

MARIPOSA COUNTY ORDINANCE NO. 934

**AN ORDINANCE RESTRICTING WATER AND/OR SEWER HOOK-UPS
AND THE ISSUANCE OF BUILDING AND OTHER PERMITS FOR ANY PROPERTY
WITHIN THE YOSEMITE WEST MAINTENANCE DISTRICT
AND RESCINDING URGENCY ORDINANCE NO. 933**

The Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, does hereby ordain as follows:

SECTION I: FINDINGS AND DECLARATION

On or about May 15, 1998, the leachfield which services the sewer system for the Yosemite West Maintenance District (District) suffered a total failure, causing treated and untreated sewage to flow from the leachfield to open ground. In the opinion of the County Health Officer and the Director of Public Works, the failure has resulted from an extremely wet winter and spring causing water infiltration into the sewer system, together with the possibility of reaching the normal capacity of the sewer system.

Emergency measures are being taken to help reduce the discharge, however, because of the topography of the location of the leachfield and the extremely saturated ground, it is currently impossible to get equipment to the location.

It is the intent of the Board of Supervisors of the County of Mariposa, upon the recommendation of the District Board of Directors, the appropriate permitting authority, and the Public Works Director to take action to prohibit additional hook-ups and to prohibit the issuance of permits which could in any way add to the flow into the District sewer system, until such time as the appropriate permitting authority determines that the system can accommodate increased flow and the Board of Supervisors takes formal action by Resolution or Ordinance allowing hook-ups or issuance of permits.

SECTION II: PURPOSE

The purpose of this Ordinance is to prohibit water and/or sewer hook-ups and prohibiting the issuance of permits for property within the District which could in any way add to the flow into the District sewer systems, until adequate repairs are made or inflow has decreased to a satisfactory level as determined by the Board upon recommendation of staff.

SECTION III: RESTRICTIONS

There is hereby passed and adopted restrictions on the issuance of building permits, hook-ups, occupancy permits, transient occupancy certificates, or other permits which would in any way add flow into the District sewer system. During the effective period of this Ordinance and continuing until formal action is taken by the Mariposa County Board of Supervisors, the following shall be implemented:

- A. There shall be no hook-ups to the District water and/or sewer.
- B. There shall be no bed and breakfast or transient occupancy permits issued, either for new construction or conversions from single family dwelling to rental.
- C. There shall be no permits issued which could result in any flow into the District sewer system.
- D. Applications shall not be accepted for processing which would require a sewer and/or water hook-up to the District sewer system or could cause any flow into the District sewer system.
- E. Applications that have been submitted but permits not issued, as of the effective date of this Ordinance, shall not be processed.
- F. Holders of permits which have been issued but not finalized as of the effective date of this Ordinance, may continue to process the permit, but shall not be allowed to hook into the District sewer system, or be provided water service other than for construction purposes.
- G. The Board of Supervisors shall have authority to relax any of the restrictions in "A" through "F" above by Resolution, if based upon recommendations from staff with concurrence by the Mariposa County Health Department and California Regional Water Quality Control Board, Central Valley Region, of repairs or diminished flows that would safety permit the specific action.

SECTION IV: EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after final passage pursuant to Government Code § 25123.

SECTION V: PENALTY

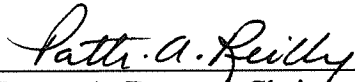
Violation of any provision of this Ordinance shall constitute a misdemeanor and shall be punishable under Chapter 1.20, the General Penalty provisions, of the Mariposa County Code.

SECTION VI: RESCISSION OF URGENCY ORDINANCE NO. 933

Upon the effective date of this Ordinance, Urgency Ordinance No. 933 shall be rescinded in its entirety.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa this 23rd day of June 1998 by the following vote:

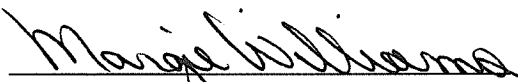
AYES:	Reilly, Balmain, Stewart, Pickard
NOES:	Parker
ABSTAINED:	None
ABSENT:	None



PATTI A. REILLY, Chair
 Board of Supervisors

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

ATTEST:



MARGIE WILLIAMS
 Clerk of the Board



JEFFREY G. GREEN
 County Counsel