

CITY OF CLEARLAKE

ORDINANCE NO. 279-2025

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE
AMENDING SECTION 9-4 OF CHAPTER 9 OF THE
CITY OF CLEARLAKE MUNICIPAL CODE REGARDING
RENTAL HOUSING UNIT REGISTRATION, INSPECTIONS AND INVENTORY**

**THE CITY COUNCIL OF THE CITY OF CLEARLAKE DOES HEREBY ORDAIN
AS FOLLOWS:**

SECTION 1:

WHEREAS, the City of Clearlake has initiated Municipal Code Amendment MCA 2025-02 and corresponding environmental filing, Categorical Exemption, CE 2025-02 to amend Section 9-4 Rental Housing Unit Inspections and Registration; and

WHEREAS, the City Council has determined that Ordinance No. 279-2025 is exempt from environmental review in accordance with Sections 15060(c)(2), 15060(c)(3), and Section 15061 (b)(3) of the CEQA Guidelines, California Code of Regulations, and

WHEREAS, the City of Clearlake City Council has duly called, published in the Lake County Record Bee on March 8, 2025, and the public had the opportunity to submit input, on March 20, 2025, during the Public Hearing required by law concerning the proposed Rental Housing Unit Text Amendments, and;

WHEREAS, the City Council finds that the Rental Housing Unit text amendments are consistent with the City of Clearlake's General Plan; and

WHEREAS, the amendments to the City of Clearlake Municipal Code set forth herein provide for the "public necessity and convenience and general welfare" and would not be detrimental to the public's health, safety, and welfare; and

NOW THEREFORE, Clearlake City Council declares as follows:

SECTION 2: The above recitals are true and correct and are hereby incorporated and adopted the findings of the City Council as fully set forth herein.

SECTION 3: The title to Clearlake Municipal Code Section 9-4, is hereby renamed to “Rental Housing Unit Registration, Inspections, and Inventory”.

SECTION 4: Clearlake Municipal Code, Chapter 9, Section 9-4 is hereby amended to read as follows:

9-4 RENTAL HOUSING UNIT REGISTRATION, INSPECTIONS AND INVENTORY.

9-4.1 Purpose and Intent.

a. This Section aims to address substandard rental dwelling and rental housing units, promote compliance with health and safety standards, and enhance the quality of neighborhoods and available housing. It achieves compliance with health, safety, and welfare code violations in rental housing units that pose a threat to occupant safety, structural integrity, and the surrounding neighborhoods, while also enhancing property value, improving landlord tenant relations, and reducing liability risks for landlords.

b. Provides a system of registration, inspection, and regulation for the maintenance, sanitation, occupancy, and safety of single or multi-unit residential structures, apartments and apartment houses, motels, hotels, lodging houses, and rental housing units and any associated common areas. It is not the intent of this section to require mandatory retrofit of existing units built, constructed or installed according to such code requirements in effect at the time the building, structure, or units were built and occupied, constructed or installed, if such units have been maintained in a good and safe manner, unless the retrofitting is otherwise required by State or local law.

c. Detect and remedy code violations of all applicable City codes, ordinances, the California Building Code, California Fire Code, State Housing Law (Health and Safety Code Section [17920.3](#)), and other applicable State laws and regulations and conditions in single or multi-unit residential structures, apartments and apartment houses, motels, hotels, lodging houses, and rental housing units and any common areas that constitute an immediate hazard or present a clear and present threat to human life, limb, health, property, safety, or general welfare of the public or the occupants thereof.

d. Conditions that could result in serious dilapidation or deterioration will be subject to full enforcement proceedings toward the goal of making the units, common areas, and facilities safe for human occupation and use. The goal is to achieve rental housing that meets minimum housing and property maintenance standards as set forth in local and State Law.

e. Furthermore, the registration and inspection of rental units will enable the City to collect, monitor and analyze rental data to inform policy decisions.

9-4.2 Exemptions.

This section shall not apply to any owner-occupied housing unit, jail, hospital, extended-care facility, convalescent home, licensed board and care facility, asylum, sanitarium, orphanage, prison, dormitory that is owned and operated by an educational institution, or other buildings that are licensed by the State in which human beings are housed and/or detained under legal restraint; nor shall it apply to vacation homes used exclusively by the owner and never offered for rent or lease.

9-4.3 Authority and Enforcement.

a. The provisions of this section shall be administered and enforced by the City of Clearlake Community Development Department, or division thereof.

b. Nothing contained in this section shall prevent an owner, tenant, or permit applicant from voluntarily requesting an inspection at any time for the purpose of determining whether the premises or dwelling units comply with this section. A fee for such inspection shall be fixed pursuant to subsection [9-4.13](#).

c. In the performance of their duties, City officials shall, upon presentation of proper credentials, have the right to enter, at reasonable times, any building, structure, premises, or dwelling unit in the City to perform any duty imposed upon them by this section.

d. Nothing in this section shall prohibit an interior inspection of any dwelling unit where an owner or lawful occupant grants entry to the dwelling unit. Entry into any dwelling unit shall be made by the Building Inspector with permission from either an owner or occupant, or upon the issuance of an inspection warrant pursuant to California Code of Civil Procedure Section [1822.50](#) et seq., except in the event of emergency.

e. It shall be considered a public nuisance and unlawful to construct, alter, convert, maintain, permit occupancy, or otherwise use for human occupation, any multi-unit residential building, structure, apartment and apartment house, motel, hotel, lodging house, rental housing unit or similar facility which fails to comply with State and local laws as they relate to housing standards, property maintenance, building and fire codes or local zoning requirements. The remedies available under California Civil Code Section [3491](#) et seq., may be used, to correct a public nuisance in addition to other remedies available by the Clearlake Municipal Code. The inspection shall be at reasonable times during daylight hours, except in the event of an emergency.

9-4.4 Definitions.

Except as otherwise provided in this section, terms and words used in this section are defined as listed in the California Health and Safety Code, Division [13](#), Part [1.5](#), Section 17920 et seq.; and the California Code of Regulations, Title 25 Chapter 1, Article 1 and Article 2, and the applicable articles adopted pursuant thereto, and the following words are defined as follows:

APARTMENT shall mean a rental dwelling unit.

CERTIFICATE OF INSPECTION shall mean a certificate, issued to an owner of a multi-dwelling unit structure, motel, hotel, lodging house, rental housing unit or similar facility, which signifies that at the time of issuance, the residential dwelling structure met the requirements for human occupancy.

CITY shall mean the City of Clearlake, or its authorized agent.

BUILDING INSPECTION shall mean City Official under the control of the City of Clearlake Community Development Department which is designated by the Community Development Department Director or designee to be responsible for the enforcement of the provisions set forth in this section.

DWELLING UNIT shall mean any building or portion thereof, including a manufactured home or mobile home, or portion thereof, which contains living facilities, including provisions for sleeping, eating, cooking and sanitation as required by the California Residential Code for not more than one (1) family, including domestic employees of such family.

MOTEL/HOTEL shall mean a building or buildings each containing one (1) or more

guest rooms or dwelling units or combination thereof, designed, used and intended wholly, or in part, for the accommodation of transients. This term does not include a jail, hospital, extended-care facility, convalescent home, licensed board and care facility, asylum, sanitarium, orphanage, prison, dormitory that is owned and operated by an educational institution, or other buildings in which human beings are housed and detained under legal restraint.

OCCUPANT shall mean any person who occupies a dwelling unit, whether as a tenant or subtenant.

OWNER shall mean that person or entity, including the duly appointed agent of the owner, holding a vested interest in each property and appearing as a legal owner of record on the most current deed recorded in the county recorder's office on the day of the inspection or reinspection.

PERSON shall mean an individual, partnership, limited partnership, corporation, association, or public entity or corporation.

PREMISES shall mean and include all buildings located on continuous parcels of land under common ownership.

REASONABLE TIMES shall mean 8:00 a.m. to 6:00 p.m., Monday through Friday unless another time is mutually agreed upon.

RENTAL DWELLING UNIT shall mean a dwelling unit in a multi-unit residential building or structure including motels, hotels, rooming and boarding houses and similar living accommodations, which unit is held out for or is rented, leased, subleased, or otherwise permitted to be occupied by other than the owner on a rental basis for one (1) or more days in any given calendar year.

RENTAL HOUSING UNIT shall mean any residential dwelling in a single structure, or in a group of attached or detached structures containing one (1) or more such dwelling units on the same parcel of land under common ownership that (a) contains one (1) or more rooms with a single kitchen designated for living and sleeping purposes as an independent housekeeping unit, and (b) is occupied or intended to be occupied on a rental basis for one (1) or more days in any given calendar year.

9-4.4 Registration Requirements.

- a. *Registration Requirement and Time.* The owner of every building or structure

containing one (1) or more rental dwelling units or rental housing units shall register and pay an annual registration fee and initial inspection fee for each unit for such building or structure, and each rental dwelling unit and housing unit therein, with the City of Clearlake Community Development Department pursuant to the following:

1. Within sixty (60) days of the effective date of this section;

Editor's Note: See subsection [9-4.17](#), for effective date of section.

2. Within thirty (30) days of the date of issuance of a certificate of occupancy for a new construction; or,
3. Prior to the first day that the unit or units are first offered for rent.

b. *Application Form.* Registration shall be accomplished by filing with the Community Development Department a completed application form as provided by the Community Development Department. Some information may be required to be completed on a secure website and registration is only complete when all necessary details and applicable fees or penalties are paid.

9-4.6 Inspection.

a. *Initial Inspection.* Following the registration of each rental unit a Building Inspector shall inspect each rental dwelling unit, or in the case of multi-units, inspect a percentage of the units as determined by the Community Development Department. If the Building Inspector determines that the unit is in compliance, the Building Inspector shall issue an inspection certificate.

b. *Inspection of Converted Units.* Any dwelling unit, converted from owner-occupied to a rental unit, is required to be inspected prior to being occupied by a renter.

c. *Annual Inspection.* Following the initial inspection, all rental units shall be subject to an annual inspection at the City's discretion. Prior to the expiration of each inspection certificate, the owner shall remit an inspection fee to the City and shall allow a Building Inspector to inspect each rental dwelling unit to determine whether the units comply with all applicable City codes, ordinances, the Uniform Building Code, the Uniform Fire Code, State Housing Law (Health and Safety Code Section [17920.3](#)), and other applicable State laws and regulations. If the officer

determines that the unit is in compliance, the officer shall issue an inspection certificate providing all fees have been paid. In addition, the property will be removed from the annual inspection list and placed on a biannual inspection list. If during the two (2) year period a founded complaint is received, the property will be placed on the annual inspection list. If any unit is found to be in violation, an order to correct the violation shall be issued pursuant to subsection [9-4.8](#) of the Clearlake Municipal Code. Any newly constructed rental unit/units shall be placed on the biannual inspection list upon issuance of a certificate of occupancy by the Building Inspector. If a founded complaint is received during the two (2) year period the Building Inspector may require subsequent annual inspections.

d. *Notice of Inspection.* At least ten (10) calendar days prior to any routine inspection or reinspection, the Community Development Department, or division thereof, shall mail, by first class postage prepaid, a notice setting forth the following:

1. The address or other identification of the property to be inspected;
2. The date of the inspection;
3. A range of time, not to exceed four (4) hours, during which time the inspection will be made;
4. All inspections will be scheduled between 8:00 a.m. and 5:00 p.m., Monday through Friday, inclusive, or at such other time as the owner, agent or occupant may consent.

9-4.7 Inspection Certificate.

a. *Inspection Certificate.* No person or entity shall permit to be occupied a rental dwelling unit, or operate a hotel, motel, rental housing unit, apartment or similar facility, without possessing an unexpired, unrevoked, unsuspended, valid inspection certificate for each rental unit, which has been issued pursuant to this section and paying all applicable fees as adopted pursuant to subsection [9-4.13](#).

b. *Inspection Certificate; Form.* The inspection certificate shall contain the following:

1. The date of issuance;
2. The lawful use of the property;

3. The address of the property;
4. The property owner's name, address and telephone number;
5. The duly authorized owner's agent, if any, and his/her/its name, address and telephone number;
6. The expiration date;
7. The signature of the issuing officer;
8. The amount of the fee paid;
9. Any other pertinent information.

9-4.8 Notice of Correction and Reinspection.

If inspection reveals a violation of housing standards, property maintenance, building and fire codes or local zoning requirements, the property owner shall be provided with a written notice describing the correction, its location, a demand for its correction and a date due for correcting the violation. Thereafter, the Building Inspector shall reinspect the building, structure, units or premises to ascertain that the violation has been corrected. No inspection certificate shall be issued until all violations are corrected. A reinspection fee will be charged as provided pursuant to subsection [9-4.13](#) of this section.

If an owner fails to correct the violations discovered during any inspection, there may be an imposition of a penalty. The time to correct the violation shall not exceed thirty (30) days from service of the notice of correction and those cases which constitute an immediate danger to health or safety, the time allowed for correction shall not exceed fourteen (14) days from notice of correction. If the violation is not corrected the application filed to obtain an inspection certificate shall lapse, and the owner shall be subject to the administrative penalty's ordinance. Further, failure to correct conditions that pose an immediate threat to human limb, life, health and safety may result in condemnation of the building, structure, premises, or dwelling unit, as provided for by law, or the application of other remedies as provided in the Municipal Code.

Editor's Note: For administrative penalties, see Section [1-9](#).

The owner shall be notified of the date and time of any reinspection and shall be

responsible for making the unit available for reinspection by the City. The owner shall be notified of the date and time of the reinspection and shall be requested to receive the occupant's permission to enter the unit for reinspection by the City. If the occupant denies access to the unit to the Building Inspector, then a warrant, as provided for by the California Code of Civil Procedure Section [1822.50](#) et seq., may be obtained by the Building Inspector. If a violation results in the need to obtain a building permit, a reinspection fee shall not be assessed.

9-4.9 Rental Unit Database

A rental inventory database will be created and maintained providing rental information for City internal use and reporting.

9-4.10 Notice of Appeal.

The recipient of a notice of correction may appeal the notice by filing a written notice of appeal as stipulated by Section [1-9](#) of the Clearlake Municipal Code.

9-4.11 Violation and Penalty.

Any person who violates the provisions of this section is subject to general penalties as set forth in Section [1-5](#) of the Clearlake Municipal Code and/or administrative penalties as set forth in Section [1-9](#) of the Clearlake Municipal Code.

9-4.12 Enforcement Alternatives.

The City may enforce this section pursuant to the Clearlake Municipal Code, this chapter, Section [1-8](#) (codified as adopted) of the Clearlake Municipal Code.

9-4.13 Fees—Adopted by Resolution.

The City Council may adopt, and amend, from time to time, by resolution, a schedule of fees required under this section.

9-4.14 Business License.

Any person or persons offering a dwelling unit or units for rent must obtain a business license, pursuant to the Municipal Code.

9-4.15 Refuse Disposal.

The owner of each rental unit will provide either a refuse receptacle for each unit or

a dumpster provided by a franchised refuse handler to be used for multiple units and weekly trash removal by a franchised refuse handler. A solid gated fence, six (6') feet in height and built to City standards, will enclose dumpsters.

9-4.16 Severability.

If any section, subsection, clause, sentence, word or phrase of this title is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the remaining portions of the title. The City Council declares that it would have passed and adopted this section and each of the provisions thereof irrespective of the fact that any one (1) or more such provisions be declared invalid and/or unconstitutional.

9-4.17 Effective Date.

This section shall take effect on the 5th day of April 2025 and before the expiration of fifteen (15) calendar days after its passage it shall be published at least once in a newspaper of general circulation in the City of Clearlake.

SECTION 5: The City Council declares that, should any provision, section, subsection, sentence, paragraph, clause, phrase, or word of this Ordinance, or the Code section hereby adopted, be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by any reason of any preemptive legislation, the remaining provisions, sections, subsections, sentences, paragraphs, clauses, phrases or words of this Ordinance and Code section hereby adopted shall remain in full force and effect.

SECTION 6: The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause a summary of the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

Introduced and read at a regular meeting of the City Council of the City of Clearlake on the 20th day of March 2025 and adopted at a regular meeting therefore held on the ##th day of Month 2025.

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

Russ Cremer
Mayor

ATTEST:

Melissa Swanson
City Clerk