MARIPOSA COUNTY ORDINANCE NO. 530

AN INTERIM EMERGENCY ORDINANCE PLACING A MORATORIUM
ON THE ISSUANCE OF ANY BUILDING PERMITS FOR ANY PROPERTY
WITHIN THE YOSEMITE WEST MAINTENANCE DISTRICT

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

It has been found that an extreme water shortage presently exists within the boundaries of the Yosemite West Maintenance District and the condominium units within Yosemite West. Certain measures are being taken to effectively deal with said water shortage, and it is the intent of the Board of Supervisors of the County of Mariposa, upon the recommendation of the Yosemite West Maintenance District Board of Directors, to halt the issuance of all building permits for properties within the Yosemite West Maintenance District and on the condominium units within Yosemite West until such time as the current emergency water situation is solved.

SECTION II: PURPOSE

The purpose of this interim emergency ordinance is to halt the issuance of any building permit for any property within the Yosemite West Maintenance District and the condominium units within Yosemite West, with the exception of minor alterations which will not increase the occupancy of any of the existing dwellings within the Yosemite West Maintenance District or the condominium units within Yosemite West.

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SECTION III: MORATORIUM

There is hereby passed and adopted a moratorium on the issuance of any building permit for properties within the Yosemite West Maintenance District and on the condominium units within Yosemite West, with the exception of those items set out in Section II of this ordinance.

During the period this ordinance is in effect no building permit shall be issued for the construction or development of any item properly the subject of a building permit. The Building Inspector is directed to refuse to issue a building permit after December 11, 1979, for any use except those items set out in Section II of this ordinance.

SECTION IV: EMERGENCY; EFFECTIVE DATE

This ordinance is an interim emergency ordinance and is for the immediate preservation of the public peace, health, and welfare. The facts constituting the emergency are as follows:

An extreme water shortage presently exists within the boundaries of the Yosemite West Maintenance District. Increased water usage within said District cannot be effectively controlled by a rationing program; any rationing program may have a disastrous effect on providing fire protection for the area, constituting an immediate threat to the public peace, health, and welfare of the residents of the Yosemite West Maintenance District and the condominium units within Yosemite West. The Board of Directors of the Yosemite West Maintenance District are taking immediate action to attempt to alleviate said situation, and, therefore, it is necessary that no further demands be placed upon the existing water supply.

This ordinance is adopted under the provisions of Government Code §65858 and shall take effect on December 11, 1979, at 5 P.M. In accordance with Government Code §65858 this ordinance is of no force and effect ONE HUNDRED TWENTY (120) DAYS
from the date of its adoption except as it may be extended pursuant to said §65858.

SECTION V: PENALTY

Violation of any provision of this ordinance shall constitute a misdemeanor and shall be punishable under Chapter 1.28, the General Penalty provisions, of the Mariposa County Code.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa this 11th day of December, 1979, by the following vote:

AYES: Clark, Dalton, Erickson, Moffitt, Taber.

NOES: None.

ABSTAINED: None.

ABSENT: None.

EUGENE P. DALTON, JR., Chairman
Board of Supervisors

APPROVED AS TO FORM:

NEIL B. VAN WINKLE
County Counsel/Administrative Assistant to the Board
DATED: December 11, 1979

ATTEST:

JOAN J. LYNN, Clerk of the Board