

CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 01/24/06

AGENDA ITEM 6

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Adoption of an Ordinance Amending Hayward Municipal Code Adding New Alcoholic Beverage Outlet Regulations

RECOMMENDATION:

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

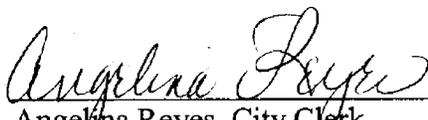
BACKGROUND:

The ordinance was introduced at the January 17, 2006, meeting of the City Council with the following vote:

AYES:	Council Members:	Jimenez, Quirk, Ward, Dowling
	Mayor:	Cooper
NOES:	Council Members:	Halliday, Henson
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

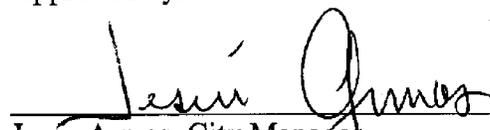
The ordinance was published in the Hayward Daily Review on January 21, 2006. Adoption at this time is therefore appropriate.

Prepared by:



Angelina Reyes, City Clerk

Approved by:



Jesus Armas, City Manager

Draft Ordinance

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

ORDINANCE AMENDING SECTION 10-1.2735(b) OF THE
HAYWARD MUNICIPAL CODE AND ADOPTING NEW
ALCOHOLIC BEVERAGE OUTLET REGULATIONS

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

Section 1. Upon the adoption of this ordinance, Section 10-1.2735(b) of the Hayward Municipal Code is hereby repealed and, in substitution thereof, a new Section 10-1-2735(b) of the Hayward Municipal Code is hereby enacted to read as follows:

Alcoholic Beverage Outlet Regulations

- 1) Purpose.
- 2) Definitions.
- 3) Conditional Use Permit for New Establishments.
- 4) Posting of Conditions of Approval.
- 5) Findings.
- 6) Application For Conditional Use Permit.
- 7) Requirements For New On-Sale Alcohol-Related Commercial Activities.
- 8) Requirements For New Off-Sale Alcohol-Related Commercial Activities.
- 9) Conditions.
- 10) Existing Establishments Selling Alcoholic Beverages.
- 11) Modifications in Permitted Alcoholic Beverage Sales Commercial Activities.
- 12) Notice.
- 13) Letter of Public Convenience or Necessity.

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 immediately upon adoption.

Introduced at a meeting of the Hayward City Council held January 17, 2006, the above-entitled ordinance was introduced by Council Member Quirk.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on January 24, at 8:00 p.m., in the Council Chambers, 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: January 21, 2006

Angelina Reyes, City Clerk
City of Hayward