



**DATE:** October 30, 2017

**TO:** Mayor and Council Members

**FROM:** City Clerk and City Attorney

**SUBJECT** Adoption of Ordinance of the City of Hayward, California Adding Article 14 to Chapter 6 of the Hayward Municipal Code Regarding Commercial Cannabis Businesses

**RECOMMENDATION**

That the Council adopts the Ordinance introduced on October 17, 2017.

**BACKGROUND**

The Ordinance was introduced by Council Member Zermeño at the October 17, 2017, meeting of the City Council with the following vote:

AYES:	COUNCIL MEMBERS: Zermeño, Márquez, Mendall, Peixoto, Salinas, Lamnin
	MAYOR: Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

The Ordinance has been modified to address comments from the City Council as follows:

- Section 6-14.13(a)(5) has been amended to eliminate specific hours of operation.
- Section 6-14.13(b)(4) has been amended to delete the word “armed” from the security guard language.

During the comments offered by the City Council, there was a desire to specify the timeframe in which the City needs to be notified of a change in ownership related to cannabis business. City staff has reviewed the regulatory ordinance and finds that the notification is currently addressed in the code enforcement administrative regulations and the City Manager has the authority to modify the regulations as needed. Within the annual cannabis license, owners/applicants are required to notify the City and update their applications within ten (10) days for a change of ownership.

The revised Ordinance has been included to this item as Attachment III.

## **STRATEGIC INITIATIVES**

This agenda item is a routine operational item and does not relate to one of the Council's Strategic Initiatives.

## **FISCAL IMPACT**

There is no fiscal impact associated with this report.

## **PUBLIC CONTACT**

The summary of the Ordinance was published in the Hayward Daily Review on Friday, October 27, 2017. Adoption at this time is therefore appropriate.

## **NEXT STEPS**

The Hayward Municipal Code and other related documents will be updated accordingly.

*Prepared and Recommended by:* Miriam Lens, City Clerk  
Michael Lawson, City Attorney

Approved by:



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Kelly McAdoo, City Manager