

1 BEFORE THE BOARD OF SUPERVISORS
2 OF THE COUNTY OF FRESNO
3 STATE OF CALIFORNIA
4 ORDINANCE NUMBER 26-001

5 AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
6 FRESNO AMENDING THE ORDINANCE CODE OF THE COUNTY OF FRESNO BY
7 ADDING NEW CHAPTER 10.80 PREVENTION OF CONTRIBUTION TO OVER
8 CONCENTRATION OF SEX OFFENDERS IN SINGLE FAMILY DWELLINGS UTILIZED
9 AS DOCUMENTED TRANSITIONAL LIVING FACILITIES.

10 The Board of Supervisors of the County of Fresno ordains as follows:

11 **Section 1. FINDINGS.** The Board of Supervisors of the County of Fresno hereby finds
12 and declares as follows:

13 WHEREAS, the Board of Supervisors is concerned about the public safety threat
14 posed by the over concentration of sex offenders living on one lot within the
15 unincorporated areas of the County; and

16 WHEREAS, it is the intent of the Board of Supervisors to prevent property
17 owners and responsible parties for single family dwellings from contributing to the
18 over concentration of sex offenders, whether or not on parole or probation, in
19 unincorporated areas of Fresno County.

20 NOW, THEREFORE, the Board of Supervisors hereby ordains as follows:

21 **SECTION 2.** The Ordinance Code of the County of Fresno is hereby amended by
22 adding a new Chapter 10.80 to read as follows:

23 Chapter 10.80 – PREVENTION OF CONTRIBUTION TO OVER
24 CONCENTRATION OF SEX OFFENDERS IN SINGLE FAMILY DWELLINGS
25 UTILIZED AS DOCUMENTED TRANSITIONAL LIVING FACILITIES.

1 Section 10.80.010 – Purpose and Intent.

2 Section 10.80.020 – Definitions.

3 Section 10.80.030 –Responsible Party prohibitions.

4 Section 10.80.040 – Violations and penalties.

5 Section 10.80.050 – Severability.

6 Section 10.80.010 – Purpose and Intent.

7 This Chapter is enacted pursuant to the County's plenary police powers under California
8 Constitution, Article XI, Section 7, to protect public safety and welfare. The express
9 purpose of this Chapter is to protect public safety and welfare by preventing property
10 owners and responsible parties for single family dwellings from contributing to the over
11 concentration of sex offenders in unincorporated areas of Fresno County.

12 Section 10.80.020 – Definitions.

13 For purposes of this Chapter, the following definitions apply.

14 A. “Knowingly” means with knowledge of the existence of the facts in question.
15 Knowledge of the unlawfulness of any act or omission is not required.

16 B. “Owner’s Authorized Agent” means any natural person, firm, association, joint
17 venture, joint stock company, partnership, organization, club, company,
18 corporation, business trust or the manager, lessee, agent, servant, officer or
19 employee authorized to act for the owner of real property.

20 C. “Occupy or “Reside” means to live in a dwelling, including, but not limited to, eating
21 meals in the dwelling, sleeping in the dwelling, keeping one’s possessions in the
22 dwelling, and receiving mail and services in the dwelling.

23 D. “Permanent Resident” means any person who, as of a given date, occupies or
24 resides in a Single Family Dwelling for a period of more than thirty (30) consecutive
25 days.

1 E. "Property Owner" means the owner of record of any parcel of real property as
2 designated on the County Assessor's tax roll, or a holder of a subsequently
3 recorded deed to the property and shall include any part owner, joint owner, tenant,
4 tenant in common, or joint tenant, of the whole or a part of such real property.

5 F. "Responsible Party" means the Property Owner and/or the Owner's Authorized
6 Agent.

7 G. "Sex Offender" means any person convicted of a crime for which registration is
8 required pursuant to Section 290 of the California Penal Code.

9 H. "Single Family Dwelling" means a building designed for permanent residency
10 located on a single lot. Single Family Dwelling shall include a mobile home or
11 manufactured home. For purposes of this Chapter, Single Family Dwelling includes
12 the primary dwelling itself, as well as the entire parcel, including any outbuildings,
13 trailers, recreational vehicles, tents, accessory dwelling units, garages, cellars,
14 porches, and outdoor areas. "Single Family Dwelling" shall not include a residential
15 facility which serves six or fewer persons.

16 I. "Temporary Resident" means any person who, as of a given date, occupies or
17 resides in a Single Family Dwelling for a period of thirty (30) consecutive days or
18 less.

19 Section 10.80.030 - Responsible Party Prohibitions.

20 A. A Responsible Party shall be prohibited from knowingly renting, leasing, or
21 allowing more than six Sex Offenders to occupy or reside in a Single Family
22 Dwelling, unless those persons are legally related by blood, marriage, or
23 adoption.

24 B. A Responsible Party shall not allow more than six beds to be in a Single Family
25 Dwelling that is occupied by one or more Sex Offenders in the unincorporated

1 area of Fresno County. This prohibition shall not apply to a family of persons
2 related by blood, adoption, or marriage living in a Single Family Dwelling.

3 C. A Responsible Party shall not allow more than six persons unrelated by blood,
4 marriage, or adoption to live in a Single Family Dwelling that is occupied by one
5 or more Sex Offenders in the unincorporated area of Fresno County.

6 Section 10.80.040 – Violations and Penalties.

7 A. Any person who violates section 10.80.030 is guilty of a misdemeanor and upon
8 conviction thereof may be punished by a fine of not more than one thousand dollars
9 (\$1,000.00) or by imprisonment in the County Jail for a period of not more than six
10 (6) months, or by both such fine and imprisonment. This section shall not serve to
11 limit any other legal remedies or actions that the County may have to address
12 violations of section 10.80.030.

13 B. Administrative Citation. The County may, at its discretion, issue an administrative
14 citation for each violation of section 10.80.030. The administrative penalty to be
15 assessed for each violation of section 10.80.030 shall be as follows: (i) First
16 violation, up to ten thousand dollars (\$10,000.00); (ii) Second occurrence of the
17 same violation within one year of the first violation, up to twenty thousand dollars
18 (\$20,000.00); (iii) Third or subsequent occurrence of the same violation within one
19 year of the first violation, up to fifty thousand dollars (\$50,000.00).

20 C. Injunctive Relief. In addition, the County Counsel may institute a civil action to
21 ensure compliance with section 10.80.030, including an action for injunctive relief
22 and/or to recover damages incurred as a result of any violation.

23 D. Business License Revocation. A violation of this Chapter is also grounds for a
24 revocation of a business license, if applicable, pursuant to Title 6 of the Ordinance
25 Code of the County of Fresno.

1 E. Private Right of Action. Any aggrieved person may enforce the provisions of this
2 Chapter by means of a civil lawsuit. In addition to any other available remedy, any
3 person who violates the provisions of this Chapter shall be liable for treble the
4 actual damages with regard to each and every such violation, and shall be liable
5 for reasonable attorneys' fees and costs of litigation. In addition, a jury or a court
6 may award punitive damages where warranted.

7 Section 10.80.050 – Severability.

8 If any section, paragraph, sentence, clause, phrase or portion of this article is held invalid
9 or unconstitutional by any court of competent jurisdiction, such portion shall be deemed
10 severable, and such holding shall not affect the validity of the remaining portions hereof.
11 The Board of Supervisors hereby declares that it would have adopted this article
12 irrespective of the invalidity of any particular portion thereof and intends that the invalid
13 portions should be severed, and the balance of the article be enforced.

14 **SECTION 3.** This ordinance shall take effect thirty (30) days after its adoption.

15 THE FOREGOING, was passed and adopted by the following vote of the Board
16 of Supervisors of the County of Fresno this 6th day of January, 2026, to wit:

17 AYES: Supervisors Bredefeld, Chavez, Magsig, Mendes, Pacheco

18 NOES: None

19 ABSENT: None

20 ABSTAINED: None

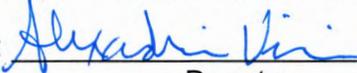
21 
Garry Bredefeld, Chairman of the Board of
Supervisors of the County of Fresno

22 **ATTEST:**
Bernice E. Seidel
Clerk of the Board of Supervisors
County of Fresno, State of California

23 FILE # 25-1426

24 AGENDA # 17

25 ORDINANCE # 26-001

By: 
Deputy