

ORDINANCE NO. _____

ORDINANCE AMENDING HAYWARD MUNICIPAL CODE
SECTION 10-1.3500: DEFINITIONS, TO REVISE
DEFINITIONS RELATING TO HOUSEHOLD PETS,
LIVESTOCK, AND APIARIES

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF HAYWARD DOES
HEREBY ORDAIN AS FOLLOWS:

Section 1. The City Council incorporates by reference the findings contained in Resolution, approving the text changes requested in Text Amendment Application 201505957.

Section 2. Zoning Ordinance Section 10-1.3500, which establishes definitions of terms in the Zoning Ordinance, is hereby amended to add certain text as indicated by underlined red text in attached Exhibit A, and remove certain text as indicated by strikethrough text in attached Exhibit A, related to revisions to the City’s Livestock Regulations..

Section 3. 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 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. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective immediately upon adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward,
held the _____ day of January, 2016, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held
the _____ day of _____, 2016, 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

EXHIBIT A**SEC. 10-1.3500 DEFINITIONS**

The following definitions are to be revised:

~~ANIMAL, LIVESTOCK. The word “livestock” shall mean animals customarily kept, used, maintained or raised on a farm or ranch for commercial purposes, including horses, cattle, sheep, goats, or similar animals, as determined by the Planning Director. For the purposes of this section, the word “livestock” may be further categorized in terms of “large livestock”, defined as horses, cattle, or similar animals, and “medium livestock,” defined as sheep, goats, llamas, or similar animals. See Livestock~~

APIARY. The word “apiary” shall mean any premises where bees, hives, and related appliances are located. See General Regulations Section 10-1.2735(e) "Livestock, Apiaries, and Household Pets" for regulations.

LIVESTOCK. Domesticated farm animals kept for use or profit (See Section 10-1.2735.e. for regulations of livestock) and further defined as follows:

- a. Large Livestock. Horses, cattle, llamas, or similar large animals, as determined by the Planning Director.
- b. Medium Livestock. Sheep, goats, and pigs, or similar medium animals, as determined by the Planning Director.
- c. Small Livestock. ~~Hens, ducks, pigeons, rabbits and other similar small animals, as determined by the Planning Director, totaling five (5) or more such animals on a property.~~

PETS, HOUSEHOLD. Small animals ordinarily and customarily domesticated and permitted in a dwelling and kept for company or pleasure and not for profit, **including the following subcategories:**

- a. Traditional Household Pets: Dogs, cats, canaries, parakeets, fish, domestic mice, rats, guinea pigs, potbelly pigs, up to four (4) rabbits, or similar animals, as determined by the Planning Director. The keeping of more than four cats or dogs requires an "Animal Fancier's Permit from the City Animal Control Officer.
- b. Other Household Pets: Hens, ducks, pigeons and other similar small animals, as determined by the Planning Director, where the total number on a property does not exceed four (4) of such animals. Other Household Pets are subject to approval of a Zoning Conformance Permit based on consistency with the standards prescribed in Section 10-1.2735 of the Hayward Municipal Code.