

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA, ADDING  
CHAPTER 2.36, "RECREATION AND PARKS  
COMMISSION," TO THE MERCED MUNICIPAL  
CODE**

**THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN  
AS FOLLOWS:**

**SECTION 1. AMENDMENT TO CODE.** Chapter 2.36 "Recreation and Parks Commission," is hereby added to the Merced Municipal Code to read as follows:

**"Chapter 2.36  
RECREATION AND PARKS COMMISSION**

**Sections:**

- 2.36.010 Authority.**
- 2.36.020 Appointment**
- 2.36.030 Powers and Duties.**

2.36.010 Authority.

Pursuant to Section 711 of the Charter of the City there is hereby established a Recreation and Parks Commission consisting of seven members.

2.36.020 Appointment.

A. Members are to be appointed by the City Council from the qualified electors of the city and no member of said commission shall hold any paid office or employment in the city government.

B. Six (6) members will be appointed from each of the six (6) districts and one (1) member will be appointed at large. Should a district appointment remain vacant for

more than ninety (90) days, the City Council has the authority and may elect to appoint an otherwise-qualified at large member to fill the district vacancy.

C. The number of members to comprise the commission may be changed by ordinance of the City Council to not less than five nor more than nine members.

D. In the event the City Council contracts with other agencies interested in recreation and parks for the joint exercise of any of such functions, such contract may provide for representation on the commission of otherwise qualified representatives of such agencies during the existence of such contract or extensions thereof.

#### 2.36.030 Powers and Duties.

The Recreation and Parks Commission shall have power to:

- A. Act in an advisory capacity to the City Council in all matters pertaining to recreation and parks;
- B. Consider the annual budget for recreation and parks during the process of its preparation and make recommendations with respect thereto to the City Manager and the City Council; and,
- C. Assist in the planning of a recreation program for the inhabitants of the City, promote and stimulate public interest therein, and to that end, solicit to the fullest extent possible the cooperation of school authorities and other public and private agencies interested therein."

**SECTION 2. EFFECTIVE DATE.** This Ordinance shall be in full force and effect thirty (30) days after its adoption.

**SECTION 3. SEVERABILITY.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 4. PUBLICATION.** The City Clerk is directed to cause a summary of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption showing the vote thereon.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the \_\_\_\_ day of \_\_\_\_\_, 2021, and was passed and adopted at a regular meeting of said City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2021, by the following called vote:

**AYES: Council Members:**

**NOES: Council Members:**

**ABSTAIN: Council Members:**

**ABSENT: Council Members:**

**APPROVED:**

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**Mayor**

**ATTEST:**  
**STEPHANIE R. DIETZ, CITY CLERK**

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

**(SEAL)**

**APPROVED AS TO FORM:**

*John S. Schubert* 7-14-21  
**City Attorney** **Date**