

**CITY OF OROVILLE
ORDINANCE NO. 1726**

**Chapter 6A
Division 1. In General.**

6A-101 Purpose.

The purpose of this chapter is to identify blighted and deteriorated housing stock and to ensure the rehabilitation or elimination of housing that does not meet minimum building code and housing code standards, exterior maintenance standards, and site maintenance standards, or is not safe to occupy and further to preserve and enhance the quality of life for residents of the city living in multifamily dwelling units.

6A-102 General.

The provisions of this chapter shall apply to all residential rental properties with two or more dwelling units on the same lot, the land, buildings, or structures appurtenant thereto. The provisions shall not apply to:

- (1) Owner occupied units.
- (2) Housing accommodations in hotels, motels, inns, or tourist homes. This exception does not apply to residential hotels as defined in California Health and Safety Code section 50519(b)(1).
- (3) A dwelling unit in a condominium or nonprofit stock cooperative.
- (4) Housing accommodations in any hospital; state license community care facility; convent, monastery, or other facility occupied exclusively by members of a religious order; extended medical care facility; asylum; on-campus fraternity or sorority houses; or on-campus housing accommodations owned, operated or managed by an institution of higher education, a high school, or elementary school for occupancy by its students.
- (5) Housing accommodations owned or operated by a government agency. This exception shall not apply once the governmental ownership, operation, or management regulation is terminated.
- (6) Mobile homes or mobile home parks, or recreational vehicles as defined in California Civil Code section 799.24, or recreational vehicle parks.
- (7) Vacant properties.

Division 2. Enforcement.

6A-201 Inspections.

All residential rental properties regulated by the provisions of this chapter shall be subject to regular inspection by the Director of Community Development and Public Works, who shall be referred as "director," or an authorized representative. An inspection may also be based on a complaint.

6A-202 Notification of inspection; inspection procedure.

- a) The director or authorized representative shall give twenty-four (24) hour written notice to the owner and to the tenants of the date and time of the periodic inspection. The director or authorized representative may provide written notice to the tenants by mail or by the posting of the official notice in the public area of the premises. Prior notice to inspect shall not be required if the inspection is to determine whether a violation of this chapter exists which poses a threat to public health or safety.
- b) The director or authorized representative shall provide written notice to the occupant in each unit inspected pursuant to this chapter which, at a minimum, states that an inspection occurred and provides the address and telephone number where be provided by leaving it in the unit, by posting it at the premises, or by mailing it to the occupant by first class mail.

6A-203 Right of entry.

- a) Whenever it is necessary to make an inspection to enforce any of the provisions of this chapter or other applicable law, or whenever the director or authorized representative has reasonable cause to believe that there exists in any building or dwelling unit any violation of the provisions of this chapter or other applicable law, or any condition which makes the building or dwelling units hazardous, unsafe or dangerous, the director or authorized representative is hereby authorized to enter the premises at any reasonable time to inspect it and perform any duty imposed upon the director or authorized representative by this chapter or other applicable law.
- b) This authority shall be subject to the following limitations:
 1. If the premises is occupied, the director or authorized representative shall first present proper credentials to the occupant and request entry explaining his reason; and
 2. If the premise is unoccupied, the director or authorized representative shall first make a reasonable effort to locate owner or other person having charge or control of the premises and request entry, explaining the reasons.

If entry is refused or cannot be obtained, the director or authorized representative shall have recourse to every remedy provided by law to secure lawful entry and inspect the premises, including, but not limited to, securing an inspection warrant pursuant to California Code of Civil Procedure sections 1822.50 through 1822.57. The director or authorized representative shall provide notice that a warrant has been issued to both the owner and the occupant at least 24 hours before the warrant is executed, unless the judge finds that immediate execution is reasonably necessary under the circumstances associated with the inspection.

6A-204 Re-inspection of property.

- a) The director or authorized representative shall re-inspect the building after the time specified in the notice and order has passed to determine whether a violation has been corrected. If it has not been corrected, then the director or authorized representative may take any other enforcement action he or she deems appropriate.

- b) Any notices or orders required to be served on the owner or landlord under this chapter may be served at the last known address of the person cited as that address appears in the last equalized assessment roll.

6A-205 Frequency of inspection.

- a) The frequency with which a building is inspected shall be determined by the director or an authorized representative based on its physical condition.
- b) Except as specified otherwise in this chapter, the director or an authorized representative will make every effort to conduct a periodic inspection, once every three years, of the common areas and all buildings and dwelling units regulated under this chapter.

6A-206 Inspection Fees.

Each Owner of a property subject to inspection under this chapter shall pay to the City a regulatory fee per year in accordance with the City's fee schedule. The fee schedule shall be established by Council resolution. The fee shall be used to finance the cost of inspection and enforcement by the City. If an owner fails to pay the required fee, the City shall recover it, plus accrued interest, utilizing any remedies provided by law, including nuisance abatement or municipal lien procedures established by City ordinance or state law.

6A-207 Violations.

- a) If, upon inspection, the director or an authorized representative discovers one or more violation of the California Building Standards Code or any City Code provision, the director or an authorized representative shall cause to be issued a notice and order pursuant to Health and Safety Code section 17980 and 17980.6.
- b) It shall be unlawful for any person to remove, alter, deface, tamper with or alter the visibility of any notice or order posted at the premises pursuant to this chapter. If any posting is removed or tampered with, it shall be the responsibility of the owner or the owner's agent to replace promptly the notice or order.
- c) Whenever the director or authorized representative determines by inspection that any existing building or dwelling unit is in violation of any City ordinance or State law, the director or authorized representative shall order the violation corrected. If the director or authorized representative determines that the building or dwelling unit is substandard pursuant to California Health and Safety Code section 17920.3, then the order shall declare the building or dwelling unit to be substandard pursuant to that section. The order shall be served on the owner by first class mail. A copy of the order shall be provided to each affected residential unit in the manner prescribed by subdivision (a) of California Health and Safety Codes section 17980.6.
- d) Except as provided otherwise in this chapter, the order shall give the owner no more than thirty (30) days to correct the violation.
- e) If the violation poses a serious risk to the health or safety of the occupants or the public, the director or an authorized representative shall order the condition to be abated effective immediately. No extension of time shall be granted except by the director or an authorized representative or his or her designee.

6A-208 Penalty.

Violation of this Chapter shall constitute an infraction punishable by a fine as provided in California Government Code section 36900.

PASSED AND ADOPTED
on October 4, 2005

**CITY OF OROVILLE
RESOLUTION NO. 6541**

**A RESOLUTION OF THE OROVILLE CITY COUNCIL ESTABLISHING FEES FOR
CODE ENFORCEMENT/BUILDING OFFICIAL SERVICES RELATING TO
INSPECTIONS OF MULTI-FAMILY DWELLINGS.**

WHEREAS, pursuant to section 66014 of the California Government Code, a municipality may charge fees for certain City services not to exceed the estimated reasonable cost of providing the service for which the fee is charged; and

WHEREAS, as part of a regularly scheduled meeting, the City Council held the required public meeting and allowed oral and written presentations to be made concerning the proposed fees; and

WHEREAS, the City Council has taken testimony and received evidence on the estimated reasonable cost of providing City services;

NOW, THEREFORE, be it hereby **RESOLVED** by the Oroville City Council as follows:

SECTION 1: The City Council finds that the fees and/or service charges set forth herein do not exceed the estimated reasonable cost of providing the service for which the fee or service charge is charged:

SECTION 2: The following fees and/or service charges shall be paid for the following City services rendered in connection with code enforcement actions:

Per Unit Inspection Fee	\$27.08
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SECTION 3: All fees required by this resolution shall be paid to the appropriate City official within 30 days after a bill for same is deposited in the U.S. Mail, first-class postage pre-paid, addressed to the person to be charged.

SECTION 4: The City Council hereby declares that it would have enacted this Resolution word by word, provision by provision, sentence by sentence, paragraph by paragraph and section by section and does hereby declare that provisions of this Resolution are severable and if for any reason any word, provision, sentence, paragraph or section shall be held invalid, such decision shall not affect the validity of the remaining parts of this Resolution.

SECTION 5: The City Clerk shall attest to the adoption of this Resolution.

PASSED AND ADOPTED by the Oroville City Council at a regular meeting on September 6, 2005.