

ORDINANCE NO. 2023-_____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
MENIFEE, CALIFORNIA REPEALING RIVERSIDE
COUNTY ORDINANCE NO. 760 AND ADDING CHAPTER
5.80 “MOBILE HOME PARK RENT STABILIZATION” TO
THE MENIFEE MUNICIPAL CODE.**

WHEREAS, on February 20, 1996, the Riverside County Board of Supervisors adopted Ordinance No. 760 “An Ordinance of the County of Riverside Adopting a Mobile Home Park Rent Stabilization Ordinance” to encourage fair bargaining between mobile home park owners and tenants to preserve both the value of the park and the tenants’ mobile units; and

WHEREAS, on September 10, 1996, the Riverside County Board of Supervisors amended Ordinance No. 760 through Amendment No. 760.1; and

WHEREAS, on September 17, 1996, the Riverside County Board of Supervisors amended Ordinance No. 760 through Amendment No. 760.2; and

WHEREAS, on October 1, 2008, the City of Menifee incorporated from Riverside County and upon incorporation, the City of Menifee City Council adopted all established Ordinances and amendments from Riverside County, including Ordinance No. 760, as amended; and

WHEREAS, on April 21, 2021, the City of Menifee City Council requested a future agenda item in response to the receipt of a public comment relating to the effectiveness of Ordinance No. 760 as amended within the City; and

WHEREAS, on September 1, 2021, the City of Menifee City Council held a public discussion on Ordinance No. 760, as amended, considered all public testimony as well as materials in the staff report and presentation, and directed staff to provide further analysis of the Ordinance; and

WHEREAS, on April 20, 2022, the City of Menifee City Council held a public discussion on Ordinance 760, as amended, considered all public testimony as well as materials in the staff report and presentation, whereafter City Council directed staff to analyze and compare rent stabilization ordinances in surrounding jurisdictions; and

WHEREAS, on October 19, 2022, the City of Menifee City Council held a public workshop, considered all public testimony as well as materials in the staff report and presentation, whereafter City Council directed staff to proceed with creating a replacement Mobile Home Park Rent Stabilization Ordinance to address the needs of the City and fit the City’s administrative framework; and

WHEREAS, on February 15, 2023, the City of Menifee City Council held a duly noticed public hearing concerning the Mobile Home Park Rent Stabilization Ordinance at

which time members of the public had the opportunity to review the documents presented to the City Council and provide oral comments to the City Council regarding the proposed Ordinance; and

WHEREAS, the City now desires to repeal its adoption of Riverside County Ordinance No. 760, as amended and add a new Chapter 5.80 “Mobile Home Park Rent Stabilization” to the Menifee Municipal Code; and

WHEREAS, City staff have analyzed and determined that the proposed repeal of Ordinance No. 760, as amended, and addition of Menifee Municipal Code Chapter 5.80 is not considered a “project” pursuant to the California Environmental Quality Act (CEQA).

NOW, THEREFORE, the City Council of the City of Menifee hereby ordains as follows:

SECTION 1. RECITALS INCORPORATED. The above recitals are true and correct and are incorporated herein.

SECTION 2. CEQA. The City Council finds that this Ordinance is exempt from CEQA pursuant to State CEQA Guidelines section 15060(c)(2) and 15061(b)(3) in that the proposed changes are not anticipated to result in a direct or reasonably foreseeable indirect physical change in the environment, nor will they have the potential of creating a significant effect on the environment.

SECTION 3. ADOPTION OF CHAPTER 5.80. Chapter 5.80: “Mobile Home Park Rent Stabilization” is hereby adopted and added to Title 5: Business Regulations of the Menifee Municipal Code as fully detailed in Exhibit A and incorporated herein by this reference.

SECTION 4. SEVERABILITY. This Ordinance and the various parts, sections, and clauses thereof, are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid, the remainder of this Ordinance shall remain in effect. If any part, sentence, paragraph, section, or clause of this Ordinance, or its application to any person entity is adjudged unconstitutional or invalid, such unconstitutionality or invalidity shall affect only such part, sentence, paragraph, section, or clause of this Ordinance, or person or entity; and shall not affect or impair any of the remaining provision, parts, sentences, paragraphs, sections, or clauses of this Ordinance, or its application to other persons or entities. The City Council hereby declares that this Ordinance would have been adopted had such unconstitutional or invalid part, sentence, paragraph, section, or clause of this Ordinance not been included herein; or had such person or entity been expressly exempted from the application of this Ordinance.

SECTION 5. ORDINANCE SUPERSEDED AND REPEALED. Upon the effective date of this Ordinance, all former ordinances, or parts thereof conflicting or inconsistent with the provisions of this Ordinance, including Ordinance No. 760, as amended, are hereby repealed and declared to be of no further force and effect. This Ordinance supersedes the provisions of Ordinance No. 760, as amended, provided this Ordinance is not declared

invalid or unenforceable by a court of competent jurisdiction. If, for whatever reason, this Ordinance is declared invalid or unenforceable by a court of competent jurisdiction, Ordinance No. 760, as amended, and all other related ordinances and policies shall remain in full force and effect.

SECTION 6. MUNICIPAL CODE AMENDMENT. This Ordinance is consistent with the requirements of the City of Menifee Municipal Code regarding the process of amending the Municipal Code, and shall preserve the health, safety, and general welfare of the residents and visitors to the City of Menifee. Menifee Municipal Code Chapter 5.80, Mobile Home Park Rent Stabilization, is hereby enacted as set forth in full as Exhibit A hereto.

SECTION 7. EFFECTIVE DATE. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within thirty (30) days of its adoption cause it, or a summary of it, to be published in the Southern California News Group, a newspaper published and circulated in the City of Menifee, and thereupon and thereafter this Ordinance shall take effect on July 1, 2023 and be in force according to law.

SECTION 8. AUTHORITY. The City Manager or designee is directed to take all actions necessary to effectuate the provisions of this Ordinance.

This Ordinance was introduced and read on the 15th day of February 2023, and **PASSED, APPROVED, AND ADOPTED**, this ___ day of March, 2023.

Bill Zimmerman, Mayor

ATTEST:

Kay Vinson, Acting City Clerk

Approved as to form:

Jeffrey T. Melching, City Attorney

EXHIBIT A