



CITY OF
HAYWARD
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DATE: January 5, 2010
TO: Mayor and City Council
FROM: City Clerk
SUBJECT: Adoption of Ordinance Amending Section 10-1.2735 of the Hayward Municipal Code Relating to New On-Sale Alcoholic-Related Commercial Activities

RECOMMENDATION

That the City Council adopts the Ordinance introduced on December 15, 2009.

BACKGROUND

The ordinance was introduced by Council Member Quirk at the December 15, 2009, meeting of the City Council with the following vote:

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

The ordinance was published in the Hayward Daily Review on Saturday, December 19, 2009. Adoption at this time is therefore appropriate.

Recommended by: Miriam Lens, City Clerk

Approved by:

A handwritten signature in dark ink, appearing to read "Gregory T. Jones".

Gregory T. Jones, City Manager

Attachments: Draft Ordinance Published on December 19, 2009

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

AN ORDINANCE AMENDING SECTION 10-1.2735 OF THE HAYWARD MUNICIPAL CODE RELATING TO NEW ON-SALE ALCOHOLIC-RELATED COMMERCIAL ACTIVITIES

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

Section 1. Section 10-1.2735 (b) (7) of the Hayward Municipal Code

SEC. 10-1.2735 SPECIAL STANDARDS AND CONDITIONS FOR CERTAIN USES

b. Alcoholic Beverage Outlet Regulations.

(7) Requirements For New On-Sale Alcohol-Related Commercial Activities.

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. 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 15, 2009, 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 5, 2010, at 7:00 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 19, 2009
Miriam Lens, City Clerk
City of Hayward