

**City of Piedmont
COUNCIL AGENDA REPORT**

DATE: November 15, 2010

FROM: John O. Tulloch, Interim City Clerk

SUBJECT: **Second Reading of Ord. 695 N.S. amending Chapter 17F of the
Municipal Code regarding Real Property Disclosure
Statements**

RECOMMENDATION:

Conduct a second reading and approve Ord. 695 N.S. which amends Chapter 17F of the Municipal Code regarding Real Property Disclosure Statements.

BACKGROUND:

On November 1, 2010, Council approved a first reading of the attached ordinance making changes to Chapter 17F of the Municipal Code regarding Real Property Disclosure Statements. The Council made one change during its first reading, which is reflected in the attached ordinance.

A second and final reading is required for adoption. Since the first reading, no public comments have been received by the City Clerk's office. If passed, this ordinance will become effective 30 days after the approval of its second reading.

Attachment: Exhibit A – Ordinance 695 N.S.

ORDINANCE NO. 695 N.S.

AN ORDINANCE AMENDING SECTION 17F.1
OF THE PIEDMONT MUNICIPAL CODE
RELATING TO REAL PROPERTY DISCLOSURE STATEMENTS

The City Council of the City of Piedmont hereby ordains as follows:

SECTION 1.

It is the intent of the City Council of the City of Piedmont in adopting this Ordinance to clarify the requirements and procedures regarding Real Property Disclosure Statements.

SECTION 2.

Section 17F.1 of the Piedmont Municipal Code is hereby amended in its entirety to read as follows:

"17F.1 DISCLOSURE REQUIRED.

In order to fairly notify future City property owners of important requirements concerning property in the City, every person who sells an interest in real property located in the City shall provide the following to a buyer at least 10 days before the close of escrow:

(a) a Property Records Search provided by the City Public Works Department for a nominal fee established by the City Council. This report shows the building permit history for the property, including which improvements have been approved; and

(b) a disclosure statement prepared by the Director of Public Works, outlining certain requirements concerning real property.

~~Every person who sells an interest in real property located in the City of Piedmont shall provide a statement to the buyer before sale is completed describing the effect of certain City ordinances which restrict property use and construction in Piedmont. The statement shall be in the form required by the Department of Public Works, as amended from time to time."~~

SECTION 3.

This Ordinance shall be posted at City Hall after its second reading by the City Council for at least thirty (30) days and shall become effective thirty (30) days after such second reading.