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**Ordinance 2011-01**

**AN ORDINANCE OF THE ALBANY CITY COUNCIL TO PROVIDE REGULATIONS FOR THE HOURS OF OPERATION SHALL BE AMENDED TO READ AS FOLLOWS:**

**WHEREAS,** The Parks and Recreation Commission has recommended that Albany Municipal Code Section 8-4.3 Hours of Operation, be amended;

**WHEREAS,** The City Council considered the recommendations and adopted Resolution 2011-8, setting forth hours for Ocean View Park and Jewel's Terrace Park; and

**WHEREAS,** The City Council wishes to amend Albany Municipal Code Section 8-4.3 to provide that hours of operations in Albany parks may be modified by a Resolution adopted by the City Council.

**NOW THEREFORE, BE IT ORDAINED** by the Albany City Council as follows:  
Section 1. ALBANY MUNICIPAL CODE SECTION 8-4.3 is hereby amended to read as follows:

a. No person shall use, remain in or enter upon any waterfront and Albany Hill area between 10:00 p.m. and 5:30 a.m., other than duly authorized City employees, persons participating in City sponsored activities or other activities which the City has provided prior written permission to utilize the waterfront area beyond the closing time. The hours of operation of specific facilities within any waterfront area may also be specified by the Director of the Recreation and Community Services Department.

b. No person shall use, remain in or enter into Memorial Park between 11:00 p.m. and 5:00 a.m., other than duly authorized City employees, persons participating in City sponsored activities or other activities which the City has provided prior written permission to utilize Memorial Park beyond the closing time. The Director of the Recreation and Community Services Department is authorized to modify the hours of operation for specific facilities within Memorial Park.

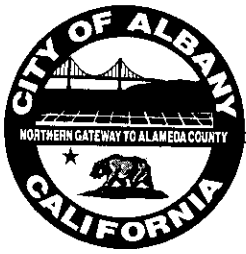
c. The City Council, by resolution or ordinance, may set hours of operations at other City parks or recreational areas.

Section 2: Publication: This ordinance shall be published in a newspaper of general circulation in the City of Albany, which said newspaper is designated for that purpose, or it shall be posted in three locations.

Section 3: Severability: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

1 Section 4: Effective Date: This ordinance shall become effective 30 days after its  
2 passage and adoption by the City Council, or March \_\_, 2011, whichever is the later date.  
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6 Mayor Farid Javandel  
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# City of Albany

1000 SAN PABLO AVENUE • ALBANY, CALIFORNIA 94706-2295

**CITY ADMINISTRATOR**  
PH. (510) 528-5710  
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**CITY ATTORNEY**  
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FAX (510) 526-9190

**CITY CLERK**  
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**CITY COUNCIL**  
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FAX (510) 528-8914

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Childcare Program  
PH. (510) 524-0135
- Senior Center  
PH. (510) 524-9122  
FAX (510) 524-8940
- Teen Center  
PH. (510) 525-0576

STATE OF CALIFORNIA )  
COUNTY OF ALAMEDA ) ss  
CITY OF ALBANY )

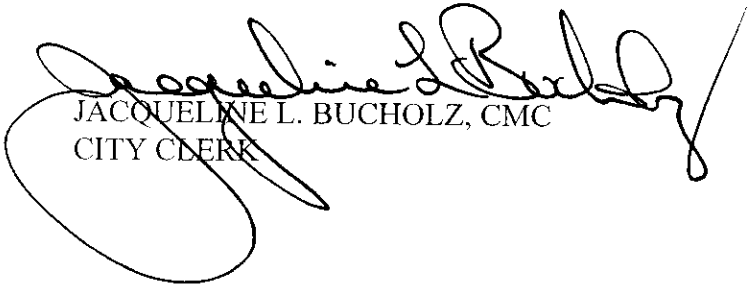
I, **JACQUELINE L. BUCHOLZ**, City Clerk of the City of Albany, California, do hereby certify that the whole number of members of the City Council of said City of Albany is five and that the foregoing is a true and correct copy of Ordinance No. 2011-01 which was passed and adopted by the said City Council, approved and signed by the Mayor of said City, and attested by the City Clerk of said City, all at a regular meeting of the said Council on the 21st day of March 2011 A.D., and that the same was so passed and adopted by the following votes and duly published or posted according to State law.

AYES: Atkinson, Lieber, Thomsen, Wile & Mayor Javandel

NOES: None

ABSENT: None

In witness whereof, I have hereunto set my hand and affixed the official seal of the City of Albany, this 22nd day of March, 2011.

  
JACQUELINE L. BUCHOLZ, CMC  
CITY CLERK

*The City of Albany is dedicated to maintaining its small town ambience, responding to the needs of the community, and providing a safe, healthy environment now and in the future.*



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