

ORDINANCE NO. 2291

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
CHAPTER 9.50 OF THE CHULA VISTA MUNICIPAL CODE
RELATING TO THE PETITION FOR MOBILEHOME PARK SPACE
RENT NEGOTIATION AND ARBITRATION

The City Council of the City of Chula Vista does ordain
as follows:

SECTION I: That Chapter 9.50 of the Chula Vista
Municipal Code is hereby amended by adding a new sentence to
Section 9.50.040 and a new Section 9.50.065 to read as follows:

Sec. 9.50.040 Negotiation commission-Membership.

The mobilehome negotiation commission in each
mobilehome park shall consist of five commissioners.
The commission shall be formed within a mobilehome park
in the city in response to a particular dispute within
fifteen (15) working days of the date the owner receives
a written petition of the residents of more than fifty
percent (50%) of the mobilehome spaces within the
owner's mobilehome park requesting that the commission
be formed. Said petition must be sent by registered or
certified mail, return receipt requested, or by U. S.
Postal Service certificate of mailing to 1) the park
owner, 2) the City Clerk, 3) the Community Development
Department, and 4) City Attorney within thirty (30) days
after a notice of rental increase per Civil Code
Sections 798.30 or 798.32 is given. A good faith
attempt to meet the thirty (30) day petition filing
requirement is sufficient for purposes of this section.
All questions regarding the timeliness of the petition
shall be decided by the Community Development Director
or his/her designee subject to an appeal to the City
Council.

1. Two commissioners shall be residents of the
mobilehome park within which the commission is
being formed and they shall be elected by a
majority vote of the other owner/occupant residents
of the mobilehome park.
2. Two commissioners shall be designated by the owner
of the mobilehome park.
3. Resident commissioners and park owner commissioners
shall be selected within ten (10) working days.

4. The fifth commissioner shall be appointed by the unanimous vote of the other four commissioners and shall be selected from a list of candidates promulgated by the City's Mobilehome Issues Committee, who, to the knowledge of the Mobilehome Issues Committee, have no specific involvement in the mobilehome community or the mobilehome industry. It is preferable that the fifth commissioner have some financial or accounting background. The four (4) commissioners shall have five (5) working days to select the fifth commissioner.
5. In the event that either party does not select the required commissioners, or in the event that the selected commissioners do not select the required fifth commissioner, within the stipulated time period, the Community Development Director of the City shall appoint the required commissioner or commissioners.
6. A chairman shall be selected by the majority vote of the commissioners.
7. At least two resident commissioner alternatives shall be elected, in and one park owner commissioner and fifth commissioner alternate shall be appointed to serve when needed and shall attend all meetings of the commission to be fully informed of the activities thereof, but shall be nonvoting observers.
8. Commissioners shall serve at the pleasure of the parties who elected or appointed them.
9. Three commissioners shall constitute a quorum provided that one resident commissioner and one owner commissioner are present. Three affirmative votes are required for a ruling or a decision.

Sec. 9.50.065 Notice of Rent Increase.

In any situation where a mobilehome park owner wishes to increase the space rent above the applicable CPI, he or she must first give notice as follows:

1. If the residents within the affected mobilehome park have established a representative body and notify the owner in writing of its existence, a copy of the rent increase notice must be sent to the chairperson of that body.
2. A copy of the rent increase notice must be given to the Community Development Department of the City of Chula Vista.

3. The rent increase notice must contain the space numbers of all residents who are subject to the increase which is above the amount of the applicable CPI.

SECTION II: This ordinance shall take effect and be in full force on the thirtieth day from and after its adoption.

Presented and Approved as to form by



Thomas J. Harron, City Attorney

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FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, HELD January 24, 1989. AND FINALLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD February 7, 1989, by the following vote, to-wit:

AYES: Councilmen : McCandliss, Nader, Moore
NAYES: Councilmen : None
ABSTAIN: Councilmen : None
ABSENT: Councilmen : Cox, Malcolm

Gregory L. Cox
MAYOR ~~PRO TEMPORE~~

ATTEST Jennie M. Fulasz
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 2291, and that the same has not been amended or repealed.

DATED _____



City Clerk