

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING SECTIONS 17.22.160 AND 17.22.270, ADDING A NEW SECTION 17.22.235, AND ADDING A NEW PART 10 TO CHAPTER 17.22 OF TITLE 17 OF THE SAN JOSE MUNICIPAL CODE TO MAKE TECHNICAL CLARIFYING REVISIONS TO THE DEFINITIONS OF THE MOBILEHOME RENT ORDINANCE AND TO ADD A NEW PROVISION PROVIDING AUTHORITY TO THE CITY MANAGER OR THEIR DESIGNEE TO PROMULGATE AND AMEND REGULATIONS FOR THE ADMINISTRATION OF THE MOBILEHOME RENT ORDINANCE**

**WHEREAS**, in July 1979, the City of San José (“City”) adopted its first rent control legislation under Ordinance No. 19696, applying rent control to rents charged by landlords for both apartments and mobilehome parks; and

**WHEREAS**, on July 19, 1985, the City adopted Ordinance No. 22020 adding Chapter 17.22 to the San José Municipal Code, titled the San José Mobilehome Rental Dispute Mediation and Arbitration Ordinance (“MRO”), which covered the rent charged in mobilehome parks to mobilehomes, mobilehome lots, motorhomes, and recreational vehicles; and

**WHEREAS**, on June 24, 1986, the City adopted Ordinance No. 22284 replacing and superseding Ordinance No. 22020 and simultaneously approved Regulations that included additional definitions and was designed to streamline processes for conducting administrative hearings on rent increases in mobilehome parks; and

**WHEREAS**, since passing rent control in 1979, the City has always applied rent control to rent charged by landlords in mobilehome parks to mobilehomes, recreational vehicles, and motorhomes that were used for human habitation on a permanent rather

than transient basis and were located on mobilehome lots for which plumbing, electrical and sewer permits were issued before September 7, 1979; and

**WHEREAS**, these amendments are intended to clarify and reaffirm the City's longstanding application of the MRO to recreational vehicles occupied as residences in mobilehome parks; and

**WHEREAS**, pursuant to the provisions and requirements of the California Environmental Quality Act of 1970, together with related State CEQA Guidelines and Title 21 of the San José Municipal Code (collectively, "CEQA"), the Director of Planning, Building and Code Enforcement has determined that the provisions of this Ordinance do not constitute a project, under File No. PP17-008 (General Procedure & Policy Making resulting in no changes to the physical environment); and

**WHEREAS**, the City Council of the City of San José is the decision-making body for this Ordinance; and

**WHEREAS**, this Council has reviewed and considered the "not a project" determination under CEQA prior to taking any approval actions on this Ordinance;

**NOW, THEREFORE**, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. Section 17.22.160 of Chapter 17.22 of Title 17 of the San José Municipal Code is amended to read as follows:

### **17.22.160 Mobilehome**

"Mobilehome" means a structure transportable in one or more sections, designed and equipped to contain not more than one dwelling unit, to be used with or without a foundation system. Mobilehome shall include Recreational Vehicles.

SECTION 2. A new Section is added to Chapter 17.22 of Title 17 of the San José Municipal Code, to be numbered, entitled, and to read as follows:

### **17.22.235 Recreational Vehicle**

"Recreational Vehicle" means a motor home, travel trailer, park trailer, truck camper, camping trailer or similar type of vehicle, with or without motive power, used for human habitation on a permanent rather than transient basis and occupies a Mobilehome Park.

SECTION 3. Section 17.22.270 of Chapter 17.22 of Title 17 of the San José Municipal Code is amended to read as follows:

### **17.22.270 Rental Unit**

"Rental unit" means a mobilehome or mobilehome lot, located in a mobilehome park in the City of San José, which is offered or available for rent. Rental unit includes the land, with or without a mobilehome, and appurtenant buildings thereto and all housing services, privileges and facilities supplied in connection with the use or occupancy of the mobilehome or mobilehome lot. "Rental Unit" shall also mean a Recreational Vehicle defined under 17.22.235 located either within a Mobilehome park or a separately designated section of a Mobilehome park that is used for Recreational Vehicles.

SECTION 4. A new Part is added to Chapter 17.22 of Title 17 of the San José Municipal Code, to be numbered, entitled, and to read as follows:

**Part 10**  
**Regulations**

**17.22.1100 Regulations**

The City Manager or their designee shall have the authority to promulgate and amend regulations for the administration and implementation of this Chapter 17.22, which regulations shall have the force of law.

PASSED FOR PUBLICATION of title this \_\_\_\_ day of \_\_\_\_\_, 2025, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

\_\_\_\_\_  
MATT MAHAN  
Mayor

ATTEST:

\_\_\_\_\_  
TONI J. TABER, MMC  
City Clerk