

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

12-10-96
DATE: 11/26/96 *drafted*
AGENDA ITEM NO.: 12 CA-1

DEPARTMENT: County Counsel BY: Jeffrey G. Green PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___ No_X)

11/26 Waive first reading and introduce Ordinance ^{12/0} Waive second reading and adopt Ordinance relative to prohibiting dredging, mining, and other mineral extraction activity on all County-owned properties. The existing Ordinance prohibits these activities only on specific areas of County property. With the adoption of this Ordinance, confusion will be avoided as to which County-owned property is regulated by the prohibition.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

In 1980, the Board adopted Ordinance No. 544 establishing specific areas of County property where dredging activity was prohibited.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- > Adopt Ordinance as drafted.
- > Revise Ordinance as the Board desires and adopt.

COSTS: (X) Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

SOURCE: () 4/5ths Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve for Contingencies, if approved: \$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:
Ordinance.

CLERK'S USE ONLY:

Res. No.: _____ Ord. No. 909

Vote - Ayes: 5 Noes: _____

Absent: _____ Abstained: _____

() Approved () Denied

() Minute Order Attached () No Action Necessary

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: _____

A.O. Initials: [Signature]

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

MARIPOSA COUNTY ORDINANCE NO. 909

AN ORDINANCE AMENDING CHAPTER 18.03
RELATIVE TO DREDGING ON COUNTY PROPERTY

WHEREAS, dredging, mining, and other mineral extraction activity is prohibited on specific areas of County property, and

WHEREAS, implementing the prohibition of dredging, mining, and other mineral extraction activity on all County property should be in place to avoid confusion by the citizens of Mariposa County, and

WHEREAS, it is the Board of Supervisors desire to properly regulate all County-owned properties relative to dredging by revising the existing Ordinance to be more universal;

NOW, THEREFORE, THE BOARD OF SUPERVISORS of Mariposa County, a political subdivision of the State of California, does ordain as follows:

SECTION I: Section 18.03.020 entitled "Prohibited activities" of Chapter 18.03 entitled "Dredging on County Property" of the Mariposa County Code shall be amended to read as follows:

"The following activities are prohibited on county property:..."

SECTION II: Section 18.03.030 entitled "Specified county property" shall be rescinded in its entirety.

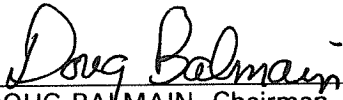
SECTION III: Section 18.03.040 entitled "Exceptions and exclusions" shall be renumbered as section 18.03.030.

SECTION IV: Section 18.03.050 entitled "Violations and penalties" shall be renumbered as section 18.03.040.

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

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 10th day of December, 1996 by the following vote:

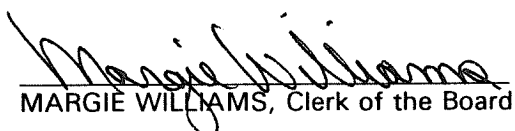
AYES: Reilly, Balmain, Stewart, Parker, and Pickard
NOES: None
ABSENT: None
ABSTAINED: None



DOUG BALMAIN, Chairman
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



MARGIE WILLIAMS, Clerk of the Board



JEFFREY G. GREEN, County Counsel