

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

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 1, SECTION 10-1.2750 (ALCOHOLIC BEVERAGE OUTLETS) OF THE HAYWARD MUNICIPAL CODE TO UPDATE THE REGULATIONS GOVERNING ALCOHOLIC BEVERAGE OUTLETS THROUGHOUT THE CITY

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

Section 1. Provisions. The City Council incorporates by reference the findings contained in Resolution No. 23-054 approving the below Zoning Text Amendments to the Hayward Municipal Code.

Section 2. Chapter 10, Article 1, Section 10-1.2750 (Alcoholic Beverage Outlets) of the Hayward Municipal Code is hereby amended.

**SEC. 10-1.2751 DEFINITIONS.**

**SEC. 10-1.2752 PERFORMANCE STANDARDS FOR ALCOHOLIC BEVERAGE SALES ESTABLISHMENTS.**

**SEC. 10-1.2769 DEEMED APPROVED PERFORMANCE STANDARDS.**

Section 3. California Environmental Quality Act. The City Council independently finds and determines that the Zoning Text Amendments are exempt from the California Environmental Quality Act (CEQA) under the “common sense” exception set forth in CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that their adoption could have a significant effect on the environment.

Section 4. 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 5. Effective Date. In accordance with the provisions of Section 620 of the City Charter, the Ordinance shall become effective 30 days following adoption.

Introduced at a meeting of the City Council of the City of Hayward, held the 7th day of March, 2023, by Council Member Zermeño.

This Ordinance will be considered for adoption at the regular meeting of the Hayward City Council, to be held on March 21, 2023, at 7:00 p.m. Please note the City Council will hold a hybrid meeting which will allow for participation in the Council Chamber and virtually via the Zoom platform. The full text of this Ordinance is available for examination by the public by contacting the City Clerk's office at [cityclerk@hayward-ca.gov](mailto:cityclerk@hayward-ca.gov) or (510) 583-4400.

Dated: March 17, 2023  
Miriam Lens, City Clerk  
City of Hayward