ORDINANCE NO. 133

AN ORDINANCE PROHIBITING PERSONS UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS TO BE IN PUBLIC PLACES

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

Section 1. It shall be unlawful for any person under the influence of any intoxicating liquor or drug to be in or upon any public street, highway, alley, way, park, playground, or other public place in the unincorporated territory of the County of Mariposa, whether such person is or is not in an automobile, vehicle, or other conveyance.

Section 2. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be punished by a fine of not more than $30.00, or by imprisonment in the county jail for not more than 25 days, or by both such fine and imprisonment.

Section 3. This ordinance shall take effect and be in full force and effect from and after thirty (30) days after its passage, and before the expiration of fifteen (15) days after its passage shall be published once, with the names of the members voting for and against the same, in the Mariposa Gazette, a newspaper published in the County of Mariposa.

The foregoing ordinance was passed and adopted by the Board of Supervisors of the County of Mariposa at a regular session of such board on the 3rd day of January 1946, by the following vote:
Ayes: Supervisors

Eugene McGough
Calvin Lunce
Herb McCray
Ray McSweeny

Noes: Supervisors

None

Absent: Supervisors

None

Chairman of the Board of Supervisors

ATTEST:

County Clerk and ex-officio Clerk of the Board of Supervisors of Mariposa County
STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  

I, ____________ J. C. Grosjean ____________, County Clerk of the County of Mariposa, State of California, and ex-officio Clerk of the Board of Supervisors thereof, do hereby certify that at a regular meeting of the Board of Supervisors of Mariposa County, held on the ______ day of ___June_____, 1946, at which meeting there were present Supervisors Eugene McGregor, C. I. Mentzer, Fred E. McCay, S. A. Milton and Ray M. Sullivan, and the clerk, the foregoing ordinance consisting of three (3) sections, was considered section by section and that the said ordinance was then passed and adopted as a whole by the following vote, to wit:

Ayes: Eugene McGregor, C. I. Mentzer
      Fred E. McCay, S. A. Milton and
      Ray M. Sullivan

Nees: _______ none _________

Absent: _______ none _________

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Board of Supervisors of Mariposa County this _______ 5th _______ day of ___June_____, 1946.

[Signature]

County Clerk and ex-officio Clerk of the Board of Supervisors of Mariposa County

Date of first publication:

____June 6, _______ , 1946
Mr. J. C. Grosjean  
County Clerk  
Mariposa County  
Mariposa, California

Dear Mr. Grosjean:

As requested by your Board of Supervisors, I have prepared and am enclosing herewith an ordinance prohibiting persons under the influence of intoxicating liquors or drugs to be in public places, prepared in accordance with section 4057 of the Political Code.

At the time of its adoption, the date thereof should be inserted in the spaces provided and the respective officers present will sign their names opposite the "ayes" and "noes" as the case may be, and the clerk will insert the name of the absent supervisor or supervisors, if any.

You, as clerk, will also see that the ordinance is published in full once in the Mariposa Gazette in the earliest issue following its passage and not later than 15 days after its passage. Also, the ordinance must be entered at length in the Ordinance Book of the County. Also, you should obtain from the newspaper an affidavit showing the same has been published, and the date thereof, and which should be attached to and filed with the original ordinance in the office of the Clerk as future evidence that the ordinance was published.

Also, at the first regular meeting of the Board, after the ordinance has been published, there should be entered in the minutes of the Board an order of the Board that such ordinance has been duly published at least once between the day of its passage and the 15th day thereafter.

It will be observed I have left the penalty blank but the penalty can be anywhere from $1.00 to $500.00 and from one day to six months, as the Board may decide.
Mr. J. C. Grosjean  

I hope to be with your board when this ordinance is adopted but if, for some reason, I can not be present I am sure you will have no legal trouble, providing you follow these instructions carefully.

With best personal wishes, I am

Very truly yours

[Signature]

JESS HESSION
Assistant Attorney General

JH:k
Enclosure