

Ord 895  
227-96  
DATE: 2/13/96  
AGENDA ITEM NO.: 12 CA-1

MARIPOSA COUNTY  
BOARD OF SUPERVISORS

AGENDA  
ACTION FORM

DATE: 2/13/96  
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)

Waive first reading and introduce Ordinance/Waive second reading and adopt Ordinance abolishing the "Pyrotechnics" chapter (Chapter 8.20) of the Mariposa County Code. Neither the Board of Supervisors nor the Fire Warden (Fire Chief) are currently the enforcing agencies relating to fireworks. The State Fire Marshal is the agency which issues permits for and oversees the use of fireworks in Mariposa County. To avoid confusion by the public, it is necessary to abolish Chapter 8.20. The Fire Chief has recommended to County Counsel that this chapter of the Code be abolished.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The "Pyrotechnics" chapter was approved by the Board with the adoption of Ordinance No. 459 (1977).

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- => Adopt Ordinance as drafted.
- => Do not adopt Ordinance as drafted and revise as the Board desires.

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. 895  
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

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

Comment: \_\_\_\_\_  
\_\_\_\_\_  
A.O. Initials: CP

MARIPOSA COUNTY ORDINANCE NO. 895

AN ORDINANCE ABOLISHING CHAPTER 8.20 OF THE COUNTY CODE  
ENTITLED "PYROTECHNICS"

WHEREAS, the "Pyrotechnics" chapter of the Mariposa County Code was enacted for the public need in the preventing, eliminating, or minimizing the hazards related to the use of pyrotechnics, and

WHEREAS, the Board of Supervisors and the Fire Warden (Fire Chief) were empowered to oversee the issuance of permits and certificates of approval in the use of pyrotechnics, and

WHEREAS, the State Fire Marshal's Office is now the agency authorized to issue permits and certificates of approval for pyrotechnics within Mariposa County and oversees their use, and

WHEREAS, the Board of Supervisors believes the abolishment of Chapter 8.20 is necessary to avoid confusion relative to the authorized office for controlling the issuance of permits for the use of pyrotechnics and supervising their use;


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

SECTION I: Chapter 8.20 entitled "Pyrotechnics" of Title 8 entitled "Health and Safety" of the Mariposa County Code shall be repealed.

SECTION II: This Ordinance shall become effective thirty (30) days from the date of final passage, pursuant to California Government Code section 25123.

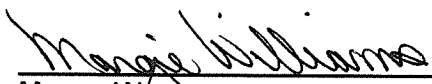
PASSED AND ADOPTED this 27th day of February, 1996 by the Board of Supervisors of Mariposa County by the following vote:

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

  
\_\_\_\_\_  
DOUG BALMAIN, Chairman  
Board of Supervisors

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

ATTEST:

  
\_\_\_\_\_  
MARGIE WILLIAMS  
Clerk of the Board

  
\_\_\_\_\_  
JEFFREY G. GREEN  
County Counsel