

ORDINANCE NO. 294U-22

**AN URGENCY ORDINANCE OF THE CITY OF WESTLAKE VILLAGE
REPEALING THE COVID-19 TEMPORARY EVICTION MORATORIUM (ORDINANCE
NO. 278U-20 AND 282U-20) AND DECLARING THE URGENCY THEREOF**

**THE CITY COUNCIL OF THE CITY OF WESTLAKE VILLAGE DOES ORDAIN
AS FOLLOWS:**

Section 1. Findings and Intent.

A. On March 4, 2020, Governor Newsom proclaimed a state of emergency due to the spread of “coronavirus disease 2019” (“COVID-19”) in California.

B. On March 16, 2020, the Governor issued Executive Order N-28-20. This Executive Order suspended “[a]ny provision of state law that would preempt or otherwise restrict a local government’s exercise of its police power to impose substantive limitations on residential or commercial evictions” of certain tenants affected by the COVID-19 pandemic.

C. On March 17, 2020, the City Council adopted Ordinance No. 278U-20 to establish a temporary eviction moratorium for the duration of the COVID-19 local emergency. Ordinance No. 278U-20 generally provides eviction protection for residential and commercial tenants who are unable to pay rent due to the COVID-19 pandemic.

D. On March 19, 2020, the Chair of the Los Angeles County Board of Supervisors issued an Executive Order that imposed a temporary moratorium on evictions for non-payment of rent by residential or commercial tenants impacted by COVID-19 (“County Eviction Moratorium”).

E. On June 9, 2020, the City Council adopted Ordinance No. 282U-20 to amend Ordinance No. 278U-20 to modify the time period during which the Ordinance’s eviction moratorium is in effect to match the time period that the local government authorization under Executive Order N-28-20 is in effect, and to extend the time period during which a tenant must repay unpaid rent to one year after termination of the COVID-19 local emergency.

F. On September 1, 2020, the Los Angeles County Board of Supervisors amended the County Eviction Moratorium to, in part, establish the County’s eviction protections as the baseline for all incorporated cities within Los Angeles County, including cities with their own local eviction moratoria if those moratoria did not include the same or greater tenant protections as the County Eviction Moratorium.

G. On September 30, 2021, the local government authorization under Executive Order N-28-20 to impose substantive limitations on evictions expired.

H. On January 25, 2022, the Los Angeles County Board of Supervisors voted to extend the County's COVID-19 Tenant Protections Resolution (formerly the County Eviction Moratorium) for residential tenants through December 31, 2022.

I. Except for the provision on the repayment of unpaid rent, Ordinance No. 278U-28 (as amended) is no longer in effect as its duration matched Executive Order N-28-20.

J. To avoid any potential confusion in the applicability of provisions on evictions related to the COVID-19 emergency, it is in the best interest of the City and the general public health, safety, and welfare to repeal Ordinance No. 278U-20, as amended by Ordinance No. 282U-20.

Section 2. Repeal. Ordinance No. 278U-20 and Ordinance No. 282U-20 are repealed in their entirety.

Section 3. Repayment. Tenants previously protected by Ordinance No. 278U-20, as amended by Ordinance No. 282U-20, that have been unable to pay rent due to financial impacts related to COVID-19 and have otherwise complied with the requirements of Ordinance No. 278U-20, as amended, shall have twelve months following the effective date of this Ordinance to repay unpaid rent.

Section 4. Urgency Declaration. The City Council finds that tenants and landlords are likely confused about the applicability of the City's eviction moratorium in conjunction with the State and County eviction protections and the expiration of the Governor's authorization for local governments to impose limitations on evictions. The City Council further finds that in order to provide clarity and decrease the risk of the loss of housing and businesses, this Ordinance must be effective immediately. Therefore, the immediate preservation of the public health, safety, and welfare requires that this Ordinance be enacted as an urgency ordinance pursuant to Government Code Section 36937(b) and that it take effect immediately upon adoption pursuant to Government Code Section 36934, and its urgency is hereby declared.

Section 5. CEQA. The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption of this Ordinance may have a significant effect on the environment because it repeals a temporary eviction moratorium to return to the status quo. It is therefore exempt from California Environmental Quality Act review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations.

Section 6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

PASSED, APPROVED and ADOPTED this 22 day of June, 2022.



Brad Halpern, Mayor

ATTEST:



Antoinette Mann, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF WESTLAKE VILLAGE)

I, ANTOINETTE M. MANN, City Clerk of the City of Westlake Village, California, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of Ordinance No. 294U-22, AN URGENCY ORDINANCE which was introduced and adopted by the City Council of the City of Westlake Village at a regular meeting held on June 22, 2022 by the following vote:

AYES: Councilmember McSweeney, Councilmember Honig,
Councilmember Davis, Mayor Pro Tem Pearl and Mayor Halpern
NOES: None
ABSENT: None
ABSTAIN: None

I further certify that said Ordinance No. 294U-22 was published as required by law in the ACORN, a newspaper of general circulation printed and published in said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Westlake Village, California.

Antoinette M. Mann
Antoinette M. Mann, City Clerk
City of Westlake Village, California

June 24, 2022
Date Attested