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ORDINANCE NO. 265

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

SECTION I: Mariposa County Ordinance No. 201, as amended, is hereby further amended by adding a new Section 5.17 thereto as follows:

"Whenever a subdivision subject to the terms of this ordinance will result in an increased use of any private, public or county road, street or highway beyond the capacity of such road, street or highway; or whenever, by reason of such subdivision, it is necessary or desirable to improve any private, public or county road, street or highway to a higher standard in the interests of public safety or in order to accomplish the purpose of this ordinance, the subdivider or subdividers proposing such subdivision may be required, as a condition to approval of such subdivision, to improve any private, public or county road, street, or highway to County road standards then applicable under this ordinance or any amendment or replacement thereof. Such improvement may include, but shall not necessarily be limited to, any or all of the following:

1. Payment of cost of acquisition of right of way or rights of way where any such road, street or highway is owned wholly or in part by someone other than the subdivider or subdividers;
2. Dedication of such right of way or rights of way as may be necessary in order to meet County road standards as to width, grade or alignment of any such road, street or highway;
3. The payment of plan-checking fees with regard to acquisition or improvement of any such road, street or highway;
4. Posting of performance and labor and material bonds for improving any such road, street or highway.

The County and any subdivider or subdividers may enter

1 into a cooperative agreement for the acquisition or improvement of
2 any such road, street or highway upon such terms as may be accept-
3 able to the parties. In the event of the refusal or failure of
4 any subdivider or subdividers to meet the County's requirements in
5 the acquisition or improvement of any such private or public or
6 county road, street or highway, such refusal or failure may be
7 deemed cause for withholding approval of any tentative or final map
8 filed under the provisions of this ordinance."


9 SECTION II: Numerous subdivisions are being formed and new
10 subdivisions are planned within the County of Mariposa at the
11 present time, subdividing land into numerous lots to be improved
12 and used for residential and other purposes. Many of such sub-
13 divisions are, or will be, situate in areas of the County which
14 are not now provided with county roads or highways, or which are
15 served by county roads or highways of inadequate design and
16 capacity to carry increased traffic flow without seriously en-
17 dangering human life and property. The County of Mariposa presently
18 has insufficient funds to acquire additional rights of way for
19 county roads or highways, or to improve existing county roads or
20 highways to standards which will carry increased traffic caused by
21 such present and planned subdivisions, and it is probable that the
22 County of Mariposa will lack sufficient funds for such purposes for
23 a long time to come. In the interest of public health, safety and
24 welfare, it is imperative that subdivisions, both present and
25 planned, within the County of Mariposa, have adequate public roads.
26 The ^{provisions} purpose of Section 5.17 of Mariposa County Ordinance No. 201
27 as above adopted will insure that present and proposed subdivisions
28 within the County of Mariposa will be served by county roads and
29 highways sufficient to carry the increased traffic which will be
30 caused by the subdivision of lands within the County. For the
31 foregoing reasons this ordinance shall take effect immediately
32 upon its enactment as an emergency measure for the immediate

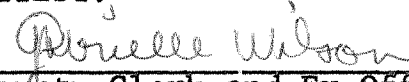
1 protection of the public's health and safety, within the meaning
2 of sub-section (d) of Government Code Section 25123 and of the
3 Constitution of the State of California.

4 PASSED AND ADOPTED by the Board of Supervisors of the
5 County of Mariposa, State of California, this 15th day of
6 November, 1965, by the following vote:

- 7 AYES:McGregor, Hurlbert, Miller, Gordo, Schatz
8 NOES:
9 NOT VOTING:
10 ABSENT:

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Chairman of the Board of Supervisors
of the County of Mariposa, State of
California

ATTEST:

County Clerk and Ex-Officio
Clerk of the Board of
Supervisors