

**BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**

**ORDINANCE NO. \_\_\_\_\_**

**AN URGENCY INTERIM ORDINANCE AUTHORIZING A TEMPORARY DEFERRAL  
OF CERTAIN PROVISIONS OF SECTION 21-27.3, SUBDIVISION (P)**

**Recitals**

WHEREAS, pursuant to the California Constitution, Article XI, section 7: “A county or city may make and enforce within its limits all police, sanitary and other ordinances and regulations not in conflict with general laws”, this Ordinance is enacted under the police power of the County pursuant to Article XI, Section 7 of the California Constitution which authorizes the County to adopt and enforce regulations for the protection of the public health, safety, and welfare that are not in conflict with general laws; and

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

WHEREAS, Government Code Section 25131 expressly authorizes the Board of Supervisors to adopt such an urgency ordinance immediately upon its introduction; and

WHEREAS, the Pawnee, River and Ranch Fires have devastated Lake County: More than one hundred residents have lost their homes; Looters pose a considerable problem particularly in rural areas, robbing residents of the few possessions they may have left after this disaster; and

WHEREAS, Lake County communities have limited resources which, critically, given the enormous scale of this tragedy, includes a lack of available alternative housing. This lack of housing means County residents may be unable to return to their jobs, their children may be unable to return to school, and so entire families may have to relocate from Lake County; and

WHEREAS, the purpose of this urgency ordinance is to defer certain requirements for properties as to a temporary dwelling normally only allowed during the construction of a permanent dwelling unit on the same lot so to allow County residents to more quickly return to their properties and thereby address the significant risks to public health, safety, and welfare created by those criminals who prey upon our Lake County residents whose homes have been damaged and/or destroyed by the Pawnee, River and Ranch Fires by looting their properties, by the lack of available alternative housing for those residents.

NOW THEREFORE, the Board of Supervisors of the County of Lake does ordain as follows:

1. The above recitals are true and correct and incorporated herein by reference.
2. Due to the emergency conditions in Lake County resulting from the Pawnee, River and Ranch Fires and the consequent significant threat to the public health, safety, and welfare,

the provisions of Lake County Code Section 21-27.3, subdivision (p) will be temporarily deferred until August 21, 2019, provided that the following standards are met:

- a. The recreational vehicle or manufactured home is for the occupancy of the residents of the particular parcel who lost their home on that parcel, unless being placed in a group site or authorized by the County, or the unit is placed on another parcel in the *FIRE* area with that property owner's permission to use as a temporary residence.
  - b. There is adequate area available on the property to place the recreational vehicle or manufactured home so as not to interfere with or impede the cleanup of the fire debris (if debris is still on the property) or with the construction of the permanent residential dwelling.
  - c. There are no standing dead or damaged trees or other hazards in proximity of the unit that could fall upon or otherwise damage the temporary dwelling or harm its occupants.
  - d. There are no landslide risks to the site or the road providing access to the site that have the potential to trap or harm the occupants. (Dead-end road concern)
  - e. The site shall contain a water supply consisting of an operating well or community water service connection, with potable water.
  - f. A functioning septic system or public sewer system connection shall exist at the site. Septic systems need to be inspected and approved by Lake County Environmental Health.
  - g. The recreational vehicle or manufactured home shall not be placed on the site in a location that would impede reconstruction of the permanent residence.
  - h. The floor elevation of the recreational vehicle or manufactured home should be located above the 100 year flood elevation.
3. When the criteria below can be met, a Temporary Dwelling Permit is required with the Lake County Community Development Department so that we can coordinate the necessary health and safety inspections and authorize electrical service for your temporary dwelling. The permit will provide for the following minimum inspections to be completed prior to occupancy:
- a. Verification that unsafe conditions do not exist at the site for the recreational vehicle or manufactured home installation.
  - b. Temporary electrical service.
  - c. Inspection of electrical, water and sewer connections to the unit.
  - d. Sites with on-site sewage disposal systems shall also be inspected by the Lake County Environmental Health Division to verify that the system was not damaged by the fire.
4. Each property owner seeking to install a recreational vehicles or manufactured home for installation on their property pursuant to this urgency interim ordinance shall first sign a statement acknowledging that they will begin construction of their replacement home

under approval of a County of Lake building permit no later than August 21, 2019 (unless an extension of this ordinance is granted by the Board of Supervisors), and that failing to do so will require removal of said unit from the property.

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

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

7. This Ordinance shall take effect immediately, 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 Board of Supervisors on the 21st day of August, 2018, by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

COUNTY OF LAKE

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Chair Board of Supervisors

ATTEST: CAROL J. HUCHINGSON

Clerk of the Board of Supervisors

APPROVED AS TO FORM:

ANITA L. GRANT

By: \_\_\_\_\_

By: \_\_\_\_\_