

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

**AN ORDINANCE OF THE CITY OF HAYWARD AMENDING CHAPTER 5, ARTICLE 10,  
OF THE HAYWARD MUNICIPAL CODE REGARDING CONSTRUCTION AND  
DEMOLITION DEBRIS WASTE REDUCTION AND RECYCLING REQUIREMENTS**

THE CITY COUNCIL OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 5, Article 10 of the Hayward Municipal Code is amended to read in full as follows:

**ARTICLE 10  
CONSTRUCTION AND DEMOLITION DEBRIS WASTE REDUCTION AND  
RECYCLING REQUIREMENTS**

- 5-10.01 PURPOSE
- 5-10.02 DEFINITIONS
- 5-10.03 THRESHOLDS FOR COVERED PROJECTS
- 5-10.04 NON-COVERED PROJECTS
- 5-10.05 COMPLIANCE
- 5-10.06 SUBMISSION OF WMP
- 5-10.07 REVIEW OF WMP
- 5-10.08 SUBMISSION OF A COMPLETED WMP SUMMARY REPORT
- 5-10.09 WEIGHING OF C&D DEBRIS
- 5-10.10 DETERMINATION OF COMPLIANCE
- 5-10.11 CITY'S RIGHTS TO MONITOR AND INSPECT
- 5-10.12 DELIVERY TO VERIFIED OR PROVISIONAL FACILITY REQUIRED
- 5-10.13 QUALIFIED THIRD PARTY ORGANIZATIONS
- 5-10.14 APPEALS
- 5-10.15 PENALTY

Section 2. Severance. 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 the ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the 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.

Section 4. CEQA. This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines (Title 14 of the California Code of Regulations) because there is no possibility that the ordinance will have a significant effect on the environment. The proposed amendments strengthen the City's

existing recycling requirements for C&D debris. This ordinance would also qualify as exempt pursuant to Section 15378(b)(3) of the CEQA Guidelines as the term “project” does not include organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

Introduced at the meeting of the Hayward City Council held April 25, 2017, 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 May 2, 2017, 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: April 28, 2017  
Miriam Lens, City Clerk  
City of Hayward