



BILL NO. B-27

ORDINANCE NO. 2021-028

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
ADDING ARTICLE 19 TO CHAPTER 10 OF THE FRESNO
MUNICIPAL CODE, INSTITUTING THE MOBILEHOME
PARKS ACT

SECTION 1. Article 19 is added to Chapter 10 of the Fresno Municipal Code to read:

ARTICLE 19

MOBILEHOME PARKS ACT

Section	10-1901.	Assumption of Responsibilities.
	10-1902.	Delegation of Authority.
	10-1903.	Schedule of Fees.
	10-1904.	Statement of Objectives.
	10-1905.	Description of Existing Mobilehome Parks.
	10-1906.	Effective Date of Assumption.
	10-1907.	Method of Enforcement.
	10-1908.	Use of State Forms.
	10-1909.	Permits to Operate And State Fees.
	10-1910.	Transmittal of Ordinance.

SECTION 10-1901. ASSUMPTION OF RESPONSIBILITIES.

Pursuant to Section 18300 of the Health and Safety Code, and upon authorization from the Department of Housing and Community Development of the State of California (HCD) and subject to the acceptance of reasonable conditions of approval, if any, the City of Fresno (city) hereby assumes responsibility for the enforcement of Division 13, Part 2.1, commencing with section 18200 (Mobilehome Parks Act) and Part 2.3 commencing with section 18860 (Special Occupancy Parks Act), 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

1 of 6

Date Adopted: 06/10/2021

Date Approved: 06/10/2021

Effective Date: 07/11/2021

Ordinance No. 2021-028



Standards Code relating to mobilehome parks, special occupancy parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incident camping areas and tent camps and the related administrative regulations (collectively referred to as "the Acts.")

SECTION 10-1902. DELEGATION OF AUTHORITY AND ASSIGNMENT OF PERSONNEL.

Pursuant to HCD approval, the city shall be the enforcement agency as defined by section 18207 of the Health and Safety Code and will assign the responsibility for the enforcement of the Acts to the city's Code Enforcement Division (Division). The Division shall provide qualified personnel for the actual enforcement of the Acts. Code Enforcement will assign four code enforcement inspectors to carry out the duties and responsibilities of the Acts.

SECTION 10-1903. SCHEDULE OF FEES.

The city hereby adopts the fee schedules as contained in the Acts at Division 13 Part 2.1, 2.3 and implementing regulations.

SECTION 10-1904. STATEMENT OF PROGRAM AND OBJECTIVES.

The city hereby adopts the program and statement of objectives contained in the Acts. The city's specific local objectives, include but are not limited to, the providing of timely and reliable enforcement of the Acts, reduction of threat of fire, and protecting public health, safety, and welfare inside of Mobilehome and Special Occupancy Parks. The City intends to enforce and implement the program to include all parks now under HCD jurisdiction and any new parks.



SECTION 10-1905. DESCRIPTION OF EXISTING MOBILEHOME PARKS.

According to statistics provided by HCD, there are currently 26 mobilehome parks in the city, which includes 3,528 spaces. Immediately upon assumption of enforcement responsibilities the City will initiate inspection pursuant to the requirements of the Acts. The occupancy and condition of mobilehome parks shall be substantiated upon approval by the HCD to assume responsibility for enforcing the Acts.

SECTION 10-1906. EFFECTIVE DATE OF ASSUMPTION.

The effective date of assumption of enforcement responsibilities shall be within thirty (30) days following HCD approval.

SECTION 10-1907. METHOD OF ENFORCEMENT.

Not later than thirty (30) days from the effective date of assumption of enforcement as defined in section 10-1906, the city shall commence and thereafter diligently enforce the Acts as follows:

- (a) Review and maintain relevant files provided by HCD and compare same with records on file with city.
- (b) Review pertinent building standards of the state relevant to mobilehomes and manufactured homes and special occupancy parks.
- (c) Ascertain the status of all permits-to-operate and construction permits and enforce relevant requirements.
- (d) Investigate and resolve complaints received from occupants, neighbors, other agencies, and all other sources of complaints.
- (e) Perform annual mobilehome park maintenance inspections



consistent with the Acts as set forth in Health and Safety code section 18400.1 and its implementing regulations.

(f) Take all other actions as are deemed appropriate in furtherance of state laws and regulations.

SECTION 10-1908. USE OF STATE FORMS.

When enforcing the Acts, the city shall utilize the following forms:

- (a) HCD 500A, Application for Permit to Operate;
- (b) HCD 503B, Annual Permit to Operate;
- (c) HCD 513B, Manufactured Home or Mobilehome Installation Acceptance;
- (d) HCD 513C, Certificate of Occupancy;
- (e) HCD 538, Plot Plan.

SECTION 10-1909. PERMITS TO OPERATE AND STATE FEES.

The City agrees to send a copy of all permits to operate and state fees to Administrative Office of the Division of Codes and Standards no later than thirty (30) days after the city's issuance of such permits and receipt of such funds.

SECTION 10-1910. TRANSMITTAL OF ORDINANCE

The city clerk is hereby instructed to transmit two certified copies of adopting ordinance to the director of HCD and to the Administrative Office of the Division of Codes and Standards to PO Box 278180 Sacramento, CA 95827-8180, within ten (10) days of the date of adoption which, in any event, shall not be less than thirty (30) days before the effective date of assumption of enforcement responsibilities.



SECTION 2. This ordinance shall take effect and shall be in force thirty (30) days after the date of its adoption and prior to the expiration of fifteen (15) days from the passage therefor, shall be become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.



STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the 10th day of June 2021.

AYES :Arias, Bredefeld, Esparza, Karbassi, Maxwell, Soria, Chavez
NOES :None
ABSENT :None
ABSTAIN :None

Mayor Approval: June 10th, 2021
Mayor Approval/No Return: N/A, 2021
Mayor Veto: N/A, 2021
Council Override Veto: N/A, 2021

YVONNE SPENCE, CRM MMC
City Clerk

BY: Yvonne Spence 6/10/21
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN,
City Attorney

BY: Christina Roberson 6/10/21
Assistant City Attorney Date



RECEIVED

June 10, 2021

2021 JUN 10 P 2:40

Council Adoption: 06/10/2021

Mayor Approval:

Mayor Veto:

Override Request:

TO: JERRY DYER

FROM: YVONNE SPENCE, MMC, CRM
City Clerk

CITY OF FRESNO
CITY CLERK

Yes

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the City Council meeting of June 10, 2021, Council adopted the attached Bill No. B-27, Ordinance No. 2021-028, entitled *****Bill No. 27- (Intro. 5/27/21)(For Adoption) – Creating the Mobilehome Parks Act, FMC sections 10-1901 – 10-1910. (Subject to Mayor’s Veto).** Item 1-00, File ID21-22490-01, by the following vote:

Ayes	:	Arias, Bredefeld, Esparza, Karbassi, Maxwell, Soria, Chavez
Noes	:	None
Absent	:	None
Abstain	:	None

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk’s office on or before June 21, 2020. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10th day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk’s office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor’s signed approval.

APPROVED / NO RETURN: _____

VETOED for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)

Date: 6/10/2021

Jerry Dyer, Mayor

COUNCIL OVERRIDE ACTION:

Date: _____

Ayes	:
Noes	:
Absent	:
Abstain	: