ORDINANCE NO. 123


SECTION 1. GENERAL PROVISIONS.

(a) The salaries, wages, fees, mileage, expenses and commissions provided for herein shall be in full for all official services performed. No county or township officer, deputy, assistant or employee provided for herein, shall receive from the county any salary, wages, fees, mileage, expenses, or commissions except as herein provided. All salaries, wages, fees, mileage, expenses, and commissions not or hereafter provided by law to be paid to any county or township officer, excepting township constables, either as such officer, or as the agent of the State of California, or of any officer thereof, or as the agent of any political subdivision otherwise, or of any officer of such political subdivision, for any official service or otherwise, except as herein otherwise provided, shall be paid into the county treasurer to the credit of the general fund, unless some other fund is especially designated by law. Until such county or township officer, deputy, assistant or employee shall pay into the county treasury such salaries, wages, fees, mileage, expenses and commissions, as are herein required to be so paid he shall receive no salary from the county.

(b) All the deputies, assistants and employees herein provided for shall perform in addition to their regular duties such other lawful duties as their respective principals shall require and their salaries shall be paid out of the salary funds at the same time and in the same manner as their principal's salaries are paid.

(c) The deputies, assistants and employees of the county herein provided for may be required by the board of supervisors to assist officers other than their principals; provided, that all principal officers involved consent thereto.

(d) All employees herein provided for shall be selected by the principal officer and shall serve at his pleasure.

(e) The premiums upon the official bonds required of permitted by law or the board of supervisors of all officers, deputies, assistants and employees herein provided for shall be county charges and payable out of the general fund.

(f) The actual and necessary expenses of the county auditor, clerk, district attorney, assessor, sheriff, coroner, recorder, tax collector, probation officer, surveyor, treasurer, public administrator, one constable from the County of Mariposa and one Justice of the Peace from the County of Mariposa, incurred while traveling to and from and while attending the annual conventions of their respective associations shall be county charges; provided, that in no event shall such expenses exceed the sum of Fifty ($50.00) Dollars for each of said officers in any one year.
(g) Each county and township officer, deputy, assistant and employee referred to herein shall be furnished all necessary stationery, postage, record books and other supplies.

(b) The salaries herein provided for shall be paid monthly out of the county treasury on the last day of each and every month upon warrant drawn by the county auditor.

SECTION 2. COUNTY CLERK

Section 1 of Ordinance No. 106, Section 1 of Ordinance No. 107, Section 1 of Ordinance No. 110, Section 1 of Ordinance No. 114 and Section 2 of Ordinance No. 117 are hereby amended to read as follows:

The salary of the county clerk shall be One Thousand Eight Hundred ($1800.00) Dollars per annum; provided further, in each year in which a new and complete or supplemental registration of voters is required by law the county clerk shall appoint as many deputy registration clerks as may be necessary for the convenient registration of voters of the county, which deputy registration clerks shall receive as compensation for their services the sum of fifteen cents ($0.15) per name for each and every voter registered by them; said compensation to be paid out of a general fund of the county on the presentation and filing with the board of supervisors of the county a duly verified claim approved by the county clerk.

The county clerk shall retain all fees connected with naturalization matters pending in the Superior Court.

The county clerk may appoint a deputy county clerk, whose salary shall be one thousand five hundred ($1500.00) dollars per annum, payable in equal monthly installments.

SECTION 3. SHERIFF.

Section 2 of Ordinance No. 106, Section 2 of Ordinance No. 107, Section 1 of Ordinance No. 116 and Section 3 of Ordinance No. 117 are hereby amended to read as follows:

The salary of the sheriff shall be Three Thousand Eight Hundred ($3800.00) Dollars per annum, and such mileage as allowed by law for the service of all papers issued by courts outside this county, and all mileage and fees for the service of papers in civil cases in this county and such fees as are allowed by this ordinance for expenses incurred in criminal cases.

The sheriff may appoint a deputy sheriff, whose salary shall be Two Thousand One Hundred ($2100.00) Dollars per annum, payable as the salary of all county officials.

SECTION 4. RECORDER.

Section 3 of Ordinance No. 106, Section 3 of Ordinance No. 107 and Section 4 of Ordinance No. 117 are hereby amended to read as follows:

The salary of the recorder shall be One Thousand Five Hundred ($1500.00) Dollars per annum; provided, that such recorder shall collect and pay into the county treasury for the use and benefit of the county, the fees required by law to be so collected and in the event said fees shall exceed One Hundred ($100.00) Dollars in any one month, the recorder may receive and retain for
his own use in addition to his salary, one-half of all fees in excess of One Hundred ($100.00) Dollars in any one month, so collected; and provided, that the recorder may retain for his own use all fees collected for filing and recording proofs of labor and notices of location of mining claims.

The recorder shall also be allowed extra help for clerical and stenographic work when in his opinion it is necessary. The salary paid for such work shall not exceed Four ($4.00) Dollars per day or a total sum of Three Hundred ($300.00) Dollars per annum.

SECTION 5. AUDITOR.

Section 4 of Ordinance No. 106, Section 4 of Ordinance No. 107, Section 1 of Ordinance No. 109, Section 1 of Ordinance No. 113, and Section 5 of Ordinance No. 117 are hereby amended to read as follows:

The auditor for the fulfillment of all duties required of him by law, whether the same be under that name or in an ex-officio capacity, shall receive such salary as shall be fixed by the Legislature of the State of California.

The auditor may appoint a deputy auditor, whose salary shall be Two Thousand One Hundred ($2100.00) Dollars per annum, payable as the salary of all county officials.

SECTION 6. TAX COLLECTOR.

Section 6 of Ordinance No. 106, Section 5 of Ordinance No. 107, Section 2 of Ordinance No. 114, and Section 6 of Ordinance No. 117 are hereby amended to read as follows:

The salary of the tax collector shall be One Thousand Five Hundred ($1500.00) Dollars per annum.

The tax collector may appoint a deputy tax collector, whose salary shall be Nine Hundred ($900.00) Dollars per annum, payable as the salary of all county officials.

SECTION 7. ASSESSOR.

Section 7 of Ordinance No. 106, Section 7 of Ordinance No. 107, Section 2 of Ordinance No. 116, and Section 7 of Ordinance No. 117 are hereby amended to read as follows:

The salary of the assessor shall be Two Thousand Four Hundred ($2400.00) Dollars per annum, provided that in counties of this class there shall be one deputy assessor who shall be appointed by the assessor of said county and who shall hold office from twelve o’clock meridian of the first Monday of February of each year to twelve o’clock meridian of the first Monday of August of each year. The salary of the last mentioned deputy assessor herein provided for is hereby fixed at the sum of One Hundred Twenty ($120.00) Dollars per month during which months he shall hold office as herein provided, which said salary shall be paid by said county at the time and in the same manner and out of the same fund as is the salary of the assessor.

The assessor shall be permitted to expend the sum of Two Hundred Fifty ($250.00) Dollars per annum for traveling expenses in connection with his duties of assessing property in Mariposa County and interviewing tax-payers.
SECTION 8. DISTRICT ATTORNEY.

Section 8 of Ordinance No. 106, Section 8 of Ordinance No. 109, Section 8 of Ordinance No. 113 and Section 8 of Ordinance No. 117 are hereby amended to read as follows:

The district attorney, for the fulfillment of all duties required of him by law, whether the same be under that name or in an ex-officio capacity, shall receive such salary as shall be fixed by the Legislature of the State of California.

The district attorney is hereby allowed a stenographer at a salary of One Thousand Four Hundred Forty ($1440.00) Dollars per annum, payable as the salaries of other county officials.

The district attorney shall also be allowed extra help for clerical and stenographic work when in his opinion it is necessary. The salary paid for such work shall not exceed Four ($4.00) Dollars per day or a total sum of Seventy-five ($75.00) Dollars per annum.

SECTION 9. CORONER.

Section 9 of Ordinance No. 106 and Section 9 of Ordinance No. 117 are hereby amended to read as follows:

The coroner shall receive such fees as are now or may hereafter be allowed by law.

SECTION 10. PUBLIC ADMINISTRATOR.

Section 10 of Ordinance No. 106 and Section 10 of Ordinance No. 117 are hereby amended to read as follows:

The public administrator shall receive such fees as are now or may hereafter be allowed by law.

SECTION 11. SUPERINTENDENT OF SCHOOLS.

Section 11 of Ordinance No. 106, Section 8 of Ordinance No. 107, Section 11 of Ordinance No. 117 and Section 1 of Ordinance No. 122 are hereby amended to read as follows:

The salary of the superintendent of schools shall be Two Thousand Four Hundred ($2400.00) Dollars per annum. In addition thereto, said superintendent of schools shall be allowed actual traveling expenses incurred in visiting schools of the county and for educational work connected therewith, including annual expenses incurred in attending annual convention of superintendents of schools, not to exceed Five Hundred ($500.00) Dollars per annum.

The superintendent of schools is hereby allowed a chief-deputy at a salary of One Thousand Four Hundred Forty ($1440.00) Dollars per annum, payable as the salaries of other county officials.

SECTION 12. SURVEYOR.

Section 12 of Ordinance No. 106 and Section 12 of Ordinance No. 117 are hereby amended to read as follows:

The surveyor shall receive such fees as are now or may hereafter be allowed by law.

SECTION 13. SUPERVISORS.

Section 13 of Ordinance No. 106 and Section 13 of
Ordinance No. 117 are hereby amended to read as follows:

The supervisors shall receive such fees as are now or may hereafter be allowed by law.

SECTION 14. JUSTICES OF THE PEACE.

Section 14 of Ordinance No. 106, Section 9 of Ordinance No. 107, Section 2 of Ordinance No. 113, Section 3 of Ordinance No. 114 and Section 14 of Ordinance No. 117 are hereby amended to read as follows:

The Justices of the Peace of their respective townships shall receive the following salaries, to be paid each month as the salaries of the county officers are paid, and the said salaries shall be in full for all services rendered by them:

Justice of the Peace of No. One Township, the sum of Four Hundred Twenty ($420.00) Dollars per annum, payable in equal monthly installments.

Justice of the Peace of No. Two Township, the sum of Four Hundred Twenty ($420.00) Dollars per annum, payable in equal monthly installments.

Justice of the Peace of No. Three Township, the sum of Nine Hundred ($900.00) Dollars per annum, payable in equal monthly installments.

Justice of the Peace of No. Four Township, the sum of Nine Hundred ($900.00) Dollars per annum, payable in equal monthly installments.

Justice of the Peace of No. Five Township, the sum of Four Hundred Twenty ($420.00) Dollars per annum, payable in equal monthly installments.

Justice of the Peace of No. Six Township, the sum of Four Hundred Twenty ($420.00) Dollars per annum, payable in equal monthly installments.

SECTION 15. CONSTABLES.

Section 15 of Ordinance No. 106, Section 10 of Ordinance No. 107, Section 3 of Ordinance No. 113 and Section 15 of Ordinance No. 117 are hereby amended to read as follows:

The constables of their respective townships shall receive the following salaries, to be paid each month as the salaries of the county officers are paid, and the said salaries shall be in full for all services rendered by them:

Constable of No. One Township, the sum of Four Hundred Twenty ($420.00) Dollars per annum, payable in equal monthly installments.

Constable of No. Two Township, the sum of Six Hundred ($600.00) Dollars per annum, payable in equal monthly installments.

Constable of No. Three Township, the sum of Four Hundred Twenty ($420.00) Dollars per annum, payable in equal monthly installments.

Constable of No. Four Township, the sum of Nine Hundred...
($900.00) Dollars per annum, payable in equal monthly installments.

Constable of No. Five Township, the sum of Four Hundred Twenty ($420.00) Dollars per annum, payable in equal monthly installments.

Constable of No. Six Township, the sum of Four Hundred Twenty ($420.00) Dollars per annum, payable in equal monthly installments.

In addition to the monthly salaries herein allowed, constables may receive and retain for their own use the mileage and fees allowed by law for the service of all papers issued by any court in civil cases. They shall be allowed mileage for every mile actually travelled in making arrests and in taking prisoners from the place of arrest to the court or to the county jail. They shall be allowed the sum of Eight ($8.00) Dollars for summoning a jury for the trial of a criminal case.

SECTION 16. GRAND JURORS.

Section 16 of Ordinance No. 106 and Section 16 of Ordinance No. 117 are hereby amended to read as follows:

Grand jurors shall be paid four ($4.00) Dollars per day and jurors of the superior court in civil and criminal cases shall be paid Three ($3.00) Dollars per day for each day's attendance, and for each mile actually travelled in going only, while acting as such juror, thirty cents (30¢) per mile, and the judge of said court shall make an order directing the auditor to draw his warrant on the treasurer in favor of such juror for said per diem and mileage and the treasurer shall pay the same.

SECTION 17. HEALTH OFFICER.

Section 17 of Ordinance No. 106 and Section 17 of Ordinance No. 117 are hereby amended to read as follows:

The health officer for the fulfillment of all duties required of him by law, whether the same be under that name or in an ex-officio capacity, shall receive a salary of Three Hundred ($300.00) Dollars per annum, payable in equal monthly installments.

SECTION 18. COUNTY PHYSICIAN.

Section 18 of Ordinance No. 106 and Section 18 of Ordinance No. 117 are hereby amended to read as follows:

The county physician for the fulfillment of all duties required of him by law, whether the same be under that name or in an ex-officio capacity, shall receive a salary of Nine Hundred ($900.00) Dollars per annum, payable in equal monthly installments.

SECTION 19. SEALER OF WEIGHTS AND MEASURES.

Section 19 of Ordinance No. 106 and Section 19 of Ordinance No. 117 are hereby amended to read as follows:

The sealer of weights and measures for the fulfillment of all duties required of him by law, whether the same be under that name or in an ex-officio capacity, shall receive a salary not to exceed Two Hundred Fifty ($250.00) Dollars per annum, which shall include all expenses connected with his official duties.
SECTION 20. COUNTY JANITOR.

Section 1 of Ordinance No. 111 and Section 20 of Ordinance No. 117 are hereby amended to read as follows:

One county janitor shall be appointed by the Board of Supervisors on the first Monday of January of each and every year for the term of one year at a salary of One Thousand Three Hundred Twenty ($1320.00) Dollars per annum, payable in equal monthly installments.

SECTION 21. TREASURER.

Section 5 of Ordinance No. 106, Section 5 of Ordinance No. 107, Section 1 of Ordinance No. 112 and Section 22 of Ordinance No. 117 are hereby amended to read as follows:

The salary of the treasurer shall be One Thousand Eight Hundred ($1,800.00) Dollars per annum, payable in equal monthly installments, payable as the salaries of all county offices are paid. In addition to said salary, the treasurer shall be allowed such fees as are provided in Section 4290 of the Political Code of the State of California as are paid to the treasurer under the inheritance tax laws of the State of California. It is further provided that the treasurer shall be allowed such fees as are allowed by Section 1148 of the Probate Code of the State of California.

The treasurer may appoint a deputy treasurer at a salary of One Hundred Twenty ($120.00) Dollars per annum, payable in equal monthly installments.

SECTION 22. PROBATION OFFICER.

The salary of the probation officer shall be Four Hundred Twenty ($420.00) Dollars per annum, payable in equal monthly installments, payable as the salaries of all county officers are paid.

The probation officer shall be allowed, in addition to the salary herein fixed, his expenses as provided for in the Juvenile Court Law, the Penal Code and the Code of Civil Procedure of the State of California, and said expenses shall be paid in the manner prescribed in said laws.

SECTION 23. BOARD OF EDUCATION.

The members of the county board of education shall receive as compensation the sum of Five ($500.00) Dollars per day for each day actually employed in attending meetings of the board of education.

SECTION 24. APPOINTMENT OF DEPUTIES.

Section 20 of Ordinance No. 106 and Section 25 of Ordinance No. 117 are hereby amended to read as follows:

All assistants, deputies, clerks, attaches and employees whose appointment is provided for by this ordinance shall be appointed by the officer elected or appointed as the head of the department or office in which said position is provided by this ordinance.

SECTION 25. DESIGNATION OF POSITIONS NOT RESTRICTED.
Section 21 of Ordinance No. 106 and Section 26 of Ordinance No. 117 are hereby amended to read as follows:

The designation of positions contained in this ordinance are not intended as descriptive of the duties to be performed but are merely used for purposes of identification and the Board of Supervisors or other head or the head of the department responsible for the fulfillment of the duties thereof is hereby authorized to require such other or different duties than those indicated by the name under which the position is identified as may be necessary to properly perform the service required of the department involved.

SECTION 26. TEMPORARY EMPLOYMENT.

Section 22 of Ordinance No. 106 and Section 27 of Ordinance No. 117 are hereby amended to read as follows:

The district attorney and sheriff are hereby authorized to make such temporary employment in the detection, prevention and prosecution of crime and criminal cases, and in civil actions and proceedings in which the county is interested as is provided for by Paragraph 2 of Section 4507, Section 4508 and Section 4510 of the Political Code of the State of California.

SECTION 27. ADDITIONAL ASSISTANTS.

Section 28 of Ordinance No. 117 is hereby amended to read as follows:

Whenever in the judgment of the Board of Supervisors it shall be deemed necessary for the expeditious transaction of the business of any county officer, the Board by unanimous vote may provide for and allow additional assistants for such county officer. In any such case the Board of Supervisors shall fix the amount of compensation for such additional employees and shall limit in advance the period of time for which such assistance is to be allowed, and shall limit the total compensation to be paid any such employee within the period of time so fixed.

SECTION 28. VACATION SUBSTITUTES.

Section 29 of Ordinance No. 117 is hereby amended to read as follows:

While the employees designated in this section are absent on their annual vacations, the head of their respective offices or departments may employ a substitute for such absent employee at a salary not to exceed the salary received by such absent employee. Such employees are:

The stenographer for the district attorney.
The janitor at the county court house.

SECTION 29. MILEAGE.

Section 23 of Ordinance No. 106, Section 30 of Ordinance No. 117 and Section 1 of Ordinance No. 118 are hereby amended to read as follows:

Where any officer, deputy, clerk, attache or employee of the County of Mariposa is obliged in the discharge of his or her official duties to travel within or without the County of
Mariposa, unless a specific allowance for such travel and incidental expenses is herein specifically provided, he or she shall receive the sum of seven and one-half cents (7½¢) per mile for each mile traveled in the county or outside the county in the discharge of his or her official duties in full for the use of his or her own vehicle used in such travel or for the use of a vehicle hired or rented and used in the discharge of his or her official duties. If such travel be by any public conveyance, he or she shall be allowed the actual cost of transportation. Where a motor vehicle is supplied by the county and the cost of operation and upkeep thereof is paid by the county, no allowance for mileage shall be paid to or received by any officer, deputy, clerk, attaché or employee but only the actual cost of maintenance while traveling.

SECTION 30. REPEAL.

All ordinances now in force in the County of Mariposa insofar as the same are in conflict herewith are hereby repealed.

SECTION 31. CONSTITUTIONALITY.

If any section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors of the County of Mariposa hereby declare they would have passed this ordinance irrespective of the invalidity of any one or more sections, sub-sections, sentences, clauses or phrases thereof declared unconstitutional or ineffective.

SECTION 32. SHORT TITLE.

This ordinance shall be known as the "Salary Ordinance of 1943."

SECTION 33. WHEN EFFECTIVE.

This ordinance shall take effect and be in full force and effect from and after thirty days after its passage. The clerk of the Board of Supervisors is hereby authorized and directed to cause this ordinance to be published in the MARIPOSA GAZETTE, a newspaper of general circulation printed and published in the County of Mariposa, State of California, for at least one week prior to fifteen days after its passage.

The foregoing ordinance was duly and regularly passed and adopted by the Board of Supervisors of the County of Mariposa on the 1st day of March, 1943, by the following vote, to-wit:

AYES: 

G. B. McClain

E. D. Sumner

Ray Medley

NOES: 

ABSENT: None

ATTEST:

Clerk of the Board of Supervisors

Chairman, Board of Supervisors, Mariposa County, California.