

EXHIBIT A

ARTICLE 1

SCOPE

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Sec. A-I 1.1 Authority of County

The authority of this County to enforce regulations not in conflict with the general law is established in Cal. Const. Art. II, § 11.

Government of this County complies with all provisions of Cal. Gov't Code §§ 23000-33205.

References to laws, ordinances or regulations shall be interpreted broadly to cover government actions, however nominated, and include laws, ordinances and regulations now in force or hereinafter enacted or amended.

Sec. A-I 1.1A How Code Designated and Cited

The Ordinances embraced in the following chapters and sections, which derive from the 1972 adoption of this Code, shall constitute and be designated "The Code of the County of Nevada, California," and may be so cited. It may also be cited as the "Nevada County Code."

Sec. A-I 1.2 Definitions and Rules of Construction

Whenever in this ordinance the words or phrases hereinafter in this section defined are used, they shall have the respective meanings assigned to them in the following definitions:

BOARD OF SUPERVISORS. Whenever the words “Board of Supervisors” are used, they shall be construed to mean the Board of Supervisors of Nevada County.

CODE. The words “the Code” or “this Code” shall mean “The Code of the County of Nevada, California.”

COMPUTATION OF TIME. The time in which any act provided by law is to be done is computed by excluding the first day and including the last day unless the last day is a holiday and then it is also excluded (Cal. Gov’t Code § 6800).

COUNTY. The words “the County” or “this County” shall mean the County of Nevada, California.

DAY. A “day” is the period of time between any midnight and the midnight following (Cal. Gov’t Code § 6806).

DAYTIME, NIGHTTIME. “Daytime” is the period of time between sunrise and sunset. “Nighttime” is the period of time between sunset and sunrise (Cal. Gov’t Code § 6807).

GENDER. The masculine gender includes the feminine and neuter (Cal. Gov’t Code § 12).

IN THE COUNTY. The words “in the County” shall mean and include all territory over which the County now has, or shall hereafter acquire, jurisdiction for the exercise of its police powers or other regulatory powers.

JOINT AUTHORITY. All words giving a joint authority to three or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

MONTH. The word “month” shall mean a calendar month (Cal. Gov’t Code § 6804).

NUMBER. The singular number includes the plural, and the plural includes the singular (Cal. Gov't Code § 13).

OATH. "Oath" includes affirmation (Cal. Gov't Code § 15).

OFFICERS, DEPARTMENTS, ETC. Officers, agencies, departments, boards, commissions, committees' special districts and employees referred to shall mean officers, agencies, departments, boards, commissions, committees, special districts and employees of the County of Nevada unless the context clearly indicates otherwise.

OFFICIAL TIME. Whenever certain hours are named herein, they shall mean Pacific Standard Time or Daylight Savings Time as may be in current use in the County.

OR, AND. "Or" may be read "and," and "and" may be read "or," if the sense requires it.

OWNER. The word "owner," applied to a building or land, shall include any part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety of the whole, or of a part of such building or land.

PERSON. "Person" includes any person, firm, association, organization, partnership, business trust, corporation or company (Cal. Gov't Code § 17, Cal. Code of Civil Procedure § 17(b)(6)).

PERSONAL PROPERTY. Includes every species of property, except real property as herein defined (Cal. Civil Code §§ 14, 663).

PRECEDING, FOLLOWING. The words "preceding" and "following" mean next before and next after, respectively.

PROCESS. Includes a writ or summons issued in the course of judicial proceedings of either a civil or criminal nature (Cal. Gov't Code § 22).

PROPERTY. The word "property" shall include real and personal property (Cal. Civil Code § 14).

REAL PROPERTY. Shall include lands, tenements and hereditaments (Cal. Civil Code §§ 14, 658).

SHALL, MAY. “Shall” is mandatory and “may” is permissive (Cal. Gov’t Code § 14).

SIGNATURE OR SUBSCRIPTION BY MARK. “Signature” or “subscription” includes a mark when the signer or subscriber cannot write, such signer’s or subscriber’s name being written near the mark by a witness who writes their own name near the signer’s or subscriber’s name. But a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their own names thereto (Cal. Gov’t Code § 16).

A digital signature shall have the same force and effect as the use of a manual signature.

(a) In any written communication with a public entity, in which a signature is required or used, any party to the communication may affix a signature by use of a digital signature that complies with the requirements of this section. If a public entity elects to use a digital signature, that digital signature shall have the same force and effect as the use of a manual signature if and only if it embodies all of the following attributes, as per Cal. Gov’t Code § 16.5:

- (1) It is unique to the person using it.
- (2) It is capable of verification.
- (3) It is under the sole control of the person using it.
- (4) It is linked to data in such a manner that if the data are changed, the digital signature is invalidated.

(b) The use or acceptance of a digital signature shall be at the option of the parties. Nothing in this section shall require a public entity to use or permit the use of a digital signature.

(c) Digital signatures employed pursuant to Cal. Pub. Res. § 71066 are exempted from this section.

(d) “Digital signature” means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature. For purposes of this section, a digital signature is a type of “electronic signature” as defined in subdivision (h) of Cal. Civil Code § 1633.2.

- (e) Nothing in this section shall limit the right of a public entity or government agency to use and accept an “electronic signature” as defined in subdivision (h) of Cal. Civil Code § 1633.2.
- (f) Regulations adopted by the Secretary of State to implement this section apply only to a public entity’s use of a “digital signature” and not to use of any other type of “electronic signature” authorized in the Uniform Electronic Transactions Act (Title 2.5 (commencing with Cal. Civil Code § 1633.1) (Cal. Gov’t Code §16.5).

STATE. The words “the State” or “this State” shall be construed to mean the State of California.

TENANT OR OCCUPANT. The words “tenant” or “occupant,” applied to a building or land, shall include any person holding a written or an oral lease of, or who occupies, the whole or a part of such building or land, either alone or with others.

TENSES. The present tense includes the past and future tenses, and the future includes the present (Cal. Gov’t Code § 11).

WEEK. A week consists of seven consecutive days (Cal. Gov’t Code § 6805).

WRITING. Writing includes any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement or record is required or authorized by this Code, it shall be made in writing in the English language unless it is expressly provided otherwise (Cal. Gov’t Code § 8).

YEAR. The word “year” shall mean a calendar year, except where otherwise provided (Cal. Gov’t Code § 6803).

Sec. A-I 1.3 Provisions Considered as Continuations of Existing Ordinances

The provisions appearing in this Code, so far as they are the same as those of Ordinances existing at the time of the effective date of this Code, shall be considered as continuations thereof and not as new enactments.

Sec. A-I 1.4 Effect of Repeal of Ordinances

The repeal of an Ordinance shall not revive any Ordinances in force before or at the time the Ordinance repealed took effect.

The repeal of an Ordinance shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal, for any offense committed under the Ordinance repealed.

Sec. A-I 1.4A Subsequent Amendments to State or Federal Law

All amendments subsequent to the effective date of this Code shall automatically become a part of this Code, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by these Codes.

Sec. A-I 1.5 Severability of Parts of Code

If any provisions of this Code or the application thereof to any person or circumstance is held invalid, the remainder of the Chapter, including the application of such part or provision to other circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions and chapters of this Code are severable. The Board of Supervisors hereby declares that it would have passed each section, subsection, paragraph, sentence, clause, or phrase hereof irrespective of the fact that anyone (1) or more sections, subsections, paragraphs, sentences, clauses or phrases be held unconstitutional or unenforceable.

Sec. A-I 1.6 Catchlines of Sections

The catchlines of the several Sections of this Code are intended as mere catchwords to indicate the contents of the Section and shall not be deemed or taken to be titles of such section, nor as any part of the Section, nor unless expressly so provided shall they be so deemed when any of such Sections, including the catch-lines, are amended or re-enacted.

Sec. A-I 1.7 General Penalty; Continuing Violations

Whenever in this Code or in any other Ordinance of the County, any act is prohibited or made or declared to be unlawful or an offense, or the doing of any act is required or the failure to do any act is declared to be unlawful or a misdemeanor as per Cal. Gov't Code § 25132. Where no specific penalty is provided for the violation of any such provisions of the Code or any other Ordinance of the County, shall be punished by a fine or imprisonment in the County Jail, or by both such fine and imprisonment as per Cal. Penal Code § 19.

Every day any violation of this Code, or any other Ordinance of the County, shall continue shall constitute a separate offense.

Sec. A-I 1.8 County Boundaries

The County of Nevada shall establish its boundaries in compliance with Cal. Gov't Code § 23129.

Sec. A-I 1.9 Designation of County Seat

The County Seat of the County of Nevada shall be Nevada City as per Cal. Gov't Code § 23629.

Sec. A-I 1.10 Credit Cards Accepted

In accordance with Cal. Gov't Code § 6159 and Cal. Rev. & Tax. Code § 2511.1, the Board of Supervisors hereby authorizes County departments to accept credit cards as payment for the purposes listed below. However, no credit card shall be accepted as payment until a contract between the County of Nevada and the card issuer has been executed which contains the terms and provisions set forth in Cal. Gov't Code § 6159 (d). Upon execution of such a contract, credit cards will be accepted as payment for the following purposes:

- A. Payment for the deposit of bail or for any fine for any offense not declared to be a felony.
- B. Payment of a filing fee or other court fee.
- C. Payment of any towage or storage costs for a vehicle that has been removed from a highway, or from public or private property, as a result of parking violations.
- D. Payment of child, family, or spousal support, including reimbursement of public assistance, related fees, costs, or penalties.
- E. Payment for services rendered by the County.
- F. Payment of any fee, charge, or tax.

No officer or employee of the County of Nevada who has or had access to credit card information provided to the County under this Section shall disclose such information or use such information for any unauthorized purpose. Any violation of this Section shall be a misdemeanor. (Ord. 2012. (01/11/2000))

Sec. A-I 1.11 Location and Hours of County Offices

Except as may be otherwise provided by Resolution of the Board of Supervisors, or by direction of the County Executive Officer, all County offices shall be open for business continuously from 8:00 a.m. until 5:00 p.m. on each calendar designated working day, five days a week, excluding Saturdays, Sundays and holidays. In the

event an office is not provided with a full-time assistant or employee, or if approved by the County Executive Officer, the office may close from 12:00 p.m. to 1:00 p.m. (Ord. 2248. (08/28/2007); Ord. 2321. (07/13/2010))