

ORDINANCE NO. 16-01

AN ORDINANCE AMENDING HAYWARD BUILDING CODE SECTION 105.3.1 (RELATING TO RESTRICTIONS ON ISSUANCE OF BUILDING PERMITS) AND SECTION 105.5 (RELATING TO TIME LIMITATIONS ON BUILDING PERMIT EXPIRATION)

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

Section 1. Sections 105.3.1 and 105.5 of The Hayward Building Code, established by adoption of Ordinance 13-21, are hereby deleted and in substitution thereof a new Section 105.3.1 and Section 105.5 are added as follows:

BUILDING CODE
OF THE CITY OF HAYWARD

SECTION 105.3.1 ACTION ON AN APPLICATION

105.3.1 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable.

SECTION 105.5 EXPIRATION

105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

A copy of such Building Code is on file in the office of the City Clerk, to which reference is hereby made for further particulars. Reference is also made to the State's Matrix amendments.

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.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held on the 15th day of December, 2015, by Council Member Lamnin.

ADOPTED at a special meeting of the City Council of the City of Hayward held the 12th day of January, 2016, by the following votes of members of said City Council.

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

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

APPROVED: Bonnie Halliday
Mayor of the City of Hayward

DATE: January 14, 2016

ATTEST: William Peus
City Clerk of the City of Hayward

APPROVED AS TO FORM:
Mucie S. Jan
City Attorney of the City of Hayward