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ORDINANCE NO. 5013

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR EL DORADO COUNTY, CALIFORNIA, PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:

Section 1. The Code entitled the "El Dorado County Ordinance Code," published by Municipal Code Corporation, consisting of Titles 1 through 130, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before January 14, 2014, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Except as otherwise provided by law or ordinance, and unless the violation of a particular ordinance is specified by that ordinance to be an infraction, any person violating any of the provisions or failing to comply with any of the mandatory requirements of the ordinances of the County shall be guilty of a misdemeanor unless, in the discretion of the prosecuting attorney or agency, the matter is alleged or charged as an infraction, in which case the matter shall proceed as an infraction. A violation of the ordinances of the County that is a misdemeanor shall be punishable by imprisonment in the County jail not exceeding six months or by a fine not exceeding \$1,000.00, or by both. Any person convicted of an infraction for violation of an ordinance of the County is punishable by: (1) a fine not exceeding \$100.00 for a first violation; (2) a fine not exceeding \$200.00 for a second violation of the same ordinance within one year; (3) a fine not exceeding \$500.00 for each additional violation of the same ordinance within one year. Notwithstanding any other provision of law, a violation of local building and safety codes determined to be an infraction is punishable by a fine not exceeding \$100.00 for a first violation; a fine not exceeding \$500.00 for a second violation of the same ordinance within one year; a fine not exceeding \$1,000.00 for each additional violation of the same ordinance within one year of the first violation. Each such person shall be guilty of a separate offense for each and every day during any

portion of which any violation of any provision of the ordinances of the County is committed, continued or permitted by any such person, and he or she shall be punished accordingly. In addition to the penalty prescribed above, the County may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the County to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after January 14, 2014 that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall become effective thirty (30) days following adoption hereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the _____ day of _____, 2014, by the following vote of said Board:

ATTEST

Ayes:

JAMES S. MITRISIN

Clerk of the Board of Supervisors

Noes:

By _____
Deputy Clerk

Absent:

Chair, Board of Supervisors

APPROVED AS TO FORM
ROBYN TRUITT DRIVON
COUNTY COUNSEL

By: _____
Title: _____