

ORDINANCE NO. _____

**ORDINANCE OF THE MARIN COUNTY BOARD OF SUPERVISORS
AMENDING THE MARIN COUNTY CODE TO REPLACE THE
USE OF THE TERM "CITIZEN" IN APPROPRIATE
CIRCUMSTANCES WITH OTHER TERMS WHERE
CITIZENSHIP STATUS IS UNNECESSARY**

THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN HEREBY ORDAINS AS FOLLOWS:

WHEREAS, there are numerous references in the Marin County Code to "citizens"; and

WHEREAS, the use of the term sometimes suggests the necessity of being a U.S. citizen; and

WHEREAS, the Board of Supervisors desires to clarify the availability of services to those persons who are residents within the County who are not U.S. citizens;

WHEREAS, the Board of Supervisors may amend its code by segments as small as subsections pursuant to Government Code section 25129;

NOW THEREFORE, the Board of Supervisors of the County of Marin adopts the following code amendments:

SECTION I. Subsection (b) of Section 2.99.035 of the Marin County Code is hereby amended to read as follows:

(b) in the event of a proclamation of a local emergency as provided in this chapter the proclamation of a county health emergency by the county health officer pursuant to Health and Safety Code Section 470 et seq., or its successor, and Health and Safety Code Section 1158, or its successor, the proclamation of a state of emergency by the Governor or the Director of the State Office of Emergency Services, or the existence of a state of war emergency, the director is empowered to:

(1) Make and issue rules and regulations on matters reasonably related to the protection of life, property and the environment as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the Board of Supervisors;

(2) Obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the county for the fair value thereof and, if required immediately, to commandeer the same for public use;

(3) Require emergency services of any county officer or employee, and in the event of the proclamation of a state of emergency in the county or the existence of a state of war emergency, to command the aid of as many **residents** of this county as he or she deems necessary in the execution of his or her duties; such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered disaster service workers;

(4) Requisition necessary personnel or material of any department or agency in this county;

(5) Execute all of his or her ordinary powers as member of the board of supervisors.

SECTION II. The title of Chapter 3.55 of the amended to read as follows:

MEDIATION SERVICE FEES, DIVISION OF **RESIDENTS** SERVICE OFFICE

SECTION III. Subsection (a) of section 3.55.010 (and prefatory text up through that subsection) of the Marin County Code is hereby amended to read as follows:

In accordance with the authority provided by law, the division of mediation services in the Marin County **residents** service office are authorized to charge the following fees:

(a) Filing Fee. Opening of case -- \$10.00 per case.

SECTION IV. Section 5.52.060 of the Marin County Code is hereby amended to read as follows:

5.52.060 Posting requirement.

Every person who maintains a rental office in the county, whether or not at the site of a housing accommodation offered for rent or lease, shall post and maintain, or cause to be posted and maintained in or near such unit a sign complying with the provisions of this section. Property owners and/or their agents will sign off with the designated county agency upon receipt of the ordinance poster and shall post it in a conspicuous place. The sign shall be multilingual and shall at a minimum contain the following statements:

(1) Housing discrimination against families with children is illegal.

(2) Such discrimination is a violation of 5.52 of the Marin County Code.

(3) Persons wishing further information may contact the **Resident** Services Office or the Fair Housing Program of Marin County.

In cases in which a rental office is not maintained, each prospective tenant shall be given a document containing this information.

SECTION V. Section 7.60.020 of the Marin County Code is hereby amended to read as follows:

7.60.020 Scope.

This chapter provides for the establishment of standards for ambulance transport, personnel training and certification, equipment and supply requirements, response time requirements, radio and tracking mechanisms, patient treatment and transportation protocols.

In addition, it empowers the emergency medical services office to recommend issuance or denial of permits, monitor performance, enforce standards if necessary and to act in an impartial manner as an arbitrator in matters of **consumer** complaints.

SECTION VI. Subsection (f) of section 6.76.010 of the Marin County Code is hereby amended to read as follows:

(f) The prohibition of nude persons from public places, places open to the public, and places open to public view, whether such places are publicly or privately owned, is necessary to preserve and maintain the public order and the general welfare of the **residents** of this county.

SECTION VII. Section 7.70.120 of the Marin County Code is hereby amended to read as follows:

7.70.120 Public education.

The department of health and human services shall engage in a continuing program to explain and clarify the purposes and requirements of this chapter to **persons** affected by it, and to guide owners, operators and managers in their compliance with it. Such program may include publication of a brochure for affected businesses and individuals explaining the provisions of this chapter.

SECTION VIII. Section 15.57.010 of the Marin County Code is hereby amended to read as follows:

15.57.010 Purpose.

Numerous individuals are presently engaged in the unregulated operation of motorcycles, motor bikes, motorscooters and similar vehicles in substantial numbers on public and private property throughout Marin County. The noise and erosion produced by such activity in the aggregate severely damages property, destroys tranquility and serenity, irritates numerous **people** and is inimical to the public peace and safety.

SECTION IX. Section 23.18.020 of the Marin County Code is hereby amended to read as follows:

23.18.020 Purpose and intent.

The purpose of this chapter is to ensure the future health, safety and general welfare of Marin County **residents** by:

- A. Minimizing discharges other than storm runoff to storm drains or watercourses;
- B. Controlling the discharge to storm drains or watercourses from spills, dumping or disposal of materials other than rain water;
- C. Reducing pollutants in stormwater discharges to the maximum extent practicable.

The intent of this chapter is to protect and enhance the water quality of our watercourses, water bodies and wetlands in a manner pursuant to and consistent with the Clean Water Act.

SECTION X. Subsection (a) of section 22.82.010(Interim) of the Marin County Code is hereby amended to read as follows:

22.82.010(Interim) Purpose

- (a) It is in the public interest, and necessary for the promotion and protection of the safety, convenience, comfort, prosperity, and general welfare of the **residents** of the county, to:
 - (1) Preserve and enhance the natural beauties of the land and of the manmade environment, and the enjoyment thereof;
 - (2) Maintain and improve the qualities of, and relationships between, individual buildings, structures and physical developments which best contribute to the amenities and attractiveness of an area or neighborhood;
 - (3) Protect and insure the adequacy and usefulness of public and private developments as they relate to each other and to the neighborhood or area;
 - (4) Assure the safe and orderly development of paper streets and/or vacant parcels or legal lots of record which adjoin and/or abut such paper streets, and minimize environmental impacts associated with such development.

SECTION XI. Subsection (b) of section 22.96.010 (Interim) of the Marin County Code is hereby

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amended to read as follows:

- (b) Unregulated capricious development has caused in the past, and unless controlled in the future, will cause, severe and irremediable injury to Marin County and its environment in that:
 - (1) It has resulted in a severe shortage of housing for **residents** of low and moderate income and sorely limited the economic heterogeneity of the population.
 - (2) It has wastefully compelled construction of public facilities on a crisis basis.
 - (3) It has sorely overtaxed municipal service districts resulting in numerous water and sewerage moratoriums.
 - (4) It has occasioned costs to the taxpayers far in excess of tax gains.
 - (5) It has engendered public skepticism concerning the ability of local governments to protect Marin's environment adequately.

SECTION XII. Subsection (g) of section 22.96.010 (Interim) of the Marin County Code is hereby amended to read as follows:

- (g) It would be highly detrimental to the welfare of Marin County and its environs to exclude, intentionally or inadvertently, minority, poor, or aged **residents** from the general populace of Marin County. The only effective means to present such exclusions is the provision of ample low and moderate income housing. Significant federal subsidies are presently unavailable and traditional zoning has been ineffective in this regard. Although Marin is actively engaged in numerous efforts to encourage and compel construction of low and moderate cost housing, only through development review, one of the principal purposes of which is achievement of this objective, is there any likelihood of securing such housing.

SECTION XIII. This ordinance shall be liberally construed to achieve its purposes and preserve its validity. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION XIV. Effective Date. This ordinance shall be and is hereby declared to be in full force and effect as of thirty (30) days from and after the date of its passage and shall be published once before the expiration of fifteen (15) days after its passage, with the names of the supervisors voting for and against the same in the MARIN INDEPENDENT JOURNAL, a newspaper of general circulation published in the County of Marin.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held on this ____ day of _____ 2006 by the following vote:

AYES: SUPERVISORS

NOES:

ABSENT:

PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

CLERK