



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Ordinance No. 1879 Entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 12.12 – Parks – by Adding Section 12.12.305, 'Lodi Lake Park – Vehicle Entry Restrictions'"

MEETING DATE: July 17, 2013

PREPARED BY: City Clerk

RECOMMENDED ACTION: Motion waiving reading in full and (following reading by title) adopting the attached Ordinance No. 1879.

BACKGROUND INFORMATION: Ordinance No. 1879 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 12.12 – Parks – by Adding Section 12.12.305, 'Lodi Lake Park – Vehicle Entry Restrictions,'" was introduced at the regular City Council meeting of June 19, 2013.

ADOPTION: With the exception of urgency ordinances, no ordinance may be passed within five days of its introduction. Two readings are therefore required – one to introduce and a second to adopt the ordinance. Ordinances may only be passed at a regular meeting or at an adjourned regular meeting; except for urgency ordinances, ordinances may not be passed at a special meeting. Id. All ordinances must be read in full either at the time of introduction or at the time of passage, unless a regular motion waiving further reading is adopted by a majority of all council persons present. **Cal. Gov't Code § 36934.**

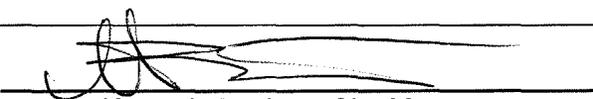
Ordinances take effect 30 days after their final passage. **Cal. Gov't Code § 36937.**
This ordinance has been approved as to form by the City Attorney.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Randi Johl
City Clerk

RJ/jmr
Attachment

APPROVED: 
Konradt Bartlam, City Manager

ORDINANCE NO. 1879

AN ORDINANCE OF THE LODI CITY COUNCIL
AMENDING LODI MUNICIPAL CODE CHAPTER 12.12 –
PARKS – BY ADDING SECTION 12.12.305, "LODI LAKE
PARK – VEHICLE ENTRY RESTRICTIONS"

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. Lodi Municipal Code Chapter 12.12 – Parks – is hereby amended by adding Section 12.12.305, "Lodi Lake Park – Vehicle Entry Restrictions," and shall read as follows:

Lodi Lake Park - Parking Restrictions.

- A. No person shall enter Lodi Lake Park in any vehicle unless the vehicle contains a properly displayed valid annual entry permit, issued by the City of Lodi, or purchases a day use entry pass from either the gate attendant or the self-pay station located at the entrance to Lodi Lake Park. The annual pass or daily pass must be displayed on the driver's side dashboard or hung from the rear-view mirror with the expiration date/issuance date visible from the exterior of the vehicle.
- B. Annual permits for Lodi Lake Park can be purchased at the administrative offices of the Parks, Recreation and Cultural Services Department or from a park gate attendant when available. The fee for the annual permits will be established from time to time by Council Resolution.
- C. Vehicles entering Lodi Lake Park without a valid annual permit or valid day use pass will be in violation of this Chapter and subject to citation.
- D. By resolution adopted pursuant to this section, Council shall adopt a schedule of penalties, administrative fees and any other charges related to violation of this section. The schedule may be amended by Council from time to time by resolution.
- E. This section shall not apply to a governmental entity, Special District, or public utility vehicles on the site in connection with the entities operations.

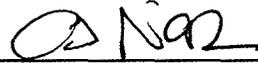
SECTION 2. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide 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 pursuant to law and shall become effective 30 days from the date of passage and adoption.

Approved this 17th day of July, 2013



ALAN NAKANISHI
MAYOR

ATTEST:



RANDI JOHL-OLSON
City Clerk

State of California
County of San Joaquin, ss.

I, Randi Johl-Olson, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1879 was introduced at a regular meeting of the City Council of the City of Lodi held June 19, 2013, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held July 17, 2013, by the following vote:

AYES: COUNCIL MEMBERS – Johnson, Katzakian, Mounce, and Mayor Nakanishi

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Hansen

ABSTAIN: COUNCIL MEMBERS – None

I further certify that Ordinance No. 1879 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.



RANDI JOHL-OLSON
City Clerk

Approved to Form:



D. STEPHEN SCHWABAUER
City Attorney