

**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 02/27/07

AGENDA ITEM 2

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

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT:** Adoption of an Ordinance Amending Sections 10-3.350 through 10-3.395 of the Hayward Municipal Code "Condominium Community Apartment, and Stock Cooperative Subdivisions" Governing Conversion of Residential Rental Complexes to Ownership Housing

**RECOMMENDATION:**

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

**BACKGROUND:**

The ordinance was introduced at the February 20, 2007, meeting of the City Council with the following vote:

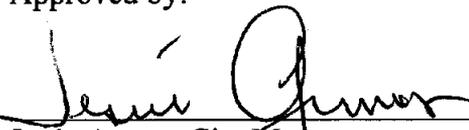
<b>AYES:</b>	<b>Council Members:</b>	Rodriquez, Quirk, Halliday, Ward, Dowling, Henson
	<b>Mayor:</b>	Sweeney
<b>NOES:</b>	<b>Council Members:</b>	None
<b>ABSENT:</b>	<b>Council Members:</b>	None
<b>ABSTAIN:</b>	<b>Council Members:</b>	None

The ordinance was published in the Hayward Daily Review on February 24, 2007. Adoption at this time is therefore appropriate.

Prepared by:

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

Approved by:

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

Draft Ordinance

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

ORDINANCE AMENDING SECTIONS 10-3.350 THROUGH 10-3.395 OF THE HAYWARD MUNICIPAL CODE "CONDOMINIUM COMMUNITY APARTMENT, AND STOCK COOPERATIVE SUBDIVISIONS" GOVERNING CONVERSION OF RESIDENTIAL RENTAL COMPLEXES TO OWNERSHIP HOUSING

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

Section 1. Upon the adoption of this ordinance, Sections 10-3.350 through 10-3.395 of the Hayward Municipal Code are hereby repealed and, in substitution thereof, new Sections 10-3.350 through 10-3.395 of the Hayward Municipal Code are hereby enacted to read as follows:

CONVERSION OF RESIDENTIAL RENTAL DEVELOPMENTS TO COMMON INTEREST DEVELOPMENTS

Section	Subject Matter
10-3.350	INTENT AND PURPOSE
10-3.555	DEFINITIONS
10-3.360	PARCEL MAP REQUIRED
10-3.365	TENTATIVE MAP FOR CONDOMINIUM OR COMMUNITY APARTMENTS
10-3.370	REQUIREMENTS FOR CONVERSION TO COMMON INTEREST DEVELOPMENTS
10-3.375	STANDARDS OF DEVELOPMENT
10-3.376	CONDITIONS OF EQUIPMENT AND APPLIANCES
10-3.377	CONTINGENCY FEES
10-3.380	UTILITIES
10-3.385	ORGANIZATIONAL DOCUMENTS
10-3.392	INFORMATION TO PRECEDE FINAL MAP SUBMISSION
10-3.395	PREPARATION AND FORM OF FINAL MAP

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. It is the intent of the City Council that if this ordinance in its entirety is declared to be unconstitutional, invalid or beyond the authority of the City, then the Condominium Conversion Ordinance, as it existed prior to its repeal, shall remain in full force and effect.

Section 3. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from the date of adoption.

Introduced at a meeting of the Hayward City Council held February 20, 2007, 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 February 27, 2007, 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: February 24, 2007

Angelina Reyes, City Clerk  
City of Hayward