

ORDINANCE NO. 16-17 N.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND
CREATING THE RESIDENTIAL RENTAL HOUSING FEE IN THE MASTER FEE
SCHEDULE FOR SERVICES RENDERED BY THE CITY OF RICHMOND RENT
PROGRAM**

The City Council of the City of Richmond do ordain as follows:

SECTION 1. Section 2.34.040 of the City of Richmond Municipal Code is hereby amended to include the following fees within the various categories:

Description	Percentage of Costs to be Recovered	Proposed Fees
RMC 6.38.110 Section 5 allows the City to collect fees solely to defray actual cost. RMC 6.02.180		
RENT PROGRAM RESIDENTIAL RENTAL HOUSING FEE		
Administration of the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance (RMC Chapter 11.100)	100%	As determined by City Council resolution and as set forth in the Master Fee Schedule

SECTION 2. Pursuant to Section 2.34.040 of the Municipal Code of the City of Richmond which provides for the establishment of a Master Fee Schedule for the fees to be charged by the various City departments for City services, the City Council of the City of Richmond hereby amends the Master Fee Schedule to create the Residential Rental Housing Fee in accordance with Section 11.100.060(l) of the Municipal Code of the City of Richmond.

SECTION 3. Delinquency. Any Landlord as defined in Section 11.100.030(f) of the Municipal Code of the City of Richmond who fails to file any required statement and pay the amount of the Residential Rental Housing Fee prescribed by City Council resolution within thirty (30) days after it becomes due shall be deemed delinquent and shall be assessed the following penalty:

- (1) Ten percent of the Residential Rental Housing Fee if the payment is made within one to thirty days after it became delinquent;
- (2) Twenty-five percent of the Residential Rental Housing Fee if the payment is made within thirty-one to sixty days after it became delinquent; and
- (3) Fifty percent of the Residential Rental Housing Fee if the payment is made more than sixty days after it became delinquent.

Such penalty shall become part of the Residential Rental Housing Fee then required to be paid under this Section 2.34.040 and enabling resolution, and if such delinquency continues thereafter, such person shall be subject to all further penal provisions and remedies contained in this chapter.

SECTION 4. City entitled to payment.

- (a) The City shall be entitled to payment from any Landlord as defined in Section 11.100.030(f) of the Municipal Code of the City of Richmond for services rendered by the City of Richmond Rent Program.
- (b) If any Landlord fails to pay the Residential Rental Housing Fee, the Director of Finance shall mail the Landlord a final request for payment for the amounts owed, plus penalties, such as those described in Section 3. The final request shall include a warning notice that

if the Residential Rental Housing Fee is not paid within thirty (30) days, they will be placed on the real property tax rolls. The warning notice shall include information concerning the additional administrative charges that will become due if a lien is recorded against the property, and that the City shall assess the property on the property owner's next property tax statement if the Residential Rental Housing Fee plus any applicable penalties charged to each owner according to the most recent property assessment rolls of the County Assessor is unpaid.

- (c) If the payment is not made by the owner within thirty (30) days, the Director of Finance shall send a certified notice which shall contain the name or names of the owner, the address of the property served, the period of the service, and the amounts due plus penalties.
- (d) The notice shall set a time and place for an administrative hearing before the Director of Finance and shall be mailed to each person to whom the described property for which the service is rendered is assessed on the most recent property assessment rolls of the County Assessor. The notice shall be mailed not less than fifteen (15) days prior to the date of the hearing.
- (e) The Director of Finance shall conduct a hearing. The Director of Finance shall determine whether an assessment should be imposed upon the owner's property.
- (f) If the Director of Finance approves the delinquent charges against the owner of the property and the owner fails to pay said charges, an assessment on the real property for which the service was rendered will be recorded with the Recorder of Contra Costa County. The recorded assessment shall carry an additional administrative charge of \$45.00.
- (g) Delinquent charges which remain unpaid by the owner shall constitute a special assessment against the property to which the service was rendered and shall be collected at such time as established by the County Assessor for inclusion in the next property tax assessment.
- (h) The Director of Finance shall turn over to the County Assessor for inclusion in the next property tax assessment the total sum of unpaid delinquent charges plus penalties as described in Section 3 and administrative charges, plus an assessment charge of \$5.00 as a special assessment against the parcel of property situated within the City to which the service was rendered. The assessment shall be collected at the same time and in the same manner as municipal taxes are collected. The assessment shall be subordinate to all existing special assessment previously imposed on the property. It shall have priority over other liens except for those State, County, and municipal taxes with which it shall have parity. The assessment shall continue until the assessment and all interest and charges due and payable thereon are paid. All laws applicable to the levy, collection and enforcement of municipal taxes shall be applicable to the special assessment.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed each and every section, subsection, phrase or clause of this ordinance irrespective of the fact that any one or more sections, subsections, phrases or clauses be declared invalid or unconstitutional, whether on its face or as applied.

SECTION 6. This ordinance shall be effective 30 days after passage and adoption.

First read at a regular meeting of the Council of the City of Richmond held July 18, 2017, and finally passed and adopted at a regular meeting thereof held July 25, 2017, by the following vote:

AYES: Councilmembers Choi, Martinez, Myrick, Willis, Vice Mayor Beckles, and Mayor Butt.
NOES: None.
ABSTENTIONS: None.
ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:
TOM BUTT
Mayor

Approved as to form:
BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Ordinance No. 16-17 N.S.**, passed and adopted by the City Council of the City of Richmond at a regular meeting held on July 25, 2017.



Pamela Christian, City Clerk of the City of Richmond