INTERIM ORDINANCE NO.: 22-05

AN UNCODIFIED INTERIM ORDINANCE OF THE CITY OF
INGLEWOOD, CALIFORNIA IMPOSING A TEMPORARY
MORATORIUM ON THE ESTABLISHMENT OF SHORT-TERM
RENTAL USE IN THE CITY OF INGLEWOOD AND PROHIBITING
PARTY-HOUSES.

WHEREAS, there is a shortage of affordable housing throughout State of California,
including the City of Inglewood; and

WHEREAS, advances in technology (AirBNB, VRBO, HomeAway and other similar
websites, collectively “Online Platforms”) have made it increasingly popular for persons to
engage in the short-term rental of dwellings as a business and thereby remove long-term
housing from the rental market; and

WHEREAS, the City must preserve its available housing stock for long-term renters who
contribute to the City’s cultural and ethnic diversity, and economic revival; and

WHEREAS, if left unregulated, the short-term rental of dwellings can negatively affect
the character of residential neighborhoods, weaken community bonds vital for a city to flourish
and increase demand for public services; and

WHEREAS, Inglewood Municipal Code section 8-1.42 provides that whenever any
person rents, leases, or has available for rent or lease, one or more residential units, such
person is deemed to be in the residential rental business; and

WHEREAS, the Inglewood Municipal Code (IMC) contains various provisions which are
applicable to persons in the residential rental business, including but not limited IMC section 8-
2 (business tax certificate and tax payment required); IMC section 8-23.4 (residential rental
business annual tax levy); IMC sections 9-56 through 9-67 (duty to collect and remit transient
occupancy tax to the City); and

WHEREAS, persons who offer short-term dwelling rentals through Online Platforms
may not be familiar with the applicability of the City’s various code sections to their business
activity; and
WHEREAS, most of the City’s code sections and regulations were adopted before the advent and now common use of Online Platforms for short-term rentals; and

WHEREAS, with the recent major development happening with in the City, the City Council finds itself needing to adopt and regulate the practice of house renting, sometime referred to as short term rental; and

WHEREAS, short-term rental shall mean a dwelling unit (rented in whole or in part) in which a building (other than a motel, hotel, or an inn) houses visitors, for compensation, for periods of 30 consecutive days or less; and

WHEREAS, the content of the City’s regulation would address the inspection of proposed short-term rental properties, the notification of nearby residents of proposed rentals, and other factors ensuring the safety of residents and visitors; and

WHEREAS, the lack of regulation has created an atmosphere where “anything” goes regarding the condition of properties being rented, their location within the City, the size of the party renting, and other factors that can directly impact the health and safety of the City’s residents and visitors alike; and

WHEREAS, the City has experienced a recent shooting at an unregulated short-term rental property that caused the unfortunate deaths of four young adults and injuries to another individual; and

WHEREAS, this senseless act of violence has resulted in grief, shock and outrage for the victims’ family, friends, and the Inglewood community; and

WHEREAS, criminal investigations remain ongoing; and

WHEREAS, Government Code sections 65858 empowers the City Council to adopt effective immediately, as an urgency measure, an interim ordinance for the immediate preservation of the public health or safety without following the procedures otherwise required prior to adoption of a zoning ordinance; and

WHEREAS, an urgency interim ordinance requires a four-fifths vote of the City Council for adoption and it shall be of no further force and effect forty-five (45) days from its date of adoption unless otherwise extended pursuant to Government Code section 65858(a); and
WHEREAS, based on the foregoing the City Council finds that there is a current and immediate threat to the public health, safety, and welfare associated with the proliferation of short-term rentals and that allowing such business activities to continue while staff studies the adoption of a comprehensive regulatory scheme would result in a threat to public health, safety and welfare; and

WHEREAS, disorderly conduct, crime, and other activities that have an adverse impacts on public health, safety, and welfare are more likely to occur and be severe at short-term rentals if the host does not own or live on the property, rents for less than two nights, and/or is not present to monitor and regulate the rental;

WHEREAS, ten days prior to the expiration of this interim ordinance or any extension thereof, the City Council is required by Government Code Section 65858(d) to issue a written report describing the measures taken to date to alleviate the condition which led to the adoption of this ordinance; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INGLEWOOD does ordain as follows:

SECTION 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby incorporate them into this ordinance.

SECTION 2. In accordance with Government Code section 65858, from and after the date of this Ordinance, a moratorium against the establishment of short-term rentals anywhere within the City of Inglewood is hereby enacted for a period of 45 days pending further study by City staff and development of appropriate regulations. This moratorium shall apply to any use which has not yet been lawfully established in accordance with all applicable requirements of the City of Inglewood, and which has not yet obtained substantial vested rights as defined by the California Supreme Court in *Avco Community Developers, Inc. v. South Coast Regional Com.* (1976) 17 Cal.3d 785.

SECTION 3. In accordance with Government Code section 65858, from and after the date of this Ordinance and for a 45 day period, any short-term rental which is operating in compliance with the Inglewood Municipal Code as outlined above shall be subject to the
following additional regulations prohibiting "party-houses":

1. If the short-term rental takes place on property where it is not the primary residence of the host, the rental period cannot be for less than three (3) days, i.e., no party-houses.

2. If the short-term rental takes place on the property where it is the primary residence of the host, the host must be present for rentals that are for less than three (3) days.

3. These regulations apply to any bookings/reservations that occur on or after the effective date of this Ordinance.

SECTION 4. Any short-term rental operating in compliance with the Inglewood Municipal Code shall be subject to Chapter 9 (Taxes) Article 8 (Transient Occupancy Tax). Any short-term rental operating out of compliance with the Inglewood Municipal Code shall be subject to fines, Transient Occupancy Taxes, and penalties. Transient Occupancy Taxes for any Short Term Rentals operated in Inglewood as of January 1, 2022 shall be remitted to the City of Inglewood by the host platform no later than March 1, 2022.

SECTION 5. This moratorium may be extended by the City Council in accordance with the provisions of California Government Code Section 65858(a).

SECTION 6. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines (Title 14 of the California Code of Regulations) Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change in the environment, directly or indirectly; it prevents changes in environment. Further, this action is exempt from CEQA under CEQA Guidelines section 15061(b)(3) (the amendments are exempt because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.)

SECTION 7. If any section, subsection, sentence, clause or phrase of this interim ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council declares
that it would have adopted this interim ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared invalid.

SECTION 8. The City Clerk shall certify that this interim ordinance was passed and adopted by the City Council of the City of Inglewood at a regular meeting thereof held February 1, 2022 by the following vote:

AYES: FIVE
NOES: NONE
ABSTENTIONS: NONE
ABSENT: NONE

[Signature]
Aisha L. Thompson, City Clerk

APPROVED:

[Signature]
James T. Butts, Jr., Mayor
STATE OF CALIFORNIA
COUNTY OF LOS ANGELES)
CITY OF INGLEWOOD

I, AISHA L. THOMPSON, City Clerk of the City of Inglewood, California do hereby certify that the whole number of members of the CITY COUNCIL of said city is five; that the foregoing ordinance being Ordinance No. 22-05 is the full, true and correct original of Ordinance No. 22-05 of the said City of Inglewood, California entitled;

AN UNCODIFIED INTERIM ORDINANCE OF THE CITY OF INGLEWOOD, CALIFORNIA IMPOSING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF SHORT-TERM RENTAL USE IN THE CITY OF INGLEWOOD AND PROHIBITING PARTY-HOUSES

which was duly passed and adopted by the said City Council, approved and signed by the Mayor of said city, and attested by the City Clerk of said City, all at a meeting of said Council held on the 1st day of February, 2022 and that the same was so passed and adopted by the following vote:

Ayes: Council Members, Dotson, Padilla, Morales, Faulk, and Mayor Butts, Jr.;

Noes: None.

WITNESS my hand and the seal of said City the 7th day of January, 2022.

(SEAL)

City Clerk of the City of Inglewood