

AN ORDINANCE ADDING CHAPTER 13.24 ENTITLED
"WATER AND SEWER REGULATIONS FOR PORTIONS OF
BEAR VALLEY, MT. BULLION AND HORNITOS"
TO TITLE 13 ENTITLED "WATER AND SEWER"

WHEREAS, because of repeated documentation of contaminated water from various wells within the communities of Bear Valley, Mt. Bullion, and Hornitos previously under moratorium with Ordinance No. 693, and

WHEREAS, because of a proximity between some onsite sewage disposal systems and water wells that does not meet currently accepted distances for the preservation of the public health, the following standards will apply in these communities;

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

SECTION I: Chapter 13.24 entitled "Water and Sewer Regulations for Portions of Bear Valley, Mt. Bullion and Hornitos" is added to Title 13 entitled "Water and Sewer" to read in its entirety as follows:

"Chapter 13.24

WATER AND SEWER REGULATIONS FOR PORTIONS OF
BEAR VALLEY, MT. BULLION AND HORNITOS

Sections:

- 13.24.010 Purpose--Authority--Effective date--
Description of affected areas.
- 13.24.020 Annular seals.
- 13.24.030 Set back requirements.
- 13.24.040 Variances.
- 13.24.050 Compliance.

13.24.010 Purpose--Authority--Effective date.

The purpose of this chapter is to provide standards of construction and/or reconstruction of water wells and on-site sewage disposal systems in those portions of the communities of:

- 1) Bear Valley, described below;

'All of that portion of the Town of Bear Valley, situated in projected Section 21, T.4 S., R.17 E., M.D.B.& M., Rancho Las Mariposas, Mariposa County, California, as described as follows.

Beginning at corner No. 2 of the Jordan Tract, also being corner No. 2 of the A. V. Udell Bear Valley Townsite Tract; thence North $29^{\circ} 50' 30''$ West, 1,490.98 feet to corner No. 3 of said Bear Valley Townsite Tract; thence North $84^{\circ} 34' 30''$ West, 976.80 feet to corner No. 4 of said Bear Valley Townsite Tract; thence South $84^{\circ} 08' 00''$ West, 219.38 feet to corner No. 5 of said Bear Valley Townsite Tract; thence along the westerly line of the J. Munoz Tract, North $24^{\circ} 49' 33''$ West, 162.70 feet to the southerly line of Bear Valley-Hornitos Road; thence along said southerly line, North $72^{\circ} 58' 27''$ East, 240.43 feet; thence through a tangent curve, concave to the south, with a radius of 1,770.00 feet, through a central angle of $7^{\circ} 51' 00''$ an arc distance of 242.50 feet; thence North $80^{\circ} 49' 27''$ East, 111.86 feet; thence through a tangent curve, concave to the north, with a radius of 3,830.00 feet, through a central angle of $1^{\circ} 42' 16''$, an arc distance of 113.94 feet, to the projection of line 8-9 of said Bear Valley Townsite Tract; thence leaving said south line of Bear Valley-Hornitos Road, North $8^{\circ} 40' 00''$ East, 59.43 feet to corner No. 8 of said Bear Valley Townsite Tract; thence North $8^{\circ} 40' 00''$ east, 330.68 feet to corner No. 9 of said Bear Valley Townsite Tract; thence North $28^{\circ} 30' 30''$ East, 379.23 feet to corner No. 10 of said Bear Valley Townsite Tract; thence South $78^{\circ} 03' 00''$ East, 145.82 feet to corner No. 11 of said Bear Valley Townsite Tract; thence South $83^{\circ} 14' 00''$ East, 118.42 feet to corner No. 12 of said Bear Valley Townsite Tract; thence North $24^{\circ} 50' 30''$ East, 699.01 feet to corner No. 13 of said Bear Valley Townsite Tract; thence South $10^{\circ} 11' 30''$ East, 747.68 feet to corner No. 14 of said Bear Valley Townsite Tract; thence South $10^{\circ} 25' 05''$ East, 145.81 feet to the northerly line of Nebraska Street, also known as Maine Street; thence along said northerly line, North $60^{\circ} 05' 18''$ East, 43.62 feet; thence along the easterly line of Lots 764, 763 and 762, South $29^{\circ} 54' 42''$ East, 311.66 feet; thence along the southerly line of Lot 762, South $60^{\circ} 05' 18''$ West, 210.00 feet to the easterly line of Lot 784; thence along the easterly line of Lots 784, 785, 786, 788, 789, 790 and 791, South $29^{\circ} 54' 42''$ east, 592.62 feet; thence along the southerly line of Lot 791, South $60^{\circ} 05' 18''$ West, 120.00 feet; thence along the easterly line of Lots 840 and 839, South $29^{\circ} 54' 42''$ East, 120.00 feet; thence along the north line of Lot 794, North $60^{\circ} 05' 18''$ East, 120.00 feet; thence along the easterly line of said Lot 794, South $29^{\circ} 54' 42''$ East, 60.00 feet; thence along the southerly line of said Lot 794, South $60^{\circ} 05' 18''$ West, 120.00 feet; thence South $29^{\circ} 54' 42''$ East, 246.99 feet; thence South $56^{\circ} 24' 54''$ West, 127.14 feet to corner No. 27 of the above said Bear Valley Townsite Tract; thence South $30^{\circ} 03' 50''$ East, 662.69 feet to corner No. 1 of said Bear Valley Townsite Tract; thence South $59^{\circ} 56' 10''$ West, 325.50 feet to corner No. 2 being the Point of Beginning for this description.'

2) Mt. Bullion , described below;

'All of that portion of the unincorporated town of Mount Bullion, situated in projected Sections 7, 12, 13 and 18, T.5 S., R.18 E., M.D.B. & M., Rancho Las Mariposas, Mariposa County, California, as described as follows:

Commencing at the Quarter Section Corner between projected Sections 7 and 18; thence South $11^{\circ} 00' 00''$ East, 557.53 feet to Corner No. 8 of the F. T. Maguire Tract being the Point of Beginning for this description; thence along the easterly line of said F. T. Maguire Tract, South $29^{\circ} 53' 00''$ West, 542.12 feet; thence along the easterly line of the Fredrickson Tract, South $29^{\circ} 53' 00''$ West, 212.20 feet; thence along the southerly line of said Fredrickson Tract, North $82^{\circ} 02' 00''$ West, 204.13 feet to Corner No. 3 of the Banta Additional Tract; thence along the southerly line of said Banta Additional Tract, North $84^{\circ} 22' 00''$ West, 176.27 feet; thence North $17^{\circ} 47' 00''$ West, 188.86 feet to Corner No. 3 of the Trulock Lot; thence along the southerly lines of the Trulock Lots, North $60^{\circ} 07' 00''$ West, 200.00 feet; thence along the westerly line of the Trulock Lot, North $29^{\circ} 53' 00''$ East, 16.75 feet to Corner No. 4 of the Fournier Tract; thence along the southerly line of said Fournier Tract, North $60^{\circ} 07' 00''$ West, 104.00 feet to Corner No. 3 of said Fournier Tract; thence along the easterly line of the Francis M. Savage Tract, South $38^{\circ} 01' 00''$ West, 161.87 feet; thence leaving said easterly line, South $30^{\circ} 54' 47''$ West, 29.64 feet to Corner No. 1 of the Pearl E. Crandel Tract; thence along the easterly line of said Pearl E. Crandel Tract, South $30^{\circ} 59' 00''$ West, 154.00 feet to Corner No. 4; thence along the southerly line of said Pearl E. Crandel Tract, North $59^{\circ} 01' 00''$ West, 282.60 feet to Corner No. 3; thence South $49^{\circ} 34' 00''$ West, 50.48 feet to the northeast corner of Parcel 2 as shown on Record of Survey for Thomas C. Rowland additional Tract No. 2, recorded as Map No. 1443, Mariposa County Records; thence along the easterly line of Parcels 2 and 4, South $11^{\circ} 32' 00''$ East, 349.55 feet; thence along the southerly line of Parcels 4 and 3, North $70^{\circ} 19' 00''$ West, 464.71 feet to the southwest corner of said Parcel 3; thence North $82^{\circ} 24' 11''$ West, 418.75 feet to Corner No. 6 of the Oliver Cruickshank Tract; thence along the southerly line of said Oliver Cruickshank Tract, South $75^{\circ} 59' 00''$ West, 213.71 feet to Corner No. 5; thence along the southerly lines of the Oliver Cruickshank and Harold Cruickshank Tracts, South $68^{\circ} 32' 00''$ West, 367.44 feet to Corner No. 3 of said Harold Cruickshank Tract; thence along the Westerly line of said Harold Cruickshank Tract, North $24^{\circ} 08' 00''$ West, 355.30 feet to Corner No. 4; thence North $70^{\circ} 21' 00''$ East, 200.90 feet to a point on the northerly line of the said Harold Cruickshank

Tract; thence leaving said northerly line, North 24° 41' 00" West, 28.75 feet to Corner No. 3 of the Lawler Tract; thence along the westerly line of said Lawler Tract, North 24° 41' 00" West, 150.00 feet to Corner No. 4; thence along the northerly line of said Lawler Tract, North 70° 21' 00" East, 135.44 feet to the most southerly point of the Kirker Tract; thence along the westerly line of said Kirker Tract, North 48° 27' 00" West, 106.20 feet to the most southerly point of Parcel No. 2, as shown on that Parcel Map for James Kirker recorded May 23, 1978 in Book 14 of parcel maps at Page 22, Mariposa County Records; thence North 48° 27' 00" West, 591.43 feet to the most westerly point of said Parcel No. 2; thence North 41° 33' 00" East, 600.00 feet to the most northerly point of said Parcel No. 2; thence South 48° 27' 00" East, 140 feet more or less to the westerly line of projected Section 7; thence along said westerly line of Section 7, North 0° 50' 43" West, 1,439.18 feet to the southerly line of Parcel B as shown on that Parcel Map for Kenneth Love, recorded June 12, 1974 in Book 8 of parcel maps at Page 6, Mariposa County Records; thence along the southerly line of Parcels A and B of said Parcel Map for Kenneth Love, North 83° 05' 44" West, 520.41 feet more or less to the southwest corner of said Parcel A; thence along the westerly line of said Parcel A, North 6° 55' 46" East, 200.31 feet to Corner No. 8 of the Stanley Fiske Tract; thence North 83° 35' 00" West, 235.01 feet to Corner No. 7; thence South 86° 47' 00" West, 243.22 feet to Corner No. 6; thence South 71° 47' 00" West, 80.25 feet to Corner No. 5; thence North 18° 13' 00" West, 150.00 feet to Corner No. 4 of said Stanley Fiske Tract; thence North 43° 22' 24" East, 118.22 feet to the southwest corner of Parcel 1 as shown on that Parcel Map for John Borowski recorded August 23, 1966 in Book 1 of parcel maps at Page 21, Mariposa County Records; thence along the westerly line of said Parcel 1, North 6° 56' 00" East, 303.20 feet to the northwest corner of said Parcel 1; thence along the northerly line of Parcels 1 and 2, North 86° 43' 50" East, 288.21 feet to the northeast corner of said Parcel 2; thence along the westerly line of the John Borowski Tract, North 6° 25' 00" East, 70.32 feet to Corner No. 3 of said John Borowski Tract; thence North 2° 27' 00" East, 603.73 feet to the southerly line of State Highway 49; thence along said southerly line, South 80° 40' 58" East, 144.46 feet; thence South 71° 12' 23" East, 316.71 feet; thence South 52° 49' 48" East, 381.57 feet; thence South 33° 39' 24" East, 351.91 feet; thence South 22° 10' 46" East, 331.17 feet; thence South 29° 13' 04" East, 400.78 feet; thence South 25° 38' 30" East, 999.53 feet; thence through a tangent curve to the left, concave to the northeast, with a radius of 1,150.00 feet, through a central angle of 38° 08' 00", an arc distance of 765.38 feet; thence South 63° 46' 30" East, 850.39 feet; thence along a tangent curve to the left, concave to the northeast, with a radius of 600.00 feet, through a central angle of 28° 57' 30", an arc distance of 303.25 feet; thence South 2° 44'

00" East, 68.69 feet to a point on the northerly line of the F. T. Trabucco Tract B; thence leaving said southerly line of State Highway 49 and along the line of the F. T. Trabucco Tract B, South 61° 03' 00" East, 278.50 feet to corner TB6; thence South 31° 34' 00" East, 614.00 feet to corner TB5; thence South 58° 26' 00" West, 150.00 feet to corner TB4; thence North 31° 34' 00" West, 479.47 feet to Corner No. 8 of the Maguire Tract being the Point of Beginning of this description.'

3) Hornitos, described below;

'All of that portion of the Town of Hornitos, situated in Sections 8 and 17, T.5 S., R.16 E., M.D.B. & M., Mariposa, California, as described as follows.

Commencing at the corner to Sections 8, 9, 16 and 17; thence along the easterly line of Section 17, South 0° 49' 41" West, 163.63 feet to a point on the northerly line of Wilson Avenue, said point being the Point of Beginning of this description; thence along said northerly line of Wilson Avenue, South 79° 32' 11" West, 954.34 feet; thence South 35° 59' 34" West, 127.05 feet to the northerly line of Lot 160; thence leaving said northerly line of Wilson Avenue and along the northerly line of Lots 160 and 161, South 70° 12' 11" West, 261.61 feet to the southeast corner of Lot 95; thence along the easterly line of said Lot 95, North 19° 47' 49" West, 250.00 feet; thence along the northerly line of said Lot 95, South 70° 12' 11" West, 550.00 feet; thence along the westerly line of said Lot 95, South 19° 47' 49" East, 250.00 feet; thence along the north line of Lot 137, South 70° 12' 11" West, 136.15 feet to the westerly line of said Lot 137; thence along said westerly line, South 2° 35' 11" East, 173.15 feet to the northerly line of Lot 96; thence along said northerly line, South 62° 53' 36" West, 78.77 feet to the southeast corner of Lot 15; thence along the easterly line of Lots 15, 16 and 17, North 16° 59' 24" West, 149.82 feet to the northeast corner of Lot 17; thence crossing Cathrine Street, North 7° 55' 25" West, 57.78 feet to the southeast corner of Lot 19; thence along the easterly line of Lots 19 and 20, North 17° 02' 39" West, 152.46 feet to the southerly line of Lot 22; thence along said southerly line, North 69° 17' 35" East, 55.44 feet; thence along the easterly line of said Lot 22, North 28° 37' 24" West, 184.14 feet to the southwest corner of Lot 28; thence along the southerly line of Lots 28 and 29, North 59° 14' 36" East, 138.60 feet; thence along the south line of Lot 29 1/2, North 67° 34' 36" East, 56.70 feet; thence along the

easterly line of said Lot 29 1/2, North 20° 40' 30" West, 95.08 feet; thence across Water Street, North 20° 40' 30" West, 33.28 feet to the northerly line of Water Street; thence along said northerly line, South 69° 11' 13" West, 292.01 feet; thence leaving said northerly line, North 1° 51' 49" West, 75.00 feet; thence South 78° 11' 29" West, 110.00 feet to the northeast corner of Lot 32; thence along the northerly line of Lot 32, South 69° 00' 13" West, 161.77 feet to the Westerly corner to Lots 32 and 33; thence along the westerly line of Lot 33, North 21° 52' 47" West, 121.44 feet; thence along the westerly line of Lot 91, North 18° 42' 47" West, 100.00 feet; thence leaving said westerly line, North 72° 24' 11" East, 100.00 feet; thence North 17° 35' 49" West, 50.00 feet; thence South 72° 24' 11" West, 100.00 feet to said westerly line of Lot 91; thence along said westerly line, North 16° 14' 47" West, 259.85 feet to the westerly corner to Lots 90 and 91; thence along the southerly line of Lots 90 and 90 1/8, North 66° 50' 45" East, 384.75 feet; thence along the easterly line of Lot 90 1/8, North 10° 44' 15" West, 302.27 feet to the southerly line of Bauer Street; thence North 10° 06' 00" West, 39.91 feet to the northerly line of Bauer Street; thence along the easterly line of Lot 90 3/4, North 10° 06' 00" East, 15.00 feet; thence North 24° 42' 49" West, 40.70 feet; thence North 10° 45' 49" West, 219.71 feet; thence North 12° 56' 49" West, 424.21 feet to the north corner of said Lot 90 3/4, being on the north line of the Hornitos town site; thence North 83° 47' 47" East, 51.58 feet to the southwest corner of the California Division of Forestry tract; thence along the south line of said forestry tract, South 89° 00' 00" East, 249.80 feet to the southwest corner of that tract of land shown on Record of Survey Map for Richard Morrissey recorded as map no. 1380, Mariposa County Records; thence along the southerly line of said tract, North 88° 45' 00" East, 663.49 feet; thence along the easterly line of said tract, North 4° 32' 00" East, 348.91 feet; thence along the northerly line of said tract, South 88° 45' 00" West, 663.49 feet to the northeast corner of above said forestry tract; thence along the northerly line of said forestry tract, North 88° 45' 00" West, 250.00 feet to the northwest corner of said forestry tract; thence South 21° 47' 53" West, 383.41 feet to the north line of the Hornitos town site; thence along said north line, South 88° 38' 21" West, 1,118.29 feet to the easterly line of Block 13; thence along said easterly line of Block 13, South 51° 26' 38" East, 243.19 feet; thence South 33° 04' 25" East, 712.53 feet; thence South 22° 53' 20" East, 205.89 feet; thence leaving said easterly line of Block 13, North 35° 53' 15" East, 97.02 feet to the northwest corner of Block 11; thence along the westerly line of Block 11, South 8° 31' 04" East, 428.40 feet; thence South 0° 27' 09" East, 202.65 feet; thence South 15° 17' 00" East, 538.97 feet; thence leaving said westerly line of Block 11, South 41° 01' 28" West, 37.74

feet to the northeast corner of Block 12; thence along the northerly line of Block 12, South 76° 34' 08" West, 465.40 feet; thence South 71° 41' 44" West, 368.28 feet; thence along the westerly line of Block 12, South 53° 52' 38" East, 412.63 feet; thence South 1° 50' 00" West, 66.00 feet; thence South 47° 07' 00" East, 314.14 feet; thence South 25° 29' 00" East, 537.90 feet to the southwest corner of Block 12; thence South 25° 29' 00" East, 103.77 feet to a point on the northerly line of Lot 123; thence along said northerly line of Lot 123, South 62° 07' 00" West, 213.41 feet to the northwest corner of said Lot 123; thence along the westerly line of said Lot 123, South 29° 53' 06" East, 524.03 feet; thence along the southerly line of said Lot 123, North 75° 06' 54" East, 283.81 feet to the southeast corner of Lot 123; thence South 43° 02' 54" East, 207.07 feet to the southwest corner of Block 9; thence along the southerly line of Block 9, South 63° 41' 31" East, 273.02 feet to the southeast corner of Block 9; thence South 32° 08' 15" East, 45.99 feet to the southwest corner of Block 10; thence along the southerly line of Block 10, South 63° 53' 57" East, 315.37 feet; thence South 3° 21' 58" West, 114.97 feet; thence South 84° 19' 50" East, 511.85 feet; thence South 24° 29' 26" East, 243.28 feet; thence South 66° 30' 46" East, 434.20 feet; thence South 84° 29' 49" East, 358.80 feet to the southeast corner of said Block 10; thence along the easterly line of Block 10, North 23° 13' 32" East, 484.13 feet to the northeast corner of Block 10; thence along the northerly line of Block 10, North 65° 45' 28" West, 891.00 feet; thence North 50° 51' 31" West, 764.09 feet; thence leaving said northerly line of Block 10, North 31° 28' 40" West, 326.32 feet to the southeast corner of Block 5; thence along the easterly line of Block 5, North 29° 32' 31" West, 137.28 feet; thence North 34° 02' 31" West, 257.40 feet; thence North 39° 44' 31" West, 69.30 feet to the northeast corner of Block 5, thence North 49° 37' 41" East, 58.17 feet to a point on the westerly line of Block 4 being the southeast corner of Lot 3; thence along the easterly line of Lots 3 and 4, North 2° 33' 00" East, 108.90 feet; thence along the southerly line of Lot 5, North 82° 59' 53" East, 90.50 feet; thence along the westerly line of Lot 98, South 9° 57' 07" East, 48.84 feet; thence along the southerly line of Lot 98, North 58° 25' 22" East, 352.37 feet; thence along the southerly line of Lot 99, North 44° 18' 22" East, 221.06 feet; thence along the westerly line of Lot 100, South 41° 50' 38" East, 263.95 feet; thence along the southerly line of Lots 100 and 101, North 47° 51' 22" East, 55.43 feet; thence along the easterly line of Lot 101, North 32° 40' 38" West, 316.74 feet; thence North 61° 26' 22" East, 11.22 feet; thence North 5° 10' 22" East, 112.18 feet to the northeast corner of Lot 101; thence along the

northerly line of Block 4, South 87° 41' 04" East, 204.61 feet; thence South 25° 30' 58" East, 118.37 feet to the southerly line of Eldorado Street; thence along said southerly line, North 60° 03' 57" East, 361.20 feet; thence North 81° 14' 11" East, 786.51 feet to the east line of Section 17; thence along said east line, North 0° 49' 41" East, 597.23 feet to the Point of Beginning.'

These regulations are necessary because of repeated documentation of contaminated water from various wells within the above communities and because of a proximity between some on-site sewage disposal systems and water wells that does not meet currently accepted distances for the preservation of the public health. Notwithstanding anything to the contrary contained in Mariposa County ordinance, no wells shall be drilled in the above-described areas without a permit having been issued.

When this chapter becomes effective, Urgency Ordinance 693 shall be rescinded and repealed in its entirety and this chapter shall become the authority for enforcing the standards contained herein.

13.24.020 Annular seals.

All water wells drilled shall have annular seals to a depth of fifty (50) feet. These shall be applied in a manner consistent in the current County and State standards including Department of Water Resource Bulletin 74-81 et seq. All annular seals shall be inspected at the time the seal is installed.

13.24.030 Set back requirements.

All new and re-constructed wells and septic systems must meet current set-back criteria consistent with County Code.

13.24.040 Variances.

No variances to the set-backs between wells and onsite sewage disposal systems will be allowed. Variance for setbacks to property lines will, however, be considered.

13.24.050 Compliance.

All new onsite sewage disposal systems must meet current standards consistent with County Code."

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

PASSED AND ADOPTED this 15th day of January,

1991 by the Mariposa County Board of Supervisors by the following vote:


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



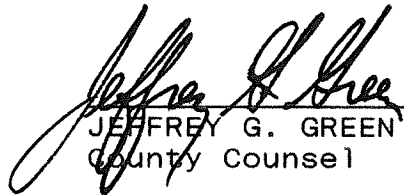
GEORGE P. RADANOVICH, Chairman
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



MARGIE WILLIAMS
Clerk of the Board



JEFFREY G. GREEN
County Counsel