

ORDINANCE NO. 17-____

AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 4, SECTION 5-4.10
OF THE HAYWARD MUNICIPAL CODE REGULATING THE
CONSTRUCTION, REPAIR, RECONSTRUCTION, DESTRUCTION OR
ABANDONMENT OF WELLS

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

Section 1. Chapter 5, Article 4, Section 5-4-10, of the Hayward Municipal Code is amended to read in full as follows:

SEC. 5-4-10 – COUNTY OF ALAMEDA ORDINANCE NO. ~~73-680-2015-20~~ 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.

The well standards regulations of the County of Alameda adopted as Sec. 5-4.10, Alameda County Code of Ordinances, Title 6 - Health and Safety/Chapter 6.88, Water Wells (Ref.: https://library.municode.com/CA/Alameda_County/codes/code_of_ordinances?nodeId=TIT6HESA_CH6.88WAWWE), as amended by Alameda County Ordinance No. 0-2015-20, Section 1, 4-21-15 (Ref.: Ord. No. 0-2015-20, §1, 4-21-15), or as may be amended by the Board of Supervisors of the County of Alameda, is hereby adopted as the well standards ordinance of the City of Hayward regulating the construction, repair, reconstruction, destruction or abandonment of wells within the City of Hayward.

~~Three~~ A printed ~~copies-copy~~ of such Alameda County regulations (primary code) and three-a printed ~~copies-copy~~ of ~~Chapter II of~~ the Department of Water Resources Bulletin No. ~~74-81 and 74-90, which taken together comprise the~~ “Water Well Standards: State of California.” ~~(secondary code) and Appendixes E, F, and G a part thereof, together with the supplemental standards of Department of Water Resources Bulletin No. 74-2, “Water Well Standards: Alameda County” and Department of Water Resources Bulletin No. 74-1, “Cathodic Protection Wells Standards: State of California” (secondary code), (Ref.:~~ http://www.water.ca.gov/groundwater/well_info_and_other/california_well_standards/well_standards_content.html) are on file in the office of the City Clerk, to which reference is hereby made for further particulars.

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 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 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 44 of the California Code of Regulations) because there is no possibility that the ordinance will have a significant effect on the environment. 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 government that will not result in direct or indirect physical changes in the environment.

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 the 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