



Legislation Text

File #: 17-094, **Version:** 1

Report Prepared by: Jolie Houston, Interim City Attorney

SUBJECT: Consideration of Ordinance Amending Chapter 01.08 of the Merced Municipal Code Regarding Custody and Use of the City's Seal

REPORT IN BRIEF

Consider adoption of City Ordinance that confirms that the City Clerk is the Custodian of the City Seal and prohibits the use by any person of the seal of the City of Merced, or any imitations or derivations thereof.

RECOMMENDATION

City Council - Adopt a motion introducing **Ordinance 2473**, an Ordinance of the City Council of the City of Merced, California, Amending Chapter 1.08, "City Seal," of the Merced Municipal Code Regarding the Use of the City Seal.

ALTERNATIVES

1. Approve, as recommended by Staff; or,
2. Modify ordinance for introduction; or,
3. Deny.

AUTHORITY

City of Merced, Charter, Section 200

CITY COUNCIL PRIORITIES

Not applicable.

DISCUSSION

It has recently come to the attention of staff that parties unaffiliated with the City may be using the City seal, or variations thereof, for purposes other than official city business. The unauthorized use of the seal is likely to mislead residents into believing that these unaffiliated parties are associated with the City. This is particularly concerning if the seal is used to mislead residents into believing the entity is associated with the city for the purpose of soliciting payments or personal information from residents, or to influence the outcome of elections.

To address this concern, the City Attorney's Office has drafted Ordinance 2473, which adds Section 1.08.020 to the Municipal Code to confirm that the City Clerk is the custodian of the city seal. This Ordinance also adds Section 1.08.030 to the municipal code, which prohibits any person or group from making or using the City seal, or variations thereof, for any purpose other than the official

business of the City. Section 1.08.030 would also prohibit any person from placing the seal or its variations on printed or electronic material for the purpose of confusing the public, or to persuade individuals to vote in favor of any ballot measure or candidate for public office.

IMPACT ON CITY RESOURCES

None.

ATTACHMENTS

1. Proposed Ordinance
2. Redlined Ordinance