

CITY OF SAN ANSELMO

ORDINANCE NO. 590

AN ORDINANCE ADDING CHAPTER 5 TO TITLE 10 OF THE SAN ANSELMO MUNICIPAL CODE REQUIRING SELLERS OF RESIDENCES PRIOR TO SALE, TO OBTAIN A REPORT SHOWING AUTHORIZED USE, OCCUPANCY AND ZONING CLASSIFICATIONS OF THE BUILDING OR PROPERTY AND REQUIRING THE DELIVERY OF THE REPORT TO THE BUYER.

The City Council of the City of San Anselmo do ordain as follows:

Section 1. Pursuant to the provisions of section 38780 to and including section 38785 of the Government Code of the State of California there is added to Title 10 of the San Anselmo Municipal Code a Chapter 5 to read as follows:

Chapter 5. Sales of Residential Property  
Reports of Residential Building Records

Sec. 10-5.01. Use, occupancy and zoning report.

Prior to the consummation of the sale or exchange of any residential property in the City of San Anselmo the owner or his authorized agent shall obtain from the City of San Anselmo a report of the residential building record showing the regularly authorized and legal use, occupancy, and zoning classifications of such property and all other pertinent information relating thereto.

Sec. 10-5.02. Form of report.

The building report shall be prepared by the City of San Anselmo and shall be on such form as the City Council shall determine to be adequate to inform the buyers of residential property of the authorized use, occupancy and zoning of the property being sold or exchanged.

Sec. 10-5.03. Receipt and delivery of report to buyer.

The report, when completed, shall be personally delivered to the seller or his authorized agent who shall receipt for the

same. The owner or his authorized agent shall deliver the report to the buyer or transfer<sup>or</sup> prior to the consummation of the sale. Any title insurance company or other escrow handling the sale or exchange of San Anselmo residential property shall, prior to closing the sale or transfer, obtain from the buyer a written acknowledgment of the receipt of the report of residential building record.

Sec. 10-5.04. Fee for issuance of report.

The seller or transferor, or his authorized agent shall pay to the City of San Anselmo a fee of \$25.00

(\$ 25.00 for the preparation and issuance of the report.

Sec. 10-5.05. Unlawful to fail to obtain and deliver report.

It shall be unlawful for the owner of a residential building in San Anselmo to sell or exchange the same without first having obtained and delivered to the buyer or transferee a report of residential building record.

Sec. 10-5.06. Exemption of certain sales.

This chapter shall not apply to the first sale of a residential building located in a subdivision in the City of San Anselmo whose final map has been approved and recorded in accordance with the Subdivision Map Act not more than two (2) years prior to the first sale.

Sec. 10-5.07. Issuance of Report not a representation by City.

The residential building record report shall be compiled from the records of the City and not from an inspection of the property. The issuance of the report is not a representation by the City of San Anselmo that the subject property or its present use is or is not in compliance with the law.

Section 2. This ordinance shall be published once in full, within fifteen (15) days of its final passage and adoption in the Reporter, a news-

paper published and of general circulation in the City of San Anselmo.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its adoption.

The foregoing ordinance was introduced at a regular meeting of the San Anselmo City Council held on November 18, 1969, and was thereafter at a regular meeting of the City Council held on November 25, 1969, duly passed and adopted by the following vote:

AYES:	COUNCILMEN:	Reed, Ragan, Anderson, Scott, Capurro
NOES:	COUNCILMEN:	None
ABSENT:	COUNCILMEN:	None

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WOODROW V. CAPURRO  
MAYOR

ATTEST:

  

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ANITA GANNON, City Clerk