



TOWN OF FAIRFAX

STAFF REPORT

April 5, 2023

TO: Mayor and Town Council

FROM: Heather Abrams, Town Manager

SUBJECT: Discuss/consider the Residents' Petition submitted per Town Code requesting repeal of Town Code Chapters 5.54 and 5.55, and direct staff as appropriate

RECOMMENDATION

Discuss/consider the petition and direct staff as appropriate.

BACKGROUND

Pursuant to Fairfax Municipal Code Section 2.08.090 (C), if the Council is presented with a petition signed by 25 Fairfax residents urging consideration of an issue, the issue shall be placed on the Council's agenda for discussion.

(Please note: Prior to this petition being delivered, a Councilmember requested that the council consider directing staff at the April 5th meeting to return at the May 3rd meeting or a sooner special meeting, with ordinances to repeal the Just Cause Eviction and Rent Stabilization ordinances effective at a date several months out.)

Ordinances can only be repealed or amended by ordinance. The process for drafting an ordinance begins with Council discussion, during that discussion or after several discussions, the full Council may direct staff to draft an ordinance. Once an ordinance is drafted, it has a first reading and if the Council does not want any significant changes to the ordinance, a second reading is scheduled at a Regular Council Meeting. (If significant changes are requested by Council at the first reading, the process restarts with discussion or a new first reading). If adopted by Council at the second reading, typically the ordinance will become effective 30 days later.

For additional context, a citizen's ballot initiative process is underway to repeal Town Code Chapters 5.54 and 5.55. Because this is a legal process outside of Town staff or Council view, it is not known when the initiative petition will be filed. If such an initiative is dropped or is unsuccessful, Council and residents can continue working together on this topic. If an initiative is successful, any updates would be subject to the expense and time commitment needed for a Town-wide vote.

DISCUSSION

On March 20, 2023, a residents' petition was submitted to the Town for the Council's consideration. The petition meets the 25-signature threshold and is on file with the Town Clerk. The petition states:

“In light of the 'Keep Fairfax Fair' ballot initiative, ongoing public opposition to the ordinances, the Town's priority of completing the Housing Element Plan, and the unneeded expenditure of staff time and public money for implementation, we request that the Council place on the agenda for the Town Council meeting on April 5th, 2023, a motion to craft an ordinance or by other methods, to repeal the 'Just Cause' section 5.54, and 'Rent Stabilization' section 5.55, of the recently adopted housing ordinances as soon as administratively possible.”

The petitioners will be at the meeting to make a brief presentation. After the presentation and taking public comment, the Council may discuss the matter and direct staff as needed.

FISCAL IMPACT

n/a

ATTACHMENT

None