

Memorandum

Date: April 8, 2008
To: Clerk of the Board
From: Kelly D. Scott, Deputy County Counsel
Subject: Amended Ordinances 24-28, 24-29 and 24-30
Dept. Agenda File Ref. No. 08-00201
CC:



Attached to this memo are the proposed amended ordinances 24-28, 24-29 and 24-30. At the first reading of the proposed amended ordinances on April 1, 2008 the Board of Supervisors directed the Sheriff's Department to:

1. include an exemption in 24-29 for agricultural purposes to avoid any unintended consequences for ranchers, farmers or other agricultural ventures; and
2. consider changing the penalties in 24-30 to an infraction for the first violation and a misdemeanor for subsequent violations.

In an effort to meet those requests we made the following changes:

- added subsection (d) to 24-29 which provides for exemptions to motor vehicle use on unimproved property for "agricultural purposes," governmental purposes, and the direct crossing of unimproved property from a roadway or trail in order to remain on the roadway or trail;
- changed 24-30 (penalties) to infractions for the first two offenses within one year and a misdemeanor for the third and any additional violations within one year;
- deleted the exemption for a permit, if applicable, in 24-29(a) because such an exemption exists in subsection (c); and
- clarified that the unimproved property at issue for this ordinance is located in the unincorporated areas of Santa Barbara County (24-29(a).)