



**NEVADA  
COUNTY**  
CALIFORNIA

**OFFICE OF THE COUNTY COUNSEL**

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**NEVADA COUNTY BOARD OF SUPERVISORS**  
**Board Agenda Memo**

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**MEETING DATE:** July 9, 2024  
**TO:** Board of Supervisors  
**FROM:** Katharine L. Elliott, County Counsel  
**SUBJECT:** Resolution Establishing the Office of County Hearing Officer and Designating Hearing Officers to Conduct Administrative and Nuisance Abatement Hearings

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**RECOMMENDATION:** Approve the attached Resolution.

**FUNDING:** Not Applicable.

**BACKGROUND:**

Nevada County includes provisions for the enforcement of violations of the Nevada County Code (Code) pertaining to the use of land and structures. Authorized enforcing officers may issue responsible parties notices of violation, orders to abate, and/or administrative citations and civil penalties for Code violations. In turn, responsible parties may appeal these enforcement activities by requesting an administrative hearing.

The Nevada County Board of Supervisors has delegated the authority to conduct administrative hearings to appointed hearing officers. The County continues to utilize qualified attorneys to serve as hearing officers to conduct administrative appeal hearings under the following Nevada County Code sections: 12.03.300 (Cannabis Cultivation), 12.05.220 (Administrative Enforcement) and other provisions of County Code

To ensure an adequate panel of attorneys to conduct these administrative hearings, the Office of the County Counsel has contracted with the law firms of Colantuono, Highsmith & Whatley, PC and Diamond Baker Mitchell Cole, LLP, which employ attorneys who are well-qualified to serve as hearing officers and who wish to continue to conduct administrative hearings as specified herein under the County Codes referenced herein.

Hearing officers will continue to be assigned to cases on a rotating basis, availability and, in appropriate cases, areas of special expertise. The County Counsel's Office provides training to new administrative hearing officers before they are assigned cases and provides an independent legal advisor to assist the hearing officers as needed.

Item Initiated by: Katharine L. Elliott, County Counsel