

ORDINANCE NO. 02-15

AN ORDINANCE ESTABLISHING A HOUSING CODE FOR THE CITY OF HAYWARD; ESTABLISHING MINIMUM SPACE AND OCCUPANCY STANDARDS, STRUCTURAL REQUIREMENTS, MECHANICAL REQUIREMENTS, EXITS, FIRE PROTECTION AND OTHER REQUIREMENTS FOR RESIDENTIAL BUILDINGS; REGULATING THE USE AND OCCUPANCY OF RESIDENTIAL BUILDINGS; PROVIDING FOR THE REPAIR, REHABILITATION, OR DEMOLITION OF SUBSTANDARD RESIDENTIAL BUILDINGS, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF SAID HOUSING CODE; AND REPEALING ORDINANCE NO. 99-08 AND ALL AMENDMENTS THERETO

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

Section 1. Ordinance No. 99-08, and all amendments thereto, is hereby repealed and in substitution thereof a new Housing Code for the City of Hayward is hereby enacted to read as follows:

HOUSING CODE
OF THE CITY OF HAYWARD

SEC. 1.00 UNIFORM HOUSING CODE, 1997 EDITION, ADOPTION BY REFERENCE. The Uniform Housing Code, 1997 Edition, published by the International Conference of Building Officials, as modified by the amendments, additions, and deletions set forth hereinafter, is hereby adopted by reference as the Housing Code of the City of Hayward.

Reference is made to the Building Code of the City of Hayward and to the State housing law.

A printed copy of such Housing Code is on file in the office of the City Clerk to which reference is hereby made for further particulars.

SEC. 2.00 AMENDMENTS, ADDITIONS, AND DELETIONS TO UNIFORM HOUSING CODE. Set forth below are the local amendments, additions, and deletions to the Uniform Housing Code, 1997 Edition. Chapter and section numbers used herein are those of said Uniform Housing Code, 1997 Edition.

(Reference is made to the Residential Rental Inspection, Article 5 Hayward Municipal Code)

CHAPTER 1
TITLE AND SCOPE

SEC. 101 TITLE. (Amendment) This ordinance may be cited and shall be known as the "Housing Code of the City of Hayward" and will be referred to herein as "this code."

CHAPTER 2
ENFORCEMENT

SEC. 201 GENERAL.

SEC. 201.2 RIGHT OF ENTRY. (Amendment) Upon presentation of proper credentials, the Building Official or his or her duly authorized representative, after having obtained the consent of the owner or occupant, may enter at reasonable times during daylight hours and for probable cause, any structure, building, or premises in the City to perform any duty imposed upon him or her by this code. Except in emergency situations, the Building Official or his or her duly authorized representative shall not enter any building, structure, or premises without the consent of the owner or occupant thereof, unless the Building Official possesses an inspection warrant obtained and issued in the manner provided by sections 1822.50 et seq. of the Code of Civil Procedure of the State of California or any amendments to or replacements thereof.

Except as hereinabove permitted, no person shall hinder or prevent the Building Official or his or her duly authorized representative, while in the performance of the duties described above, from entering upon and into any building, structure, or premises under his or her jurisdiction, at all reasonable hours during daylight hours and for probable cause, for the purpose of inspecting the same to determine whether or not the provisions of this code are observed therein.

SEC. 203 HOUSING ADVISORY AND APPEALS BOARD BUILDING ADVISORY COMMITTEE IS THE HOUSING ADVISORY AND APPEALS BOARD.

(Amendment) In order to review the determinations made by the Building Official relative to the suitability of alternate materials and methods of construction and to make recommendations to the City Council concerning amendments to this or any other applicable code, a Building Advisory Committee consisting of five members qualified by experience and training to pass upon matters pertaining to building construction, shall be appointed by the City Manager as the occasion arises.

The Building Official shall be an ex-officio member of the Building Advisory Committee and shall act as Secretary. The Building Advisory Committee shall adopt reasonable rules and regulations for conducting its hearings and investigations.

Any person directly affected by a determination of the Building Official relative to the suitability of alternate materials and methods of construction may request a review of the determination by the Building Advisory Committee. The appeal shall be in writing and filed at the office of the Building Official within 30 days of the Building Official's determination. The appellant shall agree to bear the expense of any tests required by the Committee in connection with the appeal. The Committee shall render its findings and decisions to the Building Official with a copy to the appellant. The Committee's decision shall be final. Any reference in this code to "Board of Appeals" shall mean the Building Advisory Committee and its decision shall be final.

CHAPTER 3
PERMITS AND INSPECTIONS

SEC. 302 PERMIT FEES. (Addition.) The fee(s) for each permit required pursuant to this code shall be as established from time to time by resolution by the City Council.

EXCEPTION: The Building Official is hereby authorized to waive permit fees for minor repairs and rehabilitation for single family dwellings where the applicant's total verified household income is no more than:

\$28,150 per year - 1 person family
\$32,150 per year - 2 person family
\$36,200 per year - 3 person family
\$40,200 per year - 4 person family
\$43,400 per year - 5 person family
\$46,650 per year - 6 person family
\$49,850 per year - 7 person family
\$53,000 per year - 8 person family

CHAPTER 4 DEFINITIONS

SEC. 402 ADDITIONAL WORDS AND PHRASES. (Addition)

"CITY OF" or "THE CITY" shall mean the City of Hayward as the text may require.

"CITY COUNCIL" shall mean the City Council of the City of Hayward.

"H.H.C." shall mean the Hayward Housing Code.

"HOUSING ADVISORY APPEALS BOARD" or "BOARD OF APPEALS" shall mean the Building Advisory Committee.

CHAPTER 13 PROCEDURES FOR CONDUCT OF HEARINGS APPEALS

Delete.

CHAPTER 14 ENFORCEMENT OF THE ORDER OF THE BUILDING OFFICIAL OR THE BOARD OF APPEALS

Delete.

CHAPTER 15
PERFORMANCE OF WORK OR
REPAIR OR DEMOLITION

Delete.

CHAPTER 16
RECOVERY OF COST OF REPAIR
OR DEMOLITION

Delete.

SECTION 2 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 regular meeting of the City Council of the City of Hayward, held the 1st day of October, 2002, by Council Member Hilson .

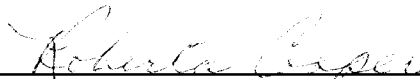
ADOPTED at a regular meeting of the City Council of the City of Hayward held the 8th day of October, 2002, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS: Jimenez, Hilson, Rodriquez, Ward, Dowling, Henson
MAYOR: Cooper

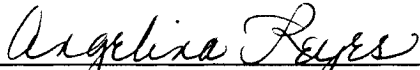
NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

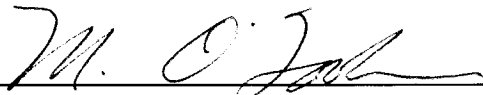
ABSENT: COUNCIL MEMBERS: None

APPROVED: 
Mayor of the City of Hayward

DATE: October 21, 2002

ATTEST: 
City Clerk of the City of Hayward

APPROVED AS TO FORM:


City Attorney of the City of Hayward

Daily Review

c/o ANG Newspapers
22533 Foothill Blvd.
Hayward, CA 94541
Legal Advertising
(800) 595-9595 opt.4

CITY OF HAYWARD
777 B STREET, ATTN: CONNIE MACIAS
HAYWARD CA 94541

PROOF OF PUBLICATION

FILE NO.

In the matter of

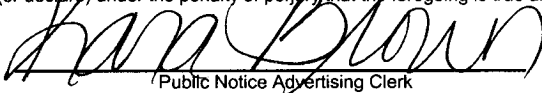
The undersigned deposes that he/she is the Public Notice Advertising Clerk of the DAILY REVIEW, a newspaper of general circulation as defined by Government Code Section 6000, adjudicated as such by the Superior Court of the State of California, County of Alameda (Order Nos. 234 933 AND 244 264), which is published and circulated daily in said county and state.

The PUBLIC NOTICE

was published in every issue of the DAILY REVIEW on the following date(s):

10/5/02

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.


Public Notice Advertising Clerk

Legal No. 0000155098

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

AN ORDINANCE ESTABLISHING A HOUSING CODE FOR THE CITY OF HAYWARD; ESTABLISHING MINIMUM SPACE AND OCCUPANCY STANDARDS, STRUCTURAL REQUIREMENTS, MECHANICAL REQUIREMENTS, EXITS, FIRE PROTECTION AND OTHER REQUIREMENTS FOR RESIDENTIAL BUILDINGS; REGULATING THE USE AND OCCUPANCY OF RESIDENTIAL BUILDINGS; PROVIDING FOR THE REPAIR, REHABILITATION, OR DEMOLITION OF SUBSTANDARD RESIDENTIAL BUILDINGS, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF SAID HOUSING CODE; AND REPEALING ORDINANCE NO. 99-08 AND ALL AMENDMENTS THERETO

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

Section 1. Ordinance No. 99-08, and all amendments thereto, is hereby repealed and in substitution thereof a new Housing Code for the City of Hayward is hereby enacted to read as follows:

**HOUSING CODE
OF THE CITY OF HAYWARD**
SEC. 1.00 UNIFORM HOUSING CODE,
1997 EDITION, ADOPTION BY REFERENCE
SEC. 2.00 AMENDMENTS, ADDITIONS,
AND DELETIONS TO UNIFORM HOUSING
CODE

**CHAPTER 1
TITLE AND SCOPE**
SEC. 101 TITLE

**CHAPTER 2
ENFORCEMENT**
SEC. 201 GENERAL
SEC. 201.2 RIGHT OF ENTRY
SEC. 203 HOUSING ADVISORY AND APPEALS BOARD BUILDING ADVISORY COMMITTEE IS THE HOUSING ADVISORY AND APPEALS BOARD

**CHAPTER 3
PERMITS AND INSPECTIONS**
SEC. 302 PERMIT FEES

**CHAPTER 4
DEFINITIONS**
SEC. 402 ADDITIONAL WORDS AND PHRASES

**CHAPTER 13
PROCEDURES FOR CONDUCT OF HEARINGS APPEALS**

**CHAPTER 14
ENFORCEMENT OF THE ORDER OF THE BUILDING OFFICIAL OR THE BOARD OF APPEALS**

**CHAPTER 15
PERFORMANCE OF WORK OR REPAIR OR DEMOLITION**

**CHAPTER 16
RECOVERY OF COST OF REPAIR OR DEMOLITION**

SECTION 2: 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 regular meeting of the Hayward City Council held October 1, 2002, the above-entitled ordinance was introduced by Council Member Hilson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on October 8, 2002, at 8:00 p.m., in the Council Chambers, 777 B Street, Hayward, California. Copies of the full text of this ordinance are available for examination by the public in the Office of the City Clerk, 777 B Street, Hayward Public Main Library, 835 "C" Street, or the Weekes Branch Library, 27300 Patrick Avenue.

DATED: October 5, 2002

**ANGELINA REYES
CITY CLERK OF THE
CITY OF HAYWARD**

The Daily Review, #155098
October 5, 2002