, 2023 at an in-person meeting, and in March at a workshop with the City Council on March 6, 2023 with potential introduction of a draft Ordinance amending the City’s tenant protections to City Council on March 20, 2023; and

WHEREAS, stakeholders and other interested parties can provide information and recommendations regarding the City’s tenant protection regulations at tenantprotections@cityofpetaluma.org; and

WHEREAS, pursuant to Government Code Sections 36934 and 36937 municipal ordinances generally require two readings and take effect 30 days after adoption, with approximately 60 days generally required from the introduction of an ordinance for it to become effective; and

WHEREAS, the adoption of this Ordinance will prevent the expiration of Ordinance No. 2823 before substantive amendments to Chapter 6.60 of the Petaluma Municipal Code, entitled “Residential Tenancy Protections” that the City Council may wish to adopt take effect; and

WHEREAS, on January 9, 2023, the Petaluma City Council considered the proposed ordinance at a duly noticed public meeting at which time all interested members of the public were provided the opportunity to provide public comment.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Petaluma, as follows:

Section 1. Recitals Made Findings. The above recitals are declared to be true and correct and are incorporated into this ordinance as findings of the City Council.

Section 2. CEQA Findings. This ordinance is not a “project” within the meaning of Section 15378 of the California Environmental Quality Act Guidelines, because it is an administrative activity has no potential for resulting in physical change in the environment, in that this ordinance would extend residential tenant protection measures for existing residential units in Petaluma, which is solely an administrative process resulting in no physical changes to the environment, and this ordinance contains no provisions modifying the physical design, development, or construction of residences or nonresidential structures.

Section 3. Expiration Date of Ordinance No. 2823 Extended. The expiration date of Ordinance No. 2823 shall no longer be March 1, 2023. Ordinance 2823 and Chapter 6.60 of the Petaluma Municipal Code entitled “Residential Tenancy Protections” are hereby amended to remain in effect until subsequent amendments to Chapter 6.60 either establish a new expiration date or provide that Chapter 6.60 will continue in effect without an expiration date.

Section 4. Severability. If any part of this ordinance is for any reason held to be unconstitutional, unlawful, or otherwise invalid by a court of competent jurisdiction, such decision will not affect the validity of the remaining parts of this ordinance. The City Council of the City of Petaluma hereby declares that it would have passed and adopted this ordinance and each of its provisions irrespective of any part being held invalid.

Section 5. Effective Date. This ordinance shall become effective thirty (30) days after the date of its adoption by the City Council in accordance with Article XII, Section 76A of the Petaluma Charter.

Section 6. Posting/Publishing of Notice. The City Clerk is hereby directed to post and/or publish this ordinance or a synopsis of it for the period and in the manner required by the City Charter. The City Clerk is also hereby directed to file a Notice of Exemption concerning this ordinance with the Office of the Sonoma County Clerk in accordance with Section 15062 of the CEQA Guidelines.

INTRODUCED and ordered published and posted this 9th day of January, 2023.

ADOPTED this DD day of Month YYYY by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Kevin McDonnell, Mayor

ATTEST:

APPROVED AS TO FORM:

Kendall Sawyer, CMC, City Clerk

Eric Danly, City Attorney