

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA, ADDING
CHAPTER 2.52, "BICYCLE ADVISORY
COMMISSION," TO THE MERCED MUNICIPAL
CODE**

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

SECTION 1. ADDITION TO CODE. Chapter 2.52, "Bicycle
Advisory Commission," is hereby added to the Merced Municipal Code to read as
follows:

**"Chapter 2.52
BICYCLE ADVISORY COMMISSION**

Section:

- | | |
|-----------------|--|
| 2.52.010 | Purpose. |
| 2.52.020 | Establishment. |
| 2.52.030 | Terms. |
| 2.52.040 | Meetings. |
| 2.52.050 | Officials. |
| 2.52.060 | Jurisdiction of the Commission. |

2.52.010 Purpose.

The purpose of the Bicycle Advisory Commission is to serve as an advisory body to the City Council on matters having to do with bicycle transportation within the City of Merced. In forming the Bicycle Advisory Commission, it is the intent of the City Council to improve conditions for bicyclists in the City of Merced, promote bicycling as a means of transportation with the associated benefits of improved air quality, improve safety conditions for bicyclists, and to help implement policy, programs, and bike routes for all ages.

2.52.020 Establishment.

A. Pursuant to Section 700 of the Charter, there is hereby established a Bicycle Advisory Commission which shall consist of seven (7) voting Members. At least two (2) voting Members of the Commission shall be from a recognized bicycle organization. All seven (7) voting Members must be qualified electors of the City of Merced.

B. A majority of the voting Members of the Commission shall constitute a quorum.

C. In accordance with Section 702 of the Charter, Members shall be appointed by at least four (4) affirmative votes of the City Council and subject to removal by motion of the City Council adopted by at least five (5) affirmative votes.

D. The City Council may appoint an additional two (2) Members to sit on the Commission as ex-officio, non-voting Members. Said ex-officio, non-voting Members may be non-City residents who live within the City of Merced's sphere of influence or persons who otherwise demonstrate a strong concern for bicycle-related issues within the City of Merced.

2.52.030 Terms.

A. In accordance with Section 702 of the Charter, the Bicycle Advisory Commission Members shall serve for a term of four (4) years and until their respective successors are appointed and qualified.

B. Notwithstanding subsection A of this Section, the Members of the Bicycle Advisory Commission shall on the first meeting following the establishment of the Commission, draw lots to determine the three initial members that will serve for a term of one (1) year and three-hundred-sixty-four (364) days.

2.52.040 Meetings.

Regular Bicycle Advisory Commission meetings shall be held on the fourth Tuesday of every even numbered month during normal City business hours or as otherwise set by Resolution of the City Council. The meetings shall be conducted in accordance with Section 704 of the Charter.

2.52.050 Officials.

A. In accordance with Section 704 of the Charter, the Members of the Bicycle Advisory Commission shall as soon as practical following the first day of July, organize by electing two (2) of the seven (7) voting Members to serve as chair and vice-chair at the pleasure of the Commission.

B. Notwithstanding subsection A of this Section, the Members of the Bicycle Advisory Commission shall on the first meeting held following the establishment of the Commission, elect a chair and vice-chair to serve until their successor is elected following the first day of July.

2.52.060 Jurisdiction of the Commission.

A. The Bicycle Advisory Commission shall have the responsibilities as provided below:

1. Review and advise the City Council, as directed by the City Council or requested by the staff, on the design of capital improvement projects, street improvements, and parking facility projects as they relate to bicycling, except for matters pertaining to pedestrian issues.
2. Review and advise the City Council, as directed by the City Council or requested by the staff, on changes and updates to the Bicycle Master Plan,

General Plan, Municipal Code and other policy documents which relate to bicycling.

3. Promote bicycling as a viable form of transportation.
4. Assist in the development and dissemination of bicycle safety awareness and education materials to the community.
5. Initiate requests to City staff from the community on issues of concern related to bicycling.
6. Such other duties as the City Council may proscribe”

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.

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The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the ____ day of _____, 2009, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2009, by the following called vote:

AYES: **Council Members:**

NOES: **Council Members:**

ABSTAIN: **Council Members:**

ABSENT: **Council Members:**

APPROVED:

Mayor

**ATTEST:
CITY CLERK**

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

S. Isaac Valencia 1-23-09
City Attorney **Date**

NOTICE OF POTENTIAL INTRODUCTION OF ORDINANCE

CITY OF MERCED

NOTICE IS HEREBY GIVEN that on _____, 20__, the City Council of the City of Merced is scheduled to consider the introduction of an Ordinance entitled:

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA, ADDING
CHAPTER 2.52, "BICYCLE ADVISORY
COMMISSION," TO THE MERCED MUNICIPAL
CODE**

at its regular meeting to be held at 7:00 pm in the City Council Chambers at 678 West 18th Street, Merced, California. The public is invited to provide any oral or written comments regarding this proposed Ordinance.

If adopted, this Ordinance will establish the Bicycle Advisory Commission for the City of Merced that will advise the City Council on matters relating to bicycle transportation.

A copy of the full text of the proposed Ordinance is available for review in the Office of the City Clerk, City of Merced, 678 West 18th Street, Merced, California, and on the City's website at www.cityofmerced.org.

DANA J. DAVIDSON
ASSISTANT CITY CLERK

PUBLISH:

PUBLIC NOTICE OF ADOPTION OF ORDINANCE

CITY OF MERCED

ORDINANCE NO. _____

NOTICE IS HEREBY GIVEN that on _____, 20__, the City Council of the City of Merced adopted Ordinance No. _____, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, ADDING CHAPTER 2.52, "BICYCLE ADVISORY COMMISSION," TO THE MERCED MUNICIPAL CODE

If adopted, this Ordinance will establish the Bicycle Advisory Commission for the City of Merced that will advise the City Council on matters relating to bicycle transportation.

Ordinance No. _____ was adopted by the following roll call vote of the City Council:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

A copy of the full text of Ordinance No. _____ is available for review in the Office of the City Clerk, City of Merced, 678 West 18th Street, Merced, California, and on the City's website at www.cityofmerced.org.

DANA J. DAVIDSON
ASSISTANT CITY CLERK

PUBLISH:

NOTICE OF POTENTIAL INTRODUCTION OF ORDINANCE

CITY OF MERCED

NOTICE IS HEREBY GIVEN that on February 2, 2009, the City Council of the City of Merced is scheduled to consider the introduction of an Ordinance entitled:

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA, ADDING
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BY: DANA J. DAVIDSON
ASSISTANT CITY CLERK

PUBLISH: February 29, 2009