

**BED & BREAKFAST / VACATION RENTAL / AGRICULTURAL HOMESTAY
TAX CERTIFICATE / AMENDED CERTIFICATE
GENERAL INFORMATION AND APPLICATION**

Mariposa County Planning Department
5100 Bullion Street, P.O. Box 2039
Mariposa, CA 95338

Telephone (209) 966-5151 FAX (209) 742-5024

www.mariposacounty.org planningdept@mariposacounty.org

To the Applicant:

This form is used for a new residential transient occupancy business. This form is also used when a property with an existing residential Transient Occupancy Tax (TOT) Certificate changes ownership and the new property owner wishes to operate a residential transient occupancy business. This form is used for an increase in the number of bedrooms in an existing transient occupancy business. This form is always used when an on-site inspection is required to issue a Transient Occupancy Tax (TOT) Certificate.

Bed and Breakfasts (B&Bs) and Vacation Rentals are allowed in all zones except in the Agricultural Exclusive (AE) zone. Only two vacation rentals are allowed per parcel, irrespective of the number of single-family residences located on the parcel. Special provisions apply to these uses in the communities of Wawona and Fish Camp, and in the AE zone. An Agricultural Homestay is a permitted use in the AE zone, subject to compliance with development standards established by the zone. (Please note: a B&B, a Vacation Rental and an Agricultural Homestay are not permitted on Williamson Act contracted land, due to terms of the contract.)

A Bed and Breakfast is defined as a single family structure that is occupied by a full time, permanent resident family with a limited number of guest bedrooms available for rent for 30 days or less. Breakfast is prepared each day for guests in a kitchen appropriately permitted by the Health Department. A maximum of five (5) guest bedrooms may be rented, depending on location in the county.

A Residential Vacation Rental establishment is defined as a single family structure which is available for rental to a family or a group on a transient basis for 30 days or less. A Vacation Rental is also defined as the commercial rental of an entire single family dwelling for short-term periods of less than thirty-one days. There is a limit of ten (10) or fewer occupants and three (3) bedrooms which may be occupied by transients. Private on-site sewage disposal systems or small, private community systems that serve a bed and breakfast or vacation rental facility shall have sufficient capacity to serve 10 occupants within the facility. If such a system does not meet this design standard, the facility shall be limited to occupancy of two (2) persons per approved bedroom.

An Agricultural Homestay is a business that provides overnight transient occupancy accommodations in five (5) or fewer guest rooms with not more than ten (10) guests. An Agricultural Homestay may serve meals at any time only to registered guests in a kitchen appropriately permitted by the Health Department. Guests are educated about and actively participate in the on-site agricultural activities. Agricultural homestays are located in the residence of the property owner or accessory dwelling or other existing dwelling.

Tourist rental accommodations which do not fall within any of the descriptions above require a zoning designation other than residential or agricultural, and typically must undergo a discretionary permitting process.

Transient Occupancy Tax (TOT) & Tourism Business Industry District (TBID) Assessment

For the privilege of occupancy in any Transient Occupancy Facility in Mariposa County (including all of those facilities listed above), each transient (guest staying less than 30 consecutive days) is subject to and shall pay a **tax** in the amount of twelve percent (12%) of the rent charged by the operator. In addition, there is a one percent (1%) **assessment** for the Tourism Business Industry District.

Each operator shall collect the tax and the assessment at the same time as the rent is collected and give the transient an itemized receipt. The operator is collecting the tax and assessment on **behalf of Mariposa County** and these funds shall be kept separate and remitted on a **monthly basis** to the Mariposa County Tax Collector's office.

Any person, whether as the principal, agent or employee who violates any of the provisions established by the Mariposa County Code Chapter 3.36 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one thousand dollars (\$1,000), plus assessment on fines or by imprisonment, not to exceed six (6) months, or by **both** fine and imprisonment.

Failure to Obtain Certificate and Pay Taxes

Should an operator fail to obtain a Transient Occupancy Tax (TOT) Certificate prior to renting to transients, and fail to pay taxes as due according to Mariposa County Code Chapter 3.36, the operator shall be subject to a penalty as determined by the Tax Collector pursuant to County Code.

Filing of Business Property Statement

Please be advised that each January the Assessor's office sends Business Property Statements to those who operate businesses in the county (including Vacation Rental and Bed & Breakfast facilities). This statement is needed so that you can report the type of business property that you own and information about your business. For questions, please contact the Mariposa County Tax Assessor's Office, Business Property Division at 209-966-2332.

Application Process

The attached application package contains all the necessary information and materials needed to submit a Bed & Breakfast / Vacation Rental / Agricultural Homestay / Amended TOT Certificate application. This package includes a list of materials that must be submitted by the applicant in order to meet the application filing requirements. In addition, general information is provided relating to the costs and time required to process the application. Please call the Mariposa County Planning Department at (209) 966-5151 or toll free (866) 723-5151 if you have any questions regarding the application package.

Note: A different application form is required for hotels and motels.

If a property with an existing, permitted B&B, Vacation Rental, or Agricultural Homestay changes ownership, the existing TOT Certificate becomes void and a new application, fees and inspections are required. All current County Code development standards for a B&B, Vacation Rental or Agricultural Homestay will be applied through this review.

If a property is transferred into or within a trust, the existing TOT Certificate becomes void and a new application and fees are required to change the name on the certificate; no inspections are required and no new development standards shall be applied.

If a property is transferred between parents and their children, as defined by California Revenue and Tax Code, the existing TOT Certificate becomes void and a new application and fees are required to change the name on the certificate; no inspections are required and no new development standards shall be applied.

Existing and permitted B&Bs, Vacation Rentals, or Agricultural Homestays that propose to add a room or rooms for rent shall also require a new application, fees and inspections. Application of current County Code development standards shall be limited to impacts associated with the additional capacity.

Applications may be mailed to our office. Please be aware, however, that incomplete applications will be mailed back to the applicant along with a written list describing needed information. This will cause a delay in the processing of the application. For this reason, we strongly encourage applicants to submit their application in person or to schedule a pre-application meeting with a staff planner.

County Inspections:

When you have submitted a complete application for a Bed and Breakfast, Vacation Rental, Agricultural Homestay, or Amended TOT Certificate together with the required fees, Mariposa Planning will begin reviewing and processing your application. As part of the review process, the Building Department, Fire Department and Planning Department must inspect the residence. The Health Department will review and verify Health Department requirements and inspect as needed. Depending upon the location of your project, a Yosemite National Park review may also be required.

The applicant is responsible to arrange for inspections with each County Department.

Building and Fire Department Inspection:

The Building Department and the Fire Department will inspect the residence to determine if the residence complies with the Residential Safety Checklist for transient occupancy. The inspector may require corrections to bring the residence into compliance with the checklist, and all corrections must be made before Mariposa Planning will approve the application. If re-inspection is required you may be subject to re-inspection fees.

A note on Mobile Homes: A mobile home may not be altered in any way from its original "as delivered" condition, unless done through a permitting process with California Housing and Community Development (HCD). For a mobile home that will require repairs/alterations to the structure which are necessary in order for the mobile home to pass the residential safety checklist inspection, a permit must be obtained from HCD for the repairs/alterations. Once HCD has completed their processing of that repair/alternation permit then the Building Department would be able to complete the inspection process. Mobile homes cannot be pre-1976, unless they've completed a process with HCD to comply with the seal standards of the US Department of Housing and Urban Development or equivalent standards established by the HCD. Mariposa County Code prohibits the issuance of a TOT Certificate to a mobile home located within a mobile home park.

To schedule a Building Residential Safety Checklist inspection of your residence by a building inspector, please contact the Building Department at (209) 966-3934.

To schedule a Fire Residential Safety Checklist inspection of your residence by a fire inspector, please contact County Fire at (209) 966-4330.

The applicant or agent must be available on-site during these inspections as access to the interior of the structure is required.

Health Department Inspection:

The Health Department will require that the operator demonstrate the adequacy of the sewage disposal system and water supply. The Health Department may require sewage disposal system and water tests to determine if the sewage disposal system and well or spring water meet health standards for a B&B or Vacation Rental or Amended TOT certificate. No inspection is needed for Vacation Rentals in areas that have community sewer and community water systems. The residence shall be serviced by an approved community sewage disposal system, or have an individual system satisfying current code requirements. Existing and newly constructed individual systems shall meet the current sizing requirements of the Health Department for new dwellings based on the number of bedrooms in the dwelling, or the system shall be designed to serve the planned

number of occupants. Septic systems serving homes constructed in 1985 or before may be required to be upgraded when the home is being converted to bed and breakfast or vacation rental use.

The Health Department will require that all B&B and Agricultural Homestay establishments have a food facility permit and will conduct periodic inspections for compliance with applicable sections of the California Health and Safety Code (a copy of which will be provided upon request from the Health Department). B&B establishments may serve food to their overnight guests only, and the food service is limited to a morning meal. Agricultural Homestays are also limited to serving food to their overnight guests only, however these facilities may serve meals at any time to their guests. In addition, if meals will be served as part of an operation, the applicant must demonstrate to the Health Department how multi-service eating utensils will be cleaned in accordance with State Health Regulations.

If you have any questions regarding these requirements, or would like a food facility permit as well as a pamphlet providing an overview of Mariposa County and State of California requirements, please contact the Health Department at (209) 966-2220. The applicant or agent must be available on-site during inspection as access to the interior of the structure is required.

National Park Service Review:

If the site for a transient occupancy facility is in Wawona or Foresta, Mariposa Planning will send a copy of your application to the Superintendent's office at Yosemite National Park (YNP) for a 21-day review. If the site is in Wawona, as a result of an Act of Congress, the County and Superintendent have concurrent jurisdiction for permitting. This means your permit must be approved by both the County and the National Park Service. Permits in Wawona are not valid until approved by both agencies. Decisions of the County or the Superintendent can be appealed to the Wawona Board of Appeals (not the Board of Supervisors). Although YNP does not have the same concurrent jurisdiction in Foresta an application is still subject to YNP review, and applicable laws and regulations, which may preclude the operation of some commercial establishments, or require additional YNP review and/or permit processes. In both of these communities, generally Residential Vacation Rentals that meet other County requirements may be approved because the *use* of the property is similar to full time residential use in that a family or a group is the only occupant. Because of Park Service contractual restrictions and regulatory requirements, B&B applications in these communities (Wawona and Foresta) are not possible on residentially-zoned lands because the *use* is of a commercial or business nature, in effect, a small scale motel and restaurant. Vacation Rentals are not permitted at the El Portal Administrative site due to the terms and provisions between the Park Service (property owner) and leaseholders. The Park Service cannot authorize commercial or business uses within the park except in accordance with federal regulations.

Planning Department Inspection:

Lastly, Mariposa Planning will inspect the residence to ensure all requirements on the Planning Checklist have been met. All required signs and parking must be in place prior to inspection. This inspection will be completed after all other approvals have been obtained (approvals from the Building, Fire, Health Departments and National Parks Service, if applicable). If the property needs re-inspection you may be subject to re-inspection fees and additional mileage charges. Once all of the agencies have approved your application, an approval letter from the Planning Department and a TOT Certificate from the Tax Collector will be sent to you. These two documents constitute the final approval to operate your residence as a B&B, Vacation Rental establishment (or amended facility), or an Agricultural Homestay as shown on your application, provided that all code and certificate requirements are complied with at all times in the future.

For informational purposes, please find the attached Building, Fire and Health Departments requirements, and the Zoning Ordinance standards that regulate B&B, Vacation Rental, and Agricultural Homestay establishments (including amended establishments). Please contact Mariposa Planning at (209) 966-5151 if you should have any questions on the requirements or on the processing of the application, or for information regarding processing of an application for other types of rental facilities.

Application Fees:

The fee for processing a B&B, Vacation Rental, Agricultural Homestay or Amended TOT Certificate application depends on the area in which the property is located. Mariposa Planning also collects fees for the Building Department and the Health Department. County Fire fees may be charged to each applicant individually by the County Fire Department. It should be noted that in Fish Camp affected property owner noticing fees are also collected. See the required fees as listed in the application form.

Nuisance Provisions:

Mariposa County Code requires that the use of property for a residential transient occupancy purposes shall not be detrimental to the area by reason of appearance, traffic, noise, dust, smoke, or odor. Operations which are in violation of these provisions may be subject to code compliance actions

Annual Owner Confirmation:

Mariposa County Code requires that, on a yearly basis, by the 30th day of April, the owner or manager of a residential transient occupancy establishment shall provide to the Planning Department on a County – approved form confirmation that the establishment complies with the following:

1. Smoke alarms and CO detectors are in working condition with fresh batteries.
2. Fire extinguishers are adequately charged.
3. The structure and any improvements or modifications were constructed under appropriate building permits or permits from the CA Housing and Community Development Department (for mobile homes).
4. The facility remains compliant with the residential transient occupancy safety checklist in effect at the time the transient occupancy registration certificate was issued.

Failure of a landowner or manager to maintain their transient occupancy facilities in compliance with the conditions and requirements of County Code is a violation and may result in the rescinding of the TOT Certificate.

Public Noticing in Fish Camp:

If the project site is in the community of Fish Camp, property owners within 600 feet of the project site of a new proposed B&B or Residential Vacation Rental are mailed a “Notice of Proposed Bed & Breakfast / Vacation Rental,” and the site is posted. If more than 50% of noticed property owners protest the new proposed B&B / Vacation Rental, then the project shall require a Conditional Use Permit.

For those applications in Fish Camp where property ownership of an existing established approved B&B or Residential Vacation Rental has changed, an application for a new TOT Certificate is required (and subject to review as described within this application); however no surrounding property owner noticing is required. For those facilities where the business has not operated within the past year, an application is reviewed and processed as a new proposed B&B / Vacation Rental, including surrounding property owner notification.

For those applications in Fish Camp which propose to add an additional room or rooms to an approved operating B&B or Residential Vacation Rental, an amended TOT Certificate is required (and subject to review as described within this application); however no surrounding property owner noticing is required.

For Wawona or Fish Camp standards, please see the Town Planning Area Specific Plan, call the Planning Department at 966-5151, or see <http://ca-mariposacounty.civicplus.com/index.aspx?NID=716>

MARIPOSA PLANNING CHECKLIST

These establishments are specifically excluded from the definition of "hotel". Bed and breakfasts, agricultural homestays, and vacation rentals shall meet the following requirements:

A. No more than three (3) bedrooms are available for occupancy by transients in vacation rentals and occupancy is limited to ten (10) or fewer occupants.

B. No more than five (5) bedrooms are available for occupancy by transients for bed and breakfast establishments and agricultural homestays.

C. Occupancy in a vacation rental submitted on or after April 14, 2016 shall be limited to ten (10) or fewer occupants. This limit shall apply to new vacation rental facilities, as well as vacation rental facilities which are being permitted following a property ownership change. Vacation rentals must post a minimum 8-1/2 x 11 inch NOTICE over or next to the facility's primary exit door stating "Maximum Occupancy 10 Persons", or such lesser occupancy as desired by the owner or as required pursuant to Section D below. Lettering shall be clearly visible through contrast from the background and a minimum of 1-1/2 inches in height and width.

D. Private on-site sewage disposal systems or small, private community systems that serve a bed and breakfast or vacation rental facility shall have sufficient capacity to serve occupants within the facility. If such a system does not meet this design standard, the facility shall be limited to an occupancy of two (2) persons per approved bedroom. Should the "maximum occupancy" allowed be less than 10 persons, the occupancy notice as described in Section C. above shall reflect that number.

E. A sign of not more than four (4) square feet shall be posted and clearly visible from the nearest road. The sign shall require the street address and may contain the name of the owner or the establishment. Larger signs shall require Planning Commission approval through the variance process.

F. At a minimum, an 8-1/2 x 11 inch written notice must be placed in each rental unit (in the main living area), which contains the following information:

1. Instructions in case of fire or other emergency, including the name and phone number of the property owner or rental manager.
2. Quiet hours are between 10:00 p.m. and 8:00 a.m. and shall be strictly enforced.
3. Water and energy conservation measures.
4. Proper use of wood burning stoves and fireplaces.
5. Parking and snow removal requirements if necessary. No parking on roadway is permitted during snow removal periods declared by the Director of Public Works, pursuant to County Code, Section 10.08.110.
6. An identification of the character or area in which the unit is located (i.e. rural, agricultural, residential).
7. A statement relative to respect for adjacent property owner's rights and trespassing concerns.
8. Proper trash disposal, and bear prevention/control measures if applicable (Wawona, Fish Camp and Yosemite West require bear prevention/control measure for trash disposal in accordance with Chapter 8.44 of County Code)

G. Vacation rentals must place a minimum 5 x 7 inch weather-proof NOTICE that is easily and conspicuously visible (from the exterior of the structure) at or near the main entrance to the vacation rental which contains the name and phone number of the property owner or rental manager. The property owner or rental manager must be available by phone in case of an emergency and in addition may also state "In Case of Emergency Call 911".

H. The following on-site parking standards shall apply (parking for transient occupancy facilities in the community of Yosemite West may be off-street, subject to review and compliance with County Code standards):

1. Bed and breakfast and agricultural homestay establishments shall have two (2) on-site parking spaces for the residence plus at least one (1) on-site space for each bedroom available for rent.
2. Vacation rental establishments shall have one (1) parking space for each bedroom to be rented.
3. Parking provided shall be maintained so that it is usable and utilized at all times during the year, when it is occupied.

I. The applicant shall apply to the Mariposa County Planning Department for site plan review and approval. The Planning Department shall forward the application to the Building, Fire and Health Departments.

J. Following approval by all appropriate agencies, a valid transient occupancy registration certificate shall be issued by the Mariposa County Tax Collector.



Mariposa County Building Department

Mike Kinslow, Building Director
5100 Bullion St., P.O. Box 1268, Mariposa, CA 95338
Phone (209)966-3934 Fax (209)742-5024

Understanding the Building Department's Role in the TOT Inspection Process

The Mariposa County transient occupancy program is a unique program. The program is under the authority and management of Mariposa County Planning Department (209-966-5151). Pursuant to the Mariposa County Zoning Ordinance, applications, permitting and final approval reside with Planning even though other County Departments play a role in the approval process.

The Mariposa County Building Department plays a role in the TOT review process. As required by Mariposa County Code (Zoning) and the Mariposa Board of Supervisors, the Building Department is required to provide on-site safety inspections per the "residential safety items" checklist that is attached to this document and that is part of the TOT application package. Any items that are not checked approved on the checklist at the time of inspection will need to be corrected before the application process can move forward with Building's sign-off approval.

The Building Department not only looks for the safety checklist items but is also required by the Board of Supervisors to give the building an "overall" check for safety and common sense items that may pose an unseen risk. In that process, the Building Department also checks the permitting records and Assessor's records and compares square footage for any unpermitted work that may have been completed to the structure such as unpermitted remodeling or unpermitted additions. If unpermitted work is discovered, the TOT application process will be suspended until the Building Department's process for addressing unpermitted work has been satisfied (see the "built without a permit" attachment).

A word of warning: If a property is being purchased for a TOT rental it is highly advisable to complete your "due diligence" in determining whether your property has some undisclosed and unpermitted work that may delay or prevent the TOT application process from going forward. The recommendation is that you retain a professional (California licensed Architect or Engineer) to not only complete a Mariposa County paperwork search but to actually go out and thoroughly inspect the structure for possible signs of unpermitted work. Completing the above prior to the property purchase may save the applicant time and financial grief down the road.



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BUILDING DEPARTMENT MEMORANDUM

RE: Building Department policy for permitting structures constructed, modified, altered or repaired without a building permit.

The following are the required steps in bringing an unpermitted structure up to applicable code and receiving a certificate of completion or occupancy from the Mariposa County Building Department. This policy is for all types of construction, both residential and commercial, and include homes, additions, decks, sheds, barns, gazebos and all other construction that is not expressly exempt from a building permit per the 2013 California Residential Code, section R105.2 (attached).

1. The property owner is required to retain a California Registered Design Professional to make a project survey and serve as the Design Professional of Record for the project. This Design Professional can either be a California Licensed Architect or a California Registered Engineer. This Design Professional of Record shall be responsible to ensure that all trade elements are/shall be brought up to applicable code and shall be approved by the Building Official. A designer, draft person or contractor doesn't qualify for this requirement.
2. The Design Professional of Record will inspect and verify (or commission appropriate trade contractors for survey) the current construction (all trades) and any required engineering. The Design Professional of Record will verify the use designation, prepare a detailed set of "as built" drawings, indicate any additional changes required to bring the structure up to applicable code on the drawings and stamp/sign the drawings.
3. The owner or his agent shall then submit the drawings to the Mariposa County Building Department, pay all required fees and penalties, and start the proper permit application process. Plan check fees, building permit fees, school fees, etc. will be at the current fee rate. Additional fees and requirements from other Departments may be required. Penalty fees will be assessed on intentional work completed without a permit. Fees will not be determined until all paperwork has been properly submitted to the Building Department.
4. Following the proper permit application process and issuance of a building permit, inspections will be made by the Mariposa County Building Department, any other County Departments required by the project and the Design Professional of Record. The design Professional of Record shall make appropriate phase inspections of the project and submit letters of acceptance to the Building Department. The Design Professional of Record shall also submit a final letter of acceptance stating that the building now conforms to the applicable codes and the project has been completed to his/her satisfaction.
5. Once all of the above have been satisfactorily completed a certificate of completion or occupancy will be issued by the Mariposa County Building Department and the file will be closed.

DIVISION II ADMINISTRATION

- topography of the site render the elevation standards of Section R322 inappropriate.
2. Failure to grant the modification would result in exceptional hardship by rendering the lot undevelopable.
 3. The granting of modification will not result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.
 4. The modification is the minimum necessary to afford relief, considering the flood hazard.
 5. Written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation and stating that construction below the design flood elevation increases risks to life and property, has been submitted to the applicant.

R104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code. Compliance with the specific performance-based provisions of the California Codes shall be an alternative to the specific requirements of this code. Where the alternative material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.

R104.11.1 Tests. Where there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

**SECTION R105
PERMITS**

R105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to

erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

R105.2 Work exempt from permit. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures, provided that the floor area does not exceed 120 square feet (11.15 m²).
2. Fences not over 7 feet (2134 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

Must be at least 10' away from structure Per W.A.C.

Electrical:

1. Listed cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Transient Rental/Bed & Breakfast (BLDG) **Observation Date**_____ **Inspector Initials**_____

Owner Name _____

Address_____ **Cabin or Apt. #**_____

Permit No. _____ **Date of Final**_____ **No. of Bedrooms**_____

- [] **Important Notice: If permitting discrepancies are found between the TOT project site and the Building Department and Assessor's records, the TOT application will not be approved until the discrepancies are resolved with the Building Department. Please see our "Built without a Permit" handout that outlines the requirements for resolving un-permitted structures, conversions, remodels, etc.**
Examples of discrepancies are: building square footage, number of bedrooms, any indication that work may have been completed without a permit, non-permitted conversion, etc. which may have occurred at any time in the property's history.

RESIDENCE SAFETY ITEMS

- [] **Electrical:** Ground Fault Interrupter (GFI) receptacles shall be provided within six (6) feet of all sinks and for all exterior receptacles (with rain-proof covers). Clothes washers and dryers and all kitchen counter top receptacles that are available for guest use shall be properly grounded.
- [] **Stairs:** All interior stairs and exterior stairs shall have 8" rise maximum and 9" minimum run on steps, if built prior to January 1, 2008. If built after January 1, 2008 and all new construction, maximum riser height is 7 ¾ and minimum tread depth shall be 10". The top of the handrails shall be 34-38 inches in height above surface of tread at the nose, have a minimum 1 ½ inch clearance to the wall and be of sound construction and shall have a 1 ¼" to 2" handgrip. Contact the Building Department if you have questions on this requirement.
- [] **Guardrails:** All decks or elevated areas with a drop-off of more than 30 inches to an adjacent level or ground shall have guardrails installed to prevent falls. Guardrails shall be a minimum of 36 inches high and constructed with baluster or intermediate rails with and opening so a 4" sphere cannot pass through, whether vertically or horizontally. New or rebuilt guardrails after 1/1/11 are 42" high.
- [] **Wood-burning Stoves & Fireplaces:** All wood-burning stoves that are available for guest use shall be installed to manufacturer's instructions and meet appropriate construction codes. Instructions for proper use of wood-burning stoves and fireplaces shall be made available to guests. When they are not available for guest use, precautions shall be taken to preclude the use (padlocking or permanent screening).
- [] **Floor/Wall Mounted Heaters:** In rental units where floor mounted heaters are in use, posting of potential fire hazards resulting from placement of combustible material on the floor grate shall be posted in the immediate area.
- [] **Bedroom Emergency Escape:** All bedrooms must have two exits. If one is a window, the sill must be no higher than 44" above the floor. The open area of the window must be at least 5.7 square feet with a minimum open height of 24" and minimum opening width of 20". Window bars, grills or grating are not permitted.

- [] **Means of Egress:** At least one side-hinged door with 32” clear width with the door open 90° shall be provided per dwelling. Stairways and hallways shall be 36” minimum in width. A landing shall be provided at the top and bottom of each stairway.
- [] **Swimming Pools:** Effective January 1, 2018 all pools and spas shall have two (2) of the required drowning prevention safety features per California Health and Safety Code 115922.
- [] **Other:** If, at the time of inspection, a health or safety violation is observed by the inspector, the violation must be corrected prior to final approval from the Mariposa County Building Department.

Observation Result

Observation Date _____ Pass Fail Inspector Initials _____

Observation Date _____ Pass Fail Inspector Initials _____

Observation Date _____ Pass Fail Inspector Initials _____

Transient Rental Application (FIRE) Observation Date _____ Inspector Initials _____

Owner Name _____

Address _____ Cabin or Apt. # _____

Permit No. _____ Date of Final _____ No. of Bedrooms _____

- [] **Important Notice:** If permitting discrepancies are found between the TOT project site and the Building Department and Assessor's records, the TOT application will be put on hold until the discrepancies are resolved with the Building Department. This may mean that your TOT application could incur a substantial delay or be denied.
Examples of discrepancies are: building square footage, number of bedrooms, any indication that work may have been completed without a permit, non-permitted conversion, etc. which may have occurred at any time in the property's history.

RESIDENCE SAFETY ITEMS

- [] **Posted Address:** Address numbers are required to be reflective and plainly visible from street and a minimum of four inches tall with a 1/2 inch stroke.
- [] **Fire Extinguishers:** All fire extinguishers shall comply with the following:
1. At least one (1) extinguisher of minimum 2-A 10-BC shall be provided for each building or occupancy.
 2. Extinguishers shall be mounted no higher than five (5) feet and no lower than (3) feet.
 3. Extinguishers shall be underwriter laboratory or fire marshal listed or approved by the State Fire Marshal.
 4. All extinguishers shall be conspicuously located, readily available, plainly marked and near the kitchen.
 5. Extinguishers shall be located so that travel distance shall not exceed 75 feet. Additional extinguishers shall be located in Barbecue and/or Fire Pit area.
 6. Extinguishers shall be of a serviceable type with metal neck and valve. Disposable extinguishers with plastic hardware will not be acceptable. If extinguishers do not have date stamped on bottle, they shall be tagged by a licensed firm.
- [] **Posted Fire Escape Routes:** Each unit shall have a laminated notice (8 1/2 x 11 inch minimum size) posted that identifies escape routes from the structure in a visible location in each sleeping room.
- [] **Smoke Detectors:** Guest rooms that are used for sleeping purposes and rooms leading to the guest rooms shall be provided with smoke detectors that are installed in accordance with the approved manufacturer's instructions (one for each floor level).
- [] **CO Detectors:** Each floor shall be provided with Carbon Monoxide detectors that are installed in accordance with the approved manufacturer's instructions.
- [] **Wood-burning Stoves & Fireplaces:** All wood-burning stoves that are available for guest use shall be installed to manufacturer's instructions and meet appropriate construction codes. Instructions for proper use of wood-burning stoves and fireplaces shall be made available to guests. When they are not available for guest use, precautions shall be taken to preclude the use (padlocking or permanent screening).

- [] **Floor/Wall Mounted Heaters:** In rental units where floor mounted heaters are in use, posting of potential fire hazards resulting from placement of combustible material on the floor grate shall be posted in the immediate area.

- [] **Bedroom Emergency Escape:** All bedrooms must have two exits. If one is a window, the sill must be not higher than 44” above the floor. The open area of the window must be at lease 5.7 square feet with a minimum open height of 24” and minimum width of 20”. Window bars, grills or grating are not permitted.

- [] **Other:** If, at the time of inspection, a health or safety violation is observed by the inspector, the violation must be corrected prior to final approval from the Mariposa County Fire Department.

Observation Result

Observation Date _____	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	Inspector Initials _____
Observation Date _____	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	Inspector Initials _____
Observation Date _____	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	Inspector Initials _____



Mariposa County Health Department

Public Health Section
5085 Bullion Street
P.O.Box 5
Mariposa, California 95338
(209) 966-3689 FAX (209) 966-4929

Environmental Health Section
5100 Bullion Street
P.O.Box 5
Mariposa, California 95338
(209) 966-2220 FAX (209) 966-8248

The Mariposa County Health Department is charged with the responsibility for enforcement of laws and regulations relating to the construction, operation and maintenance of Restricted Food Service Transient Occupancy Establishments (Bed & Breakfasts & Ag Homestays). The Health Department has three main areas of concerns as follows:

I. FOOD SERVICE

- A. B&B's serving only "continental-type" breakfasts (pre-packaged breakfast rolls, toast, coffee, juices, etc.) and using only single-use eating and drinking utensils will be required to have a food facility permit and be subject to annual inspections.
- B. B&B's serving a full breakfast involving food preparation must have a food facility permit. Inspection frequency shall be at least twice annually. Additionally, those B&B's serving a full breakfast must have at least one person certified in food safety.

Existing utensil washing equipment (sinks, dishwashing machines) may be continued in use until replace, however, utensil sanitization must be accomplished in accordance with the Health and Safety Code.

II. SEWAGE DISPOSAL

Applicant must demonstrate that the sewage disposal system can adequately serve the propose project by:

- A. Having the septic tank pumped by a septic tank pumper holding a valid Mariposa County Septic Pumpers Permit, and certified to be in good working condition at the time of pumping. Verification of adequacy of sewage system for maximum flows may be required;

Or

- B. Provide documentation that the sewage disposal system was installed within the past three years and meets current standards, or at least have had the septic tank pumped within the past three years.

III. WATER SUPPLY

Applicant must provide results of current water analyses to demonstrate compliance with standards set for transient non-community water systems. A monitoring schedule is attached.

PLEASE CONTACT THE MARIPOSA COUNTY HEALTH DEPARTMENT AT (209) 966-2220 IF YOU HAVE ANY QUESTIONS.

**Water Quality Monitoring Schedule
Transient Non-Community Systems
(Food Facilities and Bed and Breakfast Establishments)**

Test for ALL chemicals prior to approval.
Once approved, test according to the following schedule:

Chemical - Section/Table	Maximum Containment Level (mg/L)	Frequency
Bacteriological Examination		Quarterly (4 times per year/once every 3 months)
Nitrate (Nitrogen)	10	Annual if < 1/2 MCL. Quarterly for 1 year if > 1/2 MCL then annual
Nitrite (as Nitrogen)	1	Once every 36 months if < 1/2 MCL. Quarterly for 1 year if > 1/2 MCL then annual
Fluoride	2.0 (varies)	Once
Iron	0.3	Once
Manganese	0.05	Once
pH	6.5 to 8.5	Once
Bicarbonate	N/A	Once
Carbonate	N/A	Once
Hydroxide Alkalinity	N/A	Once
Calcium	N/A	Once
Magnesium	N/A	Once
Sodium	N/A	Once
Total Hardness	N/A	Once
Specific Conductance	N/A	Once

NOTE: All water analyses are to be performed by laboratories certified by the State of California. A list of certified laboratories is available from the Mariposa County Health Department. Advise the laboratory to send copies of the lab reports to:

Mariposa County Health Department
Environmental Health
P.O. Box 5
Mariposa, CA 95338

Water samples which are found to contain coliform organisms are to be reported by the lab immediately to the Health Department at (209) 966-2220.

**Water Quality Monitoring Schedule
Vacation Rentals- No Food Service**

Chemical – Section/Table	Maximum Contaminant Level (mg/L)	Frequency
Nitrate (Nitrogen)	10	1 time only Depending on results additional testing may be required Sample must be no more than 1 year old
Bacteriological Examination		1 time only provided sample is free of bacteria Sample must be no more than 90 days old

Note: All water analyses are to be performed by laboratories certified by the State of California. A list of certified laboratories is available from the Mariposa County Health Department. Advise the laboratory to send copies of lab reports to:

Mariposa County Health Department
Environmental Health
Post Office Box 5
Mariposa, CA 95338

Water samples which are found to contain coliform organisms are to be reported by the lab immediately to the Health Department at (209) 966-2220.

**Partial List of Water Labs
and/or companies that provide water testing services**

Contact lab or testing company for sample bottle requirements

TWINING LABORATORIES
2527 Fresno Street
Fresno, CA 93721
559-268-7021

A & L LABORATORIES
1311 Woodland Ave. Suite 1
Modesto, CA 95351
209-529-4080

YOSEMITE FALLS PUMP SERVICE
Post Office Box 96
Midpines, CA 95345
209-966-2783

BSK LABORATORIES
1414 Stanislaus
Fresno, CA 93706
559-497-2888

MARIPOSA PUBLIC UTILITY DIST. (MPUD)
Post Office Box 494
Mariposa, CA 95338
209-966-2515

FRESNO COUNTY PUBLIC HEALTH LAB
1221 Fulton Mall
Fresno, CA 93721
559-445-3407

YOSEMITE FALLS WELL DRILLING
Post Office Box 1808
Mariposa, CA 95338
209-966-4461
yosemitefalls@sti.net

**The Mariposa County Health Department provides this partial list as a service only.
This is not a recommendation for any firm, whether listed or not.**

SEPTIC PUMPERS

Mariposa Portable Sanitation
4054 Silver Bar Rd.
Mariposa, CA 95338
209-966-3438

Lake McClure Marinas
3100 Barrett Cove Road
La Grange, CA 95329
209-378-2441

Bio-Tech
29959 Yosemite Springs
Coarsegold, CA 93614
559-642-0490

El Dorado Septic Service
Post Office Box 488
Soulsbyville, CA 95372
209-586-1623

Big Oak Septic
37130 Mudge Ranch Road
Coarsegold, CA 93614
559-683-7707

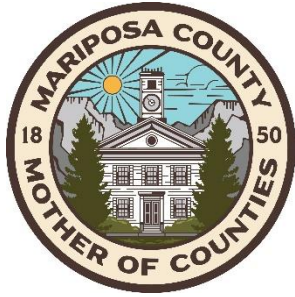
Motherlode Portables
201 Roscoe Rd.
Modesto, CA 95357
209-524-0401
1-800-834-0401

Cedar Septic Services
Post Office Box 488
Soulsbyville, CA 95372
209-586-1623

Strong Septic
3249 Highway 49 South
Mariposa, CA 95338
209-966-7474

Tri-County Septic
35674 Highway 41
Coarsegold, CA 93614
559-642-0490

**The Mariposa County Health Department provides this partial list as a service only.
This is not a recommendation for any firm, whether listed or not.**



**BED & BREAKFAST / VACATION RENTAL / AGRICULTURAL HOMESTAY
TAX CERTIFICATE / AMENDED CERTIFICATE
GENERAL INFORMATION AND APPLICATION**

Mariposa County Planning Department
5100 Bullion Street, P.O. Box 2039
Mariposa, CA 95338

Telephone (209) 966-5151 FAX (209) 742-5024
www.mariposacounty.org planningdept@mariposacounty.org

FOR OFFICE USE ONLY

Date Received _____ Received By _____
Fees Paid \$ _____ Receipt No. _____ Received By _____
Application No. _____ Application Complete _____
Certificate No. _____ Date Issued _____

APPLICANT INFORMATION

Applicant Name _____

Mailing Address _____

Daytime Telephone Number(s) (_____) _____ (_____) _____

E-Mail Address _____

Property Owner Name _____

PROVIDE NAME OF PROPERTY OWNER IF DIFFERENT THAN APPLICANT

Mailing Address _____

Daytime Telephone Number(s) (_____) _____ (_____) _____

E-Mail Address _____

Business Operator (Manager) Name _____

PROVIDE NAME OF BUSINESS OPERATOR IF DIFFERENT THAN APPLICANT
(THIS WILL SHOW ON YOUR TOT CERTIFICATE WHEN IT IS ISSUED)

Mailing Address _____

Daytime Telephone Number(s) (_____) _____ (_____) _____

E-Mail Address _____

Ownership Type: _____

Individual _____ Partnership _____ Corporation _____ Other (specify) _____

Names of Partners or Corporation or Trust Officers

NAME TITLE MAILING ADDRESS DAYTIME TELEPHONE NUMBER

NAME TITLE MAILING ADDRESS DAYTIME TELEPHONE NUMBER

PROJECT INFORMATION

Please check the proposed use or application type and complete the information below:

New Vacation Rental

Total number of bedrooms in dwelling: _____

Proposed number of guest bedrooms: _____ Proposed number of occupants: _____

Number of bedrooms that will not be used in the vacation rental (must indicate on floor plan) if applicable: _____

Amended Vacation Rental TOT Certificate Certificate Number: _____

Current number of guest bedrooms _____ of occupants _____

Proposed number of guest bedrooms _____ of occupants _____

New Bed & Breakfast

Total number of bedrooms in dwelling: _____

Proposed number of guest bedrooms: _____ Proposed number of occupants: _____

Number of permanent residents in occupied residential structure: _____

Number of bedrooms that will not be used in the Bed and Breakfast (must indicate on floor plan) if applicable: _____

Amended Bed & Breakfast TOT Certificate Certificate Number: _____

Current number of guest bedrooms _____ of occupants _____

Proposed number of guest bedrooms _____ of occupants _____

Number of permanent residents in occupied residential structure: _____

New Agricultural Homestay

Total number of bedrooms in dwelling: _____ Proposed number of guest bedrooms: _____

Proposed number of occupants: _____

Number of permanent residents in occupied residential structure: _____

Number of bedrooms that will not be used in the Agricultural Homestay (must indicate on floor plan) if applicable: _____

Describe how guests participate in the on-site agricultural activities or are educated about agriculture:

Amended Agricultural Homestay TOT Certificate

Current number of guest bedrooms _____ of occupants _____

Proposed number of guest bedrooms _____ of occupants _____

Number of permanent residents in occupied residential structure: _____

PROPERTY INFORMATION

Business Name _____
(This is not for the management company name but if you have a business name or a cabin name put that here as it will show on the your certificate)

How long have you owned or operated this business? _____

Physical Address of proposed Bed & Breakfast, Vacation Rental or Agricultural Homestay _____

Assessor's Parcel Number (APN) _____ Parcel Size (acres) _____

Driving Directions to Site from 5100 Bullion Street, Mariposa: _____

Describe present or associated uses of property (residential uses, commercial uses, home enterprise, nursing home, day care, agricultural, etc.): _____

Number of *existing* parking spaces on-site (within property boundaries) _____

Number of *proposed* parking spaces on-site _____

Number of dwellings on Property: _____

Dwelling #1:

Physical Address: _____ Number of Bedrooms: _____ Number of Bathrooms: _____

Dwelling #2:

Physical Address: _____ Number of Bedrooms: _____ Number of Bathrooms: _____

Dwelling #3:

Physical Address: _____ Number of Bedrooms: _____ Number of Bathrooms: _____

(If more than 3 dwellings on the site, please explain): _____

Water Source: Well Spring Water System Other _____

Sewage System: Sewer Septic System/Leach Field Other _____

Estimated % of time per year the unit is used as:

_____ % Rental (compensated) _____ % Residential (non compensated rental)

_____ % Vacant

IMPORTANT INFORMATION

SUBMITTAL OF THIS APPLICATION MEANS THAT TO THE BEST OF THE APPLICANTS KNOWLEDGE, THE PROPERTY IS PROPERLY PERMITTED AND THAT IT IS READY FOR INSPECTIONS AND PROCESSING. APPLICATIONS THAT ARE SUBMITTED ON PROPERTIES THAT HAVE UNPERMITTED STRUCTURES WILL BE CLOSED OUT WITH UNUSED FEES REFUNDED. SHORT TERM RENTALS ON PROPERTIES WITHOUT AN ACTIVE TRANSIENT RENTAL CERTIFICATE ARE PROHIBITED.

**BED & BREAKFAST / VACATION RENTAL / AGRICULTURAL HOMESTAY
SITE PLAN AND REQUIREMENTS CHECKLIST**

Please draw site plan and floor plan accurately and neatly showing all the required information. Thank you.

1. On an 8.5" x 11" or 11" x 17" sheet of paper, show parcel boundary drawn to scale.
 - Footprint and dimensions of the house(s) drawn to scale in its/their location on the property along with the physical address (es).
 - Access road(s) adjacent to or providing access to, the parcel.
 - The driveway from the access road to the dwelling.
 - If a garage is on-site, then location and dimensions must be shown.
 - Show existing and proposed parking spaces on the property. Parking Spaces must be dimensioned and drawn to scale and show the turning around area, if needed. Parking spaces must be on site (except in the community of Yosemite West) and be 10' x 20' in size. Bed and Breakfast establishments and Agricultural Homestays require two (2) spaces for the dwelling, and one (1) space for each bedroom to be rented. Vacation Rentals require one (1) space for each bedroom to be rented.
 - Show location of existing well or spring and septic system (including tank and leach lines) on the property.
2. On an 8.5" x 11" or 11" x 17" sheet of paper, show floor plan, with dimensions of each room and each room must be labeled and bedrooms numbered.
3. Payment of application fees as determined by Mariposa Planning. Additional fees may be charged by other agencies or county offices, depending on the type of application.

FEES

These fees are for a new Bed and Breakfast, Vacation Rental or Agricultural Homestay, OR for a change in the number of rooms to be rented on an existing TOT Certificate. Projects involving separate structures or units shall require separate applications and separate fees.

Check which apply:		
	<input type="checkbox"/> Application (Fish Camp)	\$994.00
	<input type="checkbox"/> Application (more than 25 miles from office)	\$773.00
	<input type="checkbox"/> Application (less than 25 miles from office)	\$552.00
Document Conversion		\$18.00
Fish Camp Public Noticing		\$55.00
Building Department		\$291.00
Health Department		\$168.00
(Health fees are deposit based. Any additional time will be billed directly from Health to the applicant)		
Total:		

REQUIRED SIGNATURE(S)

Affidavit

I/we, the undersigned (Property Owner and Applicant), agree to defend, indemnify, and hold harmless the County and its agents, officers and employees from any claim, action or proceeding against the County arising from the Property Owner and Applicant project.

I/we declare under the penalty of perjury that the statements and information submitted in this application are in all respects true and correct to the best of my/our knowledge.

I/we acknowledge that I/we have read and understand the information contained in the application package relating to the submittal and processing of this application.

I/we understand that the processing of the application will be delayed if any required information is incorrect, omitted, or illegible.

I/we declare that if an entity listed below is a Partnership, Limited Liability Corporation, Corporation or Trust the signer(s) below certifies that he/she is authorized by that entity to apply and sign the application attached herewithin.

<u>Property Owner (printed name):</u>	<u>2nd Property Owner (printed name):</u>	<u>Applicant (printed name):</u>
<u>Property Owner (signature):</u>	<u>2nd Property Owner (signature):</u>	<u>Applicant (signature):</u>
Date:	Date:	Date:

If there are more than two property owners, additional copies of this page shall be provided.

IMPORTANT: This page must be signed by all property owners and any authorized applicant.

IMPORTANT: Please note that if the property owner/s is/are authorizing someone other than themselves to act as the applicant or agent, the next page must also be signed.

IMPORTANT: Failure to have all necessary signatures will DELAY the commencement of processing the application. The application will be returned to the applicant to provide all necessary signatures.

This page to be signed **IF** the property owner(s) is (are) authorizing someone to act as an agent or applicant for this application.

Affidavit

Applicant/Agent Authorization:

I/we, _____, Property Owner(s) hereby authorize _____ to act as a representative/Applicant and/or _____ to act as a representative/Agent in all matters pertaining to the processing and approval of this application, including modifying the project, and agree to be bound by all representations and agreements made by the designated Applicant and/or Agent.

I/we declare that if the Property Owner and/or Applicant is a Partnership, Limited Liability Corporation, Corporation or Trust, the individual(s) listed below certifies that he/she/they is/are authorized by that entity to execute the application form attached herewithin.

<u>Property Owner (printed name):</u>	<u>Applicant (printed name):</u>	<u>Agent (printed name):</u>
<u>Property Owner (signature):</u>	<u>Applicant (signature):</u>	<u>Agent (capacity/title):</u>
<u>Property Owner (capacity/title):</u>	<u>Applicant (capacity/title):</u>	
Date:	Date:	
<u>2nd Property Owner (printed name):</u>	<u>Co-Applicant (printed name):</u>	
<u>2nd Property Owner (signature):</u>	<u>Co-Applicant (signature):</u>	
Date:	Date:	

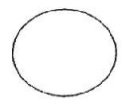
Please draw site plan accurately and neatly showing all the required information. Thank you.

1. On an 8.5" x 11" or 11" x 17" sheet of paper, show parcel boundary drawn to scale.
2. Footprint and dimensions of the house(s) drawn to scale in its/their location on the property.
3. Access road(s) adjacent to or providing access to, the parcel.
4. The driveway from the access road to the dwelling.
5. If a garage is on-site, then location and dimensions must be shown.
6. Show existing and proposed parking spaces on the property. Parking spaces must be on-site. Bed and breakfast establishments and agricultural homesteads require two (2) spaces for the dwelling and one (1) space for each bedroom to be rented. Transient rentals require one (1) space for each bedroom to be rented.
7. Show location of existing well and septic system (including tank and leachlines) on the property.

SITE PLAN

To help us serve you better, an accurate site plan based upon the attached checklist is required. Incomplete site plans will result in processing delays. If you have any questions, please give us a call and we'll be happy to assist you.

NORTH
 ARROW
 REQUIRED



PROPERTY OWNER NAME _____
 DAYTIME PHONE NUMBER _____
 PROJECT SITE ADDRESS _____
 ASSESSOR PARCEL NUMBER _____
 CONTACT NAME _____
 CONTACT DAYTIME PHONE _____

SCALE: Each square = _____ feet

I certify that this site plan is true and complete to the best of my knowledge. I understand that the processing of my application may be delayed if required information is inaccurate or omitted from this site plan. The property owner is the responsible party if information is false or inaccurate.



Authorized party signature _____
 Date _____