

ORDINANCE NO. 1594

**AN ORDINANCE REPEALING AND RE-ENACTING CHAPTER 8.56 OF THE
YUBA COUNTY ORDINANCE CODE RELATING TO PROHIBITING JUMPING
FROM, AND THROWING OR DISCARDING OBJECTS FROM COUNTY-OWNED
BRIDGES AND ANY DAM**

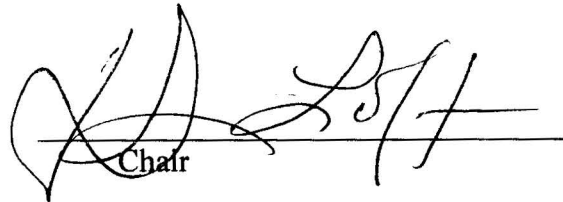
The following ordinance consisting of three (3) sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Yuba, State of California, at a regular meeting of the Board of Supervisors held on 14 day of July, 2020, by the following vote:

AYES: Supervisors Vasquez, Leahy, Lofton, Bradford, Fletcher

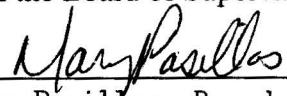
NOES: None

ABSENT: None

ABSTAIN: None


Chair

ATTEST: RACHEL FERRIS
Clerk of the Board of Supervisors

By: 
Mary Pasillas, Board Clerk

MICHAEL J. CICCOTZI
YUBA COUNTY COUNSEL
APPROVED AS TO FORM:

By: 

THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA, STATE OF CALIFORNIA DOES ORDAIN AS FOLLOWS:

Section 1. This ordinance shall take effect Thirty (30) days after its passage, and before the expiration of fifteen (15) days after its passage a summary shall be published with the names of the members voting for and against the same, once in a local newspaper of general circulation in the County of Yuba, State of California.

Section 2. Chapter 8.56 of the Yuba County Ordinance Code is hereby repealed and re-enacted in its entirety to read as reflected as follows:

CHAPTER 8.56 - PROHIBITING JUMPING FROM, AND THROWING OR DISCARDING OBJECTS FROM COUNTY-OWNED BRIDGES AND ANY DAM

8.56.010. - Purpose.

The purpose of this Chapter is to protect the public safety in that it is found and determined that jumping from, and throwing or discarding objects from, County-owned bridges and any dam is a hazard and dangerous to the health and safety of the public. (Prior Code, § 8.56.010; Ord. No. 1252)

8.56.020. - Definitions.

The terms herein are defined as follows:

- (1) *Bridge* means any structure constructed to allow the conducting of water underneath it by canal, creek, river, ditch, flume, or other uncovered appliance for conducting water.
- (2) *Jump* means to dive, leap, spring, bound, parachute, boat, or take any other physical action which results in dropping from a bridge to the land or water body below the bridge or dam.
- (3) *Dam* means a barrier constructed to divert water or hold back water and raise its level, forming a reservoir.
- (4) *Throwing* means to propel any object with force through the air by a movement of the arm, hand, or any device.
- (5) *Discarding* means any act of disposal or dumping of an object.
(Prior Code, § 8.56.020; Ord. No. 1252)

8.56.030. - Acts prohibited.

It shall be unlawful for any person to jump from, throw, or discard objects from any location on any County-owned bridge or any dam to the land or water below where a sign has been posted by the Community Development and Services Agency's Director of Public Works pursuant to this Chapter prohibiting jumping from, or throwing or discarding objects, from a bridge or dam.

(Prior Code, § 8.56.030; Ord. No. 1252; Ord. No. 1405)

8.56.040. - Posting signs.

The Community Development and Services Agency's Director of Public Works is authorized and directed to purchase, construct, and place signs described in Section 8.56.030 upon those bridges and dams within the unincorporated territory of Yuba County, where the Community Development and Services Agency's Director of Public Works finds that jumping from, throwing, or discarding objects from such a bridge or dam is or would be a hazard or otherwise dangerous to the public health or safety.

(Prior Code, § 8.56.040; Ord. No. 1252; Ord. No. 1405)

8.56.050. - Penalty.

Any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and punishable by a fine not to exceed \$1,000.00 or by imprisonment not exceeding six months, or by both such fine and imprisonment.

(Prior Code, § 8.56.050; Ord. No. 1252)

8.56.060. - Severability.

If any section, subsection, sentence, clause, phrase, provision or portion of this Chapter, or the application thereof to any person or circumstances, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or provisions of this Chapter or their applicability to distinguishable situations or circumstances. In enacting this Chapter, it is the desire of the Board of Supervisors to validly regulate to the full measure of its legal authority in the public interest, and to that end, the Board of Supervisors declares that it would have adopted this Chapter and each section, subsection, sentence, clause, phrase, provision, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions thereof might be declared invalid or unconstitutional in whole or in part, as applied to any particular situation or circumstances, and to this end the provisions of this Chapter are intended to be severable.

State Law reference— Similar provisions, Government Code § 23.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and 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 any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.