



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Ordinance No. 1649 Entitled, "An Uncodified Ordinance of the Lodi City Council Adopting the Downtown Development Standards and Guidelines for Property Generally Located South of Lockeford Street, West of the Southern Pacific Railroad Right of Way, and Parcels Along Lodi Avenue to the South and East of Pleasant Avenue."

**MEETING DATE:** June 18, 1997

**PREPARED BY:** City Clerk

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**RECOMMENDED ACTION:** Following reading by title, it would be appropriate for the City Council to adopt Ordinance No. 1649.

**BACKGROUND INFORMATION:** Ordinance No. 1649 entitled, "An Uncodified Ordinance of the Lodi City Council Adopting the Downtown Development Standards and Guidelines for Property Generally Located South of Lockeford Street, West of the Southern Pacific Railroad Right of Way, and Parcels Along Lodi Avenue to the South and East of Pleasant Avenue" was introduced at the regular City Council meeting of June 4, 1997."

Pursuant to State statute, ordinances may be adopted five days after their introductions following reading by title.

This Ordinance has been approved as to form by the City Attorney.

**FUNDING:** None required.

*Alice M. Reimche*  
Alice M. Reimche  
Acting City Clerk

Attachment

APPROVED: \_\_\_\_\_

*H. Dixon Flynn*  
H. Dixon Flynn -- City Manager

ORDINANCE NO. 1649

AN UNCODIFIED ORDINANCE OF THE LODI CITY COUNCIL ADOPTING THE DOWNTOWN DEVELOPMENT STANDARDS AND GUIDELINES FOR PROPERTY GENERALLY LOCATED SOUTH OF LOCKEFORD STREET, WEST OF THE SOUTHERN PACIFIC RAILROAD RIGHT-OF-WAY, AND PARCELS ALONG LODI AVENUE TO THE SOUTH AND EAST OF PLEASANT AVENUE

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. The City Council of the City of Lodi hereby adopts the Downtown Development Standards and Guidelines for property generally located south of Lockeford Street, west of the Southern Pacific Railroad right-of-way, and parcels along Lodi Avenue to the south and east of Pleasant Avenue, a copy of which are on file in the office of the City Clerk, and is hereby adopted as if fully set forth herein.

Section 2 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 5. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this \_\_\_\_ day of \_\_\_\_\_, 1997

\_\_\_\_\_  
PHILLIP A. PENNINO  
Mayor

Attest:

ALICE M. REIMCHE  
Acting City Clerk

State of California  
County of San Joaquin, ss.

I, Alice M. Reimche, Acting City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1649 was introduced at a regular meeting of the City Council of the City of Lodi held June 4, 1997 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held \_\_\_\_\_, 1997 by the following vote:

Ayes: Council Members -  
Noes: Council Members -  
Absent: Council Members -  
Abstain: Council Members -

I further certify that Ordinance No. 1649 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

ALICE M. REIMCHE  
Acting City Clerk

Approved as to Form:

RANDALL A. HAYS  
City Attorney