

AN ORDINANCE ADDING CHAPTER 8.44 ENTITLED  
"BEAR PREVENTIVE/CONTROL MEASURES"  
TO TITLE 8 ENTITLED "HEALTH AND SAFETY"

WHEREAS, there is a need to establish preventive/control measures relative to the bear population and the health and safety of the general public, and

WHEREAS, it is in the public's best interest to require bear-proof collection bins at specific locations most likely to be frequented by bears;

NOW THEREFORE, the Board of Supervisors of Mariposa County, a political subdivision of the State of California, does ordain as follows:

SECTION I: Chapter 8.44 entitled "BEAR PREVENTIVE/CONTROL MEASURES" is hereby added to Title 8 entitled "HEALTH AND SAFETY" to read in its entirety as follows:

"Chapter 8.44

BEAR PREVENTIVE/CONTROL MEASURES

Sections:

- 8.44.010 Citation--Effective date.
- 8.44.020 Definitions.
- 8.44.030 Collection bins.
- 8.44.040 Owner to maintain premises.
- 8.44.050 Maintenance of containers/structures.
- 8.44.060 Violation--Penalty.

8.44.010 Citation--Effective date.

- A. This chapter is known as, and may be cited as "Mariposa Bear Control Ordinance".
- B. All persons affected by this ordinance shall have thirty (30) days after its effective date to comply with the provisions contained herein.

8.44.020 Definitions.

The following words and phrases when used in this chapter shall, for the purposes of this chapter, have the meanings respectively ascribed to them by this section.

- A. "Bear-proof collection bin" is a secured container, made of metal or equivalent, with a locked lid or a swinging door on top of the bin or equivalent, that makes the contents of the bin inaccessible to bears.

- B. "Bear-proof container/structure" is any

container or structure that as a result of its construction makes the contents of the container or structure inaccessible to bears.

C. "Garbage" shall be all food substance that would reasonably be expected to attract bears, including, but not limited to discarded refuse or food stuff.

**8.44.030 Collection bins.**

All food substance or other substance that would reasonably be expected to attract bears, including, but not limited to discarded refuse or food stuff, hereinafter referred to as "garbage", shall be placed into a bear-proof collection bin in the following areas of Mariposa County:

1. El Portal - Las Mariposas Lands Tract as shown on Record of Survey Map 667, Mariposa County Official records, located in the N1/2 of the NE1/4 of Section 16, T3S, R20E, M. D. B & M.

2. Fish Camp - All private lands located within Sections 23 and 26, T5S, R21E, M.D.B & M.

3. Wawona - All (private) lands located within Section 35, Township 4S, R21E, M. D. B & M.

4. Yosemite West - Lots 1 through 294 of Yosemite West Subdivision, Unit 1 as shown on Record of Survey Map 1511 and 1599, Mariposa County Official Records and the Yosemite West Condominium Project, Phase No. 1 as shown on Record of Survey Map 1835, Mariposa County Official Records, all located within portions of Sections 23, 24, 25 and 26, T3S, Range 20 E, M. D. B & M.

**8.44.040 Owner to maintain premises.**

Within the areas described in Section 8.44.030 above, the owner, lessee, resident or person exercising physical control of any private property, including businesses, shall at all times, place garbage in private bear-proof containers for collection, or inside bear-proof structures.

**8.44.050 Maintenance of containers/structures.**

Each bear-proof container or structure shall be kept clean inside and out, so that no odor or nuisance shall exist. Covers shall not be removed except when necessary to place garbage inside the bear-proof container or to remove the garbage from the bear-proof container. The bear-proof container or structure shall not be overloaded to the extent covers cannot be securely replaced, or the structure securely closed.

**8.44.060 Violation--Penalty.**

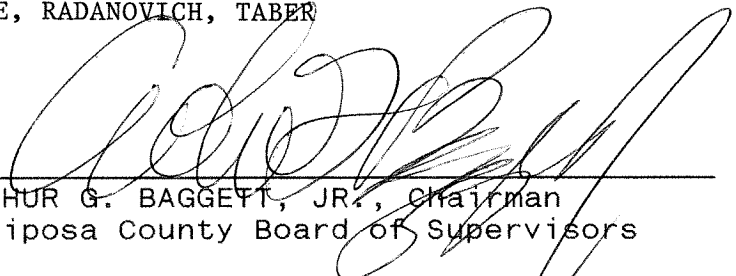
Violation of any provision of this chapter shall constitute a misdemeanor and shall be punishable under Chapter 1.20, the general penalty provisions of this code. COUNTY shall additionally have any legal remedy at law in the event of a violation. The Mariposa

County Public Works Department shall regulate and enforce the provisions of this Chapter."

SECTION II. This ordinance shall become effective thirty (30) days from final passage pursuant to California Government Code Section 25123.

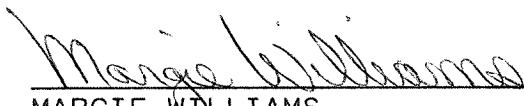
Passed and adopted by the Board of Supervisors of Mariposa County this 18th day of December, 1990, by the following vote:

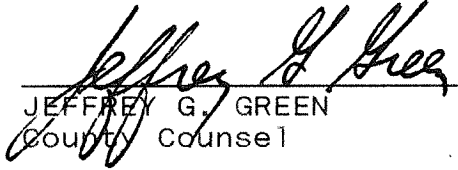
AYES: BAGGETT, PUNTE, RADANOVICH, TABER  
NOES: NONE  
ABSENT: ERICKSON  
ABSTAINED: NONE

  
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ARTHUR G. BAGGETT, JR., Chairman  
Mariposa County Board of Supervisors

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

ATTEST:

  
\_\_\_\_\_  
MARGIE WILLIAMS  
Clerk of the Board

  
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JEFFREY G. GREEN  
County Counsel