

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

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. There are many dilapidated dwelling units throughout the City, many of which are clearly anything but decent, safe and sanitary. This section will force those landlords that are currently unwilling to improve their own housing stock to do just that. This section covers all dwelling units offered for rent or lease.~~

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. ~~This section provides~~ 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 ~~common associated common areas associated therewith, in the City for the public health, safety and general welfare. In accordance with the provisions of the Uniform Housing Code, it 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. ~~The intent of this section is also to detect~~ Detect, and remedy, code violations of all applicable City codes, ordinances, the ~~Uniform Building Code~~ California Building Code, the ~~Uniform Fire Code~~ California Fire Code, State Housing Law (Health and Safety Code Section [17920.3](#)), and other ~~application 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. ~~Furthermore, conditions~~ 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. ~~However, a reasonable period of time will be permitted for compliance with code requirements 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. (Ord. #102-01)

~~d.e. Furthermore, the registration and inspection of rental units will enable the City to collect, monitor and analyze rental data to inform policy decisions. with registration and inspection fees, pursuant to this section, funding the creation and maintenance of the rental inventory.~~

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. (Ord. #102-01)

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 ~~9-4.129-4.13~~.
- c. In the performance of their duties, ~~officers~~ City officials shall, upon presentation of ~~property 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 ~~Enforcement Officer~~ **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 emergency. (Ord. #102-01)

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.

~~CODE ENFORCEMENT BUILDING INSPECTOR/ION~~ shall mean ~~City official a division operated and~~ 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 ~~Uniform Building Code~~ 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 a given 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. (Ord. #102-01)

9-4.5 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 ~~ninety-sixty~~ (9060) days of the effective date of this section;

Editor's Note: See subsection [9-4.169-4.17](#), 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. Forms may include a secure website for submitting required information,~~ and registration is only complete when all necessary details and applicable fees or penalties are paid. (Ord. #102-01)

9-4.6 Inspection.

a. *Initial Inspection.* Following the registration of each rental unit, ~~an officer~~ ~~Building Inspector~~ ~~the 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 ~~City Enforcement Officer~~ ~~Chief Building Inspector~~ ~~Community Development Department~~. If the ~~Building Inspector~~ ~~officer~~ determines that the unit is in compliance, the ~~officer~~ ~~Building Inspector~~ shall issue an inspection certificate.

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

b. *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~~~~an officer~~ 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~~~~addition~~, the property will be removed from the annual inspection list and placed on a ~~triennial~~~~biannual~~ inspection list. If during the ~~three-two~~ (23) 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 ~~triennial~~~~biannual~~ inspection list upon issuance of a certificate of occupancy by the Building Inspector. If a founded complaint is received during the ~~three-two~~ (23) year period the ~~Code Enforcement Officer~~~~Building Inspector~~ may require subsequent annual inspections.

c. *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. (Ord. #102-01)

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 [9-4.129-4.13](#).

- ~~a.~~
- 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. (Ord. #102-01)

9-4.8 ~~Order to Correct Violation~~ 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 ~~violation~~ correction, its location, a demand for its correction and a ~~reasonable time for date due for~~ correcting the violation. Thereafter, the ~~Enforcing Officer~~ 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 for pursuant to subsection ~~9-4.12~~ 9-4.13 of this section.

If an owner fails to correct the violations discovered during any inspection ~~within a reasonable period of time~~, there may be an imposition of a penalty. The ~~reasonable period of time for purposes of this section shall be the time reasonably necessary to time to~~ correct the violation ~~as determined by the Enforcement Officer, which time generally~~ shall not exceed thirty (30) days from service of the notice of ~~violation~~ correction. ~~Except in and~~ those cases which constitute an

immediate danger to health or safety, the ~~reasonable period of time for the proposed abatement shall be the time reasonably necessary to correct the violation, as determined by the Enforcement Officer. The time generally~~ allowed for ~~abatement correction~~ shall not exceed ~~thirty-fourteen (1430)~~ days from ~~service of the~~ notice of ~~violation correction~~. If the violation is not ~~abated corrected~~ the application filed to obtain an inspection certificate shall lapse, and the owner shall be subject to the administrative penalties 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 ~~Enforcing Officer~~ **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 ~~Enforcing Officer~~ **Building Inspector**. If a violation results in the need to obtain a building permit, a reinspection fee shall not be assessed. (Ord. #102-01)

9-4.9 Rental Unit Database

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

9-4.910 Notice of Appeal.

The recipient of a notice ~~to correct a violation of correction~~ may appeal the notice by filing a written notice of appeal as stipulated by Section [1-9](#) of the Clearlake Municipal Code. (Ord. #102-01)

9-4.1011 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. (Ord. #102-01)

9-4.1112 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. (Ord. #102-01)

9-4.1213 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. (Ord. #102-01)

9-4.1314 Business License.

Any person or persons offering a dwelling unit or units for rent must obtain a business license, pursuant to the Municipal Code. (Ord. #102-01)

9-4.1415 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. (Ord. #102-01)

9-4.1516 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. (Ord. #102-01)

9-4.1617 Effective Date.

This section shall take effect on the 24th day of November, 2001 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. (Ord. #102-01)

The Clearlake Municipal Code is current through Ordinance 269-2024, passed April 4, 2024.

Disclaimer: The City Clerk's Office has the official version of the Clearlake Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.clearlake.ca.us](http://www.clearlake.ca.us)

[Hosted by General Code.](#)