

1 MARIPOSA COUNTY RESOLUTION NO. 83-43
2 LOCAL ASSISTANCE FOR FLOODING ON PRIVATE PROPERTY

3 WHEREAS, the California Emergency Services Act authorizes the
4 County to "provide for the effective mobilization of all of the
5 resources within the political subdivision, both public and
6 private" in case of disaster; and

7 WHEREAS, the public resources of Mariposa County are avail-
8 able to come to the assistance of any and all County residents
9 affected by a community-wide disaster; and

10 WHEREAS, the difference between a public disaster and a private
11 one is discretionary distinction based generally on the number of
12 people affected; and

13 WHEREAS, there exists within the County no effective means
14 whereby an individual homeowner may obtain assistance in protect-
15 ing his residence or business from the effects of an isolated
16 flooding incident; and

17 WHEREAS, for County officers and employees to come to the aid
18 of a homeowner or business owner under these circumstances would
19 constitute an unlawful gift of public funds; and

20 WHEREAS, the Board of Supervisors feels a responsibility to
21 provide a means whereby the owner of a residence or business
22 threatened by an isolated flooding incident can call upon and
23 make use of existing County resources to assist him in protecting
24 his residence or business from floodwaters;

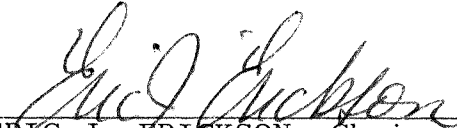
25 NOW, THEREFORE, it is resolved by the Board of Supervisors of
26 Mariposa County that under circumstances of a private flooding
27 emergency as described above, the County Director of Emergency
28 Services is authorized to mobilize the resources of the County

1 to assist a homeowner or businessowner whose property is endan-
2 gered by an isolated flooding incident; PROVIDED that said home-
3 owner or businessowner must provide the County Office of Emergency
4 Services with advance written authorization to proceed with the
5 work, and a written commitment to reimburse the County for all
6 expenses incurred by the County in responding to the incident,
7 in a form approved by the County.


8 RESOLVED FURTHER, it is the intent of the Board that this ser-
9 vice be employed only for the protection of residences and
10 businesses and not for outbuildings, private roads, or any
11 other structure or real estate of any description.

12 PASSED AND ADOPTED this 22nd day of February, 1983 by the
13 Mariposa County Board of Supervisors by the following vote:

- 14 AYES: Barrick, Taber, Dalton, Erickson, Moffitt
15 NOES: None
16 ABSENT: None
17 ABSTAINED: None

18
19 
20 ERIC J. ERICKSON, Chairman
Mariposa County Board of Supervisors

21 ATTEST:

22 
23 ELLEN BRONSON, County Clerk
Ex Officio Clerk of the Board

24 APPROVED AS TO FORM AND
25 LEGAL SUFFICIENCY:

26 
27 RICHARD K. DENHALTER
County Counsel