



CITY OF
HAYWARD
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DATE: January 26, 2010
TO: Mayor and City Council
FROM: City Clerk
SUBJECT: Adoption of Ordinance Adding Section 2.15 to Chapter 11, Article 3, Section 400, Appendix "A" of the Hayward Municipal Code Relating to Dental Amalgam Recovery Program Ordinance

RECOMMENDATION

That the City Council adopts the Ordinance introduced on January 19, 2010.

BACKGROUND

The ordinance was introduced by Council Member Dowling at the January 19, 2010, meeting of the City Council with the following vote:

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

The ordinance was published in the Hayward Daily Review on Saturday, January 23, 2010. Adoption at this time is therefore appropriate.

Recommended by: Miriam Lens, City Clerk

Approved by:

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

Gregory T. Jones, City Manager

Attachment: Draft Ordinance Published on January 23, 2010

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

ORDINANCE OF THE HAYWARD CITY COUNCIL ADDING SECTION 2.15 TO CHAPTER 11, ARTICLE 3, SECTION 400, APPENDIX "A" OF THE HAYWARD MUNICIPAL CODE RELATING TO DENTAL AMALGAM RECOVERY PROGRAM ORDINANCE

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

Section 1. Upon the effective date of this ordinance, Chapter 11, Article 3, Section 400, Appendix "A", known as the Wastewater Discharge Regulations of the Hayward Municipal Code is hereby amended to add a new Section 2.15, and which is hereby enacted to read in full as follows:

ARTICLE 3
SECTION 400
APPENDIX "A"
WASTEWATER DISCHARGE REGULATIONS OF THE CITY OF HAYWARD

Chapter 2
REGULATIONS
CITY OF HAYWARD
DENTAL AMALGAM RECOVERY PROGRAM ORDINANCE

- 2.15 REQUIREMENTS FOR DENTAL FACILITITES THAT REMOVE OR PLACE AMALGAM FILLINGS
- 2.15.1 DEFINITIONS
- 2.15.2 BEST MANAGEMENT PRACTICES
- 2.15.3 AMALGAM SEPARATOR REQUIREMENTS
- 2.15.4 EXEMPTIONS

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 January 19, 2010, the above-entitled ordinance was introduced by Council Member Dowling.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on January 26, 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: January 23, 2010
Miriam Lens, City Clerk
City of Hayward