

ORDINANCE NO. 15-32

ORDINANCE AMENDING HAYWARD MUNICIPAL
CODE SECTION 5-7.20 ET SEQ., PUBLIC NUISANCES,
TO REFERENCE NEW ZONING REGULATIONS
RELATED TO VACANT PROPERTY FENCING

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, 15-225 approving the text changes requested in Zoning Text Amendment Application 201501059.

Section 2. Chapter 5, Sanitation and Health, Article 7, Community Preservation and Improvement, Section 5-7.20, Public Nuisance, is hereby amended to add new subsection 5-7.20(y) related to Fence Regulations for Vacant Properties as follows:

y. A fence in violation of 10-1.2735.j (Fence Regulations for Vacant Properties) of this code.

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 special meeting of the City Council of the City of Hayward, held on the 17th day of November, 2015, by Council Member Zermefio.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the 1st day of December, 2015, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Zermefio, Mendall, Jones, Peixoto, Lamnin, Márquez
MAYOR: Halliday

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

APPROVED: Burt Halliday
Mayor of the City of Hayward

DATE: December 8, 2015

ATTEST: William Pen
City Clerk of the City of Hayward

APPROVED AS TO FORM:

Michael S. Faxon
City Attorney of the City of Hayward

Daily Review

c/o Bay Area News Group-East Bay
22533 Foothill Blvd.
Hayward, CA 94541
800-595-9595
2050945

HAYWARD, CITY OF/CITY CLERK
MIRIAM LENS
777 B ST.
HAYWARD, CA 94541

PROOF OF PUBLICATION

FILE NO. Ordinance - Vacant Property

In the matter of

Daily Review

The Daily Review

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Daily Review, a newspaper published in the English language in the City of Hayward, County of Alameda, State of California.

I declare that the Daily Review is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's decree, dated March 2, 1950, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Daily Review as a Newspaper of General Circulation, case number 221938. Said decree states that "'The Daily Review' has been established, printed, and published daily in the City of Hayward, County of Alameda, State of California, for one year or more next preceding the date of the filing of said petition; that it is a newspaper published for the dissemination of local and telegraphic news and intelligence of a general character and has a bona fide subscription list of paying subscribers; ... [] [and] THEREFORE, ... 'The Daily Review' is hereby determined and declared to be a newspaper of general circulation [within the meaning of Government Code §§ 6000 et seq.]" Said decree has not been revoked, vacated or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

11/21/2015

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated: November 24, 2015


Public Notice Advertising Clerk

Legal No.

0005622812

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

ORDINANCE AMENDING HAYWARD MUNICIPAL
CODE CHAPTER 10, SECTION 10-1.2700,
GENERAL REGULATIONS, OF THE ZONING
ORDINANCE TO INCLUDE NEW STANDARDS
RELATED TO VACANT PROPERTY FENCING

11/30/15 11:29 CLK

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
No. 15-225 approving the text changes request-
ed in Zoning Text Amendment Application
201501059.

Section 2. Zoning Ordinance Section 10-1.2700,
General Regulations is hereby amended to add
to certain text (as indicated by underlines) and
delete certain provisions (as indicated by
strike-through), related to vacant property
fencing, introduced herewith and as specific-
ally shown in this ordinance.

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 au-
thority of the City, such decision shall not af-
fect the validity of the remainder of this ordi-
nance, which shall continue in full force and
effect, provided that the remainder of the ordi-
nance, absent the unexcised portion, can be
reasonably interpreted to give effect to the in-
tentions of the City Council.

Section 4. In accordance with the provisions of
Section 520 of the City Charter, this ordinance
shall become effective immediately upon
adoption.

Introduced at the meeting of the Hayward City
Council held November 17, 2015, the above-
entitled Ordinance was introduced by Council
Member Zermeno.

This Ordinance will be considered for adoption
at the regular meeting of the Hayward City
Council, to be held on December 1, 2015, at 7:00
p.m., in the Council Chambers, 777 B Street,
Hayward, California. The full text of this Ord-
inance is available for examination by the pub-
lic in the Office of the City Clerk.

Dated: November 21, 2015
Miriam Lens, City Clerk
City of Hayward

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

ORDINANCE AMENDING HAYWARD MUNICIPAL
CODE CHAPTER 10, SECTION 10-1.3510,
DEFINITIONS, OF THE ZONING ORDINANCE
TO INCLUDE NEW STANDARDS RELATED TO
VACANT PROPERTY FENCING

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
15-225 approving the text changes requested
in Zoning Text Amendment Application
201501059.

Section 2. Zoning Ordinance Section 10-1.3510,
Uses and Activities Defined, is hereby amend-
ed to add the text below to define a Vacant
Building/Site, to be located in its unique loca-
tion in alphabetical order within the section, to
conform to the City's standards and regula-
tions governing fencing for vacant properties
introduced herewith.

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 au-
thority of the City, such decision shall not af-
fect the validity of the remainder of this ordi-
nance, which shall continue in full force and
effect, provided that the remainder of the ordi-
nance, absent the unexcised portion, can be
reasonably interpreted to give effect to the in-
tentions of the City Council.

Section 4. In accordance with the provisions of
Section 520 of the City Charter, this ordinance
shall become effective immediately upon
adoption.

Introduced at the meeting of the Hayward City
Council held November 17, 2015, the above-
entitled Ordinance was introduced by Council
Member Zermeno.

This Ordinance will be considered for adoption
at the regular meeting of the Hayward City
Council, to be held on December 1, 2015, at 7:00
p.m., in the Council Chambers, 777 B Street,
Hayward, California. The full text of this Ord-
inance is available for examination by the pub-
lic in the Office of the City Clerk.

Dated: November 21, 2015
Miriam Lens, City Clerk
City of Hayward

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

ORDINANCE AMENDING HAYWARD MUNICIPAL
CODE SECTION 5-7.20 ET SEQ., PUBLIC
NUISANCES, TO REFERENCE NEW ZONING
REGULATIONS RELATED TO
VACANT PROPERTY FENCING

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,
15-225 approving the text changes requested
in Zoning Text Amendment Application
201501059.

Section 2. Chapter 5, Sanitation and Health,
Article 7, Community Preservation and Im-
provement, Section 5-7.23, Public Nuisance, is
hereby amended to add new subsection 5-
7.20(y) related to Fence Regulations for Vacant
Properties as follows:

y. A fence in violation of 10-1.2733.j (Fence
Regulations for Vacant Properties) of
this code.

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 au-
thority of the City, such decision shall not af-
fect the validity of the remainder of this ordi-
nance, which shall continue in full force and
effect, provided that the remainder of the ordi-
nance, absent the unexcised portion, can be
reasonably interpreted to give effect to the in-
tentions of the City Council.

Section 4. In accordance with the provisions of
Section 520 of the City Charter, this ordinance
shall become effective immediately upon
adoption.

Introduced at the meeting of the Hayward City
Council held November 17, 2015, the above-
entitled Ordinance was introduced by Council
Member Zermeno.

This Ordinance will be considered for adoption
at the regular meeting of the Hayward City
Council, to be held on December 1, 2015, at 7:00
p.m., in the Council Chambers, 777 B Street,
Hayward, California. The full text of this Ordi-
nance is available for examination by the pub-
lic in the Office of the City Clerk.

Dated: November 21, 2015
Miriam Lens, City Clerk
City of Hayward

DR #5522812; November 21, 2015