

**MARIPOSA COUNTY INTERIM (URGENCY) ORDINANCE NO. 938**

**INTERIM URGENCY ORDINANCE RESTRICTING ISSUANCE OF SOLID WASTE DISPOSAL PERMITS WITHIN THE COUNTY OF MARIPOSA**

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

**SECTION I: FINDINGS AND DECLARATIONS**

Chapter 8.36 of the Mariposa County Code entitled "Solid Waste Disposal" allows an individual or entity to obtain a permit to provide solid waste disposal services in Mariposa County upon complying with all of the terms and conditions of Chapter 8.36. At the present time the Mariposa County Board of Supervisors is in the process of studying the long-term operation of the Mariposa County landfill and waste disposal in the County. This study is being conducted in order for Mariposa County to comply with all of the landfill regulations adopted by the State of California and imposed upon Mariposa County.

During the course of the studies undertaken by Mariposa County, it has become obvious that in order to comply with all of the rules and regulations of the State of California, in particular to comply by the year 2000 with the waste reduction statutes imposed upon the County, that it will become necessary for the County to institute some kind of flow control regulations to assure that waste from Mariposa County waste haulers will be disposed of at the Mariposa County landfill.

Having a proliferation of waste haulers in Mariposa County will impede and make it more difficult, if not impossible, for Mariposa County to institute a flow control program in the near future. It is therefore in the public's health and safety interest for the Board of Supervisors to adopt an Ordinance prohibiting issuance of any future permits for waste hauling in the County of Mariposa until such time as flow control and reduction in waste stream programs are designed.

**SECTION II: PURPOSE**

The purpose of this Interim Urgency Ordinance is to prohibit the issuance of any new permits allowing solid waste disposers to operate in Mariposa County until such time as Mariposa County has designed and approved a formal program for flow control and waste reduction in the County.

**SECTION III: PROHIBITION**

There is hereby passed and adopted a prohibition on the issuance of any new solid waste disposal permits or other permits which would in any way allow individuals or entities to collect solid waste in Mariposa County.

**SECTION IV: URGENCY EFFECTIVE DATE**

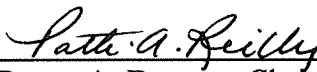
This Ordinance is an Interim Urgency Ordinance and is for the immediate preservation of the public peace, health, and safety of the inhabitants of Mariposa County. The facts constituting the urgency are as follows:

Mariposa County is mandated by the State of California by the year 2000 to reduce the solid waste flow into the Mariposa County landfill by 50%. As a part and parcel of the program to reduce the solid waste flow into the Mariposa County landfill, it will be necessary for Mariposa County to institute a flow control program wherein all of the solid waste hauled by permitted haulers in Mariposa County shall be disposed of in the Mariposa County landfill. It will be difficult if not impossible to institute an economically viable flow control program if there are a multitude of waste haulers in Mariposa County. The State of California has determined that in order to protect the public health and safety of the citizens of California each and every landfill shall have a reduction in waste disposed of in landfills by the year 2000. If this interim Urgency Ordinance is not adopted, Mariposa County will be unable to comply with State regulations adopted for the health, safety, and benefit of the citizens of California.

This Ordinance is adopted pursuant to the provisions of Government Code sec. 25123(d) and shall take effect on November 10, 1998

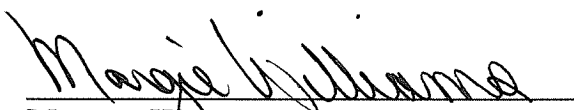
**PASSED AND ADOPTED** by the Board of Supervisors of the County of Mariposa this 10th day of November 1998

**AYES:** Balmain, Stewart, Parker, Pickard  
**NOES:** Reilly  
**ABSTAINED:** None  
**ABSENT:** None

  
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**PATTI A. REILLY**, Chair  
Board of Supervisors

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:**

**ATTEST:**

  
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**MARGIE WILLIAMS**  
Clerk of the Board

  
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**JEFFREY G. GREEN**  
County Counsel