



## Legislation Details (With Text)

**File #:** 19-724      **Version:** 1      **Name:**  
**Type:** Consent Item      **Status:** Passed  
**File created:** 11/22/2019      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency  
**On agenda:** 12/2/2019      **Final action:** 12/2/2019

**Title:** SUBJECT: Second Reading and Final Adoption of Ordinance to Revise Park Hours and Amending Section 14.04.070 - Hours - Permits to Reflect Approved New Park Hours

### REPORT IN BRIEF

Second reading and final adoption of an Ordinance revising of park hours and update of Code of Ordinances Title 14, Chapter 14.04, Amending Section 14.04.070 - Hours - Permits.

### RECOMMENDATION

City Council - Adopt a motion adopting Ordinance 2505, 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.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Ordinance No. 2505.pdf

Date	Ver.	Action By	Action	Result
12/2/2019	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass

**SUBJECT:** Second Reading and Final Adoption of Ordinance to Revise Park Hours and Amending Section 14.04.070 - Hours - Permits to Reflect Approved New Park Hours

### REPORT IN BRIEF

Second reading and final adoption of an Ordinance revising of park hours and update of Code of Ordinances Title 14, Chapter 14.04, Amending Section 14.04.070 - Hours - Permits.

### RECOMMENDATION

**City Council** - Adopt a motion adopting **Ordinance 2505**, 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.

### ALTERNATIVES

1. Adopt Ordinance; or,
2. Modify Ordinance for introduction (identify specific findings and/or conditions amended to be

addressed in the motion); or,

3. Deny as recommended Recreation and Parks Commission; or,

4. Refer back to the Recreation and Parks Commission for reconsideration of specific items (specific items to be addressed in the motion); or,

5. Continue to a future meeting (date and time to be specified in the motion).

## **AUTHORITY**

This request revises the park hours listed in Merced Municipal Code (MMC) Title 14, Chapter 14.04, Section 14.74.070.

## **CITY COUNCIL PRIORITIES**

As provided for in the 2019-20 Adopted Budget.

## **DISCUSSION**

In response to public comments at the June 3, 2019, City Council requested that staff evaluate various options to address illegal activity in and around the City of Merced's extensive park network. Staff meet with interested Council members to identify a strategy, which included amending park hours to mirror a "dusk to dawn" approach. In addition to this change, staff are also working to install additional security cameras and enhancing Police patrol efforts in all parks to address safety concern in public spaces ensuring parks area available for all residents to enjoy.

Staff presented a revision of park hours to the Recreation and Parks Commission during the meeting on September 23, 2019. The Commission denied the approval of the new park hours, because they wanted more information on the reasons for changing the hours. Currently, the public may not be in any city park between the hours of 11:00 p.m. and 5:00 a.m. The proposed amendment would change the existing Municipal Code, (Title 14, Chapter 14.04) Section 14.74.070 - Hours - Permits, to allow the use of City Parks to the following:

March 1<sup>st</sup> to October 31<sup>st</sup> - 6:00 a.m. to 9:00 p.m.

November 1<sup>st</sup> to February 28/29 - 6:00 a.m. to 7:00 p.m.

Additional requirements are also added to clarify usage permitted by the City for authorized activities, special events or private parties. Those exceptions will be specific to parks with stadium lighting, such as Joe Herb Park, McNamara Park, and the Youth Sports Complex. An annual permit may be issued to applicants who use the park for community and/or private events on a regular basis. The Chief of Police will continue to issue permits for exempted use. The updated ordinance enables the Director of Parks and Community Services, the City Manager and his designees to issue permits as well.

At the October 21, 2019 City Council Meeting, Council directed staff to amend the park hours on the previously introduced ordinance to allow earlier use of the parks and clarify language regarding the use of bike paths. Additional minor amendments were made and voted on at the re-introduction of the ordinance at the November 4, 2019. At the November 18, 2019 Council Meeting, Council re-introduced the Ordinance with minor amendments.

Tonight's reading will be the second and final reading unless further amendments are suggested by Council, in which case, a first and second reading should be conducted again.

## **IMPACT ON CITY RESOURCES**

The impact on City resources is unknown at this time. Potential costs may include new signage, update of the Municipal Code, and additional policing of the park to ensure new hours are observed.

## **ATTACHMENTS**

1. Draft Ordinance