

8-20-91 Adopt Intro

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

DATE: August 13, 1991
AGENDA ITEM NO. RA-1

DEPT.: COUNTY COUNSEL

BY: JEFFREY G. GREEN

PHONE: 966-3625

RECOMMENDED ACTION AND JUSTIFICATION:

Waive first/second reading and introduce/adopt ordinance rescinding in its entirety Chapter 8.04 entitled "Restaurants" of the Mariposa County Code. In 1987 the Health and Safety Code of California was modified to establish the California Uniform Retail Food Facilities Law. This State law pre-empts all County Codes relative to retail food facilities, therefore, it is recommended that Chapter 8.04 be abolished.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Health Department presently enforces this uniform State law in their inspections of retail food facilities. The Board usually follows Counsel's recommendation in issues of this nature.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A

COST: () Not Applicable
A. Budgeted current FY \$ _____
B. Total anticipated costs \$ _____
C. Required add'l funding \$ _____
D. Source: _____

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:
Ordinance

SOURCE: () 4/5ths Vote Required
A. Internal transfers \$ _____
B. Unanticipated revenues \$ _____
C. Reserve for contingency \$ _____
D. Description: _____
Balance in Reserve for Contingencies, if approved: \$ _____

CLERK'S USE ONLY:

Resolution No. _____
Ordinance No. 807
Vote: Ayes: 5 Noes: _____
Absent: _____ Abstained: _____
mw Approved () Denied
() Minute Order Attached

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:
 Recommended
 Not Recommended
 For Policy Determination
 Submitted with Comment
 Returned for Further Action

The foregoing instrument is a correct copy of the original on file in this office.

DATE: _____
ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of Calif.
By: _____
Deputy

Comment: _____

A.O. Initials: mw / by mw

MARIPOSA COUNTY ORDINANCE NO. 807

AN ORDINANCE RESCINDING IN ITS ENTIRETY
CHAPTER 8.04 ENTITLED "RESTAURANTS"
OF THE MARIPOSA COUNTY CODE

WHEREAS, in 1987 the Health and Safety Code of California was modified to establish the *California Uniform Retail Food Facilities Law*, and

WHEREAS, the standards set forth in the *California Uniform Retail Food Facilities Law* and the regulations adopted pursuant to its provisions are exclusive of all local health and sanitation standards relating to these facilities, and

WHEREAS, the *California Uniform Retail Food Facilities Law* pre-empts all County codes relative to retail food facilities, and

WHEREAS, the Department of Health in the County of Mariposa presently enforces this uniform law in the course of inspecting food facilities;

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

SECTION I: Chapter 8.04 entitled "Restaurants" is rescinded in its entirety.

SECTION II: This rescission shall become effective thirty (30) days from date of final adoption pursuant to California Government Code Section 25123.

Passed and adopted by the Mariposa County Board of Supervisors this 20th day of August, 1991, by the following vote:


AYES: Baggett, Punte, Erickson, Radanovich, Taber
NOES: None
ABSENT: None
ABSTAINED: None



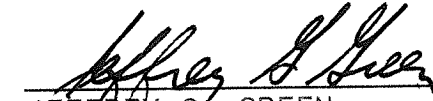
GEORGE P. RADANOVICH, Chairman
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



MARGIE WILLIAMS
Clerk of the Board



JEFFREY G. GREEN
County Counsel