



NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: June 13, 2023
TO: Board of Supervisors
FROM: Katharine L. Elliott, County Counsel
SUBJECT: (Waive further reading/adopt) An ordinance amending, adding and repealing nonsubstantive sections of the Nevada County General Code.

RECOMMENDATION: Waive further reading and adopt the proposed Ordinance.

FUNDING: The revision will have no fiscal effect.

BACKGROUND:

The Codes of the County of Nevada were last fully updated in 2006 by Ordinance No. 2192. In an effort to create uniformity in internal referencing; language usage; updated pronouns; Agency and Departmental organization; as well as to verify accuracy of citation and comport with California State Statute, County Counsel's Office has been working with county Agencies and Departments and proposes the following revisions.

Through this through review of all County Codes, revisions that are substantive in nature, or which may require companion Resolutions, are not being brought forward at this time.

The following sections contain non-substantive revisions which update language to reflect established practices within the department; correct county codes to comply with current California Statute; and include editorial corrections to create uniformity within the County Codes. Sections throughout containing "Purpose" and "Severability" are repealed. Purpose descriptions remain in the original Ordinance. Severability is contained in the beginning of the County Codes and applies to all sections. Revisions of note are specifically described.

Therefore, it is recommended that the Board adopt this proposed Ordinance to:

Revise:

General Code

1. CHAPTER III “Business Regulations”

- a. Secs. G-III 6.1 – 6.4 “Prohibiting the Distribution and Display of Drug Paraphernalia”: 6.1 “Purpose” repealed.
- b. Secs. G-III 8.1 – 8.14 “Rafting”: “Severability” repealed.
- c. Secs. G-III 10.1 – 10.9 “Registration Requirement for Commercial Weighing and Measuring Instruments and Providing for a Fee for Such Registration”: 10.6 “Annual Registration Fee” updated. Citation of California statute revised.
- d. Secs. G-III 15. 1 – 15.5 “Septage Haulers”: 15.1 Liquid Waste (Septage) Hauler Registration Required” updated to reflect current California Health and Safety Codes; 15.1.A “Grease Hauler Requirements” added as a new section.

2. CHAPTER IV “General Regulations”

- a. Secs. G- IV 2.1 – 2.6 “Trees and Plants”. amended for conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
- b. Secs. G-IV 3.A.1-3.A.33 “Motor Vehicles and Traffic Speed Limits, Parking and Control of Vehicles”. Grass Valley and City of Truckee streets removed. “Fifty Miles Per Hour Prima Facia Speed Limit Established” moved to G-IV 3.A.7.a. Updated numbering. Citation of California statute revised.
- c. Secs. G-IV 4.40 – 4.64 “Regulating Taxiway Encroachments at Nevada County Airpark”. Editorial Changes.
- d. Secs. G-IV 4.A.1 – 4.A.44 “Regulating Roadway Encroachments”: 4.A.21 Pole Distance requirement increased from 6 (six) to 8 (eight) feet from the edge of a traveled way; 4.A.37 “Lawns” and 4.A.44 “Severability” repealed.
- e. Secs. G-IV 8.A.1 – 8.A.6 “Diversion of Construction and Demolition Materials”: “Purpose” repealed.
- f. Secs. G-IV 11.1 – 11.2 “Airport Commission”: “Airport Manager” replaces “Director of Services of Transit, Aviation and Recreation (STAR)”. Editorial Changes.
- g. Secs. G-12 .1 – G-IV 12.5 “Nevada County Airport Rules and Regulations” : Definitions modified; 12.3 Drones added as prohibited.

- h. Secs. G-IV 14.1 “Outdoor Burning”. Editorial Changes.
- i. Secs. G-IV 15.1 – 15.7 “Bingo”. Citation of California statute revised.
- j. Secs. G-IV 20.1 – 20.2 “Responsibility for Reporting Discharges of Hazardous Wastes”. Editorial Changes..
- k. Secs. G-IV 21.1 – 21.3 “Art in Public Places”. No changes.
- l. Sec. G-IV 22.1 “Prohibition of Radioactive Waste Disposal”. Editorial Changes.

3. CHAPTER V “Revenue”

- a. Secs. G-V 2.1 – 2.15: 2.1 – 2.15 “Outdoor Events” repealed and moved to G-X “Events”.

4. CHAPTER VII “Misdemeanors”

- a. Secs. G-VII 1.1 – 1.6.”Business Premises” and “Curfew”. Citation of California statute revised.
- b. Secs. G-VII 1.10 – 1.29: 1.17 “Severability”; 1.20.A “Purpose”; 1.28.6 “Severability” repealed. New 1.20 “Penalty for Violation” added. Citation of California statute revised.

5. CHAPTER X “Events”

- a. Secs. G-X 1.1 – 1.2: New section added combining G-III 4.29 “Special Events” from “Regulation of Medical Transportation Services” and G-V-2.1 – 2.15 “Outdoor Events” from “Revenue”.

Item Initiated and Approved by: Katharine Elliott

Submitted Date: May 23, 2023

Revised Date: