

ORDINANCE 2023-1227

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING ORDINANCE NO. 2022-1220 TO EXTEND THE EXPIRATION THEREOF RELATED TO REGULATIONS FOR MOBILE HOME PARKS AND RV PARKS

WHEREAS, Ordinance No. 2022-1220, incorporated herein by this reference, is an urgency ordinance adopted by the City Council on October 5, 2022 which is set to expire 60 days after March 1, 2023 (the date that the City Council terminated the local emergency related to Covid 19); and

WHEREAS, the County of San Diego's declaration of a public health crisis for homelessness throughout the County of San Diego still exists, and the homeless crisis throughout San Diego County is worse than ever; and

WHEREAS, the City is still in the process of studying the need for more permanent rent stabilization policies and eviction policies in mobile home parks to further protect residents and prevent more people from becoming homeless during this public health crisis; and

WHEREAS, the City Council desires to extend the expiration of Ordinance 2022-1220 by sixty days; and

WHEREAS, this ordinance is exempt from review under the California Environmental Quality Act (CEQA; California Public Resources Code Section 2100 et seq.) and CEQA regulations (Title 14, California Code of Regulations Section 15000, et seq.) because this ordinance is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment (Section 15061(b)(3)).

NOW, THEREFORE, the City Council of the City of Imperial Beach does ordain as follows:

SECTION 1. The above recitals are true and correct and are incorporated herein as findings as though set forth in full.

SECTION 2. Section 5 of Ordinance No. 2022-1220 is amended to read as follows:

Pursuant to Government Code Section 36936, this ordinance shall be effective immediately upon its adoption by a 4/5ths vote of the City Council and shall remain in effect until ~~60~~ 120 days after the: (1) end of the local emergency declared by the City Council or (2) end of the County of San Diego public health crisis on homelessness, whichever occurs first.

SECTION 3. This ordinance is intended to supplement, not to duplicate or contradict, applicable state and federal law and shall be interpreted in light of that intent.

SECTION 4. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences,

clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

SECTION 5. Pursuant to Government Code Section 36936, this ordinance shall be effective immediately upon its adoption by a 4/5ths vote of the City Council.

SECTION 6. The City Clerk is hereby directed to certify the passage of this ordinance and to cause the same or a summary to be published one time within 15 days of its passage in a newspaper of general circulation for the City of Imperial Beach.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 19th day of April 2023, by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

PALOMA AGUIRRE, MAYOR

ATTEST:

**JACQUELINE M. KELLY, CMC
CITY CLERK**

APPROVED AS TO FORM:

**JENNIFER M. LYON,
CITY ATTORNEY**