

**TOWN OF  
APPLE VALLEY, CALIFORNIA**

**AGENDA MATTER**

**Subject Item:**

**INTRODUCE ORDINANCE NO. 380 - AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY REPEALING ORDINANCE NO. 14 AND RELINQUISHING RESPONSIBILITY FOR THE ENFORCEMENT OF THE MOBILEHOME PARKS ACT AND RELATED REGULATIONS TO THE STATE OF CALIFORNIA HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT.**

**Summary Statement:**

On April 18, 1989, the Town of Apple Valley designated San Bernardino County Environmental Health Services as the agency responsible for the enforcement of the Mobilehome Parks Act (Health & Safety Code § 18200) and the Special Occupancy Parks Act (Health & Safety Code § 18860).

On February 6, 2008, the Division of Environmental Health Services (EHS) notified the Town of Apple Valley of its intention to seek approval from the County Board of Supervisors to relinquish this authority, effective July 1, 2008. Under Title 5 of the California Code of Regulations, once EHS relinquishes such enforcement authority, the responsibility devolves back to the Town. The Town has the option to accept the responsibility or to surrender the authority back to the State of California Housing and Community Development Department (HCD).

If the Town chooses to accept the responsibility, the enforcement burden will fall primarily on the Building & Safety and Code Enforcement Divisions. This would present serious operational and financial challenges, due to the constricting laws that pertain to mobile home park operations and enforcement. Fees that can be charged for various types of inspections, building permits, etc., were set by law in the 1950s and are not subject to modification by local jurisdictions. Furthermore, special regulations pertaining solely to mobile home parks prohibit application of the same standards of code enforcement that are applied throughout the Town.

Staff recommends that the Town Council approve the accompanying ordinance repealing Ordinance No. 14, and relinquishing authority for mobile home park enforcement and inspections to the State of California HCD.

**Recommended Action:**

1. Waive The Reading of Ordinance No. 380 and Read By Title Only.
2. Introduce Town Council Ordinance No. 380, An Ordinance of the Town Council of the Town of Apple Valley, Repealing Ordinance No. 14 and Relinquishing Responsibility for the Enforcement of the Mobile Home Parks Act and related regulations to the State of California Housing and Community Development Department.

**Proposed by:** Municipal Services **Item Number:** \_\_\_\_\_

**Town Manager Approval:** \_\_\_\_\_ **Budgeted Item:** Yes No N/A

**ORDINANCE NO. 380**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY REPEALING ORDINANCE NO. 14 AND RELINQUISHING RESPONSIBILITY FOR THE ENFORCEMENT OF THE MOBILEHOME PARKS ACT AND RELATED REGULATIONS TO THE STATE OF CALIFORNIA HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT.**

The Town Council of the Town of Apple Valley does hereby ordain as follows:

Ordinance No. 14 of the Town of Apple Valley is hereby repealed.

Pursuant to subdivisions 18300(e) and 18865(e) of the California Health and Safety Code and Section 1006 of the California Code of Regulations, Title 25, Division 1, Chapter 2, the Town of Apple Valley does hereby provide notification to the State of California Department of Housing and Community Development of its intent to relinquish its responsibility for enforcement of the Mobilehome Parks Act (Health & Safety Code § 18200, et seq.) and the Special Occupancy Parks Act (Health & Safety Code § 18860, et seq.).

The schedule of fees contained in Title 21, Division 13, and all applicable provisions in the Mobilehome Parks Act and the California Administrative Code, including any and all applicable regulations, shall be applicable within the Town of Apple Valley to provide for the cost of administration and enforcement of the Mobilehome Parks Act and the Special Occupancy Parks Act. The State of California Housing and Community Development Department shall administer and collect these fees to offset the costs of the enforcement responsibility.

The Clerk of the Town of Apple Valley is authorized to transmit a certified copy of this ordinance to the administrative office of the State of California Housing and Community Development, Mobilehome Parks Program.

Provided the applicable provisions for cancellation of responsibility contained in the Mobilehome Parks Act and the special Occupancy Parks Act have been met, this ordinance shall become within 30 days after its receipt by the State of California Housing and Community Development Department.

Adopted by the Town Council and signed by the Mayor and attested by the Town Clerk this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Timothy Jasper, Mayor

ATTEST:

\_\_\_\_\_  
La Vonda M. Pearson, Town Clerk

Approved as to form:

Approved as to content:

\_\_\_\_\_  
Neal Singer, Town Attorney

\_\_\_\_\_  
Jim Cox, Interim Town Manager