



MARIPOSA COUNTY

Public Works · 209 966 5356



ORDINANCE 2021-1160

MEETING: January 26, 2021
TO: The Board of Supervisors
FROM: Mike Healy, Public Works Director
RE: Ordinance Amending Section 10.08.031 - Camping and Overnight Parking

RECOMMENDED ACTION AND JUSTIFICATION:

Waive the Second Reading and Adopt "An Ordinance Amending Section 10.08.031 of the Mariposa County Code titled 'Camping and Overnight Parking'"

This Ordinance provides for No Overnight Camping or Parking on the North and South Sides of State Highway 140 near Yosemite National Park in the community of El Portal upon receipt of a Caltrans Encroachment Permit.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Parking and camping in this area has become a hazard to vehicular traffic, pedestrian and a health safety concern all of which can be mitigated with the passage of this Ordinance.

Staff has received conditional approval of an Encroachment Permit from Caltrans which will be formalized and issued should this Ordinance be passed.

This ordinance was introduced on January 12, 2021.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The Board may choose to not pass the ordinance in which case safety concerns will not be mitigated. It can also amend it at the first reading; however, no amendments can be made once the ordinance has been introduced.

ATTACHMENTS:

PW - Final Ordinance (PDF)
MER-140 near El Portal No Parking Resolution (PDF)

Ordinance 2021-1160

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Rosemarie Smallcombe, District I Supervisor

SECONDER: Wayne Forsythe, District IV Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

MARIPOSA COUNTY ORDINANCE NO. 1160

AN ORDINANCE AMENDING SECTION 10.08.031 OF THE MARIPOSA COUNTY CODE TITLED "CAMPING AND OVERNIGHT PARKING"

WHEREAS, the Board of Supervisors, with the written approval of Caltrans, desire to establish a no overnight camping or parking area on the north and south sides of State Highway 140 just outside of the Yosemite National Park boundary in El Portal; and

WHEREAS, the purpose of this ordinance is the preservation of the public peace, health, and safety in the area described below; and

WHEREAS, overnight camping and parking in this area has reached such intensity as to make it hazardous for traffic traveling on this portion of State Highway 140 and creates an immense wildfire danger during fire season when motorists pull off of the paved portion of State Highway 140 right of way and stop in areas of dry grass or ignite camp fires off the north and south sides of the highway.

NOW, THEREFORE, the Board of Supervisors of the County of Mariposa does ordain as follows:

SECTION I: Section 10.08.031 titled "Camping and Overnight Parking" which shall read in its entirety as follows:

10.08.031 Camping and Overnight Parking.

A. It shall be unlawful to camp or park unauthorized private vehicles overnight in or upon any county owned or managed property except in designated campgrounds.

B. No person shall stop, park, stand or leave standing any vehicle whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device between the hours of 10:00 pm and 6:00am on State Highway 140 on the north side from a point .33 miles east of Caltrans Mile Marker 51 to a point 760 feet west of the Yosemite National Park Monument, or on the south side from a point .33 miles east of Caltrans Mile Marker 51 to the Yosemite National Park Monument, and the Director of Public Works and Transportation of the County of Mariposa is directed to place and maintain appropriate signs of this regulation.

SECTION II: This Ordinance shall become effective thirty (30) days after final passage pursuant to the provisions of Government Code Section 25123.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 26th day of January 2021 by the following vote:

AYES:	SMALLCOMBE, SWEENEY, LONG, FORSYTHE, MENETREY
NOES:	NONE
ABSENT:	NONE
ABSTAINED:	NONE


MARSHALL LONG, Chair
Board of Supervisors

ATTEST:


RENE LA ROCHE
Clerk of the Board

APPROVED AS TO FORM:


STEVEN W. DAHLEM
County Counsel