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ORDINANCE NUMBER 1171

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL DELETING SECTION 9.36.090 OF THE SEBASTOPOL MUNCIPAL CODE TO ELIMINATE THE AUTOMATIC REPEAL OF THE JUST CAUSE EVICTION ORDINANCE

WHEREAS, secure and stable shelter is a basic necessity of life; and

WHEREAS, displacement through eviction destabilizes the living situation of tenants, and impacts the health of City residents and businesses by disrupting the social ties and networks that are integral to citizens' welfare and the stability of communities within the City; and

WHEREAS, housing instability threatens the public peace, health, and safety as eviction from one's home can lead to prolonged homelessness; strain on household finances due to the necessity of paying rental application fees and security deposits; and stress and anxiety experienced by those displaced; and

WHEREAS, the State of California has recognized the importance of regulating the ability of landlords to terminate tenancies, and previously enacted the Tenant Protection Act of 2019 which, among other things, requires landlords to have just cause to terminate a tenancy, and pay relocation assistance when landlords terminate the tenancies for no-fault just cause; and

WHEREAS, the Tenant Protection Act of 2019 provides important baseline protections for many tenants, but does not apply to tenants living in rental units restricted by deed, regulatory restriction contained in an agreement with a government agency, or other recorded document as affordable housing ("Regulated Units"); and

WHEREAS, because of the shortage of Regulated Units, when a tenant is displaced from a Regulated Unit it is very difficult for the tenant to find a new Regulated unit. If the tenant is not able to find a Regulated Unit, the tenant risks becoming homeless or having to move into a market rate unit where they will be extremely rent burdened and unable to afford other necessities; and

WHEREAS, when a tenant is displaced, they will face significant moving expenses, as well as costs associated with finding new housing, such as security deposits. These costs create a greater burden on tenants living in Regulated Units, all of whom have limited incomes; and
WHEREAS, when a tenant is displaced through no fault of their own, the landlord should assist the tenant with these costs; and

WHEREAS, for these reasons, the residents of the Regulated Units in the City are disproportionately and severely impacted by displacement; and

WHEREAS, the City Council previously enacted Municipal Code Chapter 9.36, Just Cause Eviction and Tenant Relocation, to extend the protections of the Tenant Protection Act of 2019 to certain Regulated Units, to apply those protections from the first day of tenancy, and to require greater relocation assistance for those tenants of Regulated Units displaced for a no-fault, just cause; and

WHEEREAS, Section 9.36.090 currently provides for the automatic repeal of Chapter 9.36 on January 1, 2027; and

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WHEREAS, the City Council finds that the reasonable regulation of tenancy terminations in Regulated Units remains necessary to protect the health, safety, and the general welfare of the public, and therefore the City Council desires to make Chapter 9.36 permanent; and

WHEREAS, the California Constitution, Article XI, Section 7, provides cities with authority to enact ordinances to protect the health, safety, welfare and morals of their citizens, and the proposed ordinance is a permissible exercise of this authority.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEBASTOPOL DOES ORDAIN AS FOLLOWS:

1. Recitals. The above Recitals are true and correct and are made a part of this Ordinance. The City Council further finds that the findings made as part of the original adoption of Municipal Chapter 9.36 remain true and accurate.

2. Deletion of Section 9.36.090. Section 9.36.090, Expiration, of the Sebastopol Municipal Code is hereby deleted in its entirety, as shown below:

   ~~**9.36.090 Expiration**~~

   ~~This Chapter shall remain in effect only until January 1, 2027, and as of that date is repealed.~~

3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed the Ordinance, and each and every section, subsection, sentence, clause, phrase or portion not declared invalid or unconstitutional without regard to whether any portion of this Ordinance would be subsequently declared invalid or unconstitutional.

4. CEQA. The Sebastopol City Council finds that this Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines. This ordinance deletes the sunset date for an ordinance regulating the termination of certain tenancies, and does not authorize any new development or use. It can be seen with certainty that the ordinance has no potential for causing a significant effect on the environment.

5. Effective Date and Publication. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its adoption. Before the expiration of fifteen (15) days after said passage, this ordinance or a summary therefore as provided in California Government Code Section 36933, shall be published at least once in a newspaper of general circulation published and circulated in the City of Sebastopol, along with the names of the Council Members voting for or against its passage.

APPROVED FOR FIRST READING AND INTRODUCTION OF ORDINANCE at the Regular City Council Meeting of November 17, 2026.

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VOTE:

Ayes: Councilmembers Carter, Hinton, Zollman, Vice Mayor Maurer and Mayor McLewis
Noes: None
Absent: None
Abstain: None

APPROVED: Signed by: Jill McLewis 7C6BCED0A8914A1...
Mayor Jill McLewis

ATTEST: Signed by: Mary Gourley 44C0774260FE430...
Mary Gourley, City Manager/City Clerk, MMC

APPROVED AS TO FORM: Signed by: Alex Mog 66BDB79D572A4EB...
Alex Mog, City Attorney