

CITY COUNCIL MEETING
JUNE 5, 1985

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INTRODUCTION OF
ORDINANCE
ADOPTING NEW
LODI MUNICIPAL
CODE

Council was apprised that the new Lodi Municipal Codes have recently been completed and published by Book Publishing Company and copies have been distributed to the Lodi City Council and members of the city staff.

ORD. NO. 1357
INTRO.

Council introduced Ordinance No. 1357 which adopts the new Lodi Municipal Code as edited, codified, and printed by Book Publishing Company of Seattle, Washington.

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL
FROM: THE CITY MANAGER'S OFFICE

DATE
May 29, 1985

NO.

SUBJECT: INTRODUCTION OF ORDINANCE ADOPTING NEW LODI MUNICIPAL CODE

The new Lodi Municipal Codes have recently been completed and published by Book Publishing Company and have been received by this office. Copies of the new codes have been distributed to Council and Staff.

The City Attorney has approved the subject draft ordinance as to form. It will now be in order for Council to introduce the attached ordinance adopting the new Lodi Municipal Code.

RECOMMENDED ACTION:

Introduce attached Ordinance which adopts the new Lodi Municipal Code as edited, codified and printed by Book Publishing Company of Seattle, Washington.

Alice M. Reimche

Alice M. Reimche
City Clerk

ORDINANCE NO.

AN ORDINANCE ADOPTING NEW LODI MUNICIPAL CODE

WHEREAS, the California State Legislature has provided for the codification and publication of the permanent and general ordinances of cities in Sections 50022.1--50022.10 of the Government Code; and

WHEREAS, the Book Publishing Company, Seattle, Washington, has compiled, edited and published a codification of the permanent and general ordinances of the City of Lodi, California; and

WHEREAS, there have been filed and there are now on file in the office of the City Clerk, for public inspections, three copies of a document entitled "Lodi Municipal Code," together with three copies of each of the secondary codes therein adopted by references;

Section 1. Adoption. Pursuant to the provisions of Sections 50022.1--50022.8 and 50022.10 of the Government Code, there is hereby adopted the "Lodi Municipal Code" as published by Book Publishing Company, Seattle, Washington, together with those secondary codes adopted by reference as authorized by the California State Legislature, save and except those portions of the secondary codes as are deleted or modified by the provisions of the "Lodi Municipal Code."

Section 2. Title--Citation--Reference. This code shall be known as the "Lodi Municipal Code" and it shall be sufficient to refer to said code as the "Lodi Municipal Code" in any prosecution for the

violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the "Lodi Municipal Code." Further, reference may be had to the titles, chapters, sections and subsections of the "Lodi Municipal Code" and such references shall apply to that numbered title, chapter, section or subsection as it appears in the code.

Section 3. Codification authority. This code consists of all the regulatory and penal ordinances and certain of the administrative ordinances of the City of Lodi, California, codified pursuant to the provisions of Sections 50022.1--50022.8 and 50022.10 of the Government Code.

Section 4. Ordinances passed prior to adoption of the code. The last ordinance included in this code was Ordinance 1340, passed November 21, 1984. The following ordinances, passed subsequent to Ordinance 1340, but prior to adoption of this code, are hereby adopted and made a part of this code:

Ordinance 1341 introduced 12/19/84, adopted 1/2/85.

Ordinance redesignating a 3.17 acre parcel at 2430 west Turner Road from commercial to medium density residential.

Ordinance 1342 introduced 12/19/84, adopted 1/2/85.

Ordinance amending P-D(1), Planned Development District No. 1 so that the 3.17 acre parcel at

2430 West Turner Road conforms to the requirement of the R-GA Garden Apartment Residential District rather than the C-S, Commercial Shopping District.

Ordinance No. 1343 introduced 1/2/85, adopted 1/16/85. Ordinance adopting a specific plan for the future development of West Tokay Street.

Ordinance No. 1344 introduced 1/16/85, adopted 2/6/85. Ordinance adopting Capital Improvement Program - 1985.

Ordinance No. 1345 introduced 2/6/85, adopted 2/20/85. Ordinance establishing and providing for the regulation of burglary and robbery alarm systems.

Ordinance No. 1346 introduced 2/20/85, adopted 3/6/85. Ordinance rezoning a 6 acre parcel at 1510 West Century Boulevard, Lodi.

Ordinance No. 1347 introduced 2/20/85, adopted 3/6/85. Ordinance repealing Ordinance No. 1306 and reenacting a new Ordinance regulating the use and operation of ambulances upon the public streets.

Ordinance No. 1348 introduced 2/20/85, adopted 2/20/85.

URGENCY ORDINANCE

Ordinance approving electric rate increases effective
March 1, 1985.

Ordinance No. 1349 introduced 3/20/85, adopted 3/20/85.

URGENCY ORDINANCE

Ordinance amending City Code, Chapter 14, Section 43,
relating to removal of parked vehicles.

Ordinance No. 1350 introduced 4/3/85, adopted 4/3/85.

URGENCY ORDINANCE

Ordinance adjusting the mobile home park utility discount.

Ordinance No. 1351 introduced 4/3/85, adopted 4/27/85.

Ordinance amending Lodi City Code Article V.

Ordinance No. 1352 introduced 4/3/85, adopted 4/17/85.

Ordinance amending Chapter 15 to add a new section re
solicitors and peddlers.

Section 5. Reference applies to all amendments. Whenever a
reference is made to this code as the "Lodi Municipal Code" or to
any portion thereof, or to any ordinance of the City of Lodi,
California, the reference shall apply to all amendments,
corrections and additions heretofore, now or hereafter made.

Section 6. Title, chapter and section headings. Title, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof.

Section 7. Reference to specific ordinances. The provisions of this code shall not in any manner affect matters of record which refer to or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code.

Section 8. Effect of code on past actions and obligations. Neither the adoption of this code nor the repeal or amendment hereby of any ordinance or part or portion of any ordinance of the code shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date, hereof, nor be construed as a waiver of any license, fee, or penalty at said effective date due and unpaid under such ordinances, nor be construed as affecting any of the provisions of such ordinances relating to the collection of any such license, fee, or penalty, or the penal validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect.

Section 9. Effective date. This code shall become effective on the date the ordinance adopting this code as the "Lodi Municipal Code" shall become effective.

Section 10. Constitutionality. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The council hereby declares that it would have passed this code, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

Section 11. - All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 12. - 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 5th day of June, 1985

MAYOR

Attest:

Alice M. Reimche
City Clerk

State of California
County of San Joaquin, ss.

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

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Abstain: Council Members -

I further certify that Ordinance No. 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
City Clerk

Approved as to form


Ronald M. Stein
City Attorney

BOOK



PUBLISHING COMPANY

LAW BOCK PUBLISHERS
201 WESTLAKE AVENUE NORTH • SEATTLE, WASHINGTON 98109/(206) 343-5700

May 7, 1985

RECEIVED
MAY 9 11:33 AM '85
ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

Ms. Alice Reimche
Lodi City Clerk
221 West Pine Street
Lodi, CA 95240

Dear Ms. Reimche:

We have completed your new codes. They were shipped from our plant on May 2, 1985, via System 99. If they have not already arrived, they should shortly.

Here is a sample adoption ordinance which can be used in the adoption of your new code. This ordinance should be reviewed carefully before it is enacted and compared with the General Provisions ordinance now contained in your code to insure there are no conflicts or duplications present.

Your code is up to date through Ordinance 1340.

If you have ordinances which were passed subsequent to Ordinance 1340, we suggest you make those ordinances officially a part of the new code by passing a provision such as Section 4 of our sample adoption ordinance. You should write the numbers of the ordinances in the blank space provided in Section 4. Those ordinances which are codifiable will then be placed in the code in the first supplement.

Ordinances passed after adoption of the code should be made a part of the code by declaring in each ordinance that the ordinance amends, adds to, or repeals a specified section, chapter, or title of the code. The adoption of such ordinances as part of the code at a later date will then become unnecessary.

We will call you soon to answer any questions about the new code. We would also like to discuss the supplementing of the code.

Sincerely,

Shirlee Uecker
Production Manager

sdf/u0501
Enclosure