

**MARIPOSA COUNTY (URGENCY) ORDINANCE NO. 933**

**AN INTERIM URGENCY ORDINANCE RESTRICTING WATER AND/OR SEWER HOOK-UPS  
AND THE ISSUANCE OF BUILDING AND OTHER PERMITS FOR ANY PROPERTY  
WITHIN THE YOSEMITE WEST MAINTENANCE DISTRICT**

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 DECLARATION**

On or about May 15, 1998, the leachfield which services the sewer system for the Yosemite West Maintenance District (District) suffered a total failure, causing treated and untreated sewage to flow from the leachfield to open ground. In the opinion of the County Health Officer and the Director of Public Works, the failure has resulted from an extremely wet winter and spring causing water infiltration into the sewer system, together with the possibility of reaching the normal capacity of the sewer system.

Emergency measures are being taken to help reduce the discharge, however, because of the topography of the location of the leachfield and the extremely saturated ground, it is currently impossible to get equipment to the location.

It is the intent of the Board of Supervisors of the County of Mariposa, upon the recommendation of the District Board of Directors, the appropriate permitting authority, and the Public Works Director to take urgency action to prohibit additional hook-ups and to prohibit the issuance of permits which could in any way add to the flow into the District sewer system, until such time as the appropriate permitting authority determines that the system can accommodate increased flow and the Board of Supervisors takes formal action allowing hook-ups or issuance of permits.

**SECTION II: PURPOSE**

The purpose of this interim Urgency Ordinance is to prohibit water and/or sewer hook-ups and prohibiting the issuance of permits for property within the District which could in any way add to the flow into the District sewer systems.

**SECTION III: RESTRICTIONS**

There is hereby passed and adopted restrictions on the issuance of building permits, hook-ups, occupancy permits, transient occupancy certificates, or other permits which would in any way add flow into the District sewer system. During the effective

period of this Ordinance and continuing until formal action is taken by the Mariposa County Board of Supervisors, the following shall be implemented:

- A. There shall be no hook-ups to the District water and/or sewer.
- B. There shall be no bed and breakfast or transient occupancy permits issued, either for new construction or conversions from single family dwelling to rental.
- C. There shall be no permits issued which could result in any flow into the District sewer system.
- D. Applications shall not be accepted for processing which would require a sewer and/or water hook-up to the District sewer system or could cause any flow into the District sewer system.
- E. Applications that have been submitted but permits not issued, as of the effective date of this Ordinance, shall not be processed.
- F. Holders of permits which have been issued but not finalized as of the effective date of this Ordinance, may continue to process the permit, but shall not be allowed to hook into the District sewer system, or be provided water service other than for construction purposes.
- G. The Board of Supervisors shall have authority to relax any of the restrictions in "A" through "F" above by Resolution, if based upon recommendations from staff with concurrence by the Mariposa County Health Department and State Regional Water Control Board, of repairs or diminished flows that would safely permit the specific action.

**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. The facts constituting the urgency are as follows:

On or about May 15, 1998, the leachfield which services the sewer system for the District suffered a total failure, causing treated and untreated sewage to flow from the leachfield to open ground. In the opinion of the County Health Officer and the Director of Public Works, the failure has resulted from an extremely wet winter and spring causing water infiltration into the sewer system, together with the possibility of reaching the normal capacity of the sewer system.

Emergency measures are being taken to help reduce the discharge, however, because of the topography of the location of the leachfield and the extremely saturated

ground, it is currently impossible to get equipment to the location and, therefore, it is necessary that no additional demands be placed upon the existing sewer system.

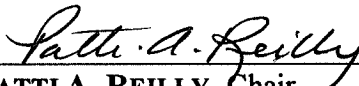
This Ordinance is adopted pursuant to the provisions of Government Code § 25123(d) and shall take effect on May 26, 1998 at 11:30 a.m.

**SECTION V: PENALTY**

Violation of any provision of this Ordinance shall constitute a misdemeanor and shall be punishable under Chapter 1.20, the General Penalty provisions, of the Mariposa County Code.

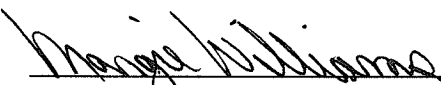
**PASSED AND ADOPTED** by the Board of Supervisors of the County of Mariposa this 26th day of May 1998 by the following vote:

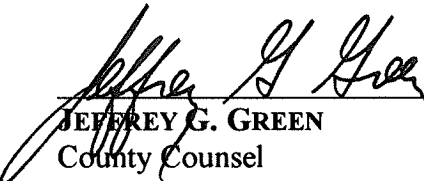
<b>AYES:</b>	Reilly, Balmain, Stewart, Pickard <del>Pickard</del>
<b>NOES:</b>	Parker
<b>ABSTAINED:</b>	None
<b>ABSENT:</b>	None

  
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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