

AN ORDINANCE REGULATING THE USE OF FIRE AND THE ISSUING OF PERMITS FOR THE CONTROL OF FIRE AND THE ELIMINATION OF FIRE HAZARDS IN UNINCORPORATED TERRITORY OF THE COUNTY OF MARIPOSA.

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

SECTION I. Whenever the word "person" is used in this ordinance, it shall include and mean any individual, corporation, company, firm, partnership, or association of any kind.

The phrase "current use" as used in Section II of this ordinance shall mean - "present use or any use of the structure in question, regardless of type or purpose of use during the twelve calendar months prior to April 15th of the year in which a violation of Section II of this ordinance may be represented by an enforcing officer."

SECTION II. Every person owning, leasing, using controlling, or operating any cabin, house, hotel, house trailer, tent, apiary, other building or structure in current use on any private lands in any unincorporated territory in the County of Mariposa shall during the period of April 15th to December 1st of each year prepare and maintain an effective fire protection or firebreak to be made by removing all inflammable vegetation, growth or debris, except evergreen vegetation when growing and preserved for decorative effect, for a distance of at least six (6) feet from the exterior walls or surface thereof, or to the property line or structure, whichever is the lesser distance.

- b. Keep the roofs of all such structures free of leaves, needles, or other inflammable debris.

SECTION III. It is unlawful for any person to store, accumulate, or maintain inflammable material in such a manner that it constitutes a fire hazard to adjacent properties or improvements unless such material is surrounded by a firebreak made by removing all inflammable vegetation, growth or debris. Said firebreak to be at least six (6) feet in width. Exception (1) processors of industrial and forest products shall be exempt from the provisions of this section but shall comply with Section 4165 of the Public Resources Code of this State and all subsequent revisions of that Code Section. (2) Storage of explosives shall be in compliance with the regulations of the State Fire Marshal as set forth in Title 19 of the Administrative Code of this state.

SECTION IV. It shall be unlawful for any person to set fire to, or burn any inflammable vegetation, waste, debris or any other inflammable material, either upon his own property or the property of another on private lands in the unincorporated territory during the period of April 15th and December 1st of any year, and such other times of the year when unusual fire danger shall be declared to exist by the State Director of Natural Resources without first obtaining a written permit from the chief of the fire department or State or Federal forest ranger having jurisdiction over the area in which the burning is to be done.

Permits issued as required by this section shall be in writing and shall state the time of day and general rules of reasonable precaution for the guidance of the permittee. Any violations of the terms of a permit issued in accordance with the provisions of this ordinance and the laws of this state shall be prima facie evidence of non-compliance and shall render such permit null and void.

SECTION V. If any section, sub-section, sentence, clause or phrase of this ordinance for any reason is held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors of Mariposa County hereby declares that it would have passed this ordinance in each section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that anyone of, or more of sections, sub-sections, sentences, clauses and phrases be declared to be unconstitutional.

SECTION VI. The State Forester and all his agents, duly authorized by the laws of the State of California, all United States Forest Service Officers, and officers of

legally constituted fire protection or utility districts are hereby designated as and given the power of peace officers for the purpose of enforcing the provisions of this ordinance.

SECTION VII. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment for a period not to exceed six (6) months, or by both said fine and imprisonment.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa, State of California, this 3rd. day of June, 1959.

AYES: McGregor, Ellis, McCay, Miller, Conrad

NOES: None

ABSENT: None

Eugene McGregor
Eugene McGregor, Chairman
Board of Supervisors
County of Mariposa

ATTEST:

Gabrielle Wilson
Gabrielle Wilson, County Clerk
and ex-officio Clerk of the Board