

ITEM 4.3

CITY MANAGER'S REPORT APRIL 8, 2024 CITY COUNCIL REGULAR MEETING

ITEM: SECOND READING AND ADOPTION OF ORDINANCE 24-457 OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING THE LATHROP MUNICIPAL CODE (LMC) TO REGULATE SHORT-TERM RENTALS AND BICYCLE VIOLATIONS BY ADDING NEW CHAPTERS TO TITLE 5, BUSINESS LICENSES AND REGULATIONS, AND TITLE 9, PUBLIC PEACE AND WELFARE

RECOMMENDATION: Waive Full Reading and Adopt Ordinance 24-457 Amending the Lathrop Municipal Code (LMC) to Regulate Short-Term Rentals and Bicycle Violations by Adding New Chapters to Title 5, Business Licenses and Regulations, and Title 9, Public Peace and Welfare

RECOMMENDED ACTION:

The City Council to conduct a second reading and adopt Ordinance 24-457 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP TO AMEND THE LATHROP MUNICIPAL CODE (LMC) TO REGULATE SHORT-TERM RENTALS AND BICYCLE VIOLATIONS BY ADDING NEW CHAPTERS TO TITLE 5, BUSINESS LICENSES AND REGULATIONS, AND TITLE 9, PUBLIC PEACE AND WELFARE

SUMMARY:

On March 11, 2024, the City Council approved the introduction and first reading of the subject Ordinance by the following vote:

AYES: Lazard, Torres-O'Callaghan, and Dhaliwal
NOES: None
ABSTAIN: None
ABSENT: Akinjo and Diallo

The Ordinance will take effect 30 days after adoption.

SUBMITTED BY:



Teresa Vargas, City Clerk

3/28/24

Date

ORDINANCE NO. 24-457

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP TO AMEND THE LATHROP MUNICIPAL CODE (LMC) TO REGULATE SHORT-TERM RENTALS AND BICYCLE VIOLATIONS BY ADDING NEW CHAPTERS TO TITLE 5, BUSINESS LICENSES AND REGULATIONS, AND TITLE 9, PUBLIC PEACE AND WELFARE

WHEREAS, the City of Lathrop does not allow short-term rentals within the City; and

WHEREAS, the proposed ordinance will provide clarity and prevent any uncertainties in regard to the permissibility of short-term rentals within the City; and

WHEREAS, negative consequences associated with short-term vacation rentals include, but are not limited to, contributing to affordable housing shortages, generating complaints about parking, noise, and refuse, and posing a risk to the character of residential neighborhoods by providing access to transient occupants; and

WHEREAS, the proposed ordinance aims to address these issues by prioritizing affordable housing for long-term renters, supporting the traditional lodging industry where short-term occupancy is appropriate and allowed, and promoting the safety and character of residential neighborhoods; and

WHEREAS, the proposed ordinance is intended to prohibit short-term vacation rentals to ensure the protection of public health, safety, and general welfare, and reduce the costs associated with addressing service requests arising from short-term rentals; and

WHEREAS, our officers and community members encounter recurring issues that involve individuals riding their bicycles recklessly on City streets and other public places; and

WHEREAS, due to the frequent recurrence of reckless bicycle riding by individuals, the City has determined it necessary to propose an Ordinance to authorize the Lathrop Police Department to impound bicycles used to violate the California Vehicle Code; and

WHEREAS, this proposed ordinance will provide the police department with the legal framework needed to intervene and impound bicycles when individuals violate the California Vehicle Codes, ensuring accountability and discouraging repeat offenses; and

WHEREAS, this proposed ordinance is intended to reinforce the importance of compliance with traffic laws, create an environment that promotes safer streets, and provide traffic education to members of our community and instill a greater sense of accountability to deter similar behavior in the future; and

WHEREAS, proper notice of the public hearing held on March 11, 2024 was given in all respects as required by law; and

WHEREAS, the City Council of the City of Lathrop has duly considered all written evidence and oral testimony presented during the March 11, 2024 public hearing.

NOW THEREFORE, BE IT ORDAINED, that the City Council of the City of Lathrop, based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby approve the Lathrop Municipal Code amendments as shown on Attachment B and C of the staff report dated March 11, 2024 and incorporated by reference herein.

Section 1.

Title 5 of the Lathrop Municipal Code titled "Business Licenses and Regulations" is hereby amended by adding new Chapter 5.10 entitled "Short-Term Rental Prohibition". Title 9 of the Lathrop Municipal Code titled "Public Peace and Welfare" is hereby amended by adding new Chapter 9.28 entitled "Bicycles Used in Violation of the California Vehicle Code".

Section 2.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the city or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. Severability.

If any section, subsequent subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 4. Effective Date.

This Ordinance shall take legal effect 30 days from and after the date of its passage.

Section 5. Publication.

Within fifteen days of the adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published in full accordance with Section 36933 of the Government Code.

THIS ORDINANCE was introduced at a regular meeting of the City Council of the City of Lathrop on the 11th day of March 2024, and was PASSED AND ADOPTED at a regular meeting of the City Council of the City of Lathrop on the ___ day of _____ 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk

Salvador Navarrete, City Attorney