

RESOLUTION NO. 2026-15

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, APPROVING AMENDMENTS TO THE RESIDENTIAL HEALTH AND SAFETY ADMINISTRATIVE REGULATIONS

WHEREAS, the Residential Health and Safety Rental Inspection Program (the “Program”) was established in 2006 to protect public health, safety, and welfare by identifying and correcting substandard and legally non-compliant rental housing conditions, thereby preventing deterioration and blight that could adversely affect neighborhood stability, property values, and quality of life in the City; and

WHEREAS, the Program requires residential rental property owners, including owners of single-family homes, multi-family units, apartment buildings, and hotel/motel units, to maintain a valid business license, allow the City to inspect such units at least once every three years, and correct any identified violations to ensure habitability and compliance with applicable laws; and

WHEREAS, Pinole Municipal Code (PMC) Section 8.30.170 authorizes the Building Official to promulgate administrative regulations pertaining to the implementation and enforcement of the Program, provided such regulations are approved by the City Council following a public hearing; and

WHEREAS, the Program was historically managed by a dedicated full-time Rental Housing Inspector, but staffing reductions during the Great Recession resulted in fragmented administration, limited data collection, and inconsistent compliance monitoring; and

WHEREAS, implementation of a standardized digital enrollment, scheduling, data management, and compliance platform is necessary to restore program effectiveness, ensure transparency, streamline participation for property owners, and maintain accurate rental housing data; and

WHEREAS, Administrative Regulations pertaining to the implementation and enforcement of the Program were adopted by the City Council on November 18, 2025, through Resolution No. 2025-86; and

WHEREAS, at this time, the City Council desires to amend the Administrative Regulations to:

WHEREAS, the amendments to the Administrative Regulations contained in Exhibit A, incorporated herein, establish a temporary waiver of the Residential Health and Safety Rental Inspection Program enrollment fee for properties that complete enrollment between April 1 and May 31, 2026, with dedicated Program funds used to offset

associated revenue in order to support early compliance and ensure a smooth program launch; and

WHEREAS, the amendments to the Administrative Regulations contained in Exhibit A clarify the framework for inspection requirements applicable to affordable housing units, confirming that all such units within the City remain subject to the Residential Health and Safety Rental Inspection Program unless otherwise exempt under state or federal law.

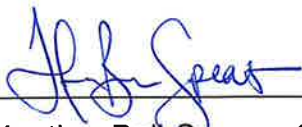
WHEREAS, the City Attorney has determined that these provisions fall within the scope of authority granted under PMC Section 8.30.170.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pinole that the Administrative Regulations for the Residential Health and Safety Rental Inspection Program, attached hereto as Exhibit A, are hereby approved and adopted.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 3rd day of March, 2026 by the following vote:

AYES:	COUNCILMEMBERS: Martínez-Rubin, Murphy, Sasai, Tave, Toms
NOES:	COUNCILMEMBERS: None
ABSENT:	COUNCILMEMBERS: None
ABSTAIN:	COUNCILMEMBERS: None

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on this 3rd day of March, 2026.



Heather Bell-Spears, CMC
City Clerk



Exhibit A

**Administrative Regulations Implementing the
Residential Health and Safety Rental Inspection Ordinance (PMC Section 8.30)
Adopted by City Council Resolution No. 2025-86
Amended by City Council Resolution No. 2026-15**

Pursuant to PMC Section 8.30.170, the Building Official hereby issues the following Administrative Regulations to implement and enforce PMC Section 8.30 (the "Ordinance"). Capitalized terms have the meanings set forth in PMC Section 8.30.030. These regulations were adopted by the City Council following a duly noticed public hearing on November 18, 2025, by Resolution No. 2025-86, effective January 1, 2026, and amended by the City Council following a duly noticed public hearing on March 3, 2026, by Resolution No. 2026-15, effective March 4, 2026,

1. **Inventory Enrollment.** Each Owner carrying on the business of operating Rental Units (PMC Section 8.30.045) shall, for each Rental Property (PMC Section 8.30.055), complete and submit true and correct inventory and inspection enrollment information for all eligible Rental Units (PMC Section 8.30.040) through the City's approved platform on or before December 31 of each calendar year. Owners must update enrollment information within 30 days of any material change. An Owner claiming "Unit Unavailable for Rent" status shall file the signed statement described in PMC Section 8.30.030(K) through the platform.
2. **Business License.** One business license is required per Rental Property (PMC Section 8.30.055). Owners must comply with Title 5 business license requirements (PMC Section 8.30.050). Consistent with PMC Section 8.30.060, issuance or renewal of a business license requires a valid Certificate of Compliance (CoC) for each Rental Unit at the property, except as provided in the transition schedule in Regulation #9.
3. **Inspection Compliance.** Owners shall cooperate with the City to ensure periodic inspections once every three (3) years (PMC Section 8.30.090) and any initial inspection following a complete application (PMC Section 8.30.070). Scheduling is through the City's platform. The City will provide at least 30 days' written notice of inspection (PMC Section 8.30.110). Cancellations made with less than 48 hours' notice are subject to the fee in PMC Section 8.30.115. If consent to inspect is withheld, entry will be sought only as permitted by PMC Section 8.30.120.
4. **Deficiencies.** Units with deficiencies (PMC Section 8.30.150) are subject to re-inspection(s) per PMC Section 8.30.100. All deficiencies must be cured within sixty (60) days unless a different period is authorized by the Building Official under PMC Section 8.30.140. Re-inspection fees apply per the Master Fee Schedule. Continued non-compliance is subject to the remedies in PMC Section 8.30.160.
5. **Copy of Enrollment to Tenant.** Within five (5) business days of submitting unit-specific enrollment information through the City's approved platform, the Owner shall provide each affected Occupant with a copy (digital or hard copy) of the enrollment information related to that unit. If a balcony inspection is required

pursuant to PMC Section 8.30.070, and the Owner receives a balcony inspection report prepared by a licensed general contractor, structural pest control licensee, licensed architect, or licensed engineer, the Owner shall provide each affected Occupant with a copy (digital or hard copy) of that report within five (5) business days of the Owner's receipt of the report. Inspection reports submitted to the City for purposes of obtaining a Certificate of Compliance are included in the Certificate of Compliance record pursuant to PMC Section 8.30.130 and are City records. Such records may be made available upon request in accordance with the California Public Records Act and applicable privacy laws.

6. Public Transparency. To support the purpose of PMC Section 8.30.020 and the periodic reporting obligations under PMC Section 8.30.210, the City may publish non-confidential, program-related information, including aggregated or de-identified enrollment and inspection data, on the City's website or provide such data upon request. Inspection reports, Certificates of Compliance, and related documents maintained as part of the City's official program records may be made available in accordance with the California Public Records Act and applicable privacy laws.
7. Annual Fee Collection. Program fees, including business license, enrollment, inspection, re-inspection, and cancellation fees, shall be paid in accordance with the City's Master Fee Schedule and PMC Sections 8.30.050 and 8.30.075. Payment of fees is required at the time of annual enrollment and prior to any inspection. Failure to pay required program fees constitutes a violation of PMC Section 8.30.045 and may be subject to penalties as authorized in PMC Sections 8.30.190 and Chapter 8.25. Inspection fees shall be billed and collected in three equal annual amounts aligned with the three-year inspection cycle, unless modified by a duly adopted City Master Fee Schedule.
8. Program Administration and Designation of Residential Health and Safety Inspector. Pursuant to PMC Sections 8.30.090 and 8.30.170, the Building Official may designate Community Development Department staff, including a Residential Health and Safety Inspector, to administer this Program, conduct inspections, issue notices of deficiencies, coordinate re-inspections, verify compliance with Certificates of Compliance requirements, and support enforcement of applicable laws. The Residential Health and Safety Inspector may also conduct inspections of substandard housing conditions consistent with state law, including Assembly Bill 548 and Senate Bill 1415, and applicable sections of the Pinole Municipal Code.
9. Temporary Transition Schedule for 2026–2027 Implementation (Category-Based Compliance Requirements). To support system launch and phased implementation, Owners shall comply with enrollment, fee payment, and inspection milestones based on the status of their existing Certificates of Compliance ("CoC"), as shown below:
 - a. Category 1 — CoC Expires in 2027–2029 (Current and Valid CoC)
 - May renew 2026 business license without additional inspection in 2026.
 - Must enroll in the new system and pay all required annual program fees no later than December 31, 2026.

- The next periodic inspection shall occur on the standard three-year cycle pursuant to PMC Section 8.30.090.
 - b. Category 2 — CoC Expires in 2026
 - May renew 2026 business license.
 - Must enroll in the new system, pay required annual fees, and obtain a new CoC by the expiration date of the existing CoC (month-specific timing to be reflected in system reminders).
 - Failure to obtain the CoC by expiration will result in the property being treated as non-compliant under PMC Sections 8.30.045 and 8.30.160.
 - c. Category 3 — CoC Expires in 2025
 - May renew 2026 business license.
 - Must enroll and pay required annual fees by June 30, 2026.
 - Must schedule an inspection within 90 days of enrollment and obtain a CoC no later than December 31, 2026.
 - d. Category 4 — CoC Expired in 2024 or Earlier, or No CoC on File
 - May renew 2026 business license.
 - Must enroll and pay required annual fees by April 30, 2026.
 - Must schedule an inspection within 90 days of enrollment and obtain a CoC no later than September 30, 2026.
10. Business License Renewal and Effective Enforcement. Issuance of business licenses for calendar year 2027 is contingent upon:
- Enrollment in the system;
 - Payment of all required program fees; and
 - Obtaining a valid Certificate of Compliance under PMC Sections 8.30.060 and 8.30.090.

11. Affordable Housing Inspection Exemption. The City may reduce duplicative inspections and minimize costs for providers of deed-restricted affordable housing while ensuring safe, well-maintained housing. This regulation authorizes the Building Official to grant partial exemptions from PMC 8.30.090 triennial inspections where units are subject to comparable oversight by a government Regulating Agency, and establishes the criteria, documentation requirements, and inspection percentages for such exemptions.

Definitions in this Exemption:

- **Affordable Housing / Affordable Units:** Units developed or operated with local, state, or federal funding to maintain affordability for low-income households, typically subject to covenants or deed restrictions specifying affordability levels and terms.
- **Regulating Agency:** A government entity other than the City (e.g., Housing Authority of Contra Costa County; California Department of Housing and Community Development) that imposes habitability standards and compliance requirements through inspections or documentation.
- **Physical Inspection:** On-site inspection performed by the Regulating Agency or its designee.

- Self-Certification: Compliance verification primarily based on owner/operator certifications, documentation, or reports without routine physical inspections.

A. Eligibility Criteria for Partial Exemption. Partial exemptions may be granted at the Building Official's discretion when all of the following are demonstrated:

- Comparable Habitability Standards. The unit or property is regulated to standards equivalent to or more stringent than PMC 8.30.090 and the City's Housing Code (PMC Chapter 15.16), including substandard housing provisions.
- External Oversight Type and Cadence.
 - a. Physical inspections at least once every three years: Eligible for 20% City inspection every three years.
 - b. Primarily self-certification by the operator: Eligible for 20%–80% City inspection every three years, set by the Building Official based on risk factors (see Section C).
 - c. No external inspection requirements: Not eligible for reduction; units remain subject to the City's full triennial inspection program.

If a Regulating Agency inspects only a portion of units on a property, the partial exemption applies only to those inspected units. Non-covered units remain subject to the City's full program.

B. Documentation Requirements. Affordable housing rental operators seeking partial exemption must demonstrate adequate external regulation by providing, as applicable:

- Recent inspection reports from the Regulating Agency;
- Housing Assistance Payment (HAP) contracts or comparable regulatory agreements;
- Affordability covenants or deed restrictions establishing affordability levels and terms;
- Authorization forms permitting the City to verify compliance directly with the Regulating Agency;
- Compliance histories and corrective action documentation, if applicable.

Failure to provide sufficient documentation may result in no reduction (full City inspection).

C. Risk Factors Informing the City Inspection Percentage (20%–80%). For units relying on self-certification, the Building Official will determine the City's inspection percentage (within 20%–80%) considering:

- Habitability complaint history (frequency, severity, recurrence);
- Quality, completeness, and timeliness of documentation provided;

- Demonstrated compliance with standards comparable to PMC 8.30.090 and PMC Chapter 15.16;
- Corrective action responsiveness and outcomes.

The Building Official may adjust the inspection percentage over time based on updated risk indicators.

D. Determinations

- **Partial Exemption (20%–80% City Inspection).** All units remain subject to City inspection; the percentage inspected is set by the Building Official per Sections A–C.
 - Example: Properties physically inspected at least once every three years by a Regulating Agency → 20% City inspection every three years.
 - Example: Properties primarily relying on self-certification → 20%–80% City inspection based on risk factors.
- **No Reduction.** Applied when comparable standards are not demonstrated, documentation is insufficient, or oversight is not present; units remain subject to the City’s full triennial inspection program.

Modification or Revocation. The City may modify or revoke a partial exemption if external inspection cadences change, documentation lapses, complaints increase, or compliance with City standards is not maintained.

E. Enrollment and Fees

- **Program Enrollment.** All units and properties partially eligible must enroll in the City’s inventory program and pay corresponding fees.
- **Exemption Application Processing Fee.** Exempted properties may incur an exemption application processing fee as set by the Master Fee Schedule.
- **Inspection Fees.** The City will collect inspection fees corresponding to the percentage of units inspected by the City within each three-year cycle.

F. Administrative Notes. This regulation is intended to reduce duplication, minimize provider costs, and support equity and affordability, while ensuring Program objectives—safe, well-maintained housing—are met. The City may maintain and update a reference table summarizing affordable housing programs, regulating agencies, inspection cadences, and typical City inspection reduction levels for transparency and consistency.

12. **Early Enrollment Fee Waiver.** The Enrollment fee is calculated as 14% of the total inspection fee, reflecting the proportion of software costs relative to staffing costs for administrating the Program. To encourage early compliance, reduce administrative backlog during program launch, and support Property owners during the transition, The City will waive the enrollment fee for properties that complete enrollment between April 1 and May 31, 2026.

Properties that do not meet applicable deadlines will be subject to the penalties and correction requirements of PMC Sections 8.30.045, 8.30.150, 8.30.155, 8.30.160, and Chapter 8.25.