MARIPOSA COUNTY ORDINANCE NO. 561

AN URGENCY ORDINANCE TO AMEND CHAPTER 15.28 OF THE
MARIPOSA COUNTY CODE; GRADING REGULATIONS FOR
STOCKTON CREEK WATERSHED AREA

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

SECTION I: Section 15.28.030 is hereby amended to delete
subsections A.2. and B.2. as presently stated and add the
following language in the place thereof in each subsection re-
spectively:

A.

"2. Disturbs any earth within a flood hazard or erosion
hazard area when such excavation is done by mechanical
means other than minor landscaping or gardening; or,"

B.

"2. Is located in a flood hazard or erosion hazard area;
or,"

SECTION II: Section 15.28.050 is hereby amended to add
definitions number 31, 32, and 33 respectively as follows:

"31. "Erosion hazard area" An area or areas located with-
in the boundaries of the County of Mariposa which
has been identified by County ordinance or policy
as an erosion hazard area due to the existence of
steep terrain or highly erosive soils."

"32. "Flood hazard area" Areas or surface water drain-
age courses that have been identified within the
County of Mariposa as having flood hazard potential,
and are so designated by County policy or ordinance
as flood hazard areas."

"33. "Excavation by mechanical means" Applies to all
earth moving equipment to include dozers, graders,
backhoes, trenchers or other motor powered imple-
ments used for the moving of earth; this definition
is not intended to apply to such earthmoving as can
be accomplished by hand or such earth tilling activ-
ities or motorized equipment associated with minor
residential landscaping and/or gardening."

SECTION III: Section 15.28.060 is hereby amended to add subsection C.3. thereto as follows:

C.

"3. Flood hazard and erosion hazard.
   All applications for a grading permit in a flood hazard or erosion hazard area shall contain:

   a. A drainage plan and,
   b. An erosion control plan and/or recommenda-
      tions for mitigating measures.

   Such drainage and erosion control plans should be reviewed by the Resource Conservation District staff and recommendations forwarded to the Chief Building Inspector prior to the issuance of any permit or conditional permit."

SECTION IV: Chapter 15.28 is hereby amended to add Section 15.28.150 thereto as follows:

"Sections:

15.28.050 Designated areas.

15.28.050 Designated areas. The following geographi-
cal areas of Mariposa County are designated EROSION HAZARD AREA or FLOOD HAZARD AREA:

1. The Stockton Creek Watershed Area is hereby designated an EROSION HAZARD AREA."

SECTION V: This ordinance shall take effect and become enforceable immediately upon passage by at least a four-fifths (4/5) vote of the Board of Supervisors as an urgency measure for the immediate preservation of the public peace, health and safety. The facts constituting the urgency are as follows:

The water supply of the community of Mariposa is dependent upon the Stockton Creek Watershed Area. Erosion in said area poses a serious threat to that water supply, endangering the health and safety of the residents of Mariposa. An interim moratorium regulating development with erosion potential in that area expires on February 5, 1981."
PASSED AND ADOPTED by the Mariposa County Board of
Supervisors this 3rd day of February, 1981, by the following
vote:

AYES:    Taber, Moffitt, Clark, Erickson, Dalton

NOES:

ABSENT:

ABSTAINED:

[Signature]

WILLIAM H. MOFFITT, Chairman
Mariposa County Board of Supervisors

ATTEST:

[Signature]

ELLEN BRONSON, County Clerk
Ex Officio Clerk of the Board

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

[Signature]

RICHARD K. DENCHALTER
County Counsel