



CITY OF LODI
COUNCIL COMMUNICATION

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AGENDA TITLE: Ordinance No. 1882 Entitled, "An Uncodified Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 16.24 – Improvements – by Repealing Section 16.24.040, 'Streets,' in Its Entirety; and Further Amending Chapter 16.40 – Reimbursements for Construction – by Repealing Sections 16.40.010, 'Findings and Purpose,' and 16.40.020, 'Improvements to be Reimbursed'"

MEETING DATE: September 4, 2013

PREPARED BY: City Clerk

RECOMMENDED ACTION: Motion waiving reading in full and (following reading by title) adopting the attached Ordinance No. 1882.

BACKGROUND INFORMATION: Ordinance No. 1882 entitled, "An Uncodified Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 16.24 – Improvements – by Repealing Section 16.24.040, 'Streets,' in Its Entirety; and Further Amending Chapter 16.40 – Reimbursements for Construction – by Repealing Sections 16.40.010, 'Findings and Purpose,' and 16.40.020, 'Improvements to be Reimbursed,'" was introduced at the regular City Council meeting of August 21, 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 John-Olson
City Clerk

RJO/jmr
Attachment

APPROVED: _____

Konradt Bartlam, City Manager

ORDINANCE NO. 1882

AN UNCODIFIED ORDINANCE OF THE LODI CITY COUNCIL AMENDING
LODI MUNICIPAL CODE CHAPTER 16.24 – IMPROVEMENTS – BY
REPEALING SECTION 16.24.040, “STREETS,” IN ITS ENTIRETY; AND
FURTHER AMENDING CHAPTER 16.40 – REIMBURSEMENTS FOR
CONSTRUCTION – BY REPEALING SECTIONS 16.40.010, “FINDINGS AND
PURPOSE,” AND 16.40.020, “IMPROVEMENTS TO BE REIMBURSED”

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Lodi Municipal Code Chapter 16.24 – Improvements – is hereby amended by repealing Section 16.24.040, “Streets,” in its entirety.

SECTION 2. Lodi Municipal Code Chapter 16.40 – Reimbursements for Construction – is hereby amended by repealing Section 16.40.010, “Findings and Purpose,” and Section 16.40.020, “Improvements to be Reimbursed,” in their entirety.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 4. 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 toward 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 5. 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 6. This uncodified 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 30 days from and after its passage and approval.

Approved this 4th day of September, 2013



ALAN NAKANISHI

Mayor

Attest:



RANDI LOHLE-OLSON

City Clerk

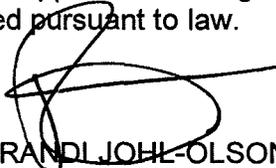
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State of California
County of San Joaquin, ss.

I, Randi Johl-Olson, City Clerk of the City of Lodi, do hereby certify that uncodified Ordinance No. 1882 was introduced at a regular meeting of the City Council of the City of Lodi held August 21, 2013, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held September 4, 2013, by the following vote:

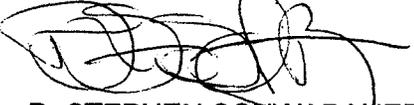
AYES: COUNCIL MEMBERS – Hansen, Johnson, Katzakian, Mounce, and Mayor Nakanishi
NOES; COUNCIL MEMBERS – None
ABSENT: COUNCIL MEMBERS – None
ABSTAIN: COUNCIL MEMBERS – None

I further certify that Ordinance No. 1882 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 as to Form:



D. STEPHEN SCHWABAUER
City Attorney