

PUBLIC NOTICE OF AN INTRODUCTION OF ORDINANCE
BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE OF THE CITY OF HAYWARD RE-ENACTING ARTICLE 18 OF CHAPTER 8 OF THE HAYWARD MUNICIPAL CODE REGARDING THE UTILITY USERS TAX; AND AMENDING SEC. 8-18.260 THEREOF FOR THE PURPOSE OF EXTENDING THE UTILITY USERS TAX FROM JUNE 30, 2019 TO JUNE 30, 2039, PER THE APPROVAL OF MEASURE BY THE VOTERS ON JUNE 7, 2016

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAYWARD AS FOLLOWS:

Section 1. Re-Enactment of Article 18 of Chapter 8 of the Hayward Municipal Code:

Article 18, Chapter 8 of the Hayward Municipal Code is hereby re-enacted in its entirety, with the exception of sec. 8-18.260.

Section 2. Amendment of Sec. 8-18.260 of the Hayward Municipal Code:

“Section 8-18.260 TERMINATION OF UTILITY USERS TAX: The levy of taxes as provided in this Article shall expire on June 30, 2039, unless re-enacted by a separate ordinance of the City Council following a majority vote of the electorate. The termination of the levy of taxes as provided herein shall not terminate the obligation to pay taxes levied on services used prior to such date. Taxes levied prior to June 30, 2039, shall remain a debt payable to the City. All provisions of this Article, except those related to the levy of taxes, shall continue in full force and effect after such date.”

Section 3. Severability. Should any part of this Ordinance be declared by a final decision of a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 4. Effective Date. This Ordinance shall become effective immediately upon its adoption, per City Charter sec. 620(c), as it is a tax ordinance.

Introduced at the special meeting of the Hayward City Council held September 13, 2016, the above-entitled Ordinance was introduced by Council Member Mendall.

This Ordinance will be considered for adoption at the meeting of the Hayward City Council, to be held on September 20, 2016, at 7:00 p.m., in the Council Chambers, 777 B Street, Hayward, California. The full text of this Ordinance is available for examination by the public in the Office of the City Clerk.

Dated: September 16, 2016
Miriam Lens, City Clerk
City of Hayward