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ORDINANCE NO. 349

An Ordinance repealing certain bounty, license, poll and road tax, wild life, franchise, liquor regulations, air raid precautions, traffic and road, burning, fire regulations, building and burial ordinances, and amending ordinances consolidating offices and enacting an ordinance providing definitions, providing penalties and providing severability of ordinances.

Section 1: Ordinances No. 3, 15, 19, 28, 35, 42, 55, 57, 59, 64, 84, 95, 98, 119, 126, and all ordinances relating to the paying of a bounty are declared to be repealed.

Section 2: Ordinances No. 1, 4, 14, 16, 20, 21, 30, 31, 33, 34, 36, 38, 43, 44, 49, 52, 54, 73, 83, 90, 108a, and all other ordinances requiring licenses or fees for owning animals, or doing business are declared to be repealed. Nothing in this Section shall be construed ^{to} /in any way ^{effect} Ordinance No. 268 and Amendment No. 341, Restaurant permits, and Ordinance No. 332, ^{and 182} /Rabies law.

Section 3: Ordinances No. 5, 13, 17, 22, 27, 31, 37, 39, 46, and all other ordinances imposing a poll tax or road tax are declared to be repealed.

Section 4: Ordinances No. 71, 74, 76, 90, 91, 100, 101, 102, 103, and all other ordinances granting or regulating stage routes, franchises, toll roads or turn-pikes are repealed. Nothing in this Section shall be construed to affect Ordinances No. 191 and 286.

Section 5: Ordinances No. 72, 94, 188, and all ordinances regulating wild life and fire arms are hereby declared to be repealed.

Section 5a: Section 1 of Ordinance No. 18 shall be amended to read auditor-recorder.

1 Section 6: The following ordinances are hereby repealed:
2 Ordinance No. 32, relating to coroner issuing burial permits.
3 Ordinance No. 51, being a gate ordinance.
4 Ordinance No. 60, regulating explosives.
5 Ordinance No. 70, making certain roads a highway.
6 Ordinance No. 78, setting road district boundaries.
7 Ordinance No. 86, prohibiting selling of liquor to loggers.
8 Ordinance No. 92, disposal of garbage on public property.
9 Ordinance No. 93 and 96, relating to damage to bridges and
10 highways.
11 Ordinance No. 97, relating to tractors on public roads.
12 Ordinance No. 121, regulating air raid precautions.
13 Ordinance No. 133, public drunk.
14 Ordinance No. 153, regulating burning.
15 178 sub.sec. 2a
16 Ordinance No. 157, /speed limits.
17 Ordinance No. 172, and 199, relating to fire permits.
18 Ordinance No. 11, 47, Bond for Public Officers
19 Ordinance No. 289, relating to local building codes.

20 Section 7: After the effective date of this ordinance and
21 upon enactment of a resolution covering the same subject matter,
22 the following ordinances are repealed, to be governed by resolution:
23 ¹³⁷
24 144, 226, 227, 250, 256, 260, 266, ³⁰⁹ /337, and 342.
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26 Section 8: Any person violating any regulation heretofore or
27 hereafter enacted, pursuant to Section 22507 of the California Ve-
28 hicle Code,, shall be guilty of an infraction and each violation shall
29 constitute a separate offense.

30 Section 9: Where the violation of any ordinance heretofore
31 adopted or hereafter adopted is declared to be a misdemeanor, unless

1 specified otherwise in this ordinance, or any ordinance hereafter
2 adopted, punishment shall be 180 days in jail or a fine of \$500.00,
3 or both fine and imprisonment, at the discretion of the judge.
4 Each separate violation shall constitute a separate offense. Any
5 portion of an ordinance declaring a different penalty is repealed
6 as to offenses occurring after the effective date of this Section.
7 Should mandatory law provide different punishment, state law shall
8 govern.

9 Section 10: The Board of Supervisors hereby declares that unless
10 specifically stated otherwise that if any section, subsection, para-
11 graph, sentence, clause, or phrase of any heretofore or hereafter
12 adopted ordinance is, for any reason, held to be invalid or uncon-
13 stitutional, such invalidity or unconstitutionality shall not affect
14 the validity or constitutionality of the remaining portions of that
15 ordinance, it being hereby expressly declared that the ordinance
16 and each section, subsection, paragraph, sentence, clause and
17 phrase thereof would have been adopted irrespective of the fact that
18 any one or more other sections, subsections, paragraphs, sentences
19 clauses or phrases be declared invalid or unconstitutional.

20 Section 11: The following definition shall govern in any ordin-
21 ance heretofore or hereafter adopted unless the context requires a
22 different definition, or the ordinance specifically states a differ-
23 ent definition:

- 24 (1) County: The term county shall mean County of Mariposa.
25 (2) Board: The term Board shall mean Board of Supervisors.
26 (3) State: The term State shall mean State of California.

1 (4) Person: The term person shall mean any natural person
2 whether acting individually or as a partner,
3 principal, or agent, and the term person also
4 means corporation.

5 (5) Where any county ordinance or code refers to state or
6 federal law and the state or federal law subsequently is amended to
7 change section numbers or other references, without changing sub-
8 stance, the county ordinance or code shall be deemed amended to
9 refer to the latest state or federal code sections or other
10 references.

11 PASSED AND ADOPTED by the Board of Supervisors of the County of
12 Mariposa, State of California, this 8 day of February 1972,
13 by the following vote:

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


15 NOES: None

16 ABSENT: None

17 NOT VOTING: None

18 
19 W. H. Moffitt, Chairman of the Board

20 ATTEST:

21 
22 Gabrielle Wilson, County Clerk
23 and Ex-Officio Clerk of the
24 Board of Supervisors

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