

EXHIBIT A
ORDINANCE NO. 19-

Chapter 4-41. NON-HOSTED SHORT-TERM RENTALS PROHIBITED

4-41-100 Purpose.

The purpose of this Chapter is to prohibit the non-hosted rental of all or part of a residential dwelling unit for fewer than 30 days. The City finds it necessary to establish this prohibition to regulate non-hosted short-term rentals of property in the interest of the public health, safety, and welfare.

4-41-110 Non-Hosted Short-Term Rentals

The renting, letting, or operating of Non-Hosted Short Term Rentals in all dwelling units, bedrooms, buildings, structures or properties within the City of San Leandro is prohibited. The penalties for renting or operating a Non-Hosted Short Term Rental shall be as follows:

- (a) 1st Notice of Violation (NOV): Misdemeanor prosecuted by City, \$1000 fine or six months in jail.
- (b) 2nd violation: \$1000 fine or six months in jail, declaration of a public nuisance, and legal action by the City against host or property owner to enjoin illegal use of the property, with pleading to include repayment of City's attorneys' fees and costs.
- (c) 3rd violation within a 2 year period: \$1000 fine or six months in jail, and triple damages for a second or subsequent civil or criminal judgment within a 2-year period, and repayment of City's attorneys' fees and costs. City Attorney is authorized to bring without City Council approval an action for punitive damages for willful violation of the Code.

4-41-120 Definitions.

As used in this Article:

- (a) "Non-hosted" means that the primary occupant of the dwelling within which the rental takes place is absent from the dwelling for some or all of the rental period.
- (b) "Dwelling Unit" means one room, or a series of rooms that provides not more than one kitchen and one or more bathrooms, and is intended for occupancy by a single housekeeping unit. An individual dwelling unit is characterized by a single main pedestrian entry, with all other points of entry being visually subordinate, and an interior stairway provided between all stories.

- (c) "Bedroom" means a room used for sleeping, living, or dining purposes, excluding enclosed places (e.g., closets, pantries, bath or toilet rooms, service rooms, rooms without windows for egress, connecting corridors, laundries, unfinished attics, foyers, storage spaces, garages, cellars, utility rooms and similar spaces).

SECTION FOUR. SEVERABILITY.

The City Council hereby declares that every section, paragraph, clause and phrase of this Ordinance is severable. If, for any reason, any section, paragraph, clause or phrase is held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, clauses or phrases.

SECTION FIVE. EFFECTIVE DATE AND POSTING.

This ordinance shall take effect thirty (30) days after adoption. The City Clerk is directed to publish the title once and post a complete copy thereof on the City Council Chamber bulletin board for five (5) days prior to adoption.