

HAYWARD CITY COUNCIL

RESOLUTION NO. 25-

Introduced by Council Member _____

RESOLUTION AMENDING THE CITY OF HAYWARD 2025-2026 FISCAL YEAR
MASTER FEE SCHEDULE FOR TREE REMOVAL AND TREE PRUNING PERMITS
ASSOCIATED WITH AMENDMENTS TO CHAPTER 10, ARTICLE 15 OF THE
HAYWARD MUNICIPAL CODE RELATED TO UPDATES TO THE TREE
PRESERVATION ORDINANCE

WHEREAS, Section 15273 of the California Environmental Quality Act (CEQA) Guidelines states that CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, and other charges by public agencies which the public agency finds are for the purposes of:

1. Meeting operating expenses, including employee wage rates and fringe benefits;
2. Purchasing or leasing supplies, equipment, or materials;
3. Meeting financial reserve needs and requirements;
4. Obtaining funds necessary for capital projects necessary to maintain service within existing service areas; or
5. Obtaining funds necessary to maintain intra-city transfers as are authorized by City Charter; and

WHEREAS, the City Council finds and determines that this action is exempt from CEQA based on the foregoing provisions;

WHEREAS, in November 2010, California voters approved Proposition 26, which amended Article XIII C of the State constitution regarding the adoption of fees and taxes. Proposition 26 seeks to assure that taxes, which must be approved by the voters, are not disguised as fees, which can be approved by legislative bodies, such as a city council. The proposed amendment to the Master Fee Schedule (MFS) is compliant and would allow for the administration and inspections of trees proposed for removal, pruning or replacement to ensure protected trees are preserved and maintained in the City of Hayward, consistent with the appropriate findings and conditions established Tree Preservation Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby amends the Fiscal Year 2026 Master Fee Schedule to include updated fees and penalties associated with Tree Removal and Pruning Permits, as reflected in attached Exhibit "A".

BE IT RESOLVED that this resolution shall become effective on the date that the companion Ordinance (Ordinance No. 25-__) becomes effective.

BE IT FURTHER RESOLVED that this action is determined to be exempt from CEQA review pursuant to Section 15273 of the California Environmental Quality Act (CEQA) Guidelines based on the findings stated herein.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2025

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

DEVELOPMENT SERVICES DEPARTMENT**C. PLANNING****35. Tree Preservation**

a. Annual Pruning Certification	\$	817
b. Tree Removal		
a. Two or less	\$	392
b. 3 to 5	\$	768
c. 6 to 8	\$	960
d. 9 or more	\$	\$1000 deposit
e. Heritage Tree	\$	\$1000 deposit
c. Tree Pruning		
f. 2 or less	\$	196
g. 3 or more	\$	588
h. Heritage Tree	\$	392
*A Minor Encroachment Permit may also be required		
– See Engineering Services Section		
d. Investigation and Violation Fee for work done without Permits (in addition to the regular permit fees)	\$	200% of Tree Permit Removal Fee