

1 MARIPOSA COUNTY ORDINANCE No. 581

2 AMENDING CHAPTER 2.52 TO CHANGE
3 THE STRUCTURE AND MEMBERSHIP OF
4 THE MARIPOSA COUNTY PLANNING COMMISSION

5 THE BOARD OF SUPERVISORS of Mariposa County does hereby ordain
6 as follows:

7 SECTION I: Mariposa County Code Section 2.52.010 entitled
8 "Membership--Representation of supervisorial district" is amended
9 to read as follows:

10 "2.52.010 Membership--Representation of supervisorial
11 district. The planning commission shall consist of five (5)
12 members appointed by the board of supervisors. Each super-
13 visorial district shall be represented by one regular member
14 who shall reside within the district."

15 SECTION II: Mariposa County Code Section 2.52.030 entitled
16 "Terms" is amended to read as follows:

17 "2.52.030 Term, nomination and appointment. The term of
18 each member of the planning commission shall coincide with the
19 term of the supervisor of the district which the member repre-
20 sents at the time of appointment. Reelection of the supervi-
21 sor of that district shall not constitute reappointment of the
22 planning commission member. If for any reason a new supervi-
23 sor is appointed or elected for a district, the term of the
24 planning commission member of that district shall immediately
25 terminate on the date the new supervisor assumes office. The
26 supervisor of each district shall nominate one or more candi-
27 dates to represent that district for appointment by the board
28 of supervisors. Each member shall serve until his successor
is appointed."

1 SECTION III: Mariposa County Code Section 2.52.060 entitled
2 "Meetings--Place" is amended to read as follows:

3 "2.52.060 Meetings--Place. The regular meeting place of
4 the commission shall be at the Courthouse, Mariposa, Califor-
5 nia, or at such other location approved in advance by the
6 board of supervisors."

7 SECTION IV: Mariposa County Code Section 2.52.070 entitled
8 "Meetings--Date and time" is amended to read as follows:

9 "2.52.070 Meetings--Date and time. Regular meetings of
10 the planning commission during the year shall be held three
11 times during each month, the date and time to be set by plan-
12 ning commission resolution."

13 SECTION V: Mariposa County Code Section 2.52.140 entitled
14 "Quorum" is amended to read as follows:

15 "2.52.140 Quorum. Three members of the commission shall
16 constitute a quorum for the transaction of business."

17 SECTION VI: Mariposa County Code Section 2.52.180 entitled
18 "Applications--Scope of matters to be heard by commission and its
19 committees" is amended to delete subsection "C" and reletter sub-
20 sequent sections, and subsection "B" is amended to read as follows:

21 "B. The subdivision committee of the planning commission
22 shall be composed of three members appointed by the chairman,
23 two members of which shall be planning commissioners and one
24 member shall be a staff person designated by the chairman.

25 The committee shall hear and make recommendation on:

- 26 1. Each application for a parcel map;
27 2. Each "notice of determination" for an "initial
28 study" pursuant to the California Environmental Quality

1 Act and county policy adopted to implement said act;

2 3. Such matters as may be referred to it by the
3 full commission; it shall review, study, and prepare recom-
4 mendations to the full commission on such matters."

5 SECTION VII: This ordinance shall become effective thirty
6 (30) days from the date of final passage pursuant to Government
7 Code Section 25123.

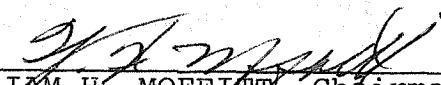
8 PASSED AND ADOPTED this 6th day of July, 1982, by
9 the Board of Supervisors of Mariposa County by the following vote:

10 AYES: Taber, Barrick, Erickson, Moffitt

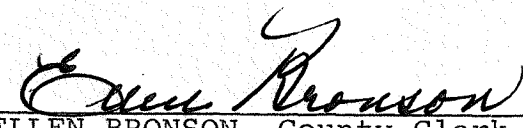
11 NOES: Dalton

12 ABSENT: None

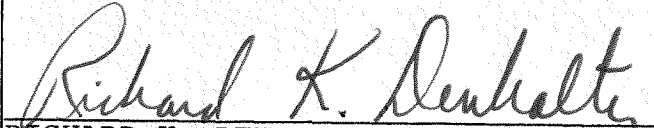
13 ABSTAINING: None

14 
15 WILLIAM H. MOFFITT, Chairman
16 Board of Supervisors

17 ATTEST:

18 
19 ELLEN BRONSON, County Clerk and
20 Ex Officio Clerk of the Board

21 APPROVED AS TO FORM AND
22 LEGAL SUFFICIENCY:

23 
24 RICHARD K. DENHALTER, County Counsel
25
26
27
28

Sections: (Continued)

- 2.52.480 Nonconforming uses--Extensions of or variance from.
- 2.52.490 Appeals--From decision of planning commission.
- 2.52.491 Appeals--Fees on appeal.
- 2.52.500 Appeals--Time and manner of conducting hearing to be set by board.
- 2.52.510 Appeals--Notice of hearing.
- 2.52.520 Appeals--Hearing and decision by board.
- 2.52.530 Judicial review.

2.52.010 Membership--Representation of supervisorial district. The planning commission shall consist of eight members appointed by the board of supervisors. The commission shall consist of seven regular members and one alternate. The alternate member shall have and enjoy all the rights, powers and duties of a regular member with the exception that the alternate member shall not have the right to vote on matters before the planning commission when all the regular members are present. However, the vote of the alternate shall be valid on all matters submitted to committees of the planning commission.

Each supervisorial district shall be represented by one regular member. The remaining members shall be appointed at large. (Ord. 390 §1, 1975: Ord. 387 §2, 1974).

2.52.020 Qualifications. Each member of the planning commission shall be a qualified elector of the county. (Ord. 387 §3, 1974).

2.52.030 Terms. The members of the commission first appointed shall serve for the following terms: one member shall be appointed for a term of one year, two members shall be appointed for a term of two years, two members shall be appointed for a term of three years, two members shall be appointed for a term of four years. The initial alternate member shall be appointed for a term of four years. Following the expiration of the initial appointments, the term of office of each member is four years. Each member serves until his successor is appointed or qualified. (Ord. 390 §2, 1975: Ord. 387 §4, 1974).

2.52.040 Removal from office or vacancy. A member of the commission may be removed by a majority vote of the board of supervisors. A vacancy is filled in the same manner as the original appointment. A person appointed to fill a vacancy serves for the remainder of the unexpired term. (Ord. 387 §5, 1974).

B. A member is not absent without cause if his absence is (1) due to illness or (2) unavoidable and the member either prior to or within forty-eight hours after the meeting gives the secretary of the commission written notice that he will be absent and giving the reason for the absence. (Ord. 387 §6, 1974).

2.52.060 Meetings--Place. The regular meeting place of the commission shall be at the board of supervisors meeting room, Court House, Mariposa, California. (Ord. 387 §7(a), 1974).

2.52.070 Meetings--Date and time. Regular meetings of the planning commission during the year shall be held four times during each month, the date and time to be set by planning commission resolution. (Ord. 444 §1, 1977; Ord. 415 §1, 1976; Ord. 400 Art. 1, 1975; Ord. 387 §7(b), 1974).

2.52.080 Meetings--Adjourned and special. Adjourned meetings and special meetings shall be held in accordance with the Ralph M. Brown Act, Government Code Sections 54950-54961. (Ord. 387 §7(c), 1974).

2.52.090 Meetings--Agenda. Each matter to be placed upon the agenda for acceptance for work by the commission at a regular meeting shall be filed with the secretary not later than five p.m. on the fifteenth calendar day immediately preceding the next regular meeting of the commission. However, with respect to a matter which the board of supervisors or other officers or departments of the county may wish to present for consideration by the commission, it is sufficient if notice of the matter is filed with the secretary within that time. On the day following the final filing date, the secretary shall make up the agenda and shall on the same day have a copy of it mailed to each member of the commission. The commission shall not consider any matter which does not appear on the agenda except as follows: a matter referred by the board of supervisors may be considered upon consent of a majority of the members present and any other matter may be considered upon the unanimous consent of the members present. (Ord. 411 §1, 1975; Ord. 387 §7(d), 1974).

2.52.100 Compensation. Members of the planning commission shall receive such compensation as shall be determined by resolution of the board of supervisors and such resolution shall also determine mileage reimbursement and the compensation of the secretary of the commission for attendance at commission meetings outside normal working hours. (Ord. 567 §1, 1981; Ord. 535 §§1, 2, 1980; Ord. 396, 1975; Ord. 387 §8, 1974).

2.52.110 Appointment of chairman, vice-chairman and secretary. The commission shall elect a chairman and vice-chairman from among its members. The chairman and vice-chairman serve for a term of one year and until the successor of each is appointed and qualified. The commission shall appoint a secretary who need not be a member of the commission. (Ord. 387 §9, 1974).

2.52.120 Adoption of rules. The commission shall adopt rules for the transaction of its business and shall keep a public record of its resolutions, transactions, findings and determinations. (Ord. 387 §10, 1974).

2.52.130 Duties and powers. In addition to the duties, rights and powers imposed by state law, the commission shall perform the duties, and has the rights, powers and privileges provided by ordinance or resolution of the board of supervisors. (Ord. 387 §11, 1974).

2.52.140 Quorum. Five members of the commission constitutes a quorum for the transaction of business. (Ord. 387 §12, 1974).

2.52.150 Duties of chairman. The chairman shall preside at all meetings of the commission. He shall appoint all committees and shall perform all the duties necessary or incidental to his office. (Ord. 387 §13(a), 1974).

2.52.160 Vice-chairman. The vice-chairman is chairman in the absence or inability of the chairman to act. (Ord. 387 §13(b), 1974).

2.52.170 Secretary. The secretary shall keep minutes of each meeting and shall record each hearing and official action. On all official actions upon which a vote is taken, the secretary shall take the vote by roll call vote in alphabetical order with the chairman voting last. The secretary shall examine incoming mail for proper referral and answer correspondence for the commission. The secretary