

INITIATIVE ORDINANCE NO. \_\_\_\_\_  
(Approved by the Voters on November \_\_\_\_, 2013)

AN ORDINANCE OF THE PEOPLE OF THE CITY OF ANTIOCH  
ADDING A LANDLORD RENTAL FEE TO THE CODE OF ORDINANCES

The people of the City of Antioch do ordain as follows:

Section 1. Title. This Ordinance shall be known and referred to as the  
“Landlord Rental Fee Ordinance.”

Section 2. Purpose. This Ordinance is adopted to amend the business license  
fee for residential landlords in order to partially defray the financial impact of rental  
housing on the city’s general fund.

Section 3. Recitals. It is determined and declared that:

A. Under the Antioch Code of Ordinances as written before enactment of  
this Landlord Rental Fee Ordinance, residential landlords were assessed an annual  
business license fee in an amount based on their gross annual income;

B. Subject to cost-of-living adjustments, the highest amount a residential  
landlord was required to pay was \$1,250 per year (plus 20¢ per thousand dollars  
of annual income over \$1,000,000);

C. The current general fund balance is well below what is required to  
provide an adequate level of basic services for the approximately 103,000 people  
who currently reside in Antioch;

D. For example, the Antioch Police Department is currently unable to  
afford the additional police officers needed to meet appropriate staffing levels;

E. Rental properties make up approximately 1/3 of the city’s housing  
stock; and

F. Adoption of this Ordinance sets a more realistic fee for the privilege  
of engaging in the business of renting residential dwelling units in Antioch.

Section 4. Municipal Code Amendment.

The Antioch Municipal Code is hereby amended by adding the Landlord  
Rental Fee to read in its entirety as follows:

“All those in the business of renting residential dwelling units (e.g. living  
quarters) shall pay an annual license fee of \$240 per year for each residential

dwelling unit they are renting or have available for rent within the city, except for: (i) the following types of living quarters as defined in Section 9-5.203: adult hotel or motel, bed and breakfast inn, family care home, family day care home (big and small), hospital, hotel, motel, residential convalescent facility, senior housing and senior group housing; (ii) living quarters which must be exempt as a matter of law, if any; and (iii) living quarters which the city council reasonably determines to be substantially similar in nature to one of the excepted living quarters listed above and that exemption is otherwise appropriate. The finance director may promulgate administrative policies and procedures to effectively assess this fee.”

Section 5.      Effective Date.

This Ordinance shall go into effect ten (10) days after the date on which the election results are declared by the City Council.

Section 6.      Construction.

To the maximum extent authorized by law, this Ordinance shall be interpreted in a manner consistent with the right of initiative reserved to the people by the California Constitution. Without limiting the foregoing, nothing in this Ordinance is intended nor shall be construed to supersede, diminish or otherwise conflict with applicable requirements of state or federal law.

Section 7.      Future Amendments.

Pursuant to article II, section 10(c) of the California Constitution, the provisions contained in this Ordinance may be amended by a four-fifths vote of the City Council only to the extent such amendments further or expand the intent and objectives set forth in this Ordinance. All other amendments or any proposed repeal of the provisions contained in this Ordinance shall become effective only when approved by the voters.

Section 8.      Severability.

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, that determination of invalidity shall not effect other provisions or application of the Ordinance that can be given effect without the invalid provision, and to this end the provisions of this Ordinance are severable. The voters of the city hereby declare that they would have adopted this Ordinance and each portion thereof regardless of the fact that an invalid portion or portions may have been present in the Ordinance.

ADOPTED by the vote of the people of the City of Antioch on November \_\_\_\_, 2013 at a General Municipal Election as certified by the City Council of the City of Antioch on the \_\_\_\_ day of \_\_\_\_, 2013, this Ordinance is effective beginning 10 days thereafter on \_\_\_\_, 2013.

ATTEST:

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City Clerk of the City of Antioch

STATE OF CALIFORNIA     )  
CONTRA COSTA COUNTY    ) SS  
CITY OF ANTIOCH         )

I, Arne Simonsen, City Clerk of the City of Antioch, DO HEREBY CERTIFY that the foregoing Ordinance was adopted by the voters of the City of Antioch as an initiative measure at an election held on November \_\_\_\_, 2013, as certified by the City Council of the City of Antioch on \_\_\_\_th day of \_\_\_\_, 2013, and that this Ordinance is effective beginning ten days thereafter on \_\_\_\_, 2013.

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City Clerk of the City of Antioch