

ORDINANCE NO. 2468

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
AMENDING CHAPTER 17.32, "FIRE
PREVENTION CODE," OF THE MERCED
MUNICIPAL CODE**

**THE CITY COUNCIL OF THE CITY OF MERCED MAKES THE
FOLLOWING FINDINGS:**

WHEREAS, California Health & Safety Code Section 18938(c) provides that the building standards contained in the 2016 Edition of the California Fire Code, by the International Code Council shall apply to all occupancies throughout the state and shall become effective 180 days after publication in the California Buildings Standards Code by the California Building Standards Commission; and

WHEREAS, California Health & Safety Code Section 18941.5 provides that if a city makes an express finding that building standards need to be more restrictive than those standards provided in the international codes are reasonably necessary because of local climatic, geological, or topographical conditions, a city may establish more restrictive building standards. Findings of local conditions must be filed with the California Building Standards Commission to become effective; and

WHEREAS, the City Council of the City of Merced has previously adopted the California Fire Code, 2013 Edition, including the appendix, which was published by the International Code Council, with certain amendments as the Fire Code of the City; and

WHEREAS, after due consideration, the City Council of the City of Merced hereby finds that it desires to adopt the most recent version of the California Fire Code as the City's Fire Code, with certain amendments to provide further safety protections to the citizens of the City of Merced; and

WHEREAS, the City Council of the City of Merced finds that certain local climatic factors require certain amendments to the California Fire Code, 2016 Edition. During winter months, the San Joaquin Valley experiences thick fog that is a danger to emergency personnel responding to fires and other emergencies and significantly delays response time of emergency vehicles beyond the normal response time. Fire engines and trucks must greatly reduce their speed in the fog to

compensate for appropriate breaking distances because of the weight of the vehicles; and

WHEREAS, the City Council of the City of Merced finds that certain local geological factors require certain amendments to the "California Fire Code, 2016 Edition." Merced County is located within an area with potential seismic activity. After a large seismic event, the potential for multiple fires occurring simultaneously will tax available firefighting resources. Built-in fire protection will assist in extinguishing or controlling fires in larger structures, which will increase the availability of firefighting resources after seismic activity; and

WHEREAS, The City Council of the City of Merced finds that certain local topographical factors require certain amendments to the California Fire Code, 2016 Edition." The City of Merced to a great extent lies on a level plain; as a result, heavy rains have historically caused flooding throughout the City, which has caused and can cause delays for emergency response, or in some situations, make it extremely difficult for responders to access certain areas of the City. Flooding is both a climatic and topographic problem. In addition, two major railroad lines crossing through the City have in the past been responsible and will continue to be responsible for creating delays for emergency vehicles by blocking emergency routes.

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

SECTION 1. AMENDMENT TO CODE. Chapter 17.32, "Fire Prevention Code," of the Merced Municipal Code is hereby amended to read as follows:

**"Chapter 17.32
FIRE CODE**

Section:

- 17.32.010 Adoption.**
- 17.32.020 Violation—Penalty.**
- 17.32.030 Issuance of Citations by Designated Officers and Employees.**
- 17.32.040 Chapter 1, Scope and Administration.**
- 17.32.050 Chapter 3, General Requirements.**

- 17.32.060 Chapter 4, Emergency Planning and Preparedness.**
- 17.32.070 Chapter 5, Fire Service Features.**
- 17.32.080 Chapter 9, Fire Protection Systems.**
- 17.32.090 Chapter 56, Explosives and Fireworks.**
- 17.32.100 Chapter 57, Flammable and Combustible Liquids.**
- 17.32.110 Appendix 4, Special Detailed Requirements Based on Use and Occupancy.**
- 17.32.120 Appendix B, Fire-Flow Requirements for Buildings.**
- 17.32.130 Appendix BB, Fire-Flow Requirements for Buildings.**
- 17.32.140 Appendix C, Fire Hydrant Locations and Distribution.**
- 17.32.150 Appendix CC, Fire Hydrant Locations and Distribution.**
- 17.32.160 Appendix D, Fire Apparatus Access Roads.**
- 17.32.170 Appendix E, Hazard Categories.**
- 17.32.180 Appendix F, Hazard Ranking.**
- 17.32.190 Appendix G, Cryogenic Fluids-Weight and Volume Equivalents.**
- 17.32.200 Appendix H, Hazardous Materials Management Plans and Hazardous Materials Inventory Statements.**
- 17.32.210 Appendix I, Fire Protection Systems-Noncompliant Conditions.**
- 17.32.220 Appendix L, Requirements for Fire Fighter Air Replenishment Systems.**

- 17.32.010 Adoption.**

Subject to the particular additions, deletions, and amendments herein set forth in this Chapter, three (3) certified *copies of which are on file in the Office of the City Clerk, the rules, regulations, provisions, and conditions* set forth in that certain code entitled

International Fire Code, 2015 Edition, the California Fire Code, 2016 Edition, including appendices Chapter 4, and Appendices B, BB, C, CC, D, E, F, G, H, I, J and L as published by the International Code Council, is adopted and shall be designated, known, and referred to as the International Fire Code, and the California Fire Code of and for the City of Merced.

17.32.020 Violation Penalties.

109.4 Violation Penalties. Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this Code, shall be guilty of a misdemeanor, subject to punishment in accordance with Chapter 1.12 of the Merced Municipal Code.

17.32.030 Issuance of Citations by Designated Officers and Employees.

Officers or employees of the City of Merced Fire Department, as designated by the fire chief, who have the discretionary duty to enforce a statute or ordinance may, pursuant to Section 836.5 of the Penal Code of the State of California and subject to the provisions hereof, arrest a person without a warrant whenever any such officer or employee has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the officer's or employee's presence which he or she has the discretionary duty to enforce, and to issue a notice to appear and release such person on his or her written promise to appear in court pursuant to Chapter 5C of the Penal Code of the State of California (commencing with Section 853.6).

17.32.040 Chapter 1, Scope and Administration.

Chapter 1 as contained in the California Fire Code, 2016 Edition, is adopted in its entirety with the following amendments:

A. Section 101.1, Chapter 1 of the California Fire Code, 2016 Edition, is amended to read as follows: These regulations shall be known as the Fire Code of the City of Merced, herein referred to as ‘this Code.’

B. Section 105.2, Chapter 1 of the California Fire Code, 2016 Edition, is amended to read as follows: Section 105.2 Inspection authorized. Before a new operational permit is approved, the Fire Code Official shall inspect the receptacles, vehicles, buildings, devices, premises, storage spaces, or areas to be used to determine compliance with this Code or any operational constraints required. In instances where laws, rules, regulations, provisions, or conditions are enforceable by departments or organizations other than the Fire Department, joint approval shall be obtained from the departments or organizations.

C. Information on Construction Documents Detail Page.

Section 105.4.2.2 of the 2016 California Fire Code is hereby added to read as follows:

For all Group A, E, F-1, H, I, L, R-1, R-2, R-2.1, R-3.1, R-4, and all other buildings 5,000 square feet or greater in area a ‘detail’ page shall be submitted. The ‘detail’ page shall be an 8 ½” x 11” document and an electronically submitted “detail” page for emergency responder data files shall be submitted to and approved by fire department prior to permit issuance. Detail page shall include site plan showing:

- a. Property, site layout
- b. Roads, fire access lanes, and building access points
- c. Premises Identification (address, building identification, suites, room numbers, etc.)
- d. Hydrants and FDC locations
- e. Knox product locations
- f. Fire alarm control locations
- g. Fire riser locations
- h. Hose valve locations
- i. 'Main Electrical' and 'Main Gas Disconnect' locations
- j. Hazardous materials storage

Exception: Occupancy Group R-3 One and Two Family Dwellings.

D. LP-gas

Section 105.6.28, item number 1 of the 2016 California Fire Code is hereby amended to include the following:
Distributors shall not fill an LP-gas container for which a permit is required unless the fire code official has issued a permit for installation for that location.

EXCEPTIONS:

1. Containers not exceeding five (5) gallon water capacity, used for "barbecue" cooking, when used and stored outside of buildings.

2. Approved containers not exceeding sixteen and four-tenths (16.4) ounces when displayed for sale in mercantile occupancies.

3. Factory installed containers for recreational vehicles not exceeding ten (10) gallon water capacity.

4. Factory installed tanks that are permanently attached to recreational vehicles.

E. LP-gas

Section 105.7.12 the 2016 California Fire Code is hereby amended to include the following:

Distributors shall not fill an LP-gas container for which a permit is required unless the fire code official has issued a permit for installation for that location.

EXCEPTIONS:

1. Containers not exceeding five (5) gallon water capacity, used for “barbecue” cooking, when used and stored outside of buildings.

2. Approved containers not exceeding sixteen and four-tenths (16.4) ounces when displayed for sale in mercantile occupancies.

3. Factory installed containers for recreational vehicles not exceeding ten (10) gallon water capacity.

4. Factory installed tanks that are permanently attached to recreational vehicles.

F. Section 108.1, Chapter 1 of the California Fire Code, 2016 Edition, is amended to read as follows:

108.1 Board of Appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the Fire Code Official relative to the application and interpretation of this Code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall be the City of Merced Building and Housing Board of Appeals. The Fire Code Official shall be an ex officio member of said Board but shall have no vote on any matter before the Board. The Board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Fire Code Official.

G. Section 109.4, Chapter 1 of the California Fire Code, 2016 Edition, is amended to read as follows:

109.4 Violation penalties. Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this Code, shall be guilty of a misdemeanor, subject to punishment in accordance with Chapter 1.12 of the Merced Municipal Code.

17.32.050 Chapter 3, General Requirements.

Requirements for Outdoor Storage of Pallets.

Section 315.7 is hereby added to the 2016 California Fire Code to read as follows:

Requirements for Outdoor Storage of Pallets.

1. Open yards required by the California Building Code shall be maintained around structures. CFC 2803.1 (Yard – An open space, other than a court, unobstructed from the ground to

the sky, except where specifically provided by the California Building Code, on the lot on which a building is situated.) CFC Definitions Section 202.

2. Piles shall be a minimum of 25 feet from a structure.
3. Piles shall not be located within 10 feet of a property line.
4. The maximum dimensions of a pile shall not exceed 20 feet x 70 feet.
5. Pile height shall not exceed 20 feet.
6. There shall be 10 feet of aisle ways between piles.
7. Piles shall be placed in grids not to exceed 140 feet by 150 feet.
8. Each grid shall be separated by an approved fire apparatus access road.
9. Permanent pallet storage areas shall be surrounded with an approved fence. Fences shall be a minimum of six (6) feet in height.
10. Adequate water supply as required by the fire department shall be provided for fire suppression needs.
11. Note: Pallets shall not obstruct fire apparatus access roads or fire apparatus access to water supplies (fire hydrants, etc.)

surfaced (suitable for use by fire apparatus) right-of-way not less than 22 feet in width as measured from the face of the curb. Such right-of-way shall be unobstructed and maintained only as access to the public street.

B. Section 503.2.1, Chapter 5 of the California Fire Code, 2016 Edition, is amended to read as follows:
503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 22 feet as measured from the face of the curb, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches.

C. Where new or remodeled building(s) or premises are provided with automatic security gates, the following methods of entry shall be required: Key switch. The key switch shall be keyed the same as the City of Merced approved master key (Knox); and, Radio Operated controller (Click2Enter or other approved equipment).

When Fire Department access is blocked due to a non-automatic gate, any locking devices used on such gate shall be operable with an approved key box access key.

D. Section 507.5.4, Chapter 5 of the California Fire Code, 2016 Edition, is amended to read as follows:
507.5.4 Obstruction. Unobstructed access to fire hydrants shall be maintained at all times. The Fire Department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

Where fire hydrants and/or Fire Department connections are installed in inconspicuous locations, the Fire Code Official may require hydrant locations to be identified by the installation of blue reflective markers and the location of the Fire Department connections to be identified by green reflective markers.

17.32.080 Chapter 9, Fire Protection Systems.

Chapter 9 as contained in the California Fire Code, 2016 Edition, is adopted in its entirety with the following amendments:

Fire Protection Systems
Automatic Sprinkler Systems

A. Section 903.1.2, Chapter 9 of the California Fire Code, 2016 Edition, is added to read as follows:
903.1.2. Determination of Building Area. For purposes of determining building area for automatic fire sprinkler system requirements, the following criteria shall be used:

1. Area or occupancy separation walls will not be allowed to reduce the overall square footage in an area of a building in order to circumvent the requirements for an automatic sprinkler system.

Exceptions:

- a. Party walls located on a lot-line between two buildings in accordance with California Building Code, Section 706.
- b. Firewalls without openings installed in accordance with California Building Code, Section 706 and with specific fire wall requirements in Section 903.2 of this Code based on occupancy.

2. Determination of building area for combustible construction shall be measured to the building perimeter roof drip line, including architectural features, such as, but not limited to, mansards, towers, porte cocheres, etc., with the exception of 44" maximum depth roof eaves. For non-combustible construction, building area shall

include all perimeter roof areas exceeding 44" that are required by NFPA 13 to have fire sprinkler protection under the projection. The area of open shafts or courts need not be included in calculating floor area. When multiple buildings are considered as one building per California Building Code, the combined floor areas shall be used to determine the automatic fire sprinkler requirements.

B. Section 903.1.3, Chapter 9 of the California Fire Code, 2016 Edition, is added to read as follows:
903.1.3. Applicability to Existing Buildings. For existing buildings an automatic fire extinguishing system shall be installed in those circumstances described in this subsection. Installation requirements shall be as set forth for new buildings by Sections 903.2.1 through 903.2.19.1.2.

1. Building Additions. When additions exceed 25% of the existing building square footage and the total proposed building area is 5,000 square feet or greater, an automatic fire sprinkler system shall be installed throughout the building. The 25% threshold shall be cumulative over the life of the building.

Exception: Building additions of non-combustible construction and non-combustible uses such as covered pedestrian walkways.

2. Change of Occupancy. In existing buildings 5,000 square feet or greater, when a Change of Occupancy, in accordance with the California Building Code is made and the proposed new occupancy is more hazardous to life and safety than the existing occupancy an automatic fire extinguishing system shall be installed throughout the building.

Exceptions:

- a. If the area in which the Change of Occupancy occurs is less than 25% of the actual floor area of the existing building, the area of the new occupancy is 5,000 square feet or less, and fire sprinklers are not required based on occupancy by Section 903, and automatic fire sprinkler system is not required for any portion of the building. The 25% limit is cumulative over the life of the building.
 - b. If the area in which the Change of Occupancy occurs exceeds 25%, but is less than 50% of the actual floor area of the existing building, only that portion of the building changing occupancy is required to have an automatic fire sprinkler system installed. An approved fire separation shall be required between portions of the building with fire sprinklers and those portions without.
 - c. If individual or cumulative Change of Occupancies exceeds 50% of the overall floor area of the existing building, then the entire building shall have an automatic fire sprinkler system installed throughout.
3. Fire Damage Repairs. An automatic fire sprinkler system shall be installed as a condition of fire damage repair building permit as follows:
- a. When a fire occurs in any existing occupancy, and the building permit repair costs exceed 50% of the current building valuation, an automatic fire sprinkler system shall be installed throughout the

building as required for a new building in Section 903.

- b. Fire damage repair costs and building valuation shall be based on the ICC Building Valuation Tables in use by the City's Development Services Department at the time of the issuance of the fire damage repair permit.

C. Fire Protection Systems

Automatic Sprinkler Systems

New Construction.

Section 903.2 of the 2016 California Fire Code is hereby amended to read as follows:

An approved automatic fire sprinkler system is required in all new buildings and structures constructed on or after the effective date of this ordinance, notwithstanding the use and occupancy thereof, when the total floor area under one roof is five thousand (5,000) square feet or greater.

EXCEPTION:

If the provisions of the 2016 California Fire Code Section 903.2.1 through 903.2.19 are more restrictive, then the more restrictive requirement shall apply.

D. Section 903.2.10, Chapter 9 of the California Fire Code, 2016 Edition, is amended to read as follows:
903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.6 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage is 5,000 square feet *or* greater; or
2. Where the enclosed parking garage is located beneath other groups.

17.32.090 Chapter 56, Explosives and Fireworks.

Section 5608.2 of the California Fire Code, 2016 Edition is amended to read as follows:

Section 5608.2 Fireworks Prohibited Except as authorized by Chapter 8.22 of the Merced Municipal Code.

The use and sale of 'safe and sane' fireworks for public display shall be permitted within the city, in accordance with the rules and regulations set forth in Chapter 8.22 of the Merced Municipal Code. It is unlawful for any person to possess, store, to offer for sale, sell at retail or use or explode any fireworks except as provided in Chapter 8.22 of the Merced Municipal Code.

17.32.100 Chapter 57, Flammable and Combustible Liquids.

A. Restricted Locations of Flammable and Combustible Liquids in Tanks.

Section 5704.2.9.6.1 of the 2016 California Fire Code is hereby amended to read as follows:

Storage of Class I and II Liquids in aboveground tanks outside of buildings is prohibited, with the exception of protected tanks designed, installed and maintained in accordance with the 2016 California Fire Code. The provisions of this section shall not apply to facilities for the production, generation, or transmission of electric energy that provide power to entities furnishing retail electrical services to facilities within the City of Merced.

Exception: Listed generators for emergency/standby power.

B. Maintenance of Protected Aboveground Tanks.
Section 5704.2.9.8 is hereby added to the 2016 California Fire Code to read as follows:

Protected aboveground tanks and connected piping shall be maintained in a safe operating condition. Protected aboveground tanks shall be maintained in accordance with their listings.

Damage to protected aboveground tanks shall be repaired using material having equal or greater strength and fire resistance or the protected aboveground tank shall be replaced or taken out of service.

C. Manufacture of Biodiesel at Residential Occupancies.

Section 5704.3.4.2 number 7 of the 2016 California Fire Code is hereby amended by adding subsection 7.1 to read as follows:

The manufacture and storage of biodiesel is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies.

D. Manufacture of Ethanol at Residential Occupancies.

Section 5704.3.4.2 number 7 of the 2016 California Fire Code is hereby amended by adding subsection 7.2 to read as follows:

The manufacture and storage of ethanol is prohibited in Residential Occupancies and in U Occupancies associated with Residential Occupancies.

E. Flammable and Combustible Liquids

Dispensing, Use, Mixing, and Handling

Operating Heating, Lighting, and Cooking Appliances Prohibited.

Section 5705.3.3 of the 2016 California Fire Code is hereby amended to include the following:

Class II and III Liquids

17.32.110 Appendix 4, Special Detailed Requirements Based on Use and Occupancy.

Appendix 4 as contained in the California Fire Code, 2016 Edition, is adopted in its entirety without amendments.

17.32.120 Appendix B, Fire-Flow Requirements for Buildings.

Appendix B as contained in the California Fire Code, 2016 Edition, is adopted in its entirety without amendments.

17.32.130 Appendix BB, Fire-Flow Requirements for Buildings.

Appendix BB as contained in the California Fire Code, 2016 Edition, is adopted in its entirety without amendments.

17.32.140 Appendix C, Fire Hydrant Locations and Distribution.

Appendix C as contained in the California Fire Code, 2016 Edition, is adopted in its entirety without amendments.

17.32.150 Appendix CC, Fire Hydrant Locations and Distribution.

Appendix CC as contained in the California Fire Code, 2016 Edition, is adopted in its entirety without amendments.

17.32.160 Appendix D, Fire Apparatus Access Roads.

Appendix D as contained in the California Fire Code, 2016 Edition, is adopted in its entirety with the following amendments:

A. Table D103.4, Appendix D of the California Fire Code, 2016 Edition, is amended to read as follows:

Table D103.4 - Requirements for dead-end fire apparatus access roads

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0—150	22	None required
151—500	22	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
501—750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	

B. Section D103.5, Appendix D of the California Fire Code, 2016 Edition, is amended to read as follows:

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 22 feet (6096 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Fire Code Official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a KNOX padlock or key box containing the key(s) to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the Fire Code Official.
8. Electric gate operators, where provided, shall be listed in accordance with UL 325.
9. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

B. Figure D103.1, Appendix D of the California Fire Code, 2016 Edition, is amended to read as follows:

Figure D103.1 - Dead-end fire apparatus access road turnaround.

1. 60-Foot "Y"- Minimum road width 22'; Typical radius 33' *inside and 47' outside*.
2. Minimum clearance around a fire hydrant— Minimum road width 22'.
3. 120-Foot Hammerhead—Minimum road width 22'; Typical radius 33' *inside and 47' outside*.
4. Acceptable Alternative to 120-Foot Hammerhead—Minimum road width 22'; Typical radius 33' *inside and 47' outside*.

A. Section D103.6.1, Appendix D of the California Fire Code, 2016 Edition, is amended to read as follows:

D103.6.1 Roads 22 to 26 feet in width. Fire apparatus access roads 22 to 26 feet wide shall be posted on both sides as a fire lane.

Refer to Fire Prevention Policy FPG-01 for examples of fire apparatus access roads.

17.32.170 Appendix E, Hazard Categories.

Appendix E as contained in the California Fire Code, 2016 Edition, is adopted in its entirety without amendments.

17.32.180 Appendix F, Hazard Ranking.

Appendix F as contained in the California Fire Code, 2016 Edition, is adopted in its entirety without amendments.

17.32.190 Appendix G, Cryogenic Fluids-Weight and Volume Equivalents.

Appendix G as contained in the California Fire Code, 2016 Edition, is adopted in its entirety without amendments.

17.32.200 Appendix H, Hazardous Materials Management Plans and Hazardous Materials Inventory Statements.

Appendix H as contained in the California Fire Code, 2016 Edition, is adopted in its entirety without amendments.

17.32.210 Appendix I, Fire Protection Systems-Noncompliant Conditions.

Appendix I as contained in the California Fire Code, 2016 Edition, is adopted in its entirety without amendments.

17.32.220 Appendix L, Requirements for Fire Fighter Air Replenishment Systems.

Appendix L as contained in the California Fire Code, 2016 Edition, is adopted in its entirety without amendments.”

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 21 day of November, 2016, and was passed and adopted at a regular meeting of said City Council held on the 5 day of December, 2016, by the following called vote:

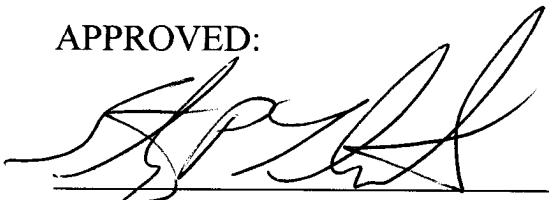
AYES: 7 Council Members: BELLUOMINI, BLAKE, DOSSETTI, LOR, MURPHY, PEDROZO, THURSTON

NOES: 0 Council Members: NONE

ABSTAIN: 0 Council Members: NONE

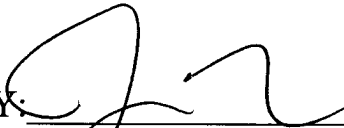
ABSENT: 0 Council Members: NONE

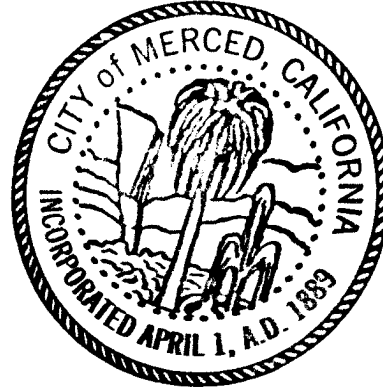
APPROVED:



Mayor

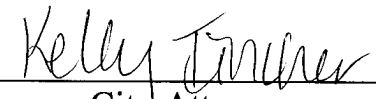
ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: 
Assistant/Deputy City Clerk



(SEAL)

APPROVED AS TO FORM:

 11/17/16
City Attorney Date