ORDINANCE NO. 265

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

SECTION I: Mariposa County Ordinance No. 201, as amended,
is hereby further amended by adding a new Section 5.17 thereto as
follows:

"Whenever a subdivision subject to the terms of this
ordinance will result in an increased use of any private, public
or county road, street or highway beyond the capacity of such
road, street or highway; or whenever, by reason of such subdivi-
sion, it is necessary or desirable to improve any private, public
or county road, street or highway to a higher standard in the
interests of public safety or in order to accomplish the purpose
of this ordinance, the subdivider or subdivider proposing such
subdivision may be required, as a condition to approval of such
subdivision, to improve any private, public or county road, street,
or highway to County road standards then applicable under this
ordinance or any amendment or replacement thereof. Such improve-
ment may include, but shall not necessarily be limited to, any or
all of the following:

1. Payment of cost of acquisition of right of way or
   rights of way where any such road, street or highway is owned
   wholly or in part by someone other than the subdivider or subdi-
  iders;

2. Dedication of such right of way or rights of way as
   may be necessary in order to meet County road standards as to
   width, grade or alignment of any such road, street or highway;

3. The payment of plan-checking fees with regard to
   acquisition or improvement of any such road, street or highway;

4. Posting of performance and labor and material bonds
   for improving any such road, street or highway.

The County and any subdivider or subdivider may enter
into a cooperative agreement for the acquisition or improvement of any such road, street or highway upon such terms as may be acceptable to the parties. In the event of the refusal or failure of any subdivider or subdividers to meet the County's requirements in the acquisition or improvement of any such private or public or county road, street or highway, such refusal or failure may be deemed cause for withholding approval of any tentative or final map filed under the provisions of this ordinance."

SECTION II: Numerous subdivisions are being formed and new subdivisions are planned within the County of Mariposa at the present time, subdividing land into numerous lots to be improved and used for residential and other purposes. Many of such subdivisions are, or will be, situate in areas of the County which are not now provided with county roads or highways, or which are served by county roads or highways of inadequate design and capacity to carry increased traffic flow without seriously endangering human life and property. The County of Mariposa presently has insufficient funds to acquire additional rights of way for county roads or highways, or to improve existing county roads or highways to standards which will carry increased traffic caused by such present and planned subdivisions, and it is probable that the County of Mariposa will lack sufficient funds for such purposes for a long time to come. In the interest of public health, safety and welfare, it is imperative that subdivisions, both present and planned, within the County of Mariposa, have adequate public roads. The purpose of Section 5.17 of Mariposa County Ordinance No. 201 as above adopted will insure that present and proposed subdivisions within the County of Mariposa will be served by county roads and highways sufficient to carry the increased traffic which will be caused by the subdivision of lands within the County. For the foregoing reasons this ordinance shall take effect immediately upon its enactment as an emergency measure for the immediate
protection of the public's health and safety, within the meaning of sub-section (d) of Government Code Section 25123 and of the Constitution of the State of California.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa, State of California, this 15th day of November, 1965, by the following vote:

AYES: McGregor, Hurlbert, Miller, Gordo, Schatz

NOES:

NOT VOTING:

ABSENT:

Chairman of the Board of Supervisors of the County of Mariposa, State of California

ATTEST:

County Clerk and Ex-Officio Clerk of the Board of Supervisors

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