

UNCODIFIED ORDINANCE OF THE CITY OF OXNARD

ORDINANCE NO. 2726

AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD IMPLEMENTING THE PROVISIONS OF HEALTH AND SAFETY CODE SECTIONS 17975 ET SEQ.

WHEREAS, Health and Safety Code section 17975 makes a property owner liable for relocation payments to a residential tenant of such property upon certain findings by the building official or code compliance officer;

WHEREAS, the property owner must pay the residential tenant a relocation benefit, as set forth in Health and Safety Code section 17975.2, when: (1) the residential tenant is ordered by the building official or code compliance officer to vacate the residence as a result of a violation so extensive and of such a nature that the immediate health and safety of the resident is endangered, and (2) the building official or code compliance officer determines the tenant is entitled to benefits pursuant to Health and Safety Code sections 17975 et seq.;

WHEREAS, Health and Safety Code section 17975.2 requires the city to determine a dollar amount sufficient for the tenant to make utility service deposits; and

WHEREAS, Health and Safety Code section 17975.4 requires an administrative appeal process be afforded the property owner.

Now, therefore, the City Council of the City of Oxnard does ordain as follows:

Part 1. Within thirty days of city staff's mailing to the owner and posting on the premises an order to vacate the premises in accordance with Health and Safety Code section 17975.1(a), the property owner may file an appeal of such order with the City Clerk on the form posted and mailed with the order.

Part 2. The City Manager shall appoint a hearing officer to conduct the appeal hearing.

Part 3. (a) Within a reasonable time after being given notice of the appeal, the hearing officer shall notify the property owner by mail of the time and place for the hearing of the appeal. (b) The hearing officer shall conduct an appeal at the time and place designated in the notice unless the property owner and hearing officer agree to another date. (c) At the hearing, the hearing officer shall consider the reasons set forth in the appeal and all material evidence that a reasonable person would normally rely upon to make a significant decision. ~~(d) The hearing officer shall make a written decision setting forth the reasons for the decision.~~ (e) The hearing officer shall cause a copy of such

written decision to be mailed to the property owner within thirty days of the close of the hearing.

Part 4. The City Council shall adopt a resolution setting forth the dollar amount reasonably necessary for a tenant to make utility service deposits in accordance with Health and Safety Code section 17975.2.

Part 5. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation with the city. Ordinance No. 2726 was first read on November 14 2006 and finally adopted on _____, 20__ to become effective thirty days thereafter.

AYES:

NOES:

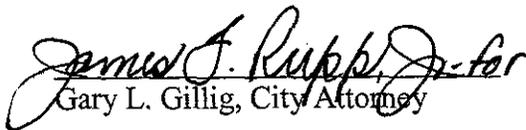
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:


Gary L. Gillig, City Attorney

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