



CITY OF
HAYWARD
HEART OF THE BAY

10

DATE: December 15, 2009
TO: Mayor and City Council
FROM: City Clerk
SUBJECT: Adoption of an Ordinance Repealing and Replacing Chapter 10 Article 12 of the Hayward Municipal Code Relating to Water Efficient Landscape Ordinance

RECOMMENDATION

That the City Council adopts the Ordinance introduced on December 1, 2009.

BACKGROUND

The ordinance was introduced by Council Member Henson at the December 1, 2009, meeting of the City Council with the following vote:

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

The ordinance was published in the Hayward Daily Review on Saturday, December 12, 2009. Adoption at this time is therefore appropriate.

Recommended by:
Miriam Lens, City Clerk

Approved by:

Gregory T. Jones, City Manager

Attachments: Draft Ordinance Published on December 12, 2009

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

ORDINANCE REPEALING AND REPLACING CHAPTER 10 ARTICLE 12 OF THE
HAYWARD MUNICIPAL CODE RELATING TO WATER EFFICIENT LANDSCAPE
ORDINANCE

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

Section 1. Upon the effective date of this ordinance, Chapter 10, Article 12, of the Hayward Municipal Code is hereby repealed and, in substitution thereof, and a new Article 12 of Chapter 10 of the Hayward Municipal Code is hereby enacted to read in full as follows:

ARTICLE 12

CITY OF HAYWARD BAY-FRIENDLY WATER EFFICIENT LANDSCAPE ORDINANCE

<u>Section</u>	<u>Subject Matter</u>
10-12.01	AUTHORITY
10-12.02	PURPOSE
10-12.03	APPLICABILITY
10-12.04	DEFINITIONS
10-12.05	COMPLIANCE WITH LANDSCAPE DOCUMENTATION PACKAGE
10-12.06	ENFORCEMENT
10-12.07	LANDSCAPE DOCUMENTATION PACKAGE
10-12.08	WATER EFFICIENT LANDSCAPE WORKSHEET
10-12.09	SOIL MANAGEMENT REPORT
10-12.10	LANDSCAPE DESIGN PLAN
10-12.11	IRRIGATION DESIGN PLAN
10-12.12	GRADING DESIGN PLAN
10-12.13	CERTIFICATE OF COMPLETION
10-12.14	IRRIGATION SCHEDULING
10-12.15	LANDSCAPE AND IRRIGATION MAINTENANCE SCHEDULE
10-12.16	IRRIGATION AUDIT, SURVEY, AND WATER USE ANALYSIS
10-12.17	STORMWATER MANAGEMENT
10-12.18	PUBLIC EDUCATION
10-12.19	IRRIGATION AUDIT, SURVEY, AND WATER USE ANALYSIS FOR EXISTING LANDSCAPES
10-12.20	EFFECTIVE PRECIPITATION
APPENDICES	
APPENDIX A. REFERENCE EVAPOTRANSPIRATION TABLE	
APPENDIX B. WATER EFFICIENT LANDSCAPE WORKSHEET	
SECTION A. HYDROZONE INFORMATION TABLE	
SECTION B. WATER BUDGET CALCULATIONS	
APPENDIX C. CERTIFICATE OF COMPLETION	

Section 2. SEVERABILITY. 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. EFFECTIVE DATE. 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 December 1, 2009, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on December 15, 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: December 12, 2009

Miriam Lens, City Clerk
City of Hayward