

As a business owner in the City of Hayward, I believe that the Alcoholic Beverage ordinance has not been enacted as discussed prior to its adoption by the City Council. Specifically, that the City (police department) would work cooperatively with businesses to address issues of compliance. This has not been the case.

The issues that I refer to are not issues of public safety or public nuisance that was made the thrust for adopting the ordinance, but merely administrative issues that were also cobbled into the ordinance and then not administered clearly nor professionally.

For example:

Prior to enforcement of the ordinance compliance checks were conducted by the Hayward Police Department. The compliance checks were accompanied by a "Courtesy Citation", which on its face was probably intended to be both helpful and an initial means to gain compliance. A good idea.

However, upon receipt of a Courtesy Citation, I was both unable to determine the reason for the violations cited or have the citation clarified. The citation was hand written on what resembled a parking ticket. Portions were unclear and illegible and I could not make out what was reference on the citation. Making matters more difficult, the citation was not given to me directly.

To make matters worse, when I contact the police department directly to inquire about the alleged violations, I was responded to dismissively with "if you are compliant then you don't have anything to worry about".

As it turns out, the violation cited was related to missing signs – but the signs could not clearly determined on the citation. And no further assistance or clarification was provided by the police department.

Some time later, police officers again conducted a compliance check issued a citation with an accompanying fine, and while being more legible than the first citation, portions again were unreadable. This time while contacting the police department for clarification the officer was defensive and argumentative. But at least I was able to clarify the sign issue which I addressed. But I felt my only resolution was to request a hearing.

To my outrage, 2 days before my scheduled hearing on the matter, the same officer issued another violation on the matter to be heard. This seems like discriminatory and vindictive action by the department. Especially since the sign issue had been already been rectified. The matter was dismissed at the hearing.

Why is the communication so poor and approach hostile? These are administrative issues.

Why are these administrative actions not communicated formally, clearly, and professionally, such as by letter so that they can be clearly understood and addressed?

Why are these costs so frivolously being assessed to me as a business owner without any regard?

Why have I been charged an administrative fee for a hearing for a citation that was dismissed and should not have been issued in the first place? I want my money back –

Have other business owners been treated in this same manner or have I been singled out?

Jocann Pepperell
owner of Funky Monkey

HAYWARD POLICE DEPARTMENT
COURTESY CITATION
HC 009881

DATE 02/28/14 TIME 1:00

NAME Vanessa Miller

ADDRESS _____

CITY Hayward STATE CA PHONE _____

DOB _____ DL# _____ STATE _____

RACE W SEX F HAIR BRN EYES BLU HEIGHT 5-7 WEIGHT 110

LOCATION _____

VEHICLE LICENSE# _____ STATE _____

VEHICLE YEAR _____ MAKE _____

MODEL _____ BODY _____ COLOR _____

VIOLATION ABC Condition #8 #9 ABC CL # 7052JB

REMARKS #8 Sign small ratio exit/entr. to removal of the car
#9 Ratio must be supervised by employee with 977 **ADDACTS**

OFFICER'S NAME J. Daring / A. Daring

I.D. # 310/333

**THIS IS NOT AN OFFICAL CITATION.
THIS WILL NOT AFFECT YOUR DRIVING RECORD
WITH THE STATE.
YOU DO NOT HAVE TO APPEAR IN COURT.**

The Hayward Police Department is conducting a program of public education in order to gain compliance and cooperation. A record of this citation will be placed in our files.
Future violations of this nature will result in formal citations processed through the Superior Court.
We appreciate your cooperation.

Diane Urban, CHIEF OF POLICE



OF HAYWARD
ADMINISTRATIVE CITATION

No. HA 057543

Date	Time	Day of week	Report No.
07/10/11	7:30	TUES	2014-52103
Name (First, Middle, Last)			
MICHAEL PETERCELLI			
Address:			
City: HAYWARD State: CA Zip Code: 94541			
DL/ID No.	State	Class	Age Birth date
Race	Sex	Hair	Eyes Height Weight School, City
Parent or Legal Guardian			Telephone No.
Violation Code(s)	Description	Fine Amount	
HMC 5-6.11(a)	Smoking Prohibited in a Public Place	\$ 50.00	
HMC 4-11.10	Social Host Ordinance	\$ 750.00	
HMC 4-9.02.5	Juvenile - Daytime Curfew	\$ 100.00	
HMC 5-9.30	Scavenging Recyclables Prohibited	\$ 100.00	
HMC 6-2.01	Hand Cart Sales Prohibited	\$ 100.00	
HMC 4-4.20	Dog License Required	\$ 100.00	
HMC 4-4.11	Unnecessary Noise (Animals)	\$ 100.00	
HMC 4-4.13	Animals at Large on Public Property	\$ 100.00	
HMC 10-1.27-69	VIOLATION OF	\$ 100.00	
HMC (DEEMED APPROVED)	PERFORMANCE	\$	
HMC	ALCOHOLIC BEV REGULATION	\$	
HMC	SIGNAGE / NO	\$	
HMC	TRUCK	\$	
Location of Violation			
11111 HAYWARD ST. HAYWARD CA 94541			
I certify under penalty of perjury that the foregoing is true and correct. Executed on the date shown above at Hayward, California.			
Citing Officer	RIENARDY	Badge No.	277
THIS IS NOT AN ADMISSION OF GUILT, YOU MUST RESPOND TO THIS CITATION WITHIN 15 DAYS.			
SIGNATURE X <i>Michael Petercelli</i>			
To pay the Fine(s)/Fee(s) associated with this citation and/or to notify the finance department of your intention to request a hearing, please see the reverse side for more information.			

CITY OF HAYWARD
 ADMINISTRATIVE CITATION

No. HA 059366

Date: 3/16/14 Time: 11:11 AM Day of week: Sat Report No.: 14-52103
 Name (First, Middle, Last): JOAN PERRELLI
 Address: 2 N J
 City: HAYWARD State: CA Zip Code: 94541
 DL/ID No.: A3206184 State: CA Class: C Age: 87
 Race: H Sex: F Hair: BR Eyes: BR Height: 5-0 Weight: 150 School, City:
 Parent or Legal Guardian: Telephone No.: 510-733

Violation Code(s)	Description	Fine Amount
HMC 5-6.11(a)	Smoking Prohibited in a Public Place	\$ 50.00
HMC 4-11.10	Social Host Ordinance	\$ 750.00
HMC 4-9.02.5	Juvenile - Daytime Curfew	\$ 100.00
HMC 5-9.30	Scavenging Recyclables Prohibited	\$ 100.00
HMC 6-2.01	Hand Cart Sales Prohibited	\$ 100.00
HMC 4-4.20	Dog License Required	\$ 100.00
HMC 4-4.11	Unnecessary Noise (Animals)	\$ 100.00
HMC 4-4.13	Animals at Large on Public Property	\$ 100.00
HMC (9)	VIOLATION OF ABC	\$ 500.00
HMC	COND # 9.	\$
HMC		\$
HMC		\$
HMC		\$

Location of Violation
 22554 MAIN ST

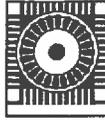
I certify under penalty of perjury that the foregoing is true and correct. Executed on the date shown above at Hayward, California.

Citing Officer: A. ARMISTIN Badge No. 265

THIS IS NOT AN ADMISSION OF GUILT, YOU MUST RESPOND TO THIS CITATION WITHIN 15 DAYS ON BEHALF OF PERRELLI

SIGNATURE X: [Signature]

To pay the Fine(s)/Fee(s) associated with this citation and/or to notify the finance department of your intention to request a hearing, please see the reverse side for more information.



CITY OF
HAYWARD
HEART OF THE BAY

October 2, 2014

Joeann Pepperell
Funky Monkey
22541 6th St
Hayward Ca 94541

Re: Administrative Hearing Appointment
Citation #59366

Joeann:

The City of Hayward has scheduled your Administrative Hearing as follows:

Date: Monday, October 20, 2014
Time: 10:00 AM (time approximate)
Location: City Hall
Revenue Division, 1st Floor
777 B. Street
Hayward, Ca 94541

If you are unable to make this hearing, please call (510) 583-4610 to request a onetime continuance prior to the above time. If a continuance is granted, the hearing will be rescheduled to the next session in approximately two weeks. Otherwise the hearing will proceed as scheduled. After your hearing, the Hearing Officer will review the findings and send his decision by mail.

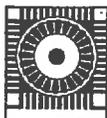
Sincerely,

Nelson Snook
Finance Technician

Cc: Police Records Division

Department of Finance
Revenue Division

777 B Street, Hayward, CA 94541-5007
Tel: 510-583-4610 Fax: 510-583-3644



CITY OF
HAYWARD
HEART OF THE BAY

August 6, 2014

Joeann Pepperell
Funky Monkey
22541 6th St
Hayward Ca 94541

Re: Administrative Hearing Appointment
Citation #57543

Joeann:

The City of Hayward has scheduled your Administrative Hearing as follows:

Date: Monday, August 18, 2014
Time: 9:30 AM (time approximate)
Location: City Hall
Revenue Division, 1st Floor
777 B. Street
Hayward, Ca 94541

If you are unable to make this hearing, please call (510) 583-4610 to request a onetime continuance prior to the above time. If a continuance is granted, the hearing will be rescheduled to the next session in approximately two weeks. Otherwise the hearing will proceed as scheduled. After your hearing, the Hearing Officer will review the findings and send his decision by mail.

Sincerely,

Nelson Snook
Finance Technician

Cc: Police Records Division

Department of Finance
Revenue Division

777 B Street, Hayward, CA 94541-5007
Tel: 510-583-4610 Fax: 510-583-3644