

2 AN ORDINANCE AMENDING THE MARIPOSA COUNTY CODE BY AMENDING
3 CHAPTER 15.28 THEREOF RELATING TO GRADING AND EXCAVATION

4 The Board of Supervisors of the County of Mariposa,
5 a political subdivision of the State of California, does
6 hereby ordain as follows:

7 Mariposa County Code Section 15.28.030, relating
8 to grading permits required, is hereby amended by adding
9 certain words to paragraph C thereof to read in its entirety
10 as follows:

11 "C. Earth-filled dams. For the purpose of
12 creating ponds or catching storm water, earth-filled dams
13 require a grading permit, except on parcels of forty (40)
14 acres or more or 1/16th section. Such requirement may be
15 waived on a case-by-case basis by the Chief Building Inspector
16 where the following conditions exist."

17 Mariposa Code Section 15.28.030, is hereby
18 amended by adding subparagraphs 10, 11, 12 and 13 to Para-
19 graph D thereof to read in their entirety as follows:

- 20 "10. Brushing done with earth-moving equipment
21 on private property for the creation of a
22 fuel break or open space provided that:
- 23 a. There is no unnecessary excavation or fill.
 - 24 b. There is no excessive soil in brush pile
or piles.
 - 25 c. Ground cover is preserved or the ground
is reseeded as necessary.
- 26 11. Emergency firelines created during a fire, to
contain, or provide access to, a fire.
- 27 12. Grading in an isolated self-contained area if
28 there is no danger apparent to private or
public property, and it will not affect
existing drainage patterns or create erosion

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hazards.

13. Firelines that are not used primarily as access roads.

CAVEAT: The above provisions do not relieve property owner of any civil liability which he may incur due to damage to adjacent property."

Mariposa County Code Section 15.28.050, relating to definitions, is hereby amended by adding certain definitions thereto to read in its entirety as follows.

15.28.050 Definitions. The following definitions apply to this chapter:

1. "As Graded" means the surface conditions extant on completion of grading.
2. "Bedrock" means in-place solid rock.
3. "Bench" means a relatively level step excavated into earth material on which fill is to be placed.
4. "Brushing" means managing and manipulating stands of shrubs and short scrubby trees by mechanical means to facilitate the establishment of a satisfactory cover for soil protection, forage production, fire control, increased groundwater, or to improve wildlife habitat and recreation sites.
5. "Borrow" means earth material acquired from an off-site location for use in grading on a site.
6. "Certification" means a written engineering or geological opinion concerning the progress and completion of the work.
7. "Civil engineer" means a professional engineer registered in California to practice in the field of civil works.
8. "Civil engineering" means the application of the knowledge of the forces of nature, principles of mechanics, and the properties of materials to the evaluation, design and construction of civil works for the beneficial uses of society.
9. "Compaction" means the densification of a fill by mechanical means.

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- 1 10. "Drainage facilities" means all improvements for
2 storage or conveyance of storm runoff in drain-
3 age channels including sumps, channels, culverts,
4 ponds, storm drains, drop inlets, outfalls,
5 basins, pumps, gutter inlets, manholes, and
6 conduits (see Section 15.28.110 of this chapter).
- 7 11. "Dredging" or "diking" means alteration of the
8 grade of bottom sediments in any water body.
- 9 12. "Earth material" means nay rock, natural soil or
10 fill and/or any combination thereof.
- 11 13. "Engineering geologist" means a geologist experi-
12 enced and knowledgeable in engineering geology.
- 13 14. "Engineering geology" means the application of
14 geologic knowledge and principles is the inves-
15 tigation and evaluation of naturally occurring
16 rock and soil for use in the design of civil works.
- 17 15. "Erosion" means the wearing away of the ground sur-
18 face as a result of the movement of wind, water
19 and/or ice.
- 20 16. "Excavation" means the mechanical removal of earth
21 material.
- 22 17. "Fill" means a deposit of earth material placed
23 by artificial means.
- 24 18. "Grade" means the vertical location of the ground
25 surface as follows:
- 26 a. "Existing grade" means the grade prior to
27 grading;
- 28 b. "Rough grade" means the stage at which the
grade approximately conforms to the approved
plan;
- c. "Finish grade" means the final grade of the
site which conforms to the approved grading
plan.
19. "Firebreak" means a wide strip or block of land on
which the vegetation has been permanently modi-
fied to a low volume fuel type so that fires burn-
ing into it may be readily controlled.
20. "Fireline" means a strip of land cleared of all
vegetation down to or below ground level during
a fire to contain and provide access to a fire.
21. "Grading" means any excavating or filling or com-
bination thereof, but not including plowing or
furrowing or other alteration of the land surface

1 for crop production and not exceeding two feet
2 in depth.

- 3 22. "Key" means a designed compacted fill placed in
4 a trench excavated in earth material beneath the
5 two of a proposed fill slope.
- 6 23. "Revegetation" means any combination of mechanical
7 or other means by which a graded surface is turned
8 to a condition where it supports significant nat-
9 ural vegetation.
- 10 24. "Sedimentation" means the addition of soil materi-
11 als through erosion to a stream or water body
12 which increases the turbidity of the water.
- 13 25. "Site" means any lot or parcel or contiguous com-
14 bination thereof, under the same ownership,
15 where grading is performed or permitted.
- 16 26. "Soil" means naturally occurring surficial deposits
17 overlying bedrock.
- 18 27. "Soil engineer" means a civil engineer experienced
19 and knowledgeable in the practice of soil engi-
20 neering.
- 21 28. "Soil engineering" means the application of the
22 principles of soil mechanics in the investigation,
23 evaluation and design of civil works involving
24 the use of earth materials and the inspection
25 and testing of the construction thereof.
- 26 29. "Terrace" means a relatively level step constructed
27 in the face of a graded slope surface for drain-
28 age and maintenance purposes.
30. "Topsoil" means the upper strata of soil materials
which is of value for revegetation purposes,
generally not exceeding two feet and occasionally
more shallow depending on the site. (Ord. 513 §1
(part), 1979).

23 This ordinance shall take effect and be operative
24 thirty (30) days from the date of final passage in accordance
25 with Government Code Section 25123.

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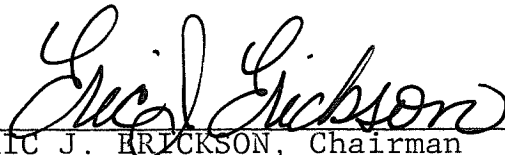
1 PASSED AND ADOPTED by the Board of Supervisors of
2 the County of Mariposa this 5th day of February, 1980, by
3 the following vote:

4
5 AYES: Erickson, Moffitt, Dalton, Clark, Taber

6 NOES: None

7 ABSTAINED: None

8 ABSENT: None

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12 ERIC J. ERICKSON, Chairman
Board of Supervisors

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14 APPROVED AS TO FORM:

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16 RALPH J. CAMPBELL
17 Acting County Counsel

18 DATED: January 18, 1980

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21 ATTEST:

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23 JOAN J. LYNK
24 Clerk of the Board

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