

MARIPOSA COUNTY ORDINANCE NO. 796

AN ORDINANCE RE-ALLOCATING
THE BUILDING/PERMITS FUNCTION
OF THE PUBLIC WORKS DEPARTMENT
TO THE PLANNING DEPARTMENT AS FOLLOWS:

- 1) AMENDING SECTION 2.36.010 ENTITLED "CREATED" AND SECTION 2.36.020 ENTITLED "DIVISIONS",
- 2) DELETING SUBSECTIONS "C" AND RELETTERING SUBSECTIONS "D" THROUGH "F" TO "C" THROUGH "E" IN BOTH SECTION 2.36.030 ENTITLED "RESPONSIBILITIES OF EACH DIVISION" AND SECTION 2.36.040 ENTITLED "EMPLOYEES",
- 3) AMENDING SECTION 2.50.060 ENTITLED "THE PLANNING DEPARTMENT" AND ADDING SUBSECTION "D" THERETO, AND
- 4) AMENDING SECTION 2.50.080 ENTITLED "DUTIES OF PLANNING DIRECTOR" OF TITLE 2 ENTITLED "ADMINISTRATION AND PERSONNEL; AND
- 5) AMENDING SUBSECTIONS 15.11.010(A) AND 15.11.020(E), AND
- 6) AMENDING SECTION 15.28.030 ENTITLED "PERMITS REQUIRED" OF TITLE 15 ENTITLED BUILDINGS AND CONSTRUCTION.

WHEREAS, the Building Department Advisory and Appeals Committee made a recommendation to the Board of Supervisors to re-allocate the Building/Permits function of the Public Works Department to the Planning Department, and

WHEREAS, the Board of Supervisors desires to follow the recommendation of the Building Department Advisory and Appeals Committee;

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

SECTION I: Section 2.36.010 entitled "Created" and Section 2.36.020 entitled "Divisions" of Title 2 entitled "Administration and Personnel" are amended to read in their entireties as follows:

"2.36.010 Created.

There is hereby created in the County of Mariposa the department of public works. This department shall be directed by a director of public works who shall be appointed by the board of supervisors, shall be a department head, and shall serve at the pleasure of the board of supervisors. The department head shall serve as the 'county engineer/surveyor' and the 'road commissioner'.

2.36.020 Divisions.

This department shall consist of the following divisions: road division, administration division, districts and facilities division, parks and recreation division, and engineer/surveyor division."

SECTION II: Section 2.36.030 entitled "Responsibilities of Each Division" and Section 2.36.040 entitled "Employees" of Title 2 entitled "Administration and Personnel" shall be amended by deleting subsection "C" in each Section and relettering subsections "D" through "F" to "C" through "E" in each Section to read in its entirety as follows:

"2.36.030 Responsibilities of each division.

A. The road division of the department of public works shall be responsible for the construction and maintenance of all roads within the county system; the repair and replacement of road vehicle; the fiscal operations as prescribed by the state and county relative to the road division; and other matters that are interrelated to road matters.

B. The administration division of the department of public works shall be responsible for all fiscal, record keeping, public relations and coordination of each division located within the public works department.

C. The districts and facilities division of the department of public works shall be responsible for supervising and performing the budgeting, operational and maintenance work of water and waste water treatment plants and related systems, maintenance of district road systems, and managing the office and maintenance activities of the county's airport facilities; keeping necessary records, and preparation of appropriate administrative reports as needed; supervision of operation of road vehicle maintenance operation, airport, building maintenance, solid waste and special districts.

D. The parks and recreation division shall be responsible for administering, operating and maintaining recreation and park facilities and programs, plan for the acquisition, development and operation of proposed recreation and park facilities in accordance with policies formulated by the board of recreation commissioners and approved by the board of supervisors, inform the general public of the services and facilities being provided by the parks and recreation division, and assist community organizations in the promotion of recreation services. The public works director and/or deputy director, public works - parks and recreation division shall seek the advice of the board of recreation commissioners on recreation and parks matters.

E. The engineer/surveyor division of the department of public works shall be responsible for performing all engineering related functions not delegated to the road division; shall provide inspection services to all departments needing such services; shall coordinate the approval of plans and specifications for various development projects; shall coordinate all maps submitted to the county for approval, shall monitor legisla-

D. Implement the building permit and inspection function for the county, including:

1. Enforce within the boundaries of the county all the applicable county ordinances relating to the state's and county's statutory responsibilities under all of the provisions of the State Housing Law and Earthquake Protection Law, Division 13, Parts 1.5 and 3, the Section 18300 and 19992 of the Health and Safety Code of the state as applicable; California Code of Regulations, Title 25, Chapters 1, 3, and 5 as applicable and all other applicable provisions of all future ordinances and laws and amendments thereto relating to building. Such enforcement shall include all of the duties prescribed by these laws, rules and regulations including inspecting buildings and structures to verify that construction or alteration work is being done according to approved plans and in accordance with the provisions of applicable state and local building codes and ordinances, and issue all orders required in enforcement.

2. Issue all permits required to be issued by the county and the state sanitarian in enforcement of the building process normally issued by the following departments: building, health and safety, engineer/surveyor. 'Permit' means any license, certificate, registration, permit, or any other form of authorization required to be issued by the county, or state if applicable, which deals with construction and building, well and septic permits, and excluding permits issued by other county agencies such as the planning commission, LAFCo, etc.

3. To assist in the implementation of these duties, the building permitting and inspections function of the planning and building department shall consist of a chief building inspector and such other employees as designated by the board of supervisors. The chief building inspector shall be responsible for the application of the Uniform Building Code and other applicable building and grading standards within the county of Mariposa except as otherwise specifically provided by county code, under the general direction of the planning director.

SECTION IV: Section 2.50.080 entitled "Duties of planning director" shall be amended to read in its entirety as follows:

"2.50.080 Duties of planning director.

The planning director, as chief administrator of the planning and building department shall:

A. Be responsible for directing, supervising and overseeing the staff activities of the department;

B. Prepare and administer the budget of the department;

C. Advise the board and commission on matters relating to zoning, land use, subdivisions, building

code and other planning matters;

D. Conduct investigation, prepare reports and recommendation on matters relating to planning in the county as required by Government Code Section 65400(a);

E. Act as official spokesman for the planning agency and prepare such notices, publications and other materials necessary to assure that the planning agency meets its statutory public information requirements as set forth in Government Code 65103;

F. Prepare an annual report for the legislative body as set forth in Government Code Section 65400(b);

G. Act as zoning enforcement officer of the county and take such actions as necessary to assure fair and equal enforcement of the county's zoning code;

H. Collect and deposit with the Mariposa County Treasurer's Office, all fees and charges for service by the planning and building department, as set forth by this code;

I. Oversee and administer the county environmental review procedures in accordance with the requirements of Title 14 of the California Code of Regulations and Sections 21000 through 21176 Public Resources Code."

SECTION V: Amend subsections 15.11.010(A) and 15.11.020(E) of Title 15 entitled "Buildings and Construction" to read in their entirety as follows:

"15.11.010 Well, sewage disposal system and public swimming pool permits.

A. A plan check fee in an amount to be set by resolution of the board of supervisors shall be collected by the planning and building department at the time an application for either 1) a well permit, 2) a sewer disposal system permit, or 3) a public swimming pool permit is accepted for processing.

...."

"15.11.020 State fire marshal services fees.

...."

E. The planning and building department shall be responsible for the collection and reimbursement of any funds as outlined above."

SECTION VI: The first paragraph of Section 15.28.030 entitled "Permits Required" of Title 15 entitled "Buildings and Construction" is amended to read in its entirety as follows:

"15.28.030 Permits required.

A grading permit is required from the planning and building department prior to the initiation of any grading, excavation, fill or dredging activities included under subsection A or B below:"

SECTION VII: This ordinance shall become effective thirty days from date of final passage pursuant to California Government Code Section 25123.

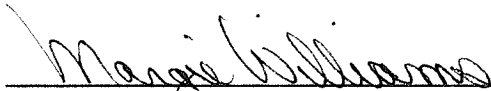
PASSED AND ADOPTED this 19th day of February, 1991, by the Board of Supervisors of Mariposa County by the following vote:

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



GEORGE R. RADANOVICH, Chairman
Board of Supervisors

ATTEST:



MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JEFFREY G. GREEN
County Counsel