

ORDINANCE NO. 17-

AN ORDINANCE AMENDING CERTAIN HAYWARD MUNICIPAL CODE SECTIONS OF CHAPTER 1, CHAPTER 2, CHAPTER 3, CHAPTER 4, CHAPTER 5, CHAPTER 6, CHAPTER 7, CHAPTER 8, CHAPTER 9, CHAPTER 10, AND CHAPTER 11

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

**Section 1. Provisions.**

The following sections of the Hayward Municipal Code are hereby amended by deleting and/or adding language and the amendments are provided in their entirety as Exhibit A.

**Chapter 1- General Provisions**

*Article 2- Definitions*

*Article 4- Procedures for Claims & Actions for Money or Damages*

§ 1-4.00- Definitions

**Chapter 2- Government & Administration**

*Article 1- City Council*

§ 2-1.10 - Compensation for Members of the City Council

*Article 6- Hayward Executive Airport Code- Hayward Executive Airport Code. Rules and Regulations*

§ 2-6.42(b)- Airport Operations Area (AOA)

§ 2-6.128 - Operative Date

*Article 9- Business Enterprise Preference System*

§ 2-9.07- Periodic Review

**Chapter 3- Public Safety**

*Article 1- Fire Prevention*

§ 3-1.00 (Definitions) through 3-1.09 (Rubbish Defined)

*Article 5- Dangerous Structures (Swimming Pools)*

§ 3-5.53- Time for Compliance

*Article 8- Hazardous Materials Storage*

§ 3-8.72- Report to the State Water Resources Control Board.

**Chapter 4- Public Welfare, Morals & Conduct**

*Article 1- Public Nuisances*

Abandoned Vehicle Abatement Part

§ 4-1.34- Notice

Weed, Rubbish & Litter Abatement Part

§ 4-1.58- Abatement Notice

*Article 3-* Card Club and Bingo Regulations

Bingo Games For Charity Part

§ 4-3.51- Definitions (“bingo”).

§ 4-3.52- Organizations Eligible for City Permit

§ 4-3.67- Profits—Separate Fund or Account.

*Article 5-* Minors

§ 4-5.15- Minors Prohibited in Pool Rooms.

## **Chapter 5- Sanitation & Health**

*Article 2-* Food Regulations

§ 5-2.00 (Definitions), 5-2.01 (Health Officer), & 5-2.02 (Health Department)

*Article 3-* Mobile Home Regulations

§ 5-3.102 (Alter) through 5-3.171 (Travel Trailer)

*Article 4-* Food Regulations

§ 5-4.10- County of Alameda Ordinance No. 73-68 Entitled "An Ordinance to Regulate the Construction, Repair, Reconstruction, Destruction or Abandonment of Wells Within the Boundaries of the County of Alameda", Adoption by Reference.

*Article 5-* Food Regulations

§ 5-5.10- (Definitions), 5-5.11 (Advertising Matter), & 5-5.12- (Newspaper).

## **Chapter 6- Businesses, Professions & Trades**

*Article 3-* Pawnbrokers, Secondhand Dealers & Auctioneers

§ 6-3.27- Pawnbrokers. Receipt Books Required

*Article 10-* Massage Permit Ordinance

§ 6-10.02- Definitions (“Massage therapist”)

§ 6-10.21- Applicability To Existing Businesses

*Article 11-* Permit Requirements For Firearms Dealers

§ 6-11.05- Conditions of Approval, 6-11.11- Grounds for Permit Denial

## **Chapter 7- Public Works**

*Article 2-* Streets

Disturbance of Streets

§ 7-2.00 (Definitions) through 7-2.04 (Major project

Street Trees

§ 7-2.51 (Definitions) through 7-2.52 (Public Street Defined).

## **Chapter 8- Finance, Revenue & Taxation**

*Article 3-* Uniform Sales & Use Tax

§ 8-3.70- Exclusions & Exemptions

*Article 4-* Transient Occupancy Tax

§ 8-4.40- Records.

*Article 12- Downtown Hayward Business Improvement Area*

§ 8-12.00- Authority.

*Article 18- Utility Users Tax*

§ 8-18.180- Records

## **Chapter 9- Building Regulations**

*Article 5- Residential Rental Inspection*

General Responsibilities

§ 9-5.311- Enforcement: Report to Franchise Tax Board.

## **Chapter 10- Planning, Zoning & Subdivisions**

*Article 1- Zoning Ordinance*

§ 10-1.2915(h)- Nonconforming Uses.

§ 10-1.3510- Uses & Activities Defined (“Group Home”).

*Article 3- Subdivision Ordinance*

§ 10-3.010- Purpose

Definitions

§ 10-3.115- Maps

§ 10-3.130- Public Utility Easement (PUE)

General Responsibilities

§ 10-3.150(e)- Advisory Agency/Approval Authority, § 10-3.165(e)- Planning Director, & § 10-3.497- Merger of Contiguous Parcels Under Common Ownership

Tentative Maps

§ 10-3.210- Information to be Submitted

§ 10-3.230- Preliminary Meeting

§ 10-3.245- Public Hearings

Parcel Maps

§ 10-3.275- Statements, Documents and Other Data to Accompany Parcel Map

Final Maps

§ 10-3.320- Statements, Documents and Other Data to Accompany Final Map

Public Improvements

§ 10-3.332- Security for Installation of Improvements

Mobilehome Park Conversions

§ 10-3.850- Findings, Intent & Applicable Law

§ 10-3.895(a)- Avoidance of Economic Displacement.

§ 10-3.915(b)- Tenant Notification.

*Article 8- Grading & Clearing*

§ 10-8.02(o)- Definitions.

*Article 9- Development Agreements*

§ 10-9.06- Notice.

Article 10- Maintenance Districts

§ 10-10.35- Notice Form

Article 26- Mobile Home Park Closure or Change of Use

§ 10-26.106- Relocation Assistance

**Chapter 11- Public Utilities**

Article 5- Stormwater Management & Urban Runoff Control -

Alameda Countywide NPDES Municipal Stormwater Permit- Order R2-2003-0021\NPDES Permit No. CAS0029831.

**Section 2. Severance.**

Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid or beyond 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 the remainder of the ordinance, absent the excised portion, can be reasonably interpreted to give effect to intentions of the City Council.

**Section 3. Effective Date.**

In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the \_\_\_\_ day of \_\_\_\_, 2017, by Council Member \_\_\_\_\_.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held the \_\_\_\_ day of \_\_\_\_, 2017, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED: \_\_\_\_\_  
Mayor of the City of Hayward

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward