



# Mendocino County

## Legislation Details (With Text)

**File #:** 19-0809      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Consent Agenda  
**File created:** 8/26/2019      **In control:** Transportation  
**On agenda:** 9/10/2019      **Final action:**  
**Title:** Adoption of Ordinance Amending Chapter 15.16 of the Mendocino County Code - Protection of County Roads, Adding Section 15.16.070 - Prohibited Activities Within or Adjacent to County Road, and Section 15.16.080 - Enforcement of Section 15.16.070 (Countywide)

Recommended Action/Motion:

**Sponsors:** Transportation

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 4436, 2. Affidavit of Publication, 3. Intro and Waive - Director's Letter, 4. Ordinance - Clean, 5. Ordinance Summary, 6. Ordinance - Redline, 7. Affidavit

Date	Ver.	Action By	Action	Result
9/10/2019	1	Board of Supervisors	Adopted and Chair is authorized to sign same;	Pass

**To: Board of Supervisors**

**From:** Transportation

**Meeting Date:** September 10, 2019

**Department Contact:** Howard N. Dashiell

**Phone:** 463-4363

**Item Type:** Consent Agenda

**Agenda Title:**

Adoption of Ordinance Amending Chapter 15.16 of the Mendocino County Code - Protection of County Roads, Adding Section 15.16.070 - Prohibited Activities Within or Adjacent to County Road, and Section 15.16.080 - Enforcement of Section 15.16.070 (Countywide)

**Recommended Action/Motion:**

Adopt Ordinance amending Chapter 15.16 of the Mendocino County Code - Protection of County Roads, adding Section 15.16.070 - Prohibited Activities Within or Adjacent to County Road, and Section 15.16.080 - Enforcement of Section 15.16.070.

**Previous Board/Board Committee Actions:**

The Board of Supervisors last amended Mendocino County Code Chapter 15.16 by Ordinance Number (No.) 228, adopted in 1930, Ordinance No. 249, adopted in 1936, Ordinance No. 343, adopted in 1953, Ordinance No. 1100, adopted in 1973, and Ordinance No. 3859, adopted in 1993. August 27, 2019: Introduction and Waive First Reading of this Ordinance.

**Summary of Request:**

Mendocino County Department of Transportation (MCDOT) proposes amending Mendocino County Code Chapter 15.16 - Protection of County Roads, to add two sections. Section 15.16.070 - Prohibited Activities within or adjacent to County Road, would prohibit any improvement or condition within or adjacent to a County road right-of-way which undermines the safe operation or integrity of the County roadway or which interferes with County road drainage. Section 15.16.080 - Enforcement of Section 15.16.070, would impose penalties for constructing such improvement or causing or maintaining such condition. Currently, such activities are defined as public nuisances under Mendocino County Code Section 8.75.040, but are not prohibited by County Code. This limits the enforcement mechanisms available to County staff for addressing certain types of encroachments which pose safety hazards within the County right-of-way. An ordinance has been prepared for the Board's consideration.

**Alternative Action/Motion:**

Not amend the County Code as submitted.

**Supervisory District:** All

**vote requirement:** Majority

**Supplemental Information Available Online At:** N/A

**Fiscal Details:**

**source of funding:** N/A

**current f/y cost:** N/A

**annual recurring cost:** N/A

**budgeted in current f/y:** N/A

**if no, please describe:**

**revenue agreement:** N/A

**budget clarification:** N/A

**Agreement/Resolution/Ordinance Approved by County Counsel:** Yes

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**CEO Liaison:** Steve Dunncliff, Deputy CEO

**CEO Review:** Yes

**CEO Comments:**

**FOR COB USE ONLY**

Executed By: Lindsey Dunham, Deputy Clerk I

Date: September 12, 2019

Final Status:**Adopted**

Executed Item Number: **Ordinance** Number:  
4436

