MARIPOSA COUNTY ORDINANCE NO. 295

Emergency Interim Ordinance

The Board of Supervisors of the County of Mariposa do
ordain as follows:

I.

Conformity to General Plan and Waiver

SECTION 1.0: General Plan Conformance; time for or
Waiver of Report.

(a) A report as to conformity to the general plan, which is
required pursuant to Section 65402 of the Government Code as the
result of a proposed division of land, may be included as part
of and at the same time as the action taken by the advisory
agency on such division of land.

(b) Such report is not required for a proposed subdivision which
involves 1) the disposition of the remainder of a larger parcel
which was acquired and used in part for street purposes; 2) ac-
quisitions, dispositions or abandonments for street widening; or
3) alignment projects, provided that the advisory agency express-
ly finds that any such disposition for street purposes, acquisi-
tions, dispositions, or abandonments for street widening, or
alignment projects is of a minor nature.

II.

Citation and Authority

SECTION 2.0: Citation and authority.

This ordinance is adopted to supplement and implement the
Subdivision Map Act and may be cited as the "Subdivision Ordinance
of Mariposa County."

III.

Definitions.

SECTION 3.0: Definitions.

The following words and phrases shall have the meaning respectively ascribed to them:

"CERTIFICATE OF COMPLIANCE" means a document describing a unit or contiguous units of real property and stating that the division thereof complies with applicable provisions of the Subdivision Map Act and county ordinances enacted pursuant thereto.

"MAJOR SUBDIVISION" means a subdivision of five or more lots.

"MINOR SUBDIVISION" means a subdivision of four or fewer lots.

"PARCEL MAP" means a map prepared pursuant to Article 3 (commencing with Section 66444), Chapter 2, Division 2, Title 7 of the Government Code (Subdivision Map Act.)

"SUBdivider" means a person, firm, corporation, partnership or association who proposes to divide, divides, or causes to be divided real property into a subdivision for himself or for others.

"SUBDIVISION" means the division of any improved or unimproved
land shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing or any purpose, whether immediate or future.

"SUBDIVISION MAP ACT." means the Subdivision Map Act as set forth in Division 2 of Title 7 of the Government Code of the State of California.

"TENTATIVE MAP" means a map prepared for the purpose of showing the design of a proposed major subdivision and filed with the Planning Commission precedent to the preparation and filing of a final map.

"TENTATIVE PARCEL MAP" means a map prepared for the purpose of showing the design of a proposed minor subdivision and filed with the Planning Commission precedent to the preparation and filing of a parcel map or precedent to waiver of requirement for a parcel map.

"APPLICATION FOR SUBDIVISION MAP ACT". Except as otherwise expressly provided in this division all of the provisions of the Subdivision Map Act which apply to subdivisions as defined in that act, and all of the provisions of this division apply to subdivisions as defined in this division.
IV.

Minor Subdivisions

SECTION 4.0: Minor subdivision.

No person shall create a minor subdivision except in accordance with a parcel map approved pursuant to this ordinance, resolutions passed in furtherance of this ordinance and the Subdivision Map Act and filed in the office of the County Recorder unless such requirement for a parcel map is otherwise waived pursuant to this ordinance.

The provisions of this Chapter shall not apply to:

(1) The conveyance, transfer, creation or establishment of an easement for sewer, water or gas pipelines and appurtenances or electrical or telephone poles and lines or conduit and appurtenances;

(2) The conveyance or transfer of land or any interest therein by or to the United States, state, county, city, school district, special district or public utility.

SECTION 4.1: Tentative Parcel Map Required.

Any person proposing to create a minor subdivision pursuant to this division shall file with the Planning Commission a tentative parcel map pursuant to the provisions of this chapter and resolutions passed in implementation of it. The County Engineer shall not certify a parcel map pursuant to Section 66450 of the Subdivision Map Act unless prior thereto a tentative parcel map of the minor subdivision shown thereon shall have been
filed with and approved by the Planning Commission.

SECTION 4.2: Waiver of Parcel Map.

Other provision of this Chapter, to the contrary not
withstanding, the requirement that a parcel map be prepared,
filed with the County Engineer and recorded may be waived
provided a finding is made by the Planning Commission that the
proposed subdivision complies with the requirements as to area,
 improvement and design, flood and water drainage control,
appropriate improved public roads, sanitary disposal facilities,
water supply availability, environmental protection, and other
requirements of this division and the Subdivision Map Act:

(a) A minor subdivision wherein each resulting
 parcel contains a gross area of forty (40) acres
 or each of which is a quarter-quarter section or
 larger.

An applicant for a subdivision pursuant to this section
shall file a tentative parcel map pursuant to this chapter
together with a written request that the parcel map require-
ment be waived. In any case where waiver of the parcel map
is granted by the Planning Commission, the Planning Commission
shall cause to be filed for record with the County Recorder a
certificate of compliance pursuant to this chapter.

V.

Major Subdivisions - Procedure

SECTION 5.0: Tentative Map Required.

(a) Any person proposing to create a major subdivision
shall file a tentative map pursuant to this chapter. The Board of Supervisors shall not approve a final map unless prior thereto a tentative map of the subdivision shown thereon shall have been filed with and reported on by the Planning Commission.

(b) Where a parcel map is authorized for a major subdivision pursuant to the Subdivision Map Act or this division, the County Engineer shall not approve such map unless prior thereto a tentative map of the subdivision shown thereon shall have been filed with and reported on by the Planning Commission.

SECTION 5.1: Tentative Map to Conform to Rules of Planning Commission and the Board of Supervisors.

All tentative maps shall be in the form and shall contain and be accompanied by the data specified by the rules and regulations prescribed by the Planning Commission and approved by the Board of Supervisors and shall be accompanied by either a negative declaration or a draft environmental impact report prepared in accordance with rules and procedures adopted by the Board of Supervisors pursuant to the Environmental Quality Act of 1970.

SECTION 5.2: Grading Plan.

There shall be filed with each tentative map a grading plan showing any grading proposed for the creation of building sites within the subdivision or for construction or installation of improvements to serve the subdivision. In the event no such grading is proposed, a statement to that effect shall be filed
with the tentative map.

SECTION 5.3: Planning Commission Duties.

The Planning Commission is authorized and directed to carry out the following actions:

(a) Provide notice as follows:

(1) Publish notice of the time and place of any public hearing once, in a newspaper of general circulation published and circulated within the County of Mariposa at least 10 days before said hearing;

(2) Notify by mail the owners of property within a radius of three hundred (300) feet of the exterior boundaries of the property covered by any tentative map that the Commission will be considering the tentative map. The names and addresses of such owners shall be determined according to Section 65905 of the Government Code, and the notices shall be deposited in the United States mails with postage prepaid not less than five (5) days prior to the date of such consideration.

Provided, however, notice as herein specified shall not be required in cases where the question before the Commission is a request for an extension of time for filing a final map or a modification to a previously approved resolution of conditional approval not affecting any design or improvement.
(b) Investigate each tentative map filed with it pursuant to this chapter or the Subdivision Map Act and the improvements proposed to be constructed and installed in or to serve the subdivision and make its report with respect to the design and improvements of the subdivision and the kind, nature, and extent of the proposed improvements.

(c) Obtain the recommendations of the Technical Advisory Committee with respect to the design of the proposed subdivision.

(d) Approve, conditionally approve, or disapprove tentative maps filed with it pursuant to this division or the Subdivision Map Act; provided, however, that with respect to the following described tentative maps, the Planning Commission shall not approve, conditionally approve, or disapprove such tentative map:

(1) As to any tentative map with respect to which the Environmental Review Board has bound that one of the following conditions exists:

(a) The site is not physically suitable for the type of development.

(b) The site is not physically suitable for the proposed density of development.

(c) The design of the subdivision or the proposed improvements are likely to cause substantial
environmental damage or substantially and
avoidably injure fish or wildlife or
their habitat.

(d) The design of the subdivision or the type
of improvements is likely to cause serious
public health problems. In any event, the
report of the Planning Commission, together
with a copy of any approved or conditionally
approved tentative map, shall be filed by
said Commission with the Clerk of the Board of
Supervisors. If the report concerns a tentative
map with respect to which the Planning Commission
reported its recommendations to the Board of
Supervisors, the Board of Supervisors shall act
upon the report within the time prescribed by
the Subdivision Map Act.

(e) Where the Planning Commission approves or
conditionally approves a tentative map it shall
prescribe, pursuant to the provisions of this
division the kind, nature and extent of the
improvements to be constructed or installed in
or to serve the subdivisions for which such
tentative map is filed, provided, however, where
the Planning Commission does not prescribe the
kind, nature or extent of the improvements to be
constructed or installed, improvements shall be
constructed and installed with the Mariposa
County standards.
(f) Except when a tentative map is one as to which final approval can be given only by the Board of Supervisors as hereinbefore provided, or when an appeal is taken to the Board of Supervisors as hereinafter provided, the actions of the Planning Commission specified in this section shall fulfill the requirements for approval of tentative maps by the Board of Supervisors pursuant to the provisions of Sections 66426 and 66428 of the Subdivision Map Act; provided, however, no final map shall be filed in the office of the County Recorder until such map has been approved by the Board of Supervisors.

SECTION 5.4: Assignment of Certain Responsibilities to Planning Commission.

The responsibilities of the Board of Supervisors pursuant to Section 66473.5, 66474, 66474.1, and 66474.6 of the Government Code are hereby assigned to the Planning Commission with respect to those tentative maps which the Planning Commission is authorized to approve, conditionally approve, or disapprove.

SECTION 5.5: Modification of Regulations.

Whenever the Planning Commission finds with respect to a subdivision or after an appeal to the Board of Supervisors said Board finds that the real property to be divided is of such size or shape or is subject to such title limitations of record or is affected by such topographical location or conditions, or is to
be devoted to such usage, that it is impossible or impractical in the particular case for the subdivider to conform fully to the requirements of this division the Planning Commission or the Board of Supervisors may waive or modify such requirements as it deems reasonably necessary; provided, however, any such waiver or modification shall be in conformity with the spirit and purpose of the Subdivision Map Act and of this division. The Planning Commission or Board of Supervisors may waive or modify such requirements upon such reasonably conditions as it deems appropriate.

SECTION 5.6: Appeal to Board of Supervisors.

(a) Where the subdivider is dissatisfied with any action of the Planning Commission with respect to a tentative map he may appeal to the Board of Supervisors as provided in Section 66452.5 of the Subdivision Map Act. Notice of any hearing by the Board of Supervisors on any appeal by any subdivider shall be given in the manner provided for by Section 5.3 for consideration of tentative maps by the Planning Commission.

(b) Any interested person may appeal to the Board of Supervisors from any decision of the Planning Commission made relative to the responsibilities assigned to it in Section 5.3. Any such appellant shall be subject to the same procedural requirements and shall be entitled to the same notice and rights regarding testimony as apply to the subdivider under Section 66452.5 of the Government Code.
(c) Whenever the Board of Supervisors holds a hearing on an appeal from the decision of the Planning Commission and thereafter takes no action because a motion on the item failed to carry by the required vote, the Clerk of the Board of Supervisors shall set the matter for a noticed public hearing de novo if such hearing is requested by the Board of Supervisors. Such a request must be made within 30 days of the date when the motion on the item failed to carry. If no such request is made within such period, the decision of the Planning Commission shall be deemed sustained.

SECTION 5.7: Revised Tentative Map.
Where a subdivider desires to revise or alter a proposed subdivision for which a tentative map has been approved by the Planning Commission or the Board of Supervisors, the subdivider may file with the Planning Commission a revised tentative map on payment of the fees set out pursuant to resolution.

(a) A revised tentative map shall conform to the following requirements:

(1) The proposed subdivision shown on such map shall generally conform to the street and lot pattern shown on the approved tentative map.

(2) The proposed subdivision shown on such map shall include only one contiguous area consisting of all or a portion of the subdivision shown on the approved tentative map together with such additional land, if any, as the subdivider desires to include.
(3) The map shall contain all of the information
required on tentative maps and shall be accompanied
by such data as is required to be filed with tentative
maps.

(b) A revised tentative map may be filed within 18 months
after the approval of the tentative map by the Planning Commission
or Board of Supervisors or, if an extension of time is granted,
within the period specified.

(c) Upon the filing of a revised tentative map and payment
of the prescribed fee, such revised tentative map shall be
treated in all respects as an original tentative map and shall
be reported on, approved, conditionally approved or disapproved
in the same manner as a tentative map, provided, however, that
the subdivider shall have 18 months from the approval or condi-
tional approval of the original tentative map within which to
record a final map, which 18 months period may be extended by
the Planning Commission or Board of Supervisors, such extension
not to exceed one year pursuant to Section 66452.6 of Govern-
ment Code.

(d) Nothing in this section shall be construed as a
limitation on the power of the Board of Supervisors or Planning
Commission to approve alterations of a tentative map approved
by such Board or Commission or to modify conditions imposed as
a part of the approval of a tentative map.
VI.

Major Subdivisions - Requirements

SECTION 6.0: Design of Subdivisions.

All major subdivisions shall conform to the following requirements as to design:

SECTION 6.1: Streets and Roads.

Streets and roads in a proposed major subdivision shall conform to the Mariposa County Improvement Standards adopted August 18, 1970, and Addendum to said standards pursuant to Government Code § 66462(b) which Standards are in the Office of the County Clerk, County of Mariposa, Mariposa California.

SECTION 6.2: Lots.

A. Lots shall have a minimum area of 6,000 square feet and a minimum width at the front building line of 60 feet, where neither the domestic drinking water system or the sewage disposal system is developed on the lot.

(1) If the sewage disposal system is developed on the lot and the domestic drinking water is furnished by a public utility company, then the minimum lots size shall be 20,000 square feet.

(2) If both the sewage disposal system and the domestic drinking water system are developed on the same lot, then the minimum lot size shall be 40,000 square feet.

(3) In either sub section (1) and (2), approval of the
sewage and water system shall first be obtained from the
Mariposa County Health Department.

(a) No lot shall be divided by a county, city, or school district boundary line.

(b) The side lines of lots shall be approximately at right angles to the street line of straight streets or to the tangent on curved streets.

(c) When large lots are proposed, the shape, building locations and building lines may be required to be so established as to make it practical to resubdivide the lot into building sites which would conform to the requirements of this ordinance without injury to adjoining lots.

SECTION 6.3: Blocks.

A. Blocks more than 1,200 feet in length may be cause for disapproval of a tentative map.

B. Pedestrian ways at least 10 feet wide may be required in long blocks.

SECTION 6.4: Utility Easements.

Where alleys are not provided, utility easements 10 feet wide shall be provided at the rear of all lots.

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SECTION 6.5: Procedure.

The procedure for the filing and approval of tentative and final maps shall be as set out in Government Code § 66452 et. seq. and Government Code § 66456 et. seq.

SECTION 6.6: Record of Easements.

The final map shall show the center line data, width and side lines of all easements to which the lots are subject. If the easement is not definitely located of record, a statement as to the easement shall appear on the title sheet. Easements for storm drains, sewers, and other purposes shall be designated by broken lines. Distances and bearings on the side lines of the lots which are cut by an easement shall be so shown as to indicate clearly the actual lengths of the lot lines. The width of the easement and the lengths and the bearings of the lines thereof and sufficient ties to locate the easement definitely with respect to the subdivision shall be shown. The easement shall be clearly labeled and identified and if already of record, proper reference to the records given. Easements being dedicated shall be so indicated in the certificate of dedication.

SECTION 6.7: Established Lines.

Whenever the County Road Commissioner has established the center line of a street or alley, those data shall be considered in making the surveys and in preparing the final map, and all monuments found shall be indicated and proper references made to field books or maps of public record, relating to the monuments. If the points were reset by ties, that fact shall be
stated. The final map shall show city boundaries crossing or adjoining the subdivision clearly designated and tied in.

SECTION 6.8: Lot Numbers

The lots shall be numbered consecutively, commencing with the number 1, with no omissions or duplications, provided that where the subdivision is a continuation of or an addition to an existing subdivision, the lot number may commence with the number immediately following the last or highest number of such existing subdivision and in all other respects shall conform with the preceding requirements. Each lot shall be shown entirely on one sheet. Blocks may be used. They shall be numbered or lettered consecutively.

SECTION 6.9: Dedication

A. The subdivider shall offer to dedicate right of way for streets within the subdivision in accordance with Mariposa County standards.

B. No final map shall be approved unless the street or streets providing primary access to the subdivision are dedicated to and maintained by the county, or state and said street or streets meet County Standards of right-of-way width.

C. Streets which are proposed on the boundaries of a subdivision shall have a dedicated width of not less than 50 feet together with a strip of land one-foot wide on its outer edge which shall be offered to the County for street purposes and over which access rights are relinquished.
D. All streets proposed to be terminated at the subdivision boundary shall include a strip of land one-foot wide on its outer edge which shall be offered to the County for street purposes and over which access rights are relinquished.

E. Where it is necessary to extend a street beyond the boundaries of a subdivision to provide adequate circulation for residents of the subdivision, the subdivider shall cause the required easements to be dedicated to the County and shall improve said easements in accordance with Mariposa County Standards.

F. Where a drainage facility or flood control facility is necessary for the use of lot owners or for the protection of lots, adequate rights-of-way for such drainage facilities or flood control facilities shall be offered for dedication to the County or to such other public entities as the Planning Commission designates and shall be shown on the map.

G. Drainage facilities and flood control facilities within and without the subdivision shall be provided so as to carry storm run-off both tributary to and originating within the subdivision.

H. The subdivider shall offer to dedicate land for park purposes, pay fees in lieu thereof, or do a combination of both, pursuant to Chapter 1 of Division 10 of Title 8 of this Code.

**SECTION 6.10**: Required Improvements.

A. Before approving a final map the Board of Supervisors shall require and before approving a tentative map of a major subdivision, the County Engineer shall require:
(1) That the subdivider grade and improve or agree to grade and improve all land dedicated or to be dedicated for streets or easements, and all private streets and private easements laid out on a final map or parcel map in such manner and with such improvements as are necessary for the use of the lot owners in the subdivision and local neighborhood traffic and drainage needs, and in accordance with the Mariposa County Standards;

(2) That the subdivider install or agree to install all drainage and flood control structures and facilities required by the County Engineer, which drainage and flood control structures and facilities shall conform to the Mariposa County Standards;

(3) That the subdivider provide proof satisfactory to the County Sanitarian that there exists an adequate potable water supply available to each lot or parcel and that the subdivider install or agree to install minimum water supply pipe size of four inches in diameter, provided that the County Engineer may require such other diameter of water supply pipe as may be needed for serving the subdivision;

(4) That the subdivider provide all necessary easements and rights of way to accommodate all streets, drainage and flood control structures and facilities and sewer systems extending beyond the boundaries of the subdivision.

B. If the Board of Supervisors rejects the offer of dedication of streets delineated on the map pursuant to Section 66477.1
of the Subdivision Map Act, no surfacing shall be required on any street so rejected by said Board; provided, however, this provision shall not be construed as relieving the subdivider of the obligation of:

(1) Grading such rejected streets to grades and widths required by the Mariposa County Standards.

(2) Installing all drainage structures and facilities required by the County Engineer and which shall conform to the Mariposa County Standards.

(3) Installing water supply pipelines, fire hydrants and connections as may be required by the Planning Commission or Board of Supervisors.

C. No surfacing is required on any private street laid out on any parcel map for a major subdivision where each parcel shown on such map contains a gross area of 20 acres or more; provided, however, this provision shall not be construed as relieving a subdivider of the obligation of:

(1) Grading such private streets to grades and widths required by the Mariposa County Standards;

(2) Installing all drainage structures and facilities required by the County Engineer which shall conform to the Mariposa County Standards; and,

(3) Installing water supply pipelines, fire hydrants and connections as may be required by the Planning Commission or Board of Supervisors.
D. Where the Planning Commission or Board of Supervisors determines that by reason of the size and shape of the proposed lots, the nature of the terrain to be subdivided the soil condition of the lots and the development of the area in the vicinity of the proposed subdivision, a public sewage disposal system serving the lots will be required to preserve the public health, the Board of Supervisors shall require the subdivider to install or agree to install a public sewage disposal system or a public sewer system serving said lots as a condition precedent to the approval of any parcel map or final map.

SECTION 6.11: Monuments.

A. Every final map shall show the following monuments which shall be set by a licensed surveyor or engineer:

(1) Boundary monuments: The exterior boundary of the subdivision shall be monumented with permanent monuments not smaller than two inch (2") iron pipes at least twenty-four inches (24") long set at each corner, at intermediate points along the boundary not more than one thousand feet (1,000) apart and at the beginning and end points of all curves; provided, if any existing record and identified monument meeting the foregoing requirements is found at any such corner or point, such monument may be used in lieu of a new monument.

(2) Lot corner monuments: All lot corners, except when coincident with exterior boundary corner, shall be monumented with permanent monuments of one of the following types: (i) Three-fourth inch (3/4") diameter iron pipe at least eighteen inches (18") long. (ii) One-half inch
(1/2") diameter steel rod at least twelve inches (12") long. (iii) Lead plug and copper identification disks set in concrete sidewalks or curbs.

(3) Such additional monuments to mark the limiting lines of streets as the County Engineer may require.

(4) All other monuments set or proposed to be set.

B. The subdivider shall cause the foregoing monuments to be set by a licensed surveyor or engineer.

C. All monuments and their installation shall conform to the Mariposa County Standards.

D. All of the foregoing monuments shall be set prior to the approval of the map by the Board of Supervisors unless the setting thereof is deferred in accordance with Section 66496 of the Subdivision Map Act; provided, however, the setting of exterior boundary monuments shall not be deferred unless the County Engineer determines that such monuments might be disturbed by the construction of improvements.

E. Where the setting of monuments is deferred following filing of a final map, such monuments shall be set within 30 days after the completion of the required improvements and the acceptance thereof by the County. The setting of monuments shall not be deferred if a parcel map is filed.

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Any improvement agreement, contract or act required or authorized by the Subdivision Map Act, for which security is required, shall be secured in the manner provided for in Section 66499 of the Subdivision Map Act.


The improvement security shall be in the amount set forth or authorized in Section 66499.3 of the Subdivision Map Act. If the improvement security is other than a bond or bonds furnished by duly authorized corporate surety, an additional amount shall be included as determined by the Board of Supervisors as necessary to cover the cost and reasonable expenses and fees, including reasonable attorneys' fees, which may be incurred by the County in successfully enforcing the obligation secured.

The improvement security shall also secure the faithful performance of any changes or alterations in the work to the extent that such changes or alterations do not exceed ten (10) percent of the original estimated cost of the improvement.


The improvement security required hereunder shall be released in the following manner:

(a) Security given for faithful performance of any act or agreement shall be released upon the final completion and acceptance of the act or work subject to the provisions of subparagraph (b) thereof.
(b) The County Engineer or other designee may release a portion of the security in conjunction with the acceptance of the performance of the act or work as it progresses upon application therefor by the subdivider; provided, however, that no such release shall be for an amount less than 50 percent of the total improvement security given for faithful performance of the act or work and that the security shall not be reduced to an amount less than 50 percent of the total improvement security given for faithful performance until final completion and acceptance of the act or work. In no event shall the County Engineer authorize a release of the improvement security which would reduce such security to an amount below that required to guarantee the completion of the act or work and any other obligation imposed by this ordinance, the Subdivision Map Act or the improvement agreement.

(c) Security given to secure payment to the contractor, his subcontractors and to persons furnishing labor, materials or equipment, may, six months after the completion and acceptance of the act or work, be reduced to an amount equal to the amount of all claims therefor filed and of which notice has been given to the legislative body, plus an amount reasonably determined by the County Engineer to be required to assure the performance of any other obligations secured thereby. The balance of the security shall be released upon the settlement of all such claims and obligations for which the security was given.
(d) No security given for the guaranty or warranty of work shall be released until the expiration of the period thereof.

VII.

Fees

SECTION 7.0: Fees; Tentative, Parcel and Final Maps.
Every person submitting a tentative, parcel, or final map shall pay a processing fee in an amount prescribed by resolution of the Board of Supervisors passed pursuant to this ordinance.

VIII.

Effective Date

SECTION 8.0: Effective Date:
This ordinance takes effect and shall be in force from and after the 1st of March, 1975, and shall remain in full force and effect for a period of 120 days to give the Planning Commission and Board of Supervisors of the County of Mariposa to hold public hearings and study on the effects of relating to subdivision of land to comply with the requirements of SB 977 (Stats 1974 Ch. 1536).

SECTION 8.1: Severability of Provisions:
If any title, division, chapter, section, subsection, paragraph, sentence, clause or phrase of this ordinance is held invalid or unconstitutional for any reason by a court that decision does not affect the validity or constitutionality of the remainder of this ordinance. The Board of Supervisors declares that it would have adopted each part of this ordinance
irrespective of the validity of any other part.

SECTION 8.2: Repeal of Conflicting Ordinances;
Mariposa County Ordinances 201, 209, 242, 244, 265, 271, 302, and 303 are hereby repealed.

SECTION 8.3: Urgency Clause;
This ordinance is declared to be an ordinance necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 25123 of the Government Code and shall take effect immediately. The facts constituting such necessity are as follows:

The Subdivision Map Act has been extensively amended by Statutes 1974 Chapter 1536 which included removal of its provisions from the Business and Professions Code and re-enactment with substantial changes in structure and complete renumbering of sections into the Government Code to become operative on March 1, 1975. This ordinance proposes changes to make existing provisions of the Mariposa County Code consistent with the new Subdivision Map Act. If this ordinance is not adopted immediately as an urgency measure it will not be effective for a period of 30 days or until March 27, 1975 during which time confusion will result due to the nonconformity of existing county ordinances with state law.

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PASSED AND ADOPTED by the Mariposa County Board of
Supervisors this 25 day of February, 1975; by the
following vote:

AYES: Clark, Long, Hurlbert, Mcfitt

NOES: None

ABSENT: Richardson

NOT VOTING: None

HARRY E. HURLBERT, Chairman
Board of Supervisors

ATTEST:

ELLEN BRONSON, County Clerk
and Ex-Officio Clerk of
the Board