

**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 seven 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:**

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**Mayor**

**ATTEST:  
STEVE CARRIGAN, CITY CLERK**

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

**(SEAL)**

**APPROVED AS TO FORM:**

*Rachel A. Miller*      10-24-19  
**City Attorney**                      **Date**