

MENDOCINO COUNTY CODE

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 4310, adopted July 30, 2013.

See the Code Comparative Table and Disposition List for further information.

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Insert and maintain this instruction sheet in front of this publication. File removed pages for reference.



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MENDOCINO COUNTY CODE

**A Codification of the General Ordinances of
the County of Mendocino, California**

Published by Order of the Board of Supervisors

**Beginning with Supp. No. 22
Supplemented by Municipal Code Corporation**



PREFACE

The Mendocino County Code, has been kept current by regular supplementation by Municipal Code Corporation, its successor in interest.

The code is organized by subject matter under an expandable three-factor decimal numbering system which is designed to facilitate supplementation without disturbing the numbering of existing provisions. Each section number designates, in sequence, the numbers of the Title, chapter, and section. Thus, Section 2.12.040 is Section .040, located in Chapter 2.12 of Title 2. In most instances, sections are numbered by tens (.010, .020, .030, etc.), leaving nine vacant positions between original sections to accommodate future provisions. Similarly, chapters and titles are numbered to provide for internal expansion.

In parentheses following each section is a legislative history identifying the specific sources for the provisions of that section. This legislative history is complemented by an ordinance disposition table, following the text of the code, listing by number all ordinances, their subjects, and where they appear in the codification; and beginning with Supplement No. 22, legislation can be tracked using the "Code Comparative Table and Disposition List."

A subject-matter index, with complete cross-referencing, locates specific code provisions by individual section numbers.

This supplement brings the Code up to date through Ordinance No. 4310, adopted July 30, 2013.

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SUPPLEMENT HISTORY TABLE

The table below allows users of this Code to quickly and accurately determine what ordinances have been considered for codification in each supplement. Ordinances that are of a general and permanent nature are codified in the Code and are considered "Included." Ordinances that are not of a general and permanent nature are not codified in the Code and are considered "Omitted."

In addition, by adding to this table with each supplement, users of this Code of Ordinances will be able to gain a more complete picture of the Code's historical evolution.

Ord. No.	Date Adopted	Included/ Omitted	Supp. No.
4270	1- 4-11	Included	29
4271	1-25-11	Included	29
4272	1-25-11	Included	29
4274	5- 3-11	Included	29
4275	5-17-11	Included	29
4276	5-17-11	Included	29
4277	6- 7-11	Included	30
4279	7-12-11	Included	31
4283	9-13-11	Included	30
4284	10- 4-11	Included	30
4285	10- 4-11	Included	30
4286	12- 6-11	Included	31
4288	1-24-12	Included	31
4289	1-31-12	Included	31
4291	2-14-12	Included	32
4292	4-10-12	Included	32
4293	4-10-12	Included	32
4294	4-10-12	Included	32
4295	4-10-12	Included	32
4296	4-10-12	Omitted	32
4297	6-12-12	Included	32
4298	7-10-12	Included	32
4299	8-28-12	Included	32
4300	9-25-12	Included	33
4301	11- 6-12	Included	33
4302	1-22-13	Included	34
4303	1-22-13	Included	34
4304	1-22-13	Included	34
4305	2-12-13	Included	34
4306	3-26-2013	Included	35
4307	5- 7-2013	Included	35
4308	7-30-2013	Included	35
4309	7-30-2013	Included	35

Ord. No.	Date Adopted	Included/ Omitted	Supp. No.
4310	7-30-2013	Included	35

CHAPTER 2.04

IN GENERAL

Sec. 2.04.010 Holding of Regular Meetings of the Board of Supervisors.

The Board of Supervisors of the County of Mendocino, State of California, shall meet in regular session (provided there is a quorum present) on each and every Tuesday of each month, except as herein provided, at the Board Chambers of said Board of Supervisors located at 501 Low Gap Road, Room 1070, in the City of Ukiah, California, at nine (9:00) a.m. on each of said days.

Provided, further: (1) that the Board of Supervisors shall not be required to hold a regular meeting during the week the California State Association of Counties has its annual convention; (2) that the Board of Supervisors shall not be required to hold a regular meeting on any Tuesday that is the fifth Tuesday of a calendar month; and (3) that the Board of Supervisors shall not be required to hold a regular meeting on any Tuesday which is canceled pursuant to the annual calendar adopted by the Board of Supervisors.

(Ord. No. 378, Sec. 1, adopted 1957; Ord. No. 1146, adopted 1973; Ord. No. 1937, adopted 1977; Ord. No. 3429, adopted 1983; Ord. No. 3731, adopted 1990; Ord. No. 3769, adopted 1991; Ord. No. 3901, adopted 1995; Ord. No. 3941, adopted 1996; Ord. No. 4113, adopted 2003; Ord. No. 4121 Sec. 1, adopted 2004.)

Sec. 2.04.020 Hours and Days County Offices are Open.

The hours for which all county offices shall be kept open for the transaction of business shall be set by resolution.

(Ord. No. 366, adopted 1956, as amended by Ord. No. 456, adopted 1963, as amended by Ord. No. 3346, adopted 1981, as amended by Ord. No. 3457, adopted 1983, as amended by Ord. 3866, adopted 1993.)

Sec. 2.04.040 Standards and Training of Local Law Enforcement Officers.

(a) **Declaration of Intent to Qualify.** The County of Mendocino declares that it desires to

qualify to receive aid from the State of California under the provisions of Chapter 1 of Title 4, Part 4 of the Penal Code of California.

(Ord. No. 442, Sec. 1, adopted 1962.)

(b) **Agreement to Adhere to the Standards for Recruitment and Training.** Pursuant to Section 13522 of the Penal Code of said Title 4, Chapter 1, the County of Mendocino, while receiving aid from the State of California pursuant to said Chapter 1, will adhere to the standards for recruitment and training established by the California Commission on Peace Officer Standards and Training. (Ord. No. 442, Sec. 2, adopted 1962.)

Sec. 2.04.041 Recruitment and Training of Local Corrections Officers and Probation Officers.

(a) **Declaration of Intent to Qualify.** The County of Mendocino declares that it desires to qualify to receive aid from the State of California under the provisions of Article III of Chapter 5, of Title VII of Part III of the Penal Code.

(Ord. No. 3318, adopted 1980.)

(b) **Agreement to Adhere to the Standards of Recruitment and Training.** Pursuant to the provisions of Penal Code Section 6041, while receiving aid from the State of California pursuant to Article III of Chapter 5 of Title VII of Part III of the Penal Code (commencing with Penal Code Section 6040), the County of Mendocino will adhere to the standards for recruitment and training established by the Board of Corrections.

(Ord. No. 3318, adopted 1980.)

Sec. 2.04.042 Selection and Training Standards for Public Safety Dispatchers.

(A) The County of Mendocino declares that it desires to qualify to receive aid from the State of California under the provisions of Section 13522, Chapter 1, of Title 4, Part 4, of the California Penal Code.

(B) Pursuant to Section 13510(c), Chapter 1, the Mendocino County Sheriff's Office will adhere

to standards for recruitment and training established by the California Commission on Peace Officer Standards and Training (POST).

(C) Pursuant to Section 13512, Chapter 1, the Commission and its representatives may make such inquiries as deemed appropriate by the Commission to ascertain that the Mendocino County Sheriff's Office public safety dispatcher personnel adhere to standards for selection and training established by the Commission on Peace Officer Standards and Training.
(Ord. No. 3704, adopted 1989.)

Sec. 2.04.043 Recruitment and Training of District Attorneys Investigators.

(1) The County of Mendocino declares that it desires to qualify to receive aid from the State of California under the provisions of Sections 13510 (as amended by Chapter 710 of the Statutes of 1981) and 13524, Chapter 1, of Title 4, Part 4, of the California Penal Code.
(Ord. No. 3369, adopted 1982.)

(2) Pursuant to Section 13522, Chapter 1, the County of Mendocino will adhere to the standards for recruitment and training established by the California Commission on Peace Officer Standards and Training (POST).
(Ord. No. 3369, adopted 1982.)

(3) The County of Mendocino will allow the Commission on POST and its representatives to make such inquiries as deemed appropriate by the Commission, to ascertain that the District Attorney Investigators adhere to the standards for recruitment and training established by the California Commission on POST.
(Ord. No. 3369, adopted 1982.)

Sec. 2.04.044 Training Requirements for Peace Officers of the Health and Human Services Agency.

(1) The County of Mendocino declares that it desires the peace officers employed by the Health and Human Services Department to participate in the Commission of Peace Officer Standards and Training (POST) Non-reimbursable Program.

(2) Pursuant to Section 13510, Chapter 1, of Title 4, Part 4, of the California Penal Code the Health and Human Services Department will adhere to the standards for selection and training of peace officers established by the Commission on Peace Officer Standards and Training.

(3) Pursuant to Section 13512, Chapter 1, the Commission and its representatives may make such inquiries as deemed appropriate by the Commission to ascertain that the Human Services Department peace officer personnel adhere to the standards for selection and training established by the Commission on Peace Officer Standards and Training.
(Ord. No. 4307, 5-7-2013)

Sec. 2.04.050 Absences from Meetings of County Boards and Commissions.

Whenever any person appointed to serve on any county commission or board is absent from three successive regular meetings of the respective commission or board or district governing body on which he serves, or is absent more than thirty-five percent (35%) of the regularly scheduled meetings held thereby during any year subsequent to his appointment, then the term of office held by such appointee shall be automatically deemed to be vacant. This section is intended to be supplementary to and consistent with Section 1770 (g) of the California Government Code.
(Ord. No. 760, adopted 1971.)

(A) Notwithstanding the foregoing rule, an office shall not be deemed vacant if the appointee is absent for an approved reason and if prior to the meeting at which an absence would result in the vacancy each of the following acts has occurred:
(Ord. No. 1101, adopted 1973.)

(1) The county commission or board has, pursuant to minute order, filed with the Clerk of the Board of Supervisors a "Request for Approval of Absence" which contains a request to (a) waive the operative effect of this section for a designated appointee, and (b) permit the appointee to be absent for a specific period of time and for an express specific reason; and

(2) The Board of Supervisors, by minute order, has approved the aforesaid "Request for Approval of Absence," including whatever modifications as to the period of time for the absence and the reason for the absence which it deems reasonable.

(Ord. No. 1101, adopted 1973.)

Sec. 2.04.060 Candidate's Fees.

(A) Pursuant to Elections Code 13307, each candidate for County office shall pay the actual prorated costs of printing, handling and translating his or her candidate's statement, if any, incurred by the County.

(1) The candidate's statement shall be limited to two hundred (200) words; and

(2) The County Clerk shall accept from the candidate no other material for transmittal to the voters.

(Ord. No. 3052, adopted 1978; Ord No. 4008 § 1, adopted 1998.)

Sec. 2.04.070 Training and Supervisors-elect.

(a) Upon approval by the Board of Supervisors, County general fund moneys may be used prior to the assumption of office by that Supervisor-elect for the training and orientation of that Supervisor-elect including the payment of course fees, travel and per diem expenses, course materials, and consultant fees.

(b) Such training and orientation programs, and expenses therefor, shall be those the Board deems proper and beneficial to the exercise of supervisory duties by newly elected Supervisors.

(c) In order to receive training and orientation funds, the Supervisor-elect shall make a formal request to the Board of Supervisors by completing the forms provided by the County Administrator and returning them to the County Administrator for submission to the Board of Supervisors. The Board of Supervisors may, in its sole discretion, grant, deny or modify the request. (Ord. No. 3387, adopted 1982.)

Sec. 2.04.080 Use of County Seal.

(A) The official seal of the County of Mendocino, adopted on July 13, 1982 by the Board

of Supervisors in accordance with Section 25004 of the Government Code, is described as follows: "In the center of the seal is an agricultural scene with an ocean wave and redwood trees and around the margin are the words 'Mendocino County'." An impression of the Seal of the County of Mendocino is as follows:



(B) The Mendocino County Executive Office shall have the custody of the official seal of the County of Mendocino. The use of the official seal of the County of Mendocino shall be for purposes directly connected with official business of the County and for use only in those matters approved by the Mendocino County Executive Office or by resolution of the Board of Supervisors.

(C) Every person who maliciously or for commercial purposes, or without the prior approval of the County Executive Office or the Board of Supervisors, uses, or allows to be used, any reproduction or facsimile of the Seal of the County of Mendocino in any manner whatsoever is guilty of a misdemeanor, and shall be punishable by a fine of not more than Five Hundred Dollars (\$500) or by imprisonment in the County jail for not more than six (6) months or both such fine and imprisonment.

(Ord. No. 4166, adopted 2006.)

CHAPTER 2.08

SUPERVISORIAL DISTRICTS

Sec. 2.08.010 Principles of Boundary Adjustments.

Elections Code Section 21500 requires the Board of Supervisors, following each decennial federal census, and after holding the public hearings required by Elections Code Section 21500.1, to adjust the boundaries of any or all of the supervisorial districts of the County to be as nearly equal in population as may be and shall comply with the applicable provisions of Section 1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts, the Board of Supervisors may give consideration to the following factors: (a) topography, (b) geography, (c) cohesiveness, contiguity, integrity, and compactness of territory, and (d) community of interest of the districts.

(Ord. No. 3344, adopted 1981; Ord. No. 3797 (part), adopted 1991; Ord. No. 4073, adopted 2001; Ord. No. 4284, § 1, 10-4-2011)

Sec. 2.08.020 Boundary Designation.

From and after the effective date of this amendment, utilizing the 2010 decennial federal census, the boundaries of each of the five (5) supervisorial districts of the County of Mendocino shall be deemed to be as set forth in the maps on file in the offices of the Clerk of the Board of Supervisors and the County Planning Department, which are attached hereto and made part of this Chapter, and designated as Exhibit "A" and "B."

(Ord. No. 3344, adopted 1981; Ord. No. 3797 (part), adopted 1991; Ord. No. 4073, adopted 2001; Ord. No. 4284, § 1, 10-4-2011)

Title 5

REVENUE AND FINANCE

- Chapter 5.04** Presentation of Claims
- Chapter 5.08** County Warrants
- Chapter 5.12** Calamity Reassessment
- Chapter 5.14** Damage Reassessment
- Chapter 5.15** Possessory Interest Reassessment
- Chapter 5.16** Sales and Use Taxes
- Chapter 5.20** Tax Imposed on Transients
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- Chapter 5.62** General Liability Trust Fund
- Chapter 5.63** Outer Continental Shelf Impact
Mitigation and Emergency Response
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- Chapter 5.72** Unemployment Compensation Trust Fund
- Chapter 5.82** Ordinance Approving and Authorizing the
Execution of a Facility Lease of Property
Located at 747 South State Street,
Ukiah, California
- Chapter 5.92** Costs of Incarceration
- Chapter 5.96** Reserved
- Chapter 5.100** Williamson Act Assessments
- Chapter 5.110** Property Tax Administration Fees on
Local Public Agencies
- Chapter 5.120** Reserved
- Chapter 5.130** Delegating Authority to Invest to
Treasurer-Tax Collector
- Chapter 5.140** Mendocino County Lodging Business
Improvement District
- Chapter 5.150** Assessment Appeals Board
- Chapter 5.170** Library Special Transactions And Use
Tax

CHAPTER 5.96

RESERVED*

***Editor's note**—Ord. No. 4309, adopted July 30, 2013, repealed ch. 5.96, §§ 5.96.010—5.96.040, in its entirety. Former ch. 5.96 pertained to board of equalization fees and was derived from Ord. No. 3536, adopted 1985.

CHAPTER 5.100

WILLIAMSON ACT ASSESSMENTS

Sec. 5.100.010 Fixed Base Year Percentage.

Pursuant to authority contained in Revenue and Taxation Code Section 423.3, the following assessment scheme shall apply to the value of land enforceably restricted under the Williamson Act:

(A) Land specified in Subdivision (c) of Section 16142 of the Government Code shall be assessed at the value determined as provided in Section 423 but not to exceed a uniformly applied percentage of its base year value pursuant to Section 110.1 adjusted to reflect the percentage change in the cost of living not to exceed two percent (2%) per year. That percentage shall be seventy-five percent (75%).

(B) Prime commercial rangeland, as defined in Subdivision (c) of Section 423.3 of the Revenue and Taxation Code, shall be assessed at the value determined as provided in Section 423, but not to exceed a uniformly applied percentage of its base year value pursuant to Section 110.1, adjusted to reflect the percentage change in the cost of living not to exceed two percent (2%) per year. That percentage shall be eighty percent (80%).

(C) Land specified in Subdivision (d) of Section 16142 of the Government Code shall be assessed at the value determined as provided in Section 423, but not to exceed a uniformly applied percentage of its base year value pursuant to Section 110.1, adjusted to reflect the percentage in the cost of living not to exceed two percent (2%) per year. That percentage shall be ninety percent (90%).

For the purposes of this section "prime commercial rangeland" means rangeland which meets all of the following physical-chemical parameters:

- (1) Soil depth of twelve (12) inches or more.
- (2) Soil texture of fine sandy loam to clay.
- (3) Soil permeability of rapid to slow.
- (4) Soil with at least two and one half (2-1/2) inches of available water holding capacity in profile.
- (5) A slope of less than thirty percent (30%).

(6) A climate with eighty (80) or more frost-free days per year.

(7) Ten (10) inches or more average annual precipitation.

(8) When managed at potential, the land generally requires less than seventeen (17) acres to support one animal unit per year.

(Ord. No. 3666 (part), adopted 1987; Ord. No. 4005 (part), adopted 1998.)

Sec. 5.100.020 Operative Date.

This Chapter shall only be operative for all the tax years commencing with the 1988-1989 tax year, unless terminated by action of the Board of Supervisors. This section is intended to be retroactive to include tax years 1991-1992, 1992-1993, 1993-1994, 1994-1995, 1995-1996, 1996-1997, 1997-1998.

(Ord. No. 3666 (part), adopted 1987; Ord. No. 4005 (part), adopted 1998.)

CHAPTER 5.110

PROPERTY TAX ADMINISTRATION FEES ON LOCAL PUBLIC AGENCIES

Sec. 5.110.010 Authority.

Effective January 1, 1991, Revenue and Taxation Code Section 97 authorizes the County commencing with the 1989-90 fiscal year to recover its actual costs of assessing, collecting and allocating property taxes, including applicable administrative overhead costs as permitted by Federal Circular A-87 standards, from all public agencies in proportion to the property tax proceeds received by each public agency.

The allocation of property tax administration costs shall not exceed the actual County costs of assessing, collecting, and allocating property taxes, including applicable administrative overhead costs as permitted by Federal Circular A-87 standards.

The recovery of County property tax administration costs during the 1990-91 fiscal year shall be based on the County Auditor-Controller's determination of the County's property tax administration costs for the 1989-90 fiscal year, and the allocation of such costs among the public agencies in proportion to the property tax revenues received by each public agency for the 1989-90 fiscal year.

(Ord. No. 3764 (part), adopted 1991.)

Sec. 5.110.020 Finding.

The County Auditor-Controller has determined on Exhibit "A" attached to the ordinance codified in this Chapter the County's property tax administration costs for the 1989-90 fiscal year and the allocation among public agencies of such costs in proportion to the property tax revenues received by each public agency for the 1989-90 fiscal year.

(Ord. No. 3764 (part), adopted 1991.)

Sec. 5.110.030 Allocation.

The property tax administration costs for the 1989-90 fiscal year are hereby allocated among all

public agencies receiving property tax revenues for that fiscal year in accordance with Exhibit "A" attached to the ordinance codified in this Chapter. The allocation of property tax administration costs does not exceed the actual County costs of assessing, collecting and allocating property taxes for the 1989-90 fiscal year, including applicable administrative overhead costs as permitted by Federal Circular A-87 standards.

(Ord. No. 3764 (part), adopted 1991.)

Sec. 5.110.040 Retention.

The County Auditor-Controller is authorized and directed to invoice each public agency for its share of property tax administration costs in accordance with Exhibit "A". For each public agency which does not pay the invoice within thirty (30) days of the date of invoice, the County Auditor-Controller is authorized to retain up to one-half (½) of any increased property tax allocation to which a jurisdiction may be otherwise entitled, until the County recovers the property tax administration costs to which it is entitled.

(Ord. No. 3764 (part), adopted 1991.)

Sec. 5.110.050 Offset.

As an alternative to Section 5.110.040 and pursuant to Government Code Section 907, the County Auditor-Controller may offset any delinquent amount for the fee herein against any amount reciprocally owing to the delinquent local public entity by the County.

(Ord. No. 3764 (part), adopted 1991.)

Sec. 5.110.060 Severability.

It is the intent of the Board of Supervisors to recover its property tax administration costs to the maximum extent permissible. If any provision of this Chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Chapter which can be given effect without the invalid provision or application, and to this end the provisions of this Chapter are severable.

(Ord. No. 3764 (part), adopted 1991.)

CHAPTER 5.120

RESERVED*

***Editor's note**—Ord. No. 4279, adopted July 12, 2011, repealed former Ch. 5.120, §§ 5.120.010—5.120.090, in its entirety which pertained to jail booking fees on local public agencies and derived from Ord. No. 3794, adopted in 1991; Ord. No. 3849, adopted in 1993.

CHAPTER 5.150

ASSESSMENT APPEALS BOARD

Sec. 5.150.010. Establishment of Board.

Pursuant to the provisions of Section 16 of Article XIII of the California Constitution, an assessment appeals board is created and established for Mendocino County.
(Ord. No. 4286, 12-6-2011; Ord. No. 4308, 7-30-2013)

Sec. 5.150.020. Members and Alternate Members of the Assessment Appeals Board.

The assessment appeals board shall consist of three (3) members who shall be appointed and reappointed directly by the Board of Supervisors for terms as provided by law. The Board of Supervisors shall appoint and reappoint directly alternate members for terms as provided by law for regular members of the assessment appeals board. An alternate member shall serve whenever any regular member is temporarily unable to act as a member of the board.
(Ord. No. 4286, 12-6-2011; Ord. No. 4308, 7-30-2013)

Sec. 5.150.030. Qualifications for Membership.

A person shall not be eligible for nomination for membership on the assessment appeals board unless he or she has a minimum for five (5) years professional experience in this state of one (1) of the following: certified public accountant or public accountant; licensed real estate broker; attorney; property appraisers accredited by a nationally recognized professional organization; or a person who the nominating member of the Board of Supervisors has reason to believe is possessed of competent knowledge of property appraisal and taxation.
(Ord. No. 4286, 12-6-2011; Ord. No. 4308, 7-30-2013)

Sec. 5.150.040. Jurisdiction and Duties of Assessment Appeals Board.

The assessment appeals board shall constitute the board of equalization for Mendocino County

and shall have the power to equalize the valuation of taxable property within the county for the purpose of taxation, as provided by applicable law.
(Ord. No. 4286, 12-6-2011; Ord. No. 4308, 7-30-2013)

Sec. 5.150.050. Compensation.

Compensation for members of the assessment appeals board shall be established by this board by resolution.
(Ord. No. 4286, 12-6-2011; Ord. No. 4308, 7-30-2013)

Sec. 5.150.060. Clerical Assistance.

The Clerk of the Board of Supervisors shall be the clerk of the assessment appeals board, keep a record of the proceedings, shall provide such clerical assistance as the assessment appeals board may require, and shall otherwise perform those duties prescribed by law for the clerk of the assessment appeals board.
(Ord. No. 4286, 12-6-2011; Ord. No. 4308, 7-30-2013)

Sec. 5.150.070. Legal Advisor.

The County Counsel shall, upon request, provide such legal assistance to the assessment appeals board as such counsel determines is appropriate and necessary.
(Ord. No. 4286, 12-6-2011; Ord. No. 4308, 7-30-2013)

Sec. 5.150.080. Rules of Procedure.

All proceedings before the assessment appeals board shall be conducted in accordance with the rules relating to local equalization as set forth in Title 18 of the Code of California Regulations, as well as such local rules as the Board of Supervisors may prescribe.
(Ord. No. 4286, 12-6-2011; Ord. No. 4308, 7-30-2013)

Sec. 5.150.090. Assessment Appeal Board Fees.

All fees and costs applicable to Assessment Appeal Board appeal applications and proceedings shall be set from time to time by Board of Supervisors' resolution.

(Ord. No. 4308, 7-30-2013)

Sec. 8.64.070 Liability.

ASSUMPTION OF LIABILITY—The privilege of using an airport and its facilities is conditioned upon the assumption of full responsibility, liability, and risk by the user thereof; and the County of Mendocino, its agents and employees, shall not be liable for loss, damage, or injury to persons or property arising out of any accident, of any nature whatsoever, or from any cause whatsoever including, but not limited to, fire, theft, vandalism, wind, flood, earthquake, collision, or act of God.

(Ord. No. 3347, adopted 1981.)

Sec. 8.64.080 Penalty.

(A) Any person operating, using, or handling any aircraft, vehicle, equipment, or apparatus, or using an airport or any of its facilities in violation of these rules and regulations or who refuses to comply therewith, shall be subject to immediate removal by the Airport Manager and may be permanently deprived of any further use of an airport or its facilities for such length of time as may be required to insure the safeguarding of the airport and the public.

(B) Any person operating, using, or handling any aircraft, vehicle, equipment, or apparatus, or using an airport or any of its facilities in violation of these rules and regulations or who refuses to comply therewith, is guilty of an infraction.

(Ord. No. 3347, adopted 1981, as amended by Ord. No. 3584, adopted 1985.)

CHAPTER 8.68

COMMISSION ON THE STATUS OF WOMEN

Sec. 8.68.010 Establishment.

There is established, pursuant to authority contained in Government Code Section 31000.1, a County of Mendocino Commission on the Status of Women.

(Ord. No. 3609, adopted 1986; Ord. No. 3773, adopted 1991.)

Sec. 8.68.020 Purpose.

The Commission is established to serve in an advisory capacity to the Board of Supervisors on all matters concerning the status of women within the County of Mendocino. The Commission shall not attempt to regulate or undertake those responsibilities preempted by Federal, State or other local agencies. The Commission shall not advise on matters within the jurisdiction of other commissions or committees formed by the Board of Supervisors nor shall the Commission advise on County employee-employer relations without prior authorization having been obtained from the Board of Supervisors.

(Ord. No. 3609, adopted 1986.)

Sec. 8.68.030 Membership and Term.

The Commission shall consist of fifteen (15) members, residents of Mendocino County, appointed by the Board of Supervisors to serve two (2) year terms. Each Supervisor shall appoint three (3) persons within his or her district.

(Ord. No. 3609, adopted 1986; Ord. No. 3757, adopted 1991.)

Sec. 8.68.040 Meetings.

The Commission shall convene no fewer than four (4) meetings annually at such time and place as shall be agreed upon by the Commission and such other special meetings as shall be required from time to time.

(Ord. No. 3609, adopted 1986.)

Sec. 8.68.050 Powers and Duties.

The powers and duties of the Commission, as qualified by Section 8.68.020 shall be as follows:

(A) On behalf of the Board of Supervisors, to study and investigate by means of meetings, conferences, public hearings or other appropriate means, conditions impacting on the status of women;

(B) To recommend to the Board of Supervisors necessary programs, or legislation to promote, ensure and protect equal rights and opportunities for women;

(C) To render to the Board of Supervisors, upon the Board's request, a report or reports of Commission activities;

(D) Subject to the approval of the County Administrator, to request of any County department information, services, facilities and any other assistance for the purposes of furthering the objectives of this Chapter;

(E) Though the Commission shall not receive County funding, with the consent of the Board of Supervisors, the Commission may solicit and accept funds from Federal and State governmental agencies for carrying out the purposes outlined in this Chapter. The Commission may also, with the consent of the Board of Supervisors, accept gifts, donations and grant awards from any source for carrying out its functions.

(Ord. No. 3609, adopted 1986.)

Sec. 8.68.060 Reimbursements/ Volunteers.

(A) The Commission shall be a nonfunded commission and Commissioners shall serve without compensation.

(B) The Commission may engage the services of volunteer workers and consultants without compensation as it finds necessary. Service of an individual as a volunteer worker or as a consultant shall not be considered as employment by the County for any purpose.

(Ord. No. 3609, adopted 1986.)

Sec. 8.68.070 Bylaws.

The Commission may adopt and amend by-laws subject to the prior approval of the Board of Supervisors.

(Ord. No. 3609, adopted 1986.)

CHAPTER 8.69

COUNTY COMMISSION ON MEDICAL CARE

Sec. 8.69.000 Findings.

The Board of Supervisors of the County of Mendocino makes the following findings:

1. Pursuant to Welfare and Institutions Code Section 14087.54, any county or counties may establish a special Commission in order to meet the problems of the delivery of publicly assisted medical care in the county or counties and to demonstrate ways of promoting quality care and cost efficiency.

2. Partnership HealthPlan of California Commission ("Commission") is a multi-county Commission currently composed of the counties of Solano, Napa, Yolo and Sonoma that has created a managed health care plan for Medi-Cal recipients.

3. This Board deems it appropriate to join the Commission and the Commission wishes to expand to include Mendocino County. The Commission may expand to other counties in the future. (Ord. No. 4274, 5-3-2011; Ord. No. 4310, 7-30-2013)

Sec. 8.69.010 Title.

This ordinance shall be known as the COUNTY COMMISSION ON MEDICAL CARE.

(Ord. No. 4274, 5-3-2011; Ord. No. 4310, 7-30-2013)

Sec. 8.69.020 Purpose.

Partnership HealthPlan of California Commission ("Commission") is a multi-county Commission that has created a managed health care plan for Medi-Cal recipients. The purpose of this chapter is to authorize the County of Mendocino to join the existing Commission. This will allow the implementation of a county organized health system in Mendocino County as authorized by Welfare and Institutions Code Section 14087.54.

The purpose of the Commission is to negotiate exclusive contracts with the California Department of Health Care Services and to arrange for the provision of health care services to qualifying individuals, as well as other purposes set forth in the enabling ordinances established by the respective counties.

(Ord. No. 4274, 5-3-2011; Ord. No. 4310, 7-30-2013)

Sec. 8.69.030 Designation and Duration of Commission.

Pursuant to Welfare and Institutions Code Section 14087.54, the Mendocino County Board of Supervisors hereby authorizes Mendocino County to join the Commission in conjunction with Marin County, Napa County, Solano County, Yolo County, and Sonoma County. The counties of Del Norte, Humboldt, Lake, Lassen, Modoc, Shasta, Shiskiyou and Trinity are also considering joining the Commission. The Commission shall continue to represent Mendocino County until the Mendocino County Board of Supervisors terminates the representation. To terminate representation, the Mendocino County Board of Supervisors or its designee shall provide ninety (90) day notice to the other participating counties and will provide notice to the State Department of Health Care Services as set forth in Welfare and Institutions Code Section 14087.54(g).

(Ord. No. 4274, 5-3-2011; Ord. No. 4310, 7-30-2013)

Sec. 8.69.040 Membership of Commission.

(a) The Partnership HealthPlan of California (PHC) Commission on medical care shall be comprised of Commissioners appointed by the Board of Supervisors of each member county. Unless and until the Commission amends its By-laws to establish a different formula or system for membership, each County's membership shall be calculated according to the following formula: Commission Members shall be recommended by the Mendocino County Health and Human Services Agency using the criteria in Section 8.69.040 (c)(1—3).

(b) The number of Medi-Cal members for each county shall be determined by PHC as of July 1 of each year beginning in the year 2009. The determination by PHC shall be announced to each county by August 1 of each year. Any additions or deletions of Commissioners shall be implemented effective September 1 of each year.

(c) The members appointed by Mendocino County Board of Supervisors shall be selected as follows:

1. One (1) member shall be the director of the Mendocino County Health and Human Services Agency or his or her designee.

2. Two (2) Members from the community ("Public Representatives"). The Mendocino County Health and Human Services Agency may make recommendations based on the following criteria:

(1) Geography;

(2) Knowledge of the healthcare needs of County residents;

(3) Business and Finance experience.
(Ord. No. 4274, 5-3-2011; Ord. No. 4310, 7-30-2013)

Sec. 8.69.050 Terms of Office for Members and Vacancy in Office.

The terms of office for each of the members of the Commission appointed by the Mendocino County Board of Supervisors shall be four (4) years. Nothing herein shall prohibit a person from serving more than one (1) term. Each Commission member shall remain in office at the conclusion of that member's term until a successor member has been elected and installed into office. An office shall become vacant if a board member discontinues to function in the area from which appointed, or fails to attend three (3) meetings in a row of the Commission.

(Ord. No. 4274, 5-3-2011; Ord. No. 4310, 7-30-2013)

Sec. 8.69.060 Powers and Duties of Commission.

Pursuant to the provisions of Section 14087.54 of the Welfare and Institutions Code, the Commission shall:

(a) Have the power to negotiate the exclusive contract with the California Department of Health Care Services as specified in Section 14087.5 of the Welfare and Institutions Code, and to arrange for the provision of health care services provided under Chapter 7, Part 3, Division 9 of the Welfare and Institutions Code;

(b) Be considered an entity separate from the County;

(c) File the statement required by Section 53051 of the Government Code;

(d) Have the power to acquire, possess, and dispose of real or personal property, as may be necessary for the performance of its functions, to employ personnel and contract for services required to meet its obligations, and to sue or be sued; and

(e) Have all the rights, powers, duties, privileges, and immunities conferred by Article 2.8 of Chapter 7, Part 3, Division 9 of the Welfare and Institutions Code in addition to those previously specified in this section.

(Ord. No. 4274, 5-3-2011; Ord. No. 4310, 7-30-2013)

Sec. 8.69.070 Obligations.

Pursuant to the provisions of Section 14087.54(d) of the Welfare and Institutions Code, any obligations of the Commission, statutory, contractual, or otherwise, shall be the obligations solely of the Commission and shall not be the obligations of the County of Mendocino.

(Ord. No. 4274, 5-3-2011; Ord. No. 4310, 7-30-2013)

Sec. 8.69.080 Effective Date.

This ordinance shall take effect thirty days (30) after adoption by the Board.

(Ord. No. 4274, 5-3-2011; Ord. No. 4310, 7-30-2013)

CHAPTER 8.70

HAZARDOUS MATERIALS RELEASES

Sec. 8.70.010 Definitions.

For the purpose of this Chapter, the following definitions shall apply:

(A) "Hazardous material" means any material described in Section 25501(k) of the California Health and Safety Code.

(B) "Unauthorized release of hazardous material" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, unless permitted or authorized by a regulatory agency.

(C) A "threatened release" means a condition creating a substantial probability of harm, when the probability and potential extent of harm make it reasonably necessary to take immediate action to prevent, reduce or mitigate damages to persons, property or the environment.

(D) "Handler" means any business which handles a hazardous material.
(Ord. 3653, adopted 1987; Ord. No. 3909 (part), adopted 1995.)

Sec. 8.70.020 Duty to Report Unauthorized Releases and Threatened Releases.

The handler or any employee, authorized representative, agent or designee of a handler of any hazardous material shall, upon discovery immediately report any release or threatened release of a hazardous material to the local Fire Department, the Department of Public Health, Division of Environmental Health (Administering Agency for Chapter 6.95 of the California Health and Safety Code), and the Governor's Office of Emergency Services Warning Center. Compliance with this section does not release handlers from other reports required by State and Federal law.

The County Administrator shall be notified of significant releases which may have a significant effect on County resources.
(Ord. No. 3653, adopted 1987; Ord. No. 3909 (part), adopted 1995.)

Sec. 8.70.030 County Response to Release of Hazardous Substance.

Pursuant to Section 25507.2 of the California Health and Safety Code, the Department of Public Health, Division of Environmental Health, is hereby authorized to train for, and respond to, the release or threatened release of a hazardous material. The Department may contract with other agencies for hazardous materials emergency response operations.

(Ord. No. 3653, adopted 1987; Ord. 3909 (part), adopted 1995.)

Sec. 8.70.040 Reimbursement for County Expenses.

The persons or entities described in Section 8.70.020 shall reimburse the County of Mendocino for the full cost of the services provided pursuant to Section 8.70.030. Payment shall be due upon receipt of invoice.

(Ord. No. 3653, adopted 1987; Ord. 3909 (part), adopted 1995.)

Sec. 8.70.050 Penalties.

Pursuant to the authority of Section 25514.5 of the California Health and Safety Code, the following administrative civil penalties are adopted for each day in which violations of this Title and Chapter 6.95, Article 1 of the California Health and Safety Code occur.

(A) A penalty of Five Hundred Dollars (\$500) for the first violation;

(B) A penalty of One Thousand Dollars (\$1,000) for the second violation within one year;

(C) A penalty of Two Thousand Dollars (\$2,000) for the third and subsequent violations.

This section does not preempt any other applicable criminal or civil penalties.

(Ord. No. 3653, adopted 1987; Ord. 3909 (part), adopted 1995.)

Sec. 8.70.060 Authorized Emergency Vehicles.

Pursuant to Section 2416(a)(10) of the California Vehicle Code, any vehicle designated by the Director of the Department of Public Health as a

hazardous materials response team vehicle, and used for response to hazardous materials emergencies, is an authorized emergency vehicle.
(Ord. 3909 (part), adopted 1995.)

CHAPTER 8.72

UNLAWFUL PANHANDLING

Sec. 8.72.010 Findings and Purpose.

The Board of Supervisors finds that this Chapter is necessary for the following reasons:

(A) Within the past two (2) years, there has been a substantial increase in aggressive panhandling in Mendocino County.

(B) The number of people engaging in this activity has increased in parking lots, at entrances to business establishments such as grocery stores, and on streets and major intersections and freeway on- and off-ramps.

(C) When this activity occurs in such places, it interferes with the safety, privacy, and security of the people who are approached for contributions of money, goods, or services.

(D) Panhandling of operators and other occupants of motor vehicles on public streets and freeway on- and off-ramps impedes traffic and endangers those who may enter the roadway to negotiate or complete an exchange of money, goods, or services.

(E) Panhandling in parking lots or within close proximity to the entrance to financial institutions, supermarkets, or retail stores can be intimidating or can threaten people using such facilities and undermine their sense of safety, privacy, and quality of life.

(F) In February 2005, the City of Ukiah adopted an ordinance imposing restrictions on unlawful panhandling within the city limits. Since the city's ordinance took effect, the County has experienced an increase in aggressive panhandling activities in the commercial areas of the unincorporated area immediately outside the city limits.

(G) Reasonable time, place, and manner restrictions on panhandling will avoid these negative effects, and will not unreasonably restrict the expressive activity of people engaging in panhandling.

(Ord. No. 4172 (part), adopted 2006.)

Sec. 8.72.020 Definitions.

The following words and phrases, wherever used in this Chapter, shall be construed as defined in this Section, unless it is clear from the context that they have a different meaning.

(A) "Aggressive manner" means:

(1) Approaching or speaking to a person, or following a person before, during, or after panhandling, if that conduct is likely to cause a reasonable person to:

(a) Fear bodily harm to oneself or another person, or damage to or loss of property; or

(b) Otherwise be intimidated into giving money or another thing of value; or if the conduct is intended to have these effects.

(2) Approaching an occupied vehicle by entering into the roadway when traffic is either stopped or moving, before, during, or after panhandling;

(3) Knocking on the window of, or physically reaching toward or into an occupied vehicle, whether that vehicle is on a public street or parked, before, during, or after panhandling;

(4) Continuing to solicit from a person after the person has given a negative response to such panhandling;

(5) Intentionally touching or causing physical contact with another person without that person's consent in the course of panhandling;

(6) Intentionally blocking or interfering with the safe or free passage of a pedestrian or vehicle by any means, including causing a pedestrian or vehicle operator to take evasive action to avoid physical contact before, during, or after panhandling;

(7) Using violent or threatening gestures toward a person before, during, or after panhandling;

(8) Using profane, offensive, or abusive language toward a person before, during, or after panhandling;

(9) Panhandling while under the influence of alcohol or any illegal narcotic or controlled substance; or

(10) Following a person while panhandling with the intent of asking that person for money, goods, or other things of value.

(B) "Panhandling" means asking for money or objects of value, with the intention that the money or object be transferred at that time and at that place. "Panhandling" shall include using the spoken, written, or printed word, bodily gestures, signs, or other means with the purpose of obtaining an immediate donation of money or other thing of value or soliciting the sale of goods or services.

(C) "Public place" means a place where a governmental entity has title to or which the public or a substantial group of persons has access, including, but not limited to, street, highway, parking lot, plaza, transportation facility, shopping center, school, place of amusement, park, or playground.

(D) "Check cashing business" means any person, corporation, partnership or firm duly licensed by the Attorney General to engage in the business of cashing checks, drafts, or money orders for consideration under Section 1789.31 of the California Civil Code.

(E) "Automated teller machine" means a device, linked to a financial institution's account records, which is able to carry out transactions, including, but not limited to, account transfers, deposits, cash withdrawals, balance inquiries, and mortgage and loan payments, whether or not that device is affiliated with or owned by a specific financial institution.

(F) "Automated teller machine facility" means the area comprised of one (1) or more automatic teller machines and any adjacent space that is made available to banking customers during or after regular banking hours.

(Ord. No. 4172 (part), adopted 2006.)

Sec. 8.72.030 Unlawful Panhandling Prohibited.

It is unlawful and a public nuisance for any person to:

(A) Panhandle in an aggressive manner in any public place.

(B) Panhandle within twenty (20) feet of any entrance or exit of any check cashing business, supermarket or retail store, or within twenty (20) feet of any automated teller machine without the consent of the owner/agent of the property or another person legally in possession of such facilities; provided, however, that when an automated teller machine is located within an automated teller machine facility, such distance shall be measured from the entrance or exit of the facility.

(C) Panhandle an operator or other occupant of a motor vehicle while such vehicle is located on any street or highway on-ramp or off-ramp, for the purpose of performing or offering to perform a service in connection with such vehicle or otherwise soliciting a donation or the sale of goods or services; provided, however, that this subsection shall not apply to services rendered in connection with emergency repairs requested by the operator or passenger of such vehicle.

(D) Panhandle in any public transportation vehicle, or any public or private parking lot or parking structure.

(Ord. No. 4172 (part), adopted 2006.)

Sec. 8.72.040 Penalties.

A first offense of any violation of this Chapter shall be an infraction punishable as provided in Mendocino County Code Section 1.04.110(B). Any second or subsequent offense of this Chapter shall be a misdemeanor punishable as provided in Mendocino County Code Section 1.04.110(A).

(Ord. No. 4172 (part), adopted 2006.)

Sec. 8.72.050 Other Applicable Laws.

Nothing in this Chapter shall limit or preclude the enforcement of other applicable laws, and to that end, the remedies under this Chapter and the punishments thereunder shall be cumulative and not exclusive.

(Ord. No. 4172 (part), adopted 2006.)

Sec. 8.72.060 Severability.

The provisions of this Chapter are separate and severable. If any provision of this Chapter is

for any reason held by a court to be unconstitutional or invalid, the Board declares that it would have passed this Chapter irrespective of the invalidity of the provision held to be unconstitutional or invalid. Such unconstitutionality or invalidity shall therefore not affect the remaining provisions of this Chapter, or the validity of its application to other persons or circumstances.

(Ord. No. 4172 (part), adopted 2006.)

(20) On Little Lake Road (CR 408), from mile post 0.00 to mile post 1.18 (one mile easterly of State Route 1).

(21) On Holquist Lane (CR 412), from mile post 0.00 to mile post 0.15.

(22) Repealed.

(23) On East Side Calpella Road (CR 227), from mile post 0.00 to mile post 1.50 and from mile post 2.75 to mile post 3.30.

(24) On Lake Mendocino Drive (CR 227B), from 0.75 miles easterly of North State Street to terminus.

(25) On Pinoleville Drive (CR 225), full length.

(26) On Black Bart Drive (CR 370), from mile post 1.51 to terminus.

(27) On Blackhawk Drive (CR 371), full length.

(28) On Ridgeview Road (CR 372), full length.

(29) On Baywood Way (CR 373), full length.

(30) On Bluejay Lane (CR 374), full length.

(31) On Comptche-Ukiah Road (CR 223), from mile post 14.13 to mile post 14.64.

(32) On Branscomb Road (CR 429), from mile post 25.00 to mile post 25.31.

(33) On the entire length of Brooktrails Drive (CR 311B).

(34) On Birch Street (CR 601), between Brooktrails Drive (CR 311B) mile post 0.00 and Clover Road (CR 603) mile post 0.13.

(35) On North State Street, CR 104 from mile post 4.57 to mile post 5.11.

(36) On Moore Street, CR 229B from mile post 0.10 to mile post 0.42.

(C) Speed Zone Schedule/Thirty (30) Miles Per Hour Prima Facie Speed Limit. Upon the streets designated in this subsection a prima facie speed limit of thirty (30) miles per hour is hereby declared to be reasonable, safe and more appropriate to facilitate the orderly movement of traffic.

(1) On Fort Bragg-Sherwood Road (CR 419), from the Fort Bragg City Limits easterly approximately, 0.50 miles to California Way.

(2) On Airport Road (CR 424), from the Fort Bragg City Limits mile post 0.00 to mile post 0.64.

(3) Repealed.

(4) On Little Valley Road (CR 426), full length.

(5) On Burris Lane (CR 243), from mile post 0.00 to mile post 0.80.

(6) On Simpson Lane (CR 414), from mile post 0.00 to mile post 1.50.

(7) On Albion Ridge Road (CR 402), from mile post 0.00 to mile post 2.00.

(8) On Black Bart Drive (CR 370), from mile post 0.00 to mile post 1.51.

(9) On East Side Calpella Road (CR 227), from mile post 1.50 to mile post 2.75.

(10) On Birch Street (CR 601), from Clover Road (CR 603) mile post 0.13 to Sherwood Road (CR 311) mile post 0.76.

(11) On Primrose Drive (CR 604), from Sherwood Road (CR 311) mile post 0.00 to Clover Road (CR 603) mile post 1.04.

(12) On Center Valley Road (CR 303), from the Willits City Limit mile post 0.00 to Bray Road (CR 305) mile post 0.52.

(D) Speed Zone Schedule/Thirty-Five (35) Miles Per Hour Prima Facie Speed Limit. Upon the streets designated in this subsection, a prima facie speed limit of thirty-five (35) miles per hour is hereby declared to be reasonable, safe and more appropriate to facilitate the orderly movement of traffic.

(1) On East Road (CR 230), from mile post 1.34 to mile post 1.79.

(2) On Heeser Drive (CR 407FF), full length.

(3) On Simpson Lane (CR 414), from mile post 1.50 to mile post 3.60.

(4) On Vichy Springs Road (CR 215), from the Ukiah City Limits mile post 0.00 to mile post 1.35.

(5) On Ward Avenue (CR 425B), from mile post 0.00 to mile post 0.7.

(6) On Laytonville Reservation Road (CR 319F), full length.

(7) On Airport Road (CR 424), from mile post 0.64 to terminus.

(8) On North Road (CR 319E), full length.

(9) On Lakeside Drive (CR 319B), full length.

(10) Repealed.

(11) Repealed.

(12) On Little Lake Road (CR 408), from mile post 1.18 (State Highway 1) to mile post 4.0.

(13) On Lansing Street (CR 500), from Heeser Drive (CR 407FF) northerly to State Route 1.

(14) On East Side Calpella Road (CR 227), from mile post 3.30 to mile post 3.88 (terminus).

(15) On Tomki Road (CR 237D), from mile post 0.00 to mile post 3.90.

(16) On Lake Mendocino Drive (CR 227B), from North State Street (CR 104) to 0.75 miles easterly thereof.

(17) Repealed.

(18) On Caspar-Little Lake Road (CR 409), from mile post 1.80 to mile post 3.32.

(19) On Hensley Creek Road (CR 225A), from mile post 0.00 to mile post 0.17.

(20) On Orr Springs Road (CR 223), from North State Street (CR 104) to 0.84 miles westerly thereof.

(21) On Central Avenue (CR 229), full length.

(22) On South State Street (CR 104A), from mile post 0.63 to mile post 1.41.

(23) On Ocean Drive (CR 436), from mile post 0.25 (Mitchell Creek) northerly to terminus.

(24) On Uva Drive (CR 239), from mile post 0.00 (the end of Central Avenue) to mile post 2.05.

(25) On Branscomb Road (CR 429), from mile post 23.00 to mile post 25.00.

(26) On Powerhouse Road (CR 248A), from mile post 0.00 (Main Street, CR 245) to mile post 1.23 (Gibson Lane, CR 246).

(27) On Road N (CR 238A), full length.

(28) Repealed.

(29) On Gielow Lane (CR 206), full length.

(30) On Crispin Road (CR 511), full length.

(31) On Little River Airport Road (CR 404), from the intersection of State Highway 1, mile post 0.00, to mile post 1.85 and from mile post 3.45 to the end of the road at its intersection with Comptche Ukiah Road.

(32) On Navarro Ridge Road (CR 518) from the intersection of State Highway 1, mile post 0.00, to mile post 3.37.

(33) On Pudding Creek Road (CR 421), from the intersection of State Highway 1, mile post 0.00, to mile post 0.55.

(34) On Clover Road (CR 603), from Birch Street (CR 601) mile post 0.00 to Primrose Drive (CR 604) mile post 0.38.

(35) On Daphne Way (CR 608), from Sherwood Road (CR 311) mile post 0.0 to Poppy Drive (CR 623) mile post 0.85.

(36) On Airport Road (CR 126), from Estate Drive (CR 126A) mile post 0.23 to the end of Airport Road (CR 126) mile post 0.63.

(37) On North State Street (CR 104), from mile post 0.00 to mile post 0.44.

(E) **Speed Zone Schedule/Forty (40) Miles Per Hour Prima Facie Speed Limit.** Upon the streets designated in this subsection, a prima facie speed limit of forty (40) miles per hour is hereby declared reasonable, safe and more appropriate to facilitate the orderly movement of traffic.

(1) On Hearst-Willits Road (CR 306), from Valley Road (CR 309) to 2.7 miles northeasterly thereof.

(2) On Pudding Creek Road (CR 421), from the Fort Bragg City Limits to 1.55 miles east of State Route 1.

(3) On West Road (CR 237), from School Way (CR 236) northerly to terminus.

(4) On Redemeyer Road (CR 215A), from mile post 0.39 (Vichy Springs Road) to mile post 1.68.

(5) On East Hill Road (CR 301), from the Willits City Limits to 0.25 miles east of Center Valley Road (CR 303).

(6) On Caspar-Little Lake Road (CR 409), from mile post 0.00 to mile post 1.80.

(7) Repealed.

(8) Repealed.

(9) On Little River Airport Road from mile post 1.85 to mile post 3.45.

(10) On Pudding Creek Road (CR 421), from mile post 0.55 to the end of the road.

(11) On Sherwood Road (CR 311), from Primrose Drive (CR 604) mile post 2.17 to Crow Place (CR 699) mile post 3.89.

(12) On North State Street, CR 104 from mile post 5.11 to mile post 5.25.

(13) On Old Stage Road (CR 502), from Old State Highway, (CR 501A) mile post 0.00 to the northerly intersection of Gualala Court (CR 502A) mile post 1.06.

(14) On Pacific Woods Road (CR 524), full length.

(15) On Comptche-Ukiah Road, CR 223, one-half mile southerly of intersection of Little River Airport Road mile post 5.77.

(F) Speed Zone Schedule/Forty-Five (45) Miles Per Hour Prima Facie Speed Limit. Upon the streets designated in this subsection, a prima facie speed limit of forty-five (45) miles per hour is hereby declared to be reasonable, safe and more appropriate to facilitate the orderly movement of traffic.

(1) On East Side Potter Valley Road (CR 240), from State Route 1 to 3.85 miles north of Burris Road.

(2) Repealed.

(3) On the Eel River Road (CR 240B), from mile post 0.00 to mile post 2.57.

(4) On Vichy Springs Road (CR 215), from mile post 1.35 and mile post 2.58.

(5) On South State Street (CR 104A), from mile post 0.00 to mile post 0.63.

(6) On Ruddick Cunningham Road (CR 205), full length.

(7) On Sherwood Road (CR 311), from the Willits City Limits mile post 0.00 to Primrose Drive (CR 604) mile post 2.17.

(8) On Center Valley Road (CR 303), from mile post 1.45 to the end of the road at East Hill Road (CR 301) mile post 2.07.

(9) On North State Street (CR 104), from mile post 0.44 to mile post 2.45.

(10) On Old Stage Road (CR 502), from the northerly intersection of Gualala Court (CR 502A) mile post 1.06 to mile post 2.35.

(G) Speed Zone Schedule/Fifty (50) Miles Per Hour Prima Facie Speed Limit. Upon the streets designated in this subsection, a prima facie speed

limit of fifty (50) miles per hour is hereby declared to be reasonable, safe and more appropriate to facilitate the orderly movement of traffic.

(1) On East Road (CR 230), from mile post 0.08 to mile post 1.34.

(2) On East Road (CR 230), from mile post 1.79 to mile post 5.39.

(3) On Center Valley Road (CR 303), from Bray Road (CR 305) mile post 0.52 to mile post 1.45.

(4) On North State Street (CR 104), from mile post 2.45 to mile post 4.57.

(5) On Old Stage Road (CR 502), mile post 2.35 to mile post 3.20.

(Ord. No. 512, adopted 1966; Ord. No. 515, adopted 1967; Ord. No. 522, adopted 1967; Ord. No. 533, adopted 1968; Ord. No. 560, adopted 1969; Ord. No. 565, adopted 1969; Ord. No. 591, adopted 1969; Ord. No. 669, adopted 1970; Ord. No. 756, adopted 1971; Ord. No. 805, adopted 1971; Ord. No. 889, adopted 1972; Ord. No. 919, adopted 1972; Ord. No. 961, adopted 1972; Ord. No. 998, adopted 1972; Ord. No. 1469, adopted 1975; Ord. No. 1601, adopted 1975; Ord. No. 1900, adopted 1977; Ord. No. 1901, adopted 1977; Ord. No. 1922, adopted 1977; Ord. No. 2004, adopted 1977; Ord. No. 2031, adopted 1977; Ord. No. 3239, adopted 1978; Ord. No. 3256, adopted 1979; Ord. No. 3261, adopted 1979; Ord. No. 3262, adopted 1979; Ord. No. 3289, adopted 1980; Ord. No. 3333, adopted 1981; Ord. No. 3390, adopted 1982; Ord. No. 3402, adopted 1982; Ord. No. 3411, adopted 1982; Ord. No. 3492, adopted 1984; Ord. No. 3553, adopted 1985; Ord. No. 3564, adopted 1985; Ord. No. 3613, adopted 1986; Ord. No. 3660, adopted 1987; Ord. No. 3732, adopted 1990; Ord. No. 3748, adopted 1990; Ord. No. 3750, adopted 1990; Ord. No. 3824, adopted 1992; Ord. No. 3835, adopted 1992; Ord. No. 3894, adopted 1994; Ord. No. 3966, adopted 1997; Ord. No. 3976, adopted 1997; Ord. No. 4041, adopted 1999; Ord. No. 4042, adopted 1999; Ord. No. 4056, adopted 2000; Ord. No. 4081, adopted 2002; Ord. No. 4089, adopted 2002; Ord. No. 4109, adopted 2003; Ord. No. 4133, adopted 2004; Ord.

No. 4173, adopted 2006; Ord. No. 4196, adopted 2008; Ord. No. 4265, 7-13-2010; Ord. No. 4276, 5-17-2011; Ord. No. 4306, 3-26-2013)

Sec. 15.04.031 is hereby repealed
(Ord. No. 3289, adopted 1980.)

Sec. 15.04.032 is hereby repealed
(Ord. No. 3289, adopted 1980.)

Sec. 15.04.033 is hereby repealed
(Ord. No. 3289, adopted 1980.)

Sec. 15.04.034 is hereby repealed
(Ord. 3289, adopted 1980)

Sec. 15.04.040 Speed Limit Changes.

Any person who requests a change in a prima facie speed limit on any County road shall make application to the Commissioner, who, upon finding the application meritorious, shall conduct an engineering and traffic survey to determine the appropriate amendment to this Chapter shall be presented to the Local Authority for their consideration and determination pursuant to Section 15.04.030 (A) of this Chapter.
(Ord. No. 512, Section 102, adopted 1966.)

Sec. 15.04.050 Speed Zoning on Bridges and Structures.

(A) **Authority to Establish the Maximum Limits on Bridges and Structures.** Pursuant to Sections 22403 and 22404 of the Vehicle Code, the Local Authority is hereby authorized to determine, upon the basis of an engineering and traffic investigation and properly noticed public hearing, the maximum speed which can be maintained with safety on any bridge or structure under its jurisdiction.
(Ord. No. 512, Sec. 120, adopted 1966.)

(B) **Posting of Speed Signs for Bridges and Structures.** When such determination has been made, the Local Authority by resolution shall designate the maximum speed limit on such bridge and structures. The Commissioner is hereby authorized and directed to establish appropriate signs giving notice of the maximum speed limits estab-

lished. When signs are erected giving notice thereof, the maximum speed limits set forth shall be in effect.

(Ord. No. 512, Sec. 121, adopted 1966.)

(C) **Speed Limit Changes on Bridges and Structures.** Any person who requests a change in a maximum speed limit on any County bridge or structure shall make application to the Commissioner, who, upon finding the application meritorious, shall conduct an engineering and traffic survey to determine the appropriate maximum speed limit. Said engineering and traffic survey together with the recommendations of the Commissioner shall be presented to the Local Authority, who shall hold a public hearing. Notice of the time and place of the public hearing shall be posted upon the bridge or structure at least five (5) days prior to the date fixed for said hearing. Upon the conclusion of said hearing, a determination of the maximum speed limit shall be made pursuant to Section 15.04.050 (A) of this Chapter.

(Ord. No. 512, Sec. 122, adopted 1966.)

Sec. 15.04.060 Speed Zoning on Private Property.

(A) **Authority to Establish Maximum Limits on Private Roads.** Any affected property owner who requests a change of an established maximum limit on a private road or the establishment of a maximum limit on a private road shall file with the Commissioner a petition signed by a majority of the affected property owners, setting forth a description of the private road, the maximum limit desired and the reasons therefor. The Commissioner shall determine if the petition is in compliance with this section. If the petition is in compliance, the matter shall be set on the agenda of the Local Authority on the second Tuesday following the filing of the petition. The Clerk of the Board shall notify by mail all known affected property owners. When the matter is heard, the Local Authority may receive and consider testimony from the proponents and the opponents prior to the establishment of a maximum limit.

(Ord. No. 512, Sec. 130, adopted 1966.)

Sec. 15.04.070 Stop Signs.

(A) **AUTHORITY TO ERECT STOP SIGNS.** Subject to the provisions of Sections 21353 and 21355 of the Vehicle Code, the local authority is hereby authorized to determine those County roads, intersections or railroad grade crossings at which there is a special hazard to life or property by reason of the volume of traffic upon such roads or at such intersections, or over such railroad grade crossings, or because of the lack of visibility to the drivers of the vehicles approaching such roads, intersections or railroad grade crossings, or because the number of reported accidents or the apparent probability thereof, or by reason of physical conditions which render any such roads, intersections or railroad grade crossings exceptionally dangerous or hazardous to life or property, and where the factors creating the special hazard are such that, according to the principles and experience of traffic engineering, the expectancy of accidents and that the use of warning signs would be inadequate.

(Ord. No. 512, Sec. 140, adopted 1966.)

(B) **POSTING OF STOP SIGNS.** When such determination has been made, the Local Authority by resolution shall designate any such road as a through road between specified limits, or designate any such intersection as a stop intersection, or designate any such railroad grade crossing as a stop railroad grade crossing, subject to the approval of the Public Utilities Commission of this State, pursuant to the provisions of Section 21110 of the Vehicle Code; and it shall post such stop signs as are necessary to give effect to such designation. Stop signs at any intersection may be so posted as to stop either or any or all of the streams of traffic entering such intersection as the needs of the particular location may require.

(Ord. No. 512, Sec. 141, adopted 1966.)

(C) **ADDITION OR REMOVAL OF STOP SIGNS.** Any person who requests the addition or removal of stop signs authorized by this Chapter shall make application to the Commissioner who, upon finding the application meritorious, shall conduct an engineering and traffic survey to de-

termine the need for any such addition or removal. Said engineering and traffic survey together with the recommendations of the Commissioner and an appropriate resolution shall be presented to the Local Authority for their consideration and determination, pursuant to Section 15.04.070 (A) of this Chapter.

(Ord. No. 512, Sec. 142 adopted 1966, as amended by Ord. No. 592, adopted 1969.)

Sec. 15.04.071 Simpson Lane a Through Street.

Simpson Lane C.R. 414 between M.P. 0.00 to M.P. 3.60 is hereby designated as a through street and such stop signs may be posted as are necessary to establish this roadway as a through street.

(Ord. No. 3262, adopted 1979.)

Sec. 15.04.080 Yield Right of Way Signs.

(A) **AUTHORITY TO ERECT YIELD RIGHT OF WAY SIGNS.** The Commissioner is hereby authorized to determine those approaches to intersections of streets and highways which are not through streets and which there is special hazard to life and property by reason of the volume of traffic at such intersections, or because of the lack of visibility to the drivers of the vehicles approaching such intersections, or because of the number or reported accidents or an apparent probability thereof, or by reason of physical conditions which render such intersections exceptionally dangerous or hazardous to life and property, and where the factors creating the special hazard are such that, according to the principles and experience of traffic engineering, the installation of "yield right of way" signs is reasonably calculated to reduce the expectancy of accidents, and that the use of warning signs would be inadequate.

(Ord. No. 512, Sec. 150, adopted 1966.)

(B) **POSTING YIELD RIGHT OF WAY SIGNS.** When such determination has been made, the Commissioner is directed to designate any such approaches as "yield right of way" approaches and shall post such "yield right of way" signs as are necessary to give effect to such designation.

(Ord. No. 512, Sec. 151, adopted 1966.)

**Sec. 15.04.090 Repealed by Ord. No. 3680,
adopted 1988.**

Sec. 15.04.100 Penalties.

(A) It is unlawful for any person to do any act forbidden or fail to perform any act required in this Chapter.

(B) Any person violating any of the provisions of this Chapter shall be guilty of an infraction.

(Ord. No. 512 Sec. 170, adopted 1966; Ord. No. 3550, adopted 1985.)

Sec. 15.04.110 Existing Signs Ratified.

All speed restriction signs, stop signs, yield right of way signs, and traffic control devices in place on the effective day of this Chapter (December, 1966) are hereby ratified and confirmed and shall constitute the applicable law until changed pursuant to this Chapter.

(Ord. No. 512 Sec. 182, adopted 1966.)

CODE COMPARATIVE TABLE

Ordinance Number	Date	Description	Section	Section this Code
4263	7-13-10	Disease prevention project		9.04.010—9.04.070
4264	7-13-10	Garden's Gate Dev. Agreement		21.04.020
4265	7-13-10	Speed limits		15.04.030
4270	1- 4-11	Stormwater runoff		16.30.010—16.30.430
4271	1-25-11	2011 investment authority		5.130.010
4272	1-25-11	SmartMeter moratorium		8.300.010—8.30.080
4274	5- 3-11	Commission on medical care		8.69.000—8.69.080
4275	5-17-11	Medical marijuana	Rpld	9.31.010—9.31.340
			Added	9.31.010—9.31.350
4276	5-17-11	Speed limit		15.40.030
4277	6- 7-11	Library sales tax		5.170.000
4279	6-12-11	Jail booking fees	Rpld	5.120.010—5.120.090
4283	9-13-11	Alternative redevelopment program		11.10.010—11.10.090
4284	10- 4-11	Supervisory districts	1	2.08.010, 2.08.020
4285	10- 4-11	Stormwater runoff	Rpld	16.30.010—16.30.430
			Added	16.30.010—16.30.170
4286	12- 6-11	Assessment appeals board		5.150.010—5.150.080
4288	1-24-12	Investment authority		5.130.010
4289	1-31-12	Board of Supervisors compensation		3.04.071
4291	2-14-12	Medical marijuana cultivation		9.31.160—9.31.350
4292	4-10-12	Combining districts		20.040.010
4293	4-10-12	Mining and processing		20.036.010
4294	4-10-12	MP—Mineral processing districts	Added	20.134.005—20.134.015
4295	4-10-12	Height exceptions		20.152.025
4297	6-12-12	Single-use carryout bags	1	Added 9.41.010—9.41.080
4298	7-10-12	Graffiti suppression	1	8.200.010—8.200.100
			Added	8.200.110—8.200-130
4299	8-28-12	Angle parking on County roads	1	15.12.01
4300	9-25-12	Bingo games		8.52.050(G)
4301	11- 6-12	Construction and demolition recycling and reuse	1	Rpld 18.35.020
			Added	18.35.020

Ordinance Number	Date	Description	Section	Section this Code
			2	Rpld 18.35.030 Added 18.35.030
			3	Rpld 18.35.040—18.35.190 Added 9.31.015
4302	1-22-13	Medical marijuana cultivation regulation		
4303	1-22-13	Delegating authority to invest to County Treasurer for calendar year 2013		5.130.010
4304	1-22-13	Single-Use Carryout Bags by retail establishments	1	Added 9.41.045
4305	2-12-13	Prohibited parking on both sides of center street	1	15.12.040
			2	15.12.100
4306	3-26-2013	Speed zones	Added	15.04.030(B)(35), (36) 15.04.030(E)(12)
4307	5- 7-2013	Training requirements for peace officers of the health and human services agency	Added	2.04.044
4308	7-30-2013	Assessment appeals board		5.150.010—5.150.080
			Added	5.150.090
4309	7-30-2013	Board of equalization fees	Rpld	Ch. 5.96, §§ 5.96.010—5.96.040
4310	7-30-2013	Creating a commission of medical care		8.69.000—8.69.080

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