



CITY OF
HAYWARD
HEART OF THE BAY

DATE: December 1, 2009
TO: Mayor and City Council
FROM: City Clerk
SUBJECT: Adoption of an Ordinance Amending Sections of Article 5 of Chapter 9 of the Hayward Municipal Code Relating to the Residential Rental Inspection Ordinance

RECOMMENDATION

That the City Council adopts the Ordinance introduced on November 17, 2009.

BACKGROUND

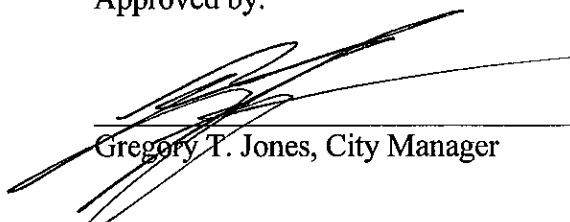
The Ordinance was introduced by Mayor Sweeney, seconded by Council Member Dowling, and carried with the following vote, with an amendment to the second paragraph of Sec. 9-5.306-Notice and Entry, on the first page of the proposed Ordinance, to read as follows: "It shall be the responsibility of the Owner or the Owner's designated representative to make a good faith effort to obtain the consent of the tenants to inspect the subject rental housing units or otherwise obtain legal access to the units."

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

The ordinance was published in the Hayward Daily Review on Saturday, November 21, 2009. Adoption at this time is therefore appropriate.

Recommended by:
Miriam Lens, City Clerk

Approved by:



Gregory T. Jones, City Manager

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

AN ORDINANCE AMENDING SECTIONS OF ARTICLE 5 OF CHAPTER 9 OF THE HAYWARD MUNICIPAL CODE RELATING TO THE RESIDENTIAL RENTAL INSPECTION ORDINANCE

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

Section 1. The last two sentences of the City of Hayward Municipal Code (hereinafter the "Municipal Code") Section 9-5.302

Section 2. Municipal Code Section 9-5.303(a)

Section 3. Municipal Code Section 9-5.306
SEC. 9-5.306 NOTICE AND ENTRY

Section 4. Municipal Code Section 9-5.310

Section 5. All other provisions of Article 5 of Chapter 9 of the Municipal Code, relating to Residential Rental Inspections, except for those provisions amended pursuant to this ordinance, remain in full force and effect.

Section 6. 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 7. 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 November 17, 2009, the above-entitled ordinance was introduced by Mayor Sweeney.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on December 1, 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: November 21, 2009
Miriam Lens, City Clerk
City of Hayward