

ORDINANCE NO. 320

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AN INTERIM ORDINANCE OF THE COUNTY OF MARIPOSA, STATE OF CALIFORNIA, APPLYING CERTAIN ADDITIONAL REGULATIONS TO THE ERECTION, CONSTRUCTION AND ALTERATION OF CERTAIN BUILDINGS, STRUCTURES AND IMPROVEMENTS AND TO CERTAIN USES OF LAND PENDING THE ADOPTION BY THE BOARD OF SUPERVISORS OF PRECISE ZONING PLANS

The Board of Supervisors of the County of Mariposa do ordain as follows:

SECTION 1: The Board of Supervisors of the County of Mariposa, State of California, finds:

- (a) That zoning studies are being conducted by the Board of Supervisors and the Planning Commission relative to the use of land and the structures thereon for activities involving the assemblage in the unincorporated territory of the County of large numbers of people.
- (b) That the uses hereinafter prohibited may be in conflict with the contemplated zoning proposals which the said Board of Supervisors and the Planning Commission are considering.
- (c) That the assembling of large numbers of people create problems seriously affecting the public safety, health and welfare.
- (d) That due to the territorial extent of the unincorporated territory of the County of Mariposa and the necessity for detailed and careful study of regulations governing activities involving the assemblage of large numbers of people considerable time necessarily will elapse before the adoption of such regulations and plan.
- (e) That the regulations herein set out are of an interim or urgency nature and are necessary to be adopted at this time in order to protect the public safety, health and welfare.

1 SECTION 2: As used in this Ordinance, unless otherwise
2 apparent from the context, words used in the present tense include
3 the future as well as the present, words in the masculine gender
4 include the feminine and neuter, and the singular number includes
5 the plural and the plural the singular.

6 SECTION 3: No person, firm or corporation shall hereafter
7 within the unincorporated territory of the County of Mariposa
8 use any land or erect, construct or use any building, structure
9 or enclosure for any activity involving the assemblage on any
10 particular day, of more than two thousand five hundred (2,500)
11 people including, but not limited to circuses, carnivals, festivals
12 and races.

13 SECTION 4: It shall be the duty of the Planning Commission
14 of the County of Mariposa, State of California, Sheriff of the
15 County of Mariposa, State of California and all other officers
16 and employees of said County charged by law with the enforcement
17 of ordinances of the County to enforce all of the provisions of
18 this Ordinance. Any person, firm or corporation whether as prin-
19 cipal, agent, employee or otherwise violating or considering or
20 permitting or aiding and abetting the violation of any of the
21 provisions of this Ordinance shall be guilty of a misdemeanor
22 and upon conviction thereof shall be punishable by a fine of not
23 more than Five Hundred Dollars (\$500.00) or by imprisonment in
24 the County Jail for a term not exceeding six (6) months or by
25 both such fine and imprisonment. Such persons, firms or corpor-
26 ations shall be deemed to be guilty of a separate offense for
27 each and every day during any portion of which any violation of
28 this Ordinance is committed, continued or permitted by such per-
29 son, firm or corporation and shall be punishable as herein pro-
30 vided.

31 Any building or structure set up, erected, constructed,
32 altered, enlarged, converted, moved or maintained contrary to the

1 provisions of this Ordinance, and any land, building or premises
2 established, conducted, operated, used or maintained, contrary
3 to the provisions of this Ordinance shall be, and the same is
4 hereby, declared to be unlawful and a public nuisance and the
5 District Attorney of said County shall, upon order of the Board
6 of Supervisors, immediately commence action or proceedings for
7 the abatement and removal and enjoinder thereof in the manner
8 provided by law. The remedies provided for herein shall be cumu-
9 lative and not exclusive.

10 SECTION 5: If any section, subsection, sentence, clause
11 or phrase of this Ordinance is, for any reason, held by a court
12 of competent jurisdiction to be invalid, such decision shall not
13 affect the validity of the remaining portions of this Ordinance.
14 The Board of Supervisors hereby declares that it would have
15 passed this Ordinance and each section, subsection, sentence,
16 clause and phrase thereof, irrespective of the fact that any one
17 or more section, subsection, sentence, clause or phrase be de-
18 clared invalid.

19 SECTION 6: This Ordinance is hereby declared to be an
20 urgency measure and necessary for the immediate preservation and
21 enjoyment of public safety, health and welfare. The facts con-
22 stituting said urgency are as follows: That the Board of Super-
23 visors and the Planning Commission is now considering and studying
24 certain contemplated zoning proposals relating to activities
25 involving the assemblage of large numbers of people, which studies
26 will lead to the adoption of precise and detailed regulations;
27 that the Board of Supervisors is aware of the recent events at
28 Woodstock, New York and Altamont, California involving so-called
29 "rock festivals" and the adverse effect thereof upon the public
30 safety, health and welfare of those communities; that it has
31 come to the attention of the Board of Supervisors that there are
32 persons already intending to erect buildings and structures and

1 to use land in a manner which will be in violation of the con-
2 templated zoning regulations and may be inimical to the public
3 safety, health and welfare. It is, therefore, necessary that
4 this Ordinance take effect immediately to prevent, pending
5 adoption of precise regulations, the establishment of land uses
6 which will destroy the effect and purpose of a comprehensive
7 zoning plan.

8 SECTION 7: The Board of Supervisors of the County of
9 Mariposa hereby find that it is necessary for this Ordinance to
10 take effect immediately upon its passage as an urgency measure
11 in the interest of public safety, health, and welfare. For the
12 foregoing reasons, this Ordinance shall take effect immediately
13 upon its passage, as an urgency measure, in accordance with the
14 provisions of Government Code Section 65858, and other applicable
15 laws and Constitutional provisions.


16 PASSED AND ADOPTED by the Board of Supervisors of the
17 County of Mariposa, State of California, this 13th day of January,
18 1970, by the following vote:

19 AYES: Davis, Hurlbert, Long, Moffitt, Richardson

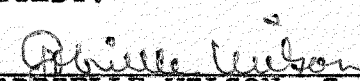
20 NOES: None

21 NOT VOTING: None

22 ABSENT: None

23 
24 Frank L. Long, Jr., Chairman of the
25 Board of Supervisors of the County
of Mariposa, State of California

26 ATTEST:

27 
28 GABRIELLE WILSON, County Clerk
and Ex Officio Clerk of the
29 Board of Supervisors
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