

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

**AN UNPUBLISHED AND UNCODIFIED
AMENDMENT TO URGENCY
ORDINANCE OF THE CITY OF FORT
BRAGG ESTABLISHING A TEMPORARY
MORATORIUM AND EXTENDING THE
EXPIRATION TO JUNE 30, 2020 AND
DECLARING THE AMENDMENT TO BE
AN EMERGENCY MEASURE TO TAKE
EFFECT IMMEDIATELY UPON
ADOPTION**

**AMENDMENT TO
URGENCY ORDINANCE
NO. 960-2020**

**THE CITY COUNCIL OF THE CITY OF FORT BRAGG DOES HEREBY
INCORPORATE ORDINANCE 960-2020 BY REFERENCE AND AMENDS AND
REPLACES SECTIONS 1 AND 2 OF SAID ORDINANCE 960-2020 AS FOLLOWS:**

SECTION 1. Findings and Emergency Declaration.

The City Council finds and declares as follows:

- A. In order to address the immediate threat to the public peace, health and safety, this ordinance extends the temporary eviction moratorium throughout the City of Fort Bragg related to the existence of the COVID-19 pandemic emergency.
- B. This ordinance is an emergency measure, to take effect immediately upon adoption pursuant to California Government Code section 36934 based on the facts recited above.

SECTION 2. Moratorium on evictions due to nonpayment of rent during the COVID-19 emergency.

Pursuant to the general police power of the City to protect the health, safety and welfare of its citizens, the authority of any landlord to commence evictions on any residential or commercial property within the unincorporated area for the following reasons is hereby suspended through June 30, 2020, unless otherwise terminated:

- A. The basis of the eviction is nonpayment of rent, or a foreclosure, arising out of a substantial decrease in household or business income (including but not limited to, a substantial decrease in household income caused by layoffs or a reduction in the number of compensable hours of work, or a substantial decrease in business income caused by a reduction in opening hours or consumer demand), or substantial out-of-pocket medical expenses; and

- B. The decrease in household or business income or the out-of-pocket medical expenses described in Paragraph A was caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19, and is documented; and
- C. To take advantage of the protections afforded under this Ordinance, a tenant must do all the following:
 - a. Notify the landlord in writing seven (7) days before the day rent is due that the tenant has a covered reason for delayed payment, except rent due June 1, 2020;
 - b. Provide the landlord with verifiable documentation to support the assertion of a covered reason for delayed payment within thirty (30) days of the day the rent is due.

Nothing in this ordinance shall relieve a tenant of the obligation to pay rent, nor restrict a landlord's ability to recover rent due.

The foregoing Urgency Ordinance Amendment was introduced by Councilmember _____ and adopted at a special meeting of the City Council of the City of Fort Bragg held on May 28, 2020 by the following vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:**

**William V. Lee,
Mayor**

ATTEST:

**June Lemos, CMC
City Clerk**

EFFECTIVE DATE: May 28, 2020.