

**RESOLUTION NO. 2016-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
DESIGNATING ENFORCEMENT OFFICERS  
PURSUANT TO SECTION 1.09.040 OF THE  
MERCED MUNICIPAL CODE**

WHEREAS, The City Council finds that the enforcement of the Merced Municipal Code and applicable state codes throughout the City of Merced is an important public service and vital to the protection of the public health, safety, and quality of life; and,

WHEREAS, The City Council finds that a comprehensive code enforcement system that uses a combination of judicial and administrative remedies is critical to gaining code compliance; and,

WHEREAS, Titles 1, 8 and 9 of the Merced Municipal Code were amended on February 16, 2010 to establish a comprehensive code enforcement system; and,

WHEREAS, The amendments included additional remedies of an Administrative Citations Program and Administrative Penalties Program; and,

WHEREAS, Section 1.09.040 of the Merced Municipal Code provides general enforcement authority to designated non-safety Enforcement Officers in an effort to gain compliance with the provisions of this Code for which they have a duty to enforce; and,

WHEREAS, The powers of these Enforcement Officers include, but are not limited to, the power to issue correction notices, administrative citations, inspect public and private property, and use judicial and administrative remedies available under the Merced Municipal Code or applicable state codes; and,

WHEREAS, Section 1.09.040 of the Merced Municipal Code requires that Enforcement Officers be designated by Resolution of the City Council.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED  
DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS  
FOLLOWS:**

SECTION 1. The positions set forth in Exhibit "A" attached hereto shall be designated as Enforcement Officers for the City of Merced.

SECTION 2. City employees in the designated positions as contained on Exhibit "A" shall have the powers and duties of Enforcement Officers as set forth in this Code and shall also be subject to any limitations on that authority as set forth in this Code, policies of their department, and under state or federal law.

SECTION 3. This Resolution is effective on the same day it is adopted by the City Council. Previous resolutions and portions of previous resolutions related to the positions set forth in Section 1 of this Resolution are hereby repealed.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_ 2016, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:  
STEVE CARRIGAN, CITY CLERK

BY: \_\_\_\_\_  
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

Kelly Timmer      7/15/16  
City Attorney      Date

**EXHIBIT "A"**

Accounting Technician  
Accountant III  
All Sworn Police Officers  
Assistant Chief Building Official  
Building Inspectors  
Building Official  
City Engineer  
Community Service Officer  
Engineering Technician IV  
Fire Battalion Chief  
Fire Captain  
Fire Chief  
Fire Deputy Chief  
Fire Engineer  
Fire Fighter  
Fire Inspector  
Fire Marshal  
Recycling Coordinator  
Refuse Lead Worker  
Solid Waste Supervisor  
Wastewater Collection System Supervisor  
Water Conservation Specialist