

**CITY OF HAYWARD**

**AGENDA REPORT**

AGENDA DATE 10/24/06

AGENDA ITEM 8

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT:** Adoption of an Ordinance Amending Chapter 4, Article 3 of the Hayward Municipal Code, by the Addition of Section 4-3.16(c) Relating to the Palace Card Club Permit

**RECOMMENDATION:**

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

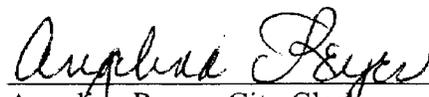
**BACKGROUND:**

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

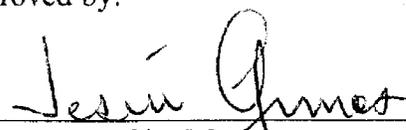
AYES:	Council Members:	Rodriquez, Halliday, Ward, Dowling, Henson
NOES:	Council Members:	Quirk
	Mayor:	Sweeney
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

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

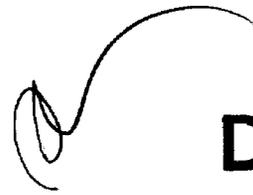
Prepared by:

  
\_\_\_\_\_  
Angelina Reyes, City Clerk

Approved by:

  
\_\_\_\_\_  
Jesús Armas, City Manager

Draft Ordinance



AN ORDINANCE AMENDING CHAPTER 4, ARTICLE 3 OF  
THE HAYWARD MUNICIPAL CODE, BY THE ADDITION  
OF SECTION 4-3.16 (c) RELATING TO THE PALACE CARD  
CLUB PERMIT

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HAYWARD  
DOES ORDAIN AS FOLLOWS:

Introduction: Nothing in this amendment to the Municipal Code shall be interpreted to create a divisible interest in the card club operating permit, a new card club operating permit or greater rights that currently exist in the existing card club permit.

Section 1. Chapter 4 of the Hayward Municipal Code is hereby amended to add subsection (c) to section 4-3.16 thereto, referring to the Palace Card Club permit to read in full as follows.

“(c) Notwithstanding subsection (a) of this section, Katherine Bousson, the current holder of the operating permit for the Palace Card Club located at 22821 Mission Boulevard, Hayward, California, may transfer her interest in the operating license to her three children-Charles Blanchard, Cathy Aganon, and Pamela Roberts. Each of the above named individuals will have an indivisible interest in the operating permit which shall terminate upon the individual’s death.

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 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 the \_\_\_\_ day of \_\_\_\_\_, 2006, by Council Member \_\_\_\_\_.

ADOPTED at a regular meeting of the City Council of the City of Hayward,  
held the \_\_\_\_\_ day of \_\_\_\_\_, 2006, by the following votes of members of said City  
Council.

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED: \_\_\_\_\_  
Mayor of the City of Hayward

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward