

Senate Bill No. 1663

Passed the Senate August 21, 2002

Secretary of the Senate

Passed the Assembly August 19, 2002

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of _____, 2002, at _____ o'clock __M.

Private Secretary of the Governor



CHAPTER _____

An act to add and repeal Section 18300.7 of the Health and Safety Code, relating to mobilehome parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 1663, Soto. Mobilehome parks: building standards.

The Mobilehome Parks Act supersedes any ordinance enacted by any city, county, or city and county applicable to the act, but does not prevent local authorities from specified activities within the reasonable exercise of their police powers.

The act authorizes any city, county, or city and county to assume the responsibility for the enforcement of both the act and the Special Occupancy Parks Act and the regulations adopted to implement these acts following approval by the Department of Housing and Community Development for the assumption. The Mobilehome Parks Act also authorizes the department to delegate all or any portion of its authority to enforce the provisions of existing law governing the regulation of mobilehome parks to a local building department or health department of any city, county, or city and county, if specified conditions exist.

This bill would authorize until December 31, 2007, the City of Pomona to assume the responsibility for the enforcement of the above-described provisions for one or more parks within its jurisdiction if specified conditions are met. It would also require the city to submit a specified report to the department and specified committees of the Legislature by July 1, 2007.

The people of the State of California do enact as follows:

SECTION 1. Section 18300.7 is added to the Health and Safety Code, to read:

18300.7. (a) Pursuant to subdivision (b) of Section 18300, the City of Pomona may assume until December 31, 2007, the enforcement responsibility for one or more parks within its jurisdiction if both of the following conditions are met:

(1) The park or parks within the city's jurisdiction have been cited for violations of this part or other health and safety standards that constitute imminent hazards representing an immediate risk



to life, health, and safety and requiring immediate correction, as established by the department, within the two-year period prior to the City of Pomona's application for enforcement responsibility of the park or parks.

(2) The City of Pomona agrees to maintain the enforcement for any park that the city has chosen to oversee pursuant to this section for a period of two years. In the event of nonenforcement by the City of Pomona, the department shall take over enforcement pursuant to subdivision (d) of Section 18300.

(b) The City of Pomona shall submit a report to the department, the Assembly Committee on Housing and Community Development, and the Senate Committee on Housing and Community Development by July 1, 2007, on the status of any park where enforcement was assumed by the City of Pomona pursuant to this section.

(c) This section shall remain in effect only until January 1, 2008, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2008, deletes or extends that date.

SEC. 2. Due to unique facts and circumstances applicable to the City of Pomona, the Legislature finds and declares that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution. These facts include the following: there are severely blighted conditions in some, but not all, of the 21 mobilehome parks in the city that pose a significant and particular health and safety risk to tenants and residents; the city needs to assume enforcement of Health and Safety Code violations in mobilehome parks with severely blighted conditions in order to speed up correction of those violations for the safety of park tenants as well as residents of the city at large; and the city does not have the resources to assume enforcement jurisdiction from the state for all 21 mobilehome parks within the city, as required by current law. Special legislation is, therefore, necessarily applicable to only the City of Pomona.



Approved _____, 2002

Governor

