

ORDINANCE NO. 7,443–N.S.

AMENDING BERKELEY MUNICIPAL CODE SECTION 9.96.030.A CONCERNING  
POINT OF SALE NOTICE WARNING FOR CELL PHONES

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Section 9.96.030.A of the Berkeley Municipal Code is amended to read as follows:

**Section 9.96.030 Required notice**

A. A Cell phone retailer shall provide to each customer who buys or leases a Cell phone a notice containing the following language:

The City of Berkeley requires that you be provided the following notice:

To assure safety, the Federal Government requires that cell phones meet radio frequency (RF) exposure guidelines. If you carry or use your phone in a pants or shirt pocket or tucked into a bra when the phone is ON and connected to a wireless network, you may exceed the federal guidelines for exposure to RF radiation. Refer to the instructions in your phone or user manual for information about how to use your phone safely.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Old City Hall, 2134 Martin Luther King Jr. Way. Within fifteen days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on October 6, 2015, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Arreguin, Capitelli, Droste, Maio, Moore, Wengraf and Worthington.

Noes: None.

Absent: Anderson and Bates.

