

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
AMENDING SECTION 14.04.070, "HOURS—
PERMIT," OF THE MERCED MUNICIPAL CODE
REGARDING CITY PARKS**

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

SECTION 1. AMENDMENT TO CODE. Section 14.04.070,
"Hours—Permits," of the Merced Municipal Code is hereby amended to read as
follows:

"14.04.070 Hours—Permit.

A. It is unlawful and a misdemeanor, subject to
punishment in accordance with Chapter 1.12 of
this Code, for any person to be or remain in any
city park identified in Section 9.70.030 of this
Code between hours of nine p.m. and six a.m. of
the following day from March 1 to October 31, or
between the hours of eight p.m. and six a.m. of the
following day from November 1 to February 28/29
without having received a permit to do so from the
Chief of Police of the City, Director of Parks and
Recreation, the City Manager, or their designees.

B. Exceptions to time restrictions shall be
permitted (1) for City-sponsored events, (2) annual
permit holders in parks with stadium-style lighting,
and (3) bike and other pedestrian paths when used
solely for passive recreational activities of
walking, bicycling, running or jogging."

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 _____, 2019, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2019, by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

APPROVED:

Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

 _____
City Attorney **10-24-19**
Date