

ORDINANCE NO. 2025-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VISALIA AMENDING SECTION 8.40.060 C 1 and 2 OF THE VISALIA MUNICIPAL CODE BRINGING THE CODE INTO COMPLIANCE WITH ASSEMBL BILL 1418

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VISALIA

SECTION 1. Consistent with its control over municipal affairs as a charter city and the powers vested in the City of Visalia through the California Constitution, the City of Visalia is authorized to secure and promote the public health, comfort, safety, and welfare of its citizenry. The City of Council of the City of Visalia hereby makes the followings findings:

- A. Current code is not currently in compliance with Assembly Bill 1418.
- B. Assembly Bill (AB) 1418, which prohibits a local agency from authorizing or returning the imposition of a penalty against a resident, owner, tenant, landlord, or another person as a consequence of contact with a law enforcement or emergency assistance being summoned by certain individuals, including a victim of abuse or crime.
- C. This ordinance update, if approved, will bring the City of Visalia into compliance with this State statute.

SECTION 2. The Visalia City Council hereby approves the following revision to Visalia Municipal Code Chapter 8.40.060 C 1 and 2, which brings the current code into compliance with Assembly Bill 1418, as specified by underline & italics for additions and ~~strikeout~~ for deletions:

8.40.060 C 1 and 2 Declaration of Public Nuisance; Issuance of Administrative Enforcement Order”

C. Management quality standards. The following items shall constitute reasonable basis for the enforcement officer to believe that a property is not being properly managed or maintained. The existence of any of these circumstances shall justify an inspection of the property by the enforcement officer. In addition, violation of these standards may be used as evidence that a public nuisance exists.

1. For an individual residential unit, whether the unit is a standalone residence or part of a multi- family complex, more than six Visalia Municipal Code violations have been issued ~~police and/or fire calls~~ over a one year period involving matters that would constitute a nuisance pursuant to Part 3 (commencing with Section 3479) of Division 4 of the Civil Code ~~(other than a medical emergency);~~

2. For a complex or building containing multiple residential units, more than a monthly average of .20 Visalia Municipal Code violations ~~police and/or fire calls~~ per unit over a six-month period involving matters that would constitute a nuisance pursuant to Part 3

(commencing with Section 3479) of Division 4 of the Civil Code ~~(other than a medical emergency);~~

8.40.060 C 1 and 2 Declaration of Public Nuisance; Issuance of Administrative Enforcement Order”

New Section 8.40.060 (C)

C. Management quality standards. The following items shall constitute reasonable basis for the enforcement officer to believe that a property is not being properly managed or maintained. The existence of any of these circumstances shall justify an inspection of the property by the enforcement officer. In addition, violation of these standards may be used as evidence that a public nuisance exists.

1. For an individual residential unit, whether the unit is a standalone residence or part of a multi- family complex, more than six Visalia Municipal Code violations have been issued over a one year period involving matters that would constitute a nuisance pursuant to Part 3 (commencing with Section 3479) of Division 4 of the Civil Code

2. For a complex or building containing multiple residential units, more than a monthly average of .20 Visalia Municipal Code violations per unit over a six-month period involving matters that would constitute a nuisance pursuant to Part 3 (commencing with Section 3479) of Division 4 of the Civil Code

SECTION 3. The City Council intends this Ordinance to supplement, not contradict applicable state law and this Ordinance shall be construed in light of that intent.

SECTION 4. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstances, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivision, paragraphs, sentences, clauses or phrases of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Visalia hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

SECTION 5. This Ordinance shall take effect thirty days after its adoption.

SECTION 6. The City Clerk Shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted as required by law.

PASSED AND ADOPTED:

BRETT TAYLOR, MAYOR

ATTEST:

LESLIE CAVIGLIA, CITY CLERK

APPROVED BY CITY ATTORNEY

STATE OF CALIFORNIA)

COUNTY OF TULARE) ss.

CITY OF VISALIA)

I, Leslie Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Ordinance 2025-12 passed and adopted by the Council of the City of Visalia at a regular meeting held on October 20, 2025 and certify a summary of this ordinance will be published in the Visalia Times Delta.

Dated:

LESLIE CAVIGLIA, CITY CLERK

By Reyna Rivera, Chief Deputy City Clerk