

DEPARTMENTS: Planning, Building and Fire

BY: Kris Schenk
PHONE: 742-1216

RECOMMENDED ACTION AND JUSTIFICATION: The Planning Commission and the department heads for the Fire, Building and Planning Departments recommend adoption of the enclosed Ordinance (action on the accompanying resolution was taken by the Board on September 20, 2005.) Recommended actions include waiver of second reading and adoption of an ordinance to prohibit the installation of pre-1976 mobile homes within Mariposa County.

BACKGROUND AND HISTORY OF BOARD ACTIONS: The Board of Supervisors, on June 21, 2005, unanimously approved a Resolution of Intention to begin the process of amending Title 17 of the Mariposa County Code to prohibit the installation of pre-1976 mobile homes. That Resolution of Intention was duly considered by the Planning Commission on July 22, 2005. The Planning Commission unanimously recommended that the Board of Supervisors adopt the draft ordinance, and the matter was considered by the Board at a public hearing on September 20, 2005. The second reading and adoption of the ordinance is the final step in this sequence of actions.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION: Failure to act upon the proposed ordinance would result in increased risk to residents and firefighters in Mariposa County who may be exposed to fire incidents occurring in pre-1976 mobile homes.

Financial Impact? () Yes (x) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		1. Staff report to Board, with attachments;
Source: _____		2. Planning Commission Resolution No. 2005 -22 and excerpt from Planning Commission minutes of July 22, 2005;
Internal Transfer _____		3. Report from Blaine Schultz, Fire Chief, dated February 4, 2005;
Unanticipated Revenue _____ 4/5's vote		4. Draft Ordinance, with findings;
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
() General () Other _____		_____

CLERK'S USE ONLY:

Res. No.: _____ Ord. No. 1023
Vote - Ayes: _____ Noes: _____
Approved _____
() Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
Comments: _____

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: _____
Deputy

CAO: [Signature]

MARIPOSA COUNTY ORDINANCE NO. 1023

AN ORDINANCE MODIFYING MARIPOSA COUNTY CODE, ADDING SECTION 17.108.095 TO THE MARIPOSA COUNTY ZONING ORDINANCE PROHIBITING MOBILE HOMES BUILT PRIOR TO JANUARY 1, 1976 FROM BEING LOCATED INTO OR RELOCATED WITHIN MARIPOSA COUNTY.

WHEREAS, the proposed ordinance is based on the National Manufactured Housing Construction and Safety Standards Act of 1974, adopted in June, 1976, which addresses the serious health and safety issues inherent in earlier models.

WHEREAS, fire incidence in pre-1976 mobile homes is significantly increased due to the use of materials that support quicker combustion of the whole unit in flash over conditions, which places Mariposa County residences and firefighters at a greater risk of injury or death.

WHEREAS, it has been verified that when newer units burn, fires stay contained within the room of origin for a longer period of time, giving occupants additional time to get to safety.

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

Section I - Title 17 of Mariposa County Zoning Ordinance shall be modified by adding Section 17.108.095 as follows:

Section 17.108.095 Pre-1976 Mobile Homes

A. Mobile homes manufactured prior to January 1976 shall be prohibited from being located into or relocated within Mariposa County unless they meet the seal standards of the United States Department of Housing and Urban Development or equivalent standards established by the California Department of Housing and Community Development.

B. Each mobile home shall be installed on a foundation or tie down system meeting the requirements of California law.

C. No mobile home of any age shall be used as an uninhabited storage structure.

D. A legal existing, nonconforming mobile home installed on a parcel in the county may remain on the parcel upon which it is installed and shall not be relocated to another parcel within the County of Mariposa.

E. No legal existing nonconforming mobile home may have a new addition or expansion, which physically alters the structure of the mobile home.

F. Expansion of or an addition physically attached to a conforming mobile home shall meet the standards of the Uniform Building Code or shall obtain any required certificate issued by the California Department of Housing and Community Development, such that the expansion or addition does not compromise the original structural integrity of the mobile home.

G. Upon sale or rental of a mobile home manufactured prior to 1976, written notice shall be provided, in a prescribed form, to the new owner or tenant advising them of serious health and safety risks inherent in inhabiting such structures, unless the mobile

home has been retrofitted to meet the seal standards of the United States Department of Housing and Urban Development or the equivalent standards established by the California Department of Housing and Community Development.

Section II: This Ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

PASSED AND ADOPTED this 4th day of October 2005 by the Board of Supervisors of Mariposa County by the following vote:

AYES: Stetson, Turpin, Bibby, Fritz, Pickard

NOES: None


ABSTAINED: None

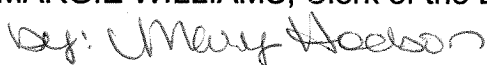
EXCUSED: None



BOB PICKARD, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS, Clerk of the Board
by: 

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



TOM GUARINO, County Counsel