

ORDINANCE SUMMARY

AN URGENCY ORDINANCE OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS PROHIBITING PRICE GOUGING FOLLOWING THE REDWOOD COMPLEX FIRE

This urgency ordinance is in response to the local emergency created by the Redwood Complex Fire.

The ordinance makes it unlawful for any person to offer for rent or lease a dwelling unit in the unincorporated areas of the County of Mendocino for more than 10% above the dwelling units' prior housing price, unless such person can prove that the excess is directly attributable to additional costs resulting from the labor or materials used to rent or lease the dwelling unit. In such instances, only the actual cost increase may be added to the prior housing price. For purposes of this ordinance, "prior housing price" shall be the rental price for the dwelling unit during the thirty-day period immediately preceding the State of Emergency and housing is defined as any rental housing with an initial lease term of no longer than one year. It also applies to, but is not limited to: food, emergency supplies, emergency cleanup services, goods, storage services, building materials, and construction services.

The penalty for a violation of the ordinance is a misdemeanor punishable by imprisonment in the County jail for a period not to exceed one year, or by a fine of up to twenty thousand dollars (\$20,000), or both. This increases the existing State fines by ten thousand dollars (\$10,000). Additionally, a violation may be subject to a civil enforcement action as an unlawful business practice and an act of unfair competition which includes penalties of up to five thousand dollars (\$5,000) per violation, injunctive relief, and mandatory restitution.

The ordinance contains findings establishing the urgency of the ordinance as required by Government Code section 25131.