



CITY OF
HAYWARD
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DATE: February 17, 2009
TO: Mayor and City Council
FROM: Deputy City Clerk
SUBJECT: Adoption of an Ordinance Repealing and Replacing Chapter 9 Article 5 of the Hayward Municipal Code Relating to the Residential Rental Inspection Ordinance

RECOMMENDATION

It is recommended that the City Council adopts the attached Ordinance.

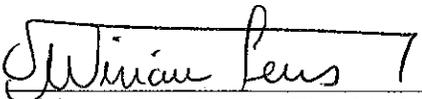
BACKGROUND

The ordinance was introduced by Council Member Henson at the February 3, 2009, meeting of the City Council with the following vote:

AYES:	Council Members:	Zermefio, Quirk, Halliday, May, Dowling, Henson
	Mayor:	Sweeney
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

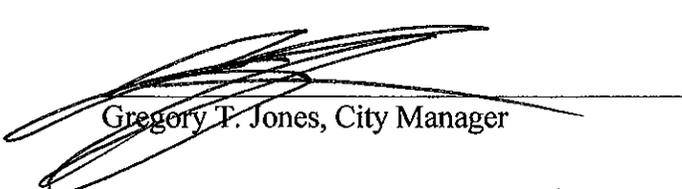
The ordinance was published in the Hayward Daily Review on Saturday, February 7, 2009. Adoption at this time is therefore appropriate.

Recommended by:



Miriam Lens, Deputy City Clerk

Approved by:



Gregory T. Jones, City Manager

Attachment: Draft Ordinance

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

ORDINANCE REPEALING AND REPLACING CHAPTER 9 ARTICLE 5 OF THE
HAYWARD MUNICIPAL CODE RELATING TO THE RESIDENTIAL RENTAL
INSPECTION ORDINANCE

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

Section 1 Upon the effective date of this ordinance, Chapter 9, Article 5, of the Hayward Municipal Code is hereby repealed and, in substitution thereof, a new Article 5 of Chapter 9 of the Hayward Municipal Code is hereby enacted to read in full as follows:

ARTICLE 5

RESIDENTIAL RENTAL INSPECTIONS

- 9-5.101 TITLE
- 9-5.102 PURPOSE
- 9-5.103 SCOPE

DEFINITIONS

- 9-5.201 GENERAL
- 9-5.202 ENFORCEMENT OFFICIAL
- 9-5.203 HEARING OFFICER
- 9-5.204 HOTEL AND MOTEL
- 9-5.205 IMMINENT HAZARD
- 9-5.206 RENTAL HOUSING UNIT
- 9-5.207 OWNER

GENERAL RESPONSIBILITIES

- 9-5.301 ADMINISTRATION
- 9-5.302 MANDATORY INSPECTION PROGRAM
- 9-5.303 CAUSE FOR INSPECTIONS
- 9-5.304 NOTICE TO TENANTS
- 9-5.305 RETALIATION
- 9-5.306 ENTRY
- 9-5.307 CORRECTION NOTICE
- 9-5.308 ADMINISTRATIVE HEARING
- 9-5.309 ENFORCEMENT: REPORT TO FRANCHISE TAX BOARD
- 9-5.310 NOTICES

FEES/PENALTY CHARGES

9-5.401 FEES/PENALTY CHARGES

RECOVERY OF FEES/PENALTY CHARGES

9-5.501 NOTICE OF LIEN/SPECIAL ASSESSMENT
9-5.502 LIEN/SPECIAL ASSESSMENT HEARING
9-5.503 REPORT OF FEES AND PENALTY CHARGES
9-5.504 NOTICE OF REPORT
9-5.505 COLLECTION ON TAX ROLL
9-5.506 ANNUAL REPORT OF ENFORCEMENT OFFICIAL

Section 2 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 3 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.

Introduced at a meeting of the Hayward City Council held February 3, 2009, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on February 17, 2009, at 8:00 p.m., in the Council Chamber, 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: February 7, 2009

Miriam Lens, Deputy City Clerk
City of Hayward