

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
AMENDING SECTION 15.40.110, "PAYMENT," OF
THE MERCED MUNICIPAL CODE REGARDING
WATER MAIN EXTENSIONS**

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

SECTION 1. AMENDMENT TO CODE. Section 15.40.110,
"Payment," of the Merced Municipal Code is hereby amended to read as follows:

"15.40.110 - Payment.

Applicants subject to the charge identified in Section 15.40.070 shall pay such charge prior to obtaining the permit to connect the property to the water line, except that if the line and/or laterals are installed by the City and the applicant is to connect a single-family residence to the water line and the residence is, or will be owner occupied by a median-income family as determined by the income limits established by the U.S. Department of Housing and Urban Development or its successor, then the applicant may elect to pay the charge in twenty (20) annual installments, plus interest thereon on the unpaid balance. Interest shall be calculated on an annual basis based on the previous year's average interest rate earned on City investments. Applicants who make the election shall execute a promissory note and deed of trust evidencing the debt to the City.

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 _____, 2016, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2016, 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:

Ken Rygel 6/9/16
City Attorney Date