



CITY OF
HAYWARD
HEART OF THE BAY

2

DATE: November 6, 2007
TO: Mayor and City Council
FROM: City Clerk
SUBJECT: Adoption of an Ordinance Amending Chapter 11, Article 2 of the Hayward Municipal Code by Adding a Definition and Inserting a New Section 11-2-46 Requiring Installation of Separate Irrigation Water Meters for Certain Projects

RECOMMENDATION

That the City Council adopt the attached Ordinance.

BACKGROUND

The ordinance was introduced at the October 23, 2007, meeting of the City Council with the following vote:

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

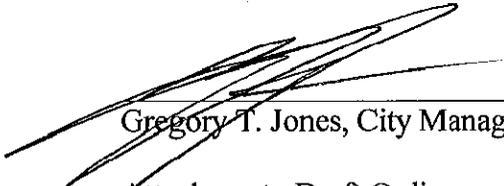
The ordinance was published in the Hayward Daily Review on October 27, 2007. Adoption at this time is therefore appropriate.

Recommended by:



Angelina Reyes, City Clerk

Approved by:



Gregory T. Jones, City Manager

Attachment: Draft Ordinance

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

AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2 OF THE HAYWARD MUNICIPAL CODE BY ADDING A DEFINITION AND INSERTING A NEW SECTION 11-2-46 REQUIRING INSTALLATION OF SEPARATE IRRIGATION WATER METERS FOR CERTAIN PROJECTS

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

Section 1. Chapter 11, Article 2, of the Hayward Municipal Code is hereby amended by adding the following definition:

"Irrigation Meter. A water meter used exclusively to measure the volume of water used for landscape irrigation purposes."

Section 2. Chapter 11, Article 2, is further amended to insert a new Section 11-2-46 to read in full as follows:

"SEC. 11-2-46 SEPARATE IRRIGATION METER. Certain new water services shall include the installation of a separate irrigation meter to measure the volume of water used for landscape irrigation. This requirement shall apply to water connections that will serve properties with 5,000 or more square feet of irrigated landscape. The requirement shall not apply to single-family residential properties, including single-family homes, duplexes, triplexes and fourplexes.

For the purposes of this Section, "new water service" means the installation of a new water meter where water service has not been previously provided

This Section shall apply to any water service installed on or after January 1, 2008. It shall not apply to applications for new water services submitted to the City prior to January 1, 2007."

Section 10. 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 11. 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 October 23, 2007, the above-entitled ordinance was introduced by Council Member Ward.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 6, 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: October 27, 2007

Angelina Reyes, City Clerk
City of Hayward