

**THE CITY COUNCIL
OF THE CITY OF SONORA**

ORDINANCE NO. 870

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA REPEALING
URGENCY ORDINANCE NO. 867 CONCERNING THE OPERATION OF SHORT TERM RENTALS
SUBJECT TO STATE AND COUNTY GUIDELINES**

WHEREAS, a state of emergency has been declared by the State of California (the "State") and local emergencies have been declared in the County of Tuolumne (the "County") and in the City of Sonora (the "City") in response to the COVID-19 pandemic; and

WHEREAS, to limit the spread of COVID-19, the State and the County have issued shelter in place orders, ordering all residents to shelter in their place of residence and the closure of all non-essential businesses; and

WHEREAS, to implement the State and County shelter in place orders, and to preserve essential resources and supplies, the City of Sonora City Council (the "City Council") adopted Urgency Ordinance No. 867 to prohibit non-essential short term rentals for the duration of the COVID-19 emergency; and

WHEREAS, the State has announced that, starting on June 12, 2020, county health officers may authorize the reopening of hotels, lodging and short term rentals for leisure in counties certified to have low cases of COVID-19 and have sufficient resources and supplies to limit the spread of COVID-19, subject to State guidelines; and

WHEREAS, the County has been certified as having low cases of COVID-19 and having sufficient resources and supplies to limit the spread of COVID-19; and

WHEREAS, on June 5, 2020, the County Health Officer announced a modification of the County shelter in place order, to take effect at midnight on June 12, 2020, to allow the reopening of hotels, lodging and short term rentals for leisure, subject to State and County guidelines; and

WHEREAS, Government Code section 8634 authorizes, during a local emergency, the City Council, or officials designated thereby, to promulgate orders and regulations necessary to provide for the protection of life and property; and

WHEREAS, the City, pursuant to the police powers delegated to it by the State Constitution, has the authority to enact laws that promote the public health, safety, and general welfare of its residents; and

WHEREAS, pursuant to California Government Code section 36937, the City may adopt an urgency ordinance if it is for the immediate preservation of the public peace, health or safety.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SONORA ORDAINS AS FOLLOWS:

SECTION 1. REPEAL OF URGENCY ORDINANCE NO. 867.

Urgency Ordinance No. 867, adopted by the City Council on April 6, 2020, entitled, "An Urgency Ordinance of the City Council of the City of Sonora to Prohibit Non-Essential Short Term Rentals for the Duration of the COVID-19 State of Emergency" is repealed in its entirety.

SECTION 2. SHORT TERM RENTALS AUTHORIZED TO OPERATE SUBJECT TO STATE AND COUNTY GUIDELINES.

Short-term lodging facilities, including hotels, motels, condominiums, campgrounds, single-family homes rented for short-term use for leisure, or other units within the City are authorized to operate and open within the City, subject to State and County industry-specific guidelines for reopening.

SECTION 3. ENFORCEMENT.

A violation of this Ordinance shall be considered a violation of the Sonora Municipal Code and of any Urgency Ordinance passed by the City Council of the City of Sonora at any time during the local emergency declared in response to the COVID-19 pandemic, and such violation shall be subject to the same enforcement measures.

SECTION 4. TERM.

This Ordinance remains in full force and effect until the Governor ends the state of emergency in response to the COVID-19 outbreak or until the Ordinance is rescinded by the City Council, whichever occurs first.

SECTION 5. SEVERABILITY.

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof and shall continue to be in full force and effect.

SECTION 6. URGENCY FINDING.

The City hereby finds, determines and declares that this Ordinance is necessary to the immediate preservation of the public peace, health or safety, because there is an urgent need to slow COVID-19 transmission as much as possible to protect the most vulnerable and to prevent the health care system from being overwhelmed. Therefore, the City further finds, determines and declares that this Ordinance takes effect immediately upon adoption pursuant to the authority conferred upon the City Council by California Government Code section 36937.

The foregoing Ordinance was introduced, adopted, approved and ordered published in full by a four-fifths vote at a meeting of the City Council of the City of Sonora, California, held on 15th of June, 2020, and said Ordinance was thereupon adopted by the following roll call vote.

AYES: Garaventa, Hawkins, Plummer, Such, Williams

NOES:

EXCUSED:

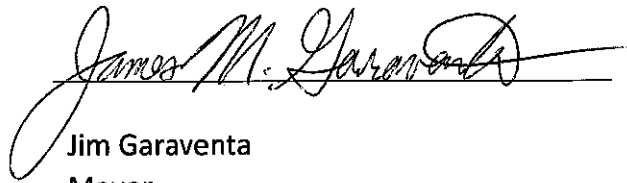
ABSTAIN:

ATTEST:

APPROVED:

 C/16/2020

Colette Such
City Clerk, Pro Tem



Jim Garaventa
Mayor