

## ARTICLE 1

### PERMITS

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## ARTICLE 1

### PERMITS

SEC. 6-1.00 PERMITS GENERALLY. Whenever, by the provisions of this Chapter, a permit from the City of Hayward is a prerequisite to the operation or maintenance of any business establishment or place, or to the furtherance of any undertaking or the doing of anything, unless otherwise specifically provided, such permit shall be procured in the manner, and be subject to the provisions hereinafter in this Article set forth.

SEC. 6-1.01 APPLICATION. Application for any permit required by the provisions of this Chapter shall be filed with the Division of Permits and Licenses upon forms to be furnished by said Division, and shall set forth the location and exact nature of the business or undertaking to be carried on and shall contain the names and addresses of all members of the firm or partnership and such other information as the Investigating Official may require.

The Investigating Official referred to in this Article, and who is hereafter referred to in this Chapter to whom the application shall be referred shall be the Chief of Police unless otherwise specifically provided.

SEC. 6-1.02 ACTION ON APPLICATION. The Investigating Official shall require in such application or otherwise, information relating to applicant's solvency, his financial standing, and a statement as to whether any previous application has been refused or whether any permit previously granted has been revoked or suspended, or other pertinent matter commensurate with the safeguarding of the public interest all of which may be considered by said Investigating Official in determining the fitness of applicant to engage in said business.

SEC. 6-1.20 REVOCATION AND SUSPENSION OF PERMIT. Any permit granted pursuant to the provisions of this Chapter may be revoked or suspended by the City Manager as in his discretion may seem meet and just, for any reason for which a granting of such permit might be lawfully denied, or for any other reason hereinafter in this Chapter specifically provided.

Such revocation or suspension shall be made only upon a hearing granted to the holder of the permit so revoked or suspended, held before the City Manager after at least five (5) days' written notice to such permit holder, stating generally the grounds of complaint against him and stating the time and place where such hearing will be held.

SEC. 6-1.30 HEARINGS. Any investigation, inquiry, or hearing which the City Manager has power to undertake or to hold may be undertaken or held by a person designated by the City Manager. The person to whom a matter is assigned shall be deemed a "Hearing Officer". In any matter so assigned the Hearing Officer conducting the investigation, inquiry or hearing shall report within thirty (30) days after the conclusion of the investigation, inquiry or hearing, his findings and recommendations to the City Manager.

Within thirty (30) days after the filing of the findings and recommendations of the Hearing Officer, the City Manager shall confirm, adopt, modify or set aside the findings of the Hearing Officer, enter his order, findings, decision or award based upon the record in the case, and notify in writing, the parties concerned with such decision. The determination made by the City Manager shall be final and conclusive in the matter.

In such hearings, investigations, and inquiries by the City Manager or a Hearing Officer, he shall not be bound in the conduct thereof by the common law or statutory rules of evidence and procedure, but inquiry shall be made in the matter, through oral testimony and records, which is best calculated to ascertain the substantial rights of the public and parties.

No order, decision, award or rule shall be invalidated because of the admission into the record and the use as any proof of any fact in dispute of any evidence not admissible under the common law or statutory rules of evidence and procedure.

SEC. 6-1.40 DENIAL OF PERMITS. APPEAL. An applicant excepting to a denial of a permit applied for pursuant to any Article of this Chapter may appeal in writing to the City Manager. Such notice of appeal must be filed within fourteen (14) days after notice of denial has been sent to applicant and shall set forth the specific grounds for such appeal. The appellant shall be entitled to a hearing held before the City Manager or a hearing officer in the manner provided by Section 6-1.30 hereof.

The determination made by the City Manager on such appeal shall be final and conclusive in the matter.