

**PART 14
LAND USE**

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**PART 14
LAND USE**

CHAPTER 14.04 LAND CONSERVATION CONTRACTS

14.04.010 Violation a Misdemeanor

It is unlawful and punishable as a misdemeanor for any person to divide any land in an agricultural preserve and under a land conservation contract with the County into any parcel having less than the minimum acreage specified in the enabling resolution for the preserve in which such land is situated. (Ord. 441, eff. 2/20/ 75, prior Section 87100)

CHAPTER 14.08 OPEN RANGE

14.08.010 Grazing Areas

All lands of any character not enclosed by a lawful fence, which lands lie within the boundaries of the areas designated in this chapter, are declared to be areas devoted chiefly to grazing pursuant to Food and Agriculture Code Section 17124. (Ord. 478, eff. 12/16/76, prior Section 87200)

14.08.020 Lawful Fence

- (a) A lawful fence is any fence which is good, strong, substantial, and sufficient to prevent the ingress and egress of livestock. No wire fence is a lawful fence unless it has three tightly stretched barbed wires securely fastened to posts of reasonable strength, firmly set in the ground not more than one rod apart, one of which wires shall be at least four (4') feet above the surface of the ground. Any kind of wire or other fence of height, strength and capacity equal to or greater than the wire fence herein described is a lawful fence. The term "lawful fence" includes cattle guards of such width, depth, rail spacing, and construction as will effectively turn livestock.
- (b) Any person pasturing livestock that break through a lawful fence shall be responsible for such damage. (Ord. 478, eff. 12/16/76, prior Section 87201)

14.08.030 Rental Fee

- (a) The person having ownership or rightful possession of such unfenced lands shall be entitled to a rental fee from any person who pastures livestock thereon. The rental fee shall be comparable to the rental fee paid to pasture livestock on the closest federal lands customarily rented for grazing.
- (b) No person having ownership or rightful possession of such unfenced lands shall have the right to take up or impose a lien on any livestock pastured thereon. The compensation of any such person for the pasturing of livestock shall be limited to the rental fee. (Ord. 478, eff. 12/16/76, prior Section 87202)

14.08.040 Boundaries

All that real property situated in the unincorporated territory of the County of Sierra, more particularly described as follows: Beginning at a point which is the Northeast corner of the County; thence from said point beginning Southerly along the East boundary of the County to a point in the South boundary of Section 19, Township 19 North, Range 18 East M.D.M.; thence Westerly along the South boundary of said Section 19 to the Southwest corner of said Section; thence Southerly along the Range line between Range 17 East and Range 18 East M.D.M. to the South line of the County; thence along the Southerly line of the County to the intersection of said County line and the Range line between Range 12 East and Range 13 East M.D.M.; thence Northerly along said Range line to the intersection of the South boundary of the scenic corridor; thence along the South boundary of the scenic corridor to the intersection of State Highway 49; thence along State Highway 49 to the intersection of the North boundary of the County; thence along the Northerly boundary of the County to said point of beginning. Excepting therefrom all that portion of real property in the Sierraville Public Utility District and all that portion of real property in the incorporated City of Loyalton. (Ord. 478, eff. 12/16/76, prior Section 87203)

14.08.050 Storage

It is unlawful and punishable as an infraction for any person or entity to use any real property owned by the County of Sierra for the purpose of storing personal property without first obtaining permission from a person or persons specifically authorized by the Board of Supervisors to grant such permission. Areas specifically designated by the County as public parking areas are exempt from this ordinance. (Ord. 669, eff. 2/7/84)

CHAPTER 14.12 – Repealed by Ordinance 902, eff. 7/6/2000

CHAPTER 14.16 POLICY SUPPORTING NATURAL RESOURCE INDUSTRIES

14.16.010 Purpose and Intent

It is the purpose and intent of this chapter to set forth a policy statement giving constructive notice to potential landowners, lessees and special use permittees of the rural character of Sierra County and the rural uses of property located outside of incorporated areas or townsites within the County. By virtue of such constructive notice, purchasers, renters, and special use permittees of land will better understand the potential impact of living near agricultural operations, timber management areas and mineral extraction areas, and living in an agricultural, timber production and mineral extraction county.

14.16.020 Policy

It is the declared policy of Sierra County to encourage the continued existence within Sierra County of agricultural, timber production and mineral extraction operations. The foregoing is with the understanding that there are inherent potential problems including but not limited to the noises, odors, dust and chemicals, smoke, and inconvenient work hours associated with those operations.

14.16.030 Goals

- a. To preserve property values as agricultural, timber management, and mineral extraction lands and uses is essential to the continued economic well-being of the County;
- b. To provide social and economic stability for agricultural, timber management, and mineral extraction areas by providing on-going notice to all landowners, lessees and special use permittees that the Board of Supervisors recognizes, protects and preserves viable agricultural, timber management and mineral extraction lands and uses;
- c. To protect the health and safety of persons residing in Sierra County by maintaining a comprehensive policy for the protection and preservation of agricultural, timber management and mineral extraction lands and uses which will provide a lasting social, economic and environmental benefit to the peace and welfare of all County residents.

14.16.040 Exemptions

The area of the County which is excluded from the provisions of this chapter is the incorporated City of Loyalton.

14.16.050 Preservation of Rights

This Sierra County Policy Supporting Natural Resource Industries shall not be construed as in any way modifying or abridging State law.

Further, it is not the intent by enactment and maintenance of this policy to take private property, nor is it the intent of the Board of Supervisors that such a comprehensive policy create any limitation on any of the following:

- (a) The police power of any city or county or on the power of any city or county to declare, prohibit and abate nuisances.
- (b) The power of any state agency in the enforcement or administration of any provision of law which it is specifically authorized or required to enforce or administer.
- (c) The power of any city or county to regulate the use of buildings, structures and land.

- (d) The right of any person to maintain at any time, any appropriate action for relief against any private nuisance as defined in Part 4 (commencing in Section 3479) of Division 4 of the Civil Code or any other private relief.

14.16.060 Severability

If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person, establishment or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of the provisions of this chapter which can be given effect without the invalid provision or application, and to this end, the provisions of this chapter are hereby declared to be severable.

CHAPTER 14.17 – Repealed by Ordinance 902, eff. 7/6/2000