

MARIPOSA COUNTY ORDINANCE NO. 747

AN ORDINANCE AMENDING CHAPTER 12.16 OF THE MARIPOSA COUNTY CODE  
RELATIVE TO INITIATING LAW ENFORCEMENT SERVICES  
BY AND BETWEEN COUNTY AND MERCED IRRIGATION DISTRICT

WHEREAS, the Mariposa County Sheriff's Office has been in contact with Merced Irrigation District (MID) over a period of approximately one (1) year relative to providing law enforcement services within the boundaries of MID which are located within Mariposa County, and

WHEREAS, the Sheriff's Office and MID have reached some basic understanding of the type of law enforcement services which MID can provide at Lake McClure and Lake McSwain and the terms and conditions upon which they can provide that service;

NOW THEREFORE, THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, a political subdivision of the State of California, does ordain as follows:

SECTION I: Subsection A of Section 12.16.010 shall be amended by adding "Lake" to paragraph 5, and adding paragraphs 8 and 9 to read in their entirety as follows:

12.16.010 Definitions.

A. As used in this chapter unless otherwise apparent from the context:

"5. 'Lake', 'Lake McClure Recreation Area' and 'Lake McSwain Recreation Area' mean all that property as delineated on those certain maps designated as 'Exhibit K,' Federal Power Commission License No. 2179 and filed in the offices of the Merced Irrigation District, together with the water surfaces of Lake McClure and Lake McSwain."

"8. 'Pet' means any domestic animal, especially a mammal, such as dogs, cats, horses, etc.

9. 'Dredge' means any underwater mining machine with scooping devices."

SECTION II: Subsection A of Section 12.16.020 shall be amended to read in its entirety as follows:

"12.16.020 Permit--Required.

A. No person shall enter the Lake McClure Recreation Area, operate any boat or vehicle therein, or camp or picnic therein, participate in any airborne activity, without first having obtained from the

district a permit to do so and paying therefore any fee established from time to time by the board of directors of the district."

SECTION III: Section 12.16.035 shall be amended by adding Subsection I, to read in its entirety as follows:

12.16.035 Airborne activity regulations.

Except as set forth herein, no person shall operate a parakite, parasail, hangglider, ultralite or other aircraft within the Lake McClure Recreation Area or the Lake McSwain Recreation Area:

.....  
"I. Fees must be paid to the District by persons participating in airborne activities."

SECTION IV: Section 12.16.040 shall be amended by adding Subsection E, to read in its entirety as follows:

12.16.040 Vehicle use regulations.

No person shall within the Lake McClure Recreation Area or the Lake McSwain Recreation Area:

.....  
"E. Operate skateboards, skates, or similar device of this type."

SECTION V: Subsection G and I of Section 12.16.060 shall be amended, and Subsection L shall be added to Section 12.16.060 to read in their entireties as follows:

12.16.060 Prohibited acts.

No person shall, without permission of the district, within the Lake McClure Recreation Area or Lake McSwain Recreation Area:

.....  
"G. Permit or allow any domestic animal to be within the Lake McClure Recreation Area or the Lake McSwain Recreation Area unless same are at all times under the actual and physical control of the owner or person having custody; animals are not allowed on beaches or in swimming areas. All dogs must be on a leash no longer than 10 feet in length."

.....  
"I. No swimming will be allowed at swimming lagoons between dusk and sunrise."

.....  
"L. Operate a dredge for mining purposes without a valid permit issued by the Department of Fish and Game."

SECTION VI: Section 12.16.070 is hereby rescinded and replaced by Section 12.16.015 which shall read in its entirety as follows:

"12.16.015 Police protection and enforcement of regulations.

A. The County of Mariposa shall provide, through the sheriff's department, police protection and service to enforce state and federal laws and county rules and regulations as the same come within the knowledge and notice of the members of the sheriff's department.

1. The Mariposa County sheriff's department shall have the authority to close the Lake to all usage at their discretion during hazardous and unusual weather conditions. (Ord.502 & 2 (Part), 1979).

B. The district shall have the authority to designate park rangers who shall have limited authority to issue citations for violations of the provisions of this chapter.

1. All such rangers shall have law enforcement training which shall, at a minimum, meet the level II reserve requirements as described in the training standards of the California commission on peace officers standards and training.

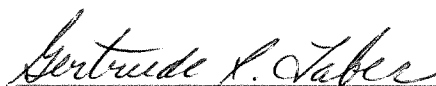
C. The Mariposa County sheriff's department and the district shall enter into a written memorandum of understanding which shall establish procedures for the issuance of citations by district park rangers and other matters related to the functions and responsibilities of the district and rangers appointed pursuant to this chapter.

1. Said memorandum of understanding shall be reviewed and updated each three years or as needed."

SECTION VII: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 20th day of June, 1989 by the following vote:

AYES: BAGGETT, PUNTE, ERICKSON, RADANOVICH, TABER  
NOES: NONE  
ABSENT: NONE  
ABSTAINED: NONE



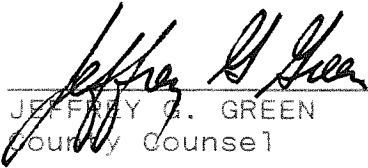
GERTRUDE R. TABER, Chairman  
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS  
Clerk of the Board

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



JEFFREY S. GREEN  
County Counsel