



DATE: November 15, 2022

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Adopt an Ordinance Establishing Reach Codes for the City of Hayward, Repealing Ordinance 20-05, Adopting Chapter 9, Article 8 of the Hayward Municipal Code to Amend Part 11 (California Green Building Standards Code) of the California Building Standards Code (Title 24 of the California Code of Regulations), and Amending the City’s Off-Street Parking Regulations (Chapter 10, Article 2) of the Hayward Municipal Code

RECOMMENDATION

That the Council adopts the Ordinance introduced on November 1, 2022.

SUMMARY

This item entails adoption of an Ordinance establishing Reach Codes for the City of Hayward, repealing Ordinance 20-05, adopting Chapter 9, Article 8 of the Hayward Municipal Code to amend Part 11 (California Green Building Standards Code) of the California Building Standards Code (Title 24 of the California Code of Regulations), and amending the City’s Off-Street Parking Regulations (Chapter 10, Article 2) of the Hayward Municipal Code; introduced on November 1, 2022, by Mayor Halliday.

BACKGROUND

The Ordinance was introduced by Mayor Halliday at the November 1, 2022, meeting of the City Council with the following vote:

AYES:	COUNCIL MEMBERS: Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

STRATEGIC ROADMAP

This agenda item is a routine operational item and does not relate to one of the priorities outlined in the Council’s Strategic Roadmap.

FISCAL IMPACT

There is no fiscal impact associated with this report.

PUBLIC CONTACT

The summary of the Ordinance (Attachment II) was published in the Daily Review c/o Bay Area News Group-East Bay on Friday, November 11, 2022. Adoption, at this time, is therefore appropriate.

NEXT STEPS

The Hayward Municipal Code and other related documents will be updated accordingly.

Prepared and Recommended by:

Miriam Lens, City Clerk

Approved by:



Kelly McAdoo, City Manager

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

AN ORDINANCE ESTABLISHING REACH CODES FOR THE CITY OF HAYWARD; REPEALING ORDINANCE 20-05; ADOPTING CHAPTER 9, ARTICLE 8 OF THE HAYWARD MUNICIPAL CODE TO AMEND PART 11 (CALIFORNIA GREEN BUILDING STANDARDS CODE) OF THE CALIFORNIA BUILDING STANDARDS CODE (TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS); AND AMENDING THE CITY'S OFF-STREET PARKING REGULATIONS (CHAPTER 10, ARTICLE 2) OF THE HAYWARD MUNICIPAL CODE

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

Section 1. Ordinance 20-05, adopted by the City of Hayward City Council on March 24, 2020, is hereby repealed.

Section 2. Purpose and Intent. It is the purpose and intent of this Ordinance to expressly enact local amendments to the 2022 California Building Code applicable to new construction to provide standards for new buildings to improve community health and safety while reducing greenhouse gas emissions.

Section 3. In accordance with state law, effective January 1, 2023, the following are hereby adopted as local amendments to Part 11 (California Green Building Standards Code) of the California Building Standards Code (Title 24 of the California Code of Regulations):

Chapter 9 of the Hayward Municipal Code
(Building Code)

A new Article 8 is added to Chapter 9.

2022 All-Electric & Electric-Ready Ordinance – New Construction

9-8.100.000 – FUEL GAS PLUMBING INFRASTRUCTURE IN NEWLY CONSTRUCTED BUILDINGS

9-8.100.010 Applicability

9-8.100.020 Definitions

9-8.100.030 Prohibited Fuel Gas Infrastructure in Newly Constructed Residential Buildings

9-8.100.035 Electric Readiness in Newly Constructed Non-Residential Buildings

9-8.100.040 Periodic Review of Ordinance

Chapter 10, Article 2 of the Hayward Municipal Code
(Off-Street Parking Regulations)

Chapter 10, Article 2 is amended.

Section 10-2.000 – Purpose. This section is amended

Section 10.2.100 – Definitions. This section is amended

Section 10.2.200 – Application. This section is amended

Chapter 10, Article 2 is further amended by adding a new Part VIII

VIII. REQUIREMENTS FOR EV CHARGING INFRASTRUCTURE

SEC. 10-2.800 ELECTRIC VEHICLE (EV) CHARGING SPACES

SEC. 10-2.810 Electric Vehicle Charging Requirements by Use

SEC. 10-2.820 Direct Current Fast Charging stations

SEC. 10-2.830 Non-Proprietary Infrastructure

SEC. 10-2.840 Exceptions

Section 4. Enactment of Local Amendments to the California Building Standards Code, Title 24, Part 11 (Amendments to Chapters 9 and 10 of the Hayward Municipal Code). The local amendments to the 2022 California Building Standards Code, Title 24, Part 11, are hereby enacted.

Section 5. Severability. The provisions of this Ordinance are severable, and if any clause, sentence, paragraph, provision, or part of this Ordinance, or the application of this Ordinance to any person, is held to be invalid or preempted by state or federal law, such holding shall not impair or invalidate the remainder of this Ordinance. If any provision of this Ordinance is held to be inapplicable, the provisions of this Ordinance shall nonetheless continue to apply with respect to all other covered development projects and applicants. It is hereby declared to be the legislative intent of the City Council that this Ordinance would have been adopted had such provisions not been included or such persons or circumstances been expressly excluded from its coverage.

Section 6. Effective Date. The provisions of this Ordinance shall become effective on January 1, 2023.

Introduced at a regular meeting of the City Council of the City of Hayward, held the 1st day of November, 2022, by Mayor Halliday.

This Ordinance will be considered for adoption at the regular meeting of the Hayward City Council, to be held on November 15, 2022, at 7:00 p.m. Please note the City Council will hold a hybrid meeting which will allow for participation in the Council Chamber and virtually via the Zoom platform. The full text of this Ordinance is available for examination

by the public by contacting the City Clerk's office at cityclerk@hayward-ca.gov or (510) 583-4400.

Dated: November 11, 2022
Miriam Lens, City Clerk
City of Hayward