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3 advantage of fire victims whose insurance companies would pay rental amounts far in excess of what
4 the landlord was previously charging.

5 f. Adequate, affordable housing presents an issue of public health and safety to those displaced
6 by disaster.

7 g. County officials wish to continue to strongly and proactively discourage unfair business
8 practices and protect the vulnerable in the wake of the Sulphur Fire.

9 Section 2: Authority.

10 a. Penal Code Section 396 permits a local jurisdiction to adopt an ordinance to prohibit the
11 same or similar conduct and to impose a more severe penalty than that imposed pursuant to state law.

12 b. Government Code Section 25123 expressly authorizes the Board of Supervisors to adopt, by
13 four-fifths (4/5) vote, an ordinance for the immediate preservation of the public peace, health, or safety,
14 with a declaration of facts constituting the urgency.

15 c. Government Code Section 25131 expressly authorizes the Board of Supervisors to adopt
16 such an urgency ordinance immediately upon its introduction.

17 Section 3: Prohibition.

18 a. During the period the above-referenced presently-existing emergency conditions remain in
19 effect, it shall be unlawful for any person to evict an existing tenant or lessee to rent or lease a dwelling
20 unit in the unincorporated areas of the County of Lake for more than the average retail price, unless
21 such person can prove that the excess is directly attributable to additional costs resulting from the labor
22 or materials used to provide the service. In such instances, only the actual cost increase may be added
23 to the average retail price.

24 b. For purposes of this ordinance, "average retail price" shall be the rental price for the dwelling
25 unit during the thirty-day period immediately preceding the State of Emergency.

26 c. Said emergency conditions shall continue to be renewed every thirty (30) days and extended
27 as needed.

28 Section 4: Penalties.

29 A violation of this ordinance is a misdemeanor punishable by a fine of not more than twenty
30 thousand dollars (\$20,000).

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Section 5: It can be seen with certainty that there is no possibility that this Ordinance may have a significant effect on the environment.

Section 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict and no further.

Section 7: This Ordinance shall take effect immediately upon its adoption, and within fifteen (15) days after adoption of the Ordinance, the Clerk to the Board of Supervisors shall publish a summary of the Ordinance with the names of those supervisors voting for and against the Ordinance and the Clerk shall post in the office of the Clerk to the Board of Supervisors a certified copy of the full text of the adopted Ordinance along with the names of those supervisors voting for and against the Ordinance.

The Foregoing Ordinance was passed and adopted by the following vote on the _____ day of _____, 2017:

- AYES:**
- NOES:**
- ABSENT OR NOT VOTING:**

ATTEST: CAROL J. HUCHINGSON
Clerk to the Board of Supervisors

COUNTY OF LAKE

Chair, Board of Supervisors

APPROVED AS TO FORM:
ANITA L. GRANT
County Counsel


