



ORDINANCE No. 2518

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

ORDINANCE AMENDING, ADDING, AND REPEALING NON-SUBSTANTIVE SECTIONS OF THE NEVADA COUNTY ADMINISTRATIVE CODE

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION I:

Findings and Declarations

- A. Pursuant to Article XI, section 7 of the California Constitution, the County of Nevada ("County") may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its residents.
- B. Amendments to these Codes are part of an on-going effort to recodify and reorganize provisions of the Nevada County Codes and the changes are intended to be entirely non-substantive in effect.

SECTION II:

1. Chapter I: "GENERAL PROVISIONS" of the Nevada County Administrative Code is hereby revised and amended to read as shown in "Exhibit A" attached hereto and incorporated by reference.
 - a. Article 1 "Scope", the following sections have been amended:
 - Sec. A-I 1.1 "Authority of Counties": Revised from a notation in current code and Sec. G-I 1.0.
 - Sec. A-I 1.1A "How Code Designated and Cited": Citation of California statute revised, edited removal of "Administrative" in code reference.
 - Sec. A-I 1.2 "Definitions and Rules of Construction": Citation of California statute revised, provisions added to allow for electronic signature.
 - Sec. A-I 1.3 "Provisions Considered as Continuations of Existing Ordinances": No revisions.
 - Sec. A-I 1.4.A "Subsequent Amendments to State or Federal Law": Moved from Sec. G-V 9.13.
 - Sec. A-I 1.5 "Severability of Parts of Code": Language revised to reflect language in current Ordinance usage.

- Sec. A-I 1.7 “General Penalty; Continuing Violations”: Specific penalties removed, and reference to California Penal Code for penalty added.
 - Sec. A-I 1.8 “County Boundaries”: Revised from a notation in current code.
 - Sec. A-I 1.9 “Designation of County Seat”: Revised from a notation in current code.
 - Sec. A-I 1.10 “Credit Cards Accepted”: Moved from Sec. A-II 24.19 in current code.
 - Sec. A-I 1.11 “Location and Hours of County Offices”: Moved from A-II 1.7 in current code.
2. Chapter II: “ADMINISTRATION” of the Nevada County Administrative Code is hereby revised and amended to read as shown in “Exhibit B” attached hereto and incorporated by reference.
- a. Article 1 “In General” the following sections have been amended:
- Sec. A-II 1.1 “Adoption of State Law Relating to Law Libraries”: Repealed and moved to Chapter II, Article 1, Sec. A-II 12.9, as a Special District. Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
 - Sec. A-II 1.3 “Consolidation of Offices of Clerk and Recorder”: Repealed and moved to A-II 28.3 (B).
 - Sec. A-II 1.5 “Consolidation of Offices of Sheriff, Coroner and Public Administrator”: Repealed and moved to A-II 28.5 (B) “Elected County Officers”.
 - Sec. A-II 1.7 “Location and Hours of County Offices”: Repealed and moved to A-I.
 - Sec. A-II 1.9 “Adoption of State Law Relative to Qualifications of County Auditor”: Repealed. Moved to A-II 28.2 (A) “Elected County Officers”.
 - Sec. A-II 1.11 “Miscellaneous Delegations”: Repealed, no longer a county practice.
- b. Article 4 “Donner Summit Public Utility District” the following sections have been amended:
- Sec.s A-II 4.1 – 4.5: Repealed.
- c. Article 7 “Elections” the following sections have been amended:
- Sec. A-II Sec. 7.1: Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
- d. Article 10 “Delinquency Prevention Commission” the following sections have been amended:
- A-II Sec. 10.1–10.3: Repealed. Renamed Juvenile Justice and Delinquency Prevention Commission and incorporated into A-II 12.4.
- e. Article 11 “Partnership Healthplan of California Commission” the following sections have been amended:
- Sec. A-II 11.1 “Purpose” revisions Citation of California statute revised.
 - Sec.s A-II 11.2–11.6: Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.

- f. Article 12 “Committees Established by Resolution” the following sections have been added:
- Renamed title of Article 12 to “Boards, Committees, Commissions, Councils and Special Districts Established by Resolution”
 - Sec. A-II 12.1: Revised from a “Editor’s Note” into a listing of Boards, Committees, Commissions and Councils.
 - Sec. A-II 12.2 “State Mandated Boards, Committees, Commissions, Councils or Special Districts” added.
 - Sec. A-II 12.3 “Boards” added.
 - Sec. A-II 12.4 “Commissions” added.
 - Sec. A-II 12.5 “Committees” added.
 - Sec. A-II 12.6 “Councils” added.
 - Sec. A-II 12.7 “Special Districts” added.
 - Sec. A-II 12.8 “Miscellaneous Advisory Entities” added.
 - Sec. A-II 12.9 “Adoption of State Law Relating to Law Libraries” moved from Chapter 2, Article 1, Sec. A-II 1.1.
- g. Article 13 “Travel Expenses and Compensation of Committees and Commissions” the following sections have been amended:
- Sec.s A-II 13.1 – 13.11: Revised to reflect current practices. Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
- h. Article 14 “County Vehicles” the following sections have been amended:
- Sec.s A-II 14.1 – 14.10 Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
- i. Article 15 “Public Defender” the following sections have been amended:
- Sec.s A-II 15.1 – 15.3 Conformity of format for dates of prior Ordinance revisions. Renamed section titles. Citation of California statute revised. Gov’t Code § 27703 mandates appointment by Board of Supervisors.
- j. Article 17 “County Executive Officer (County Administrator)” the following sections have been amended:
- Sec.s A-II 17.1 – 17.14: Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
 - Sec. A-II 17.1 “Position Created”: Citation of California statute revised, added position as a “Confidential Employee”.
 - Sec. A-II 17.2 “Appointment and Removal – Residence”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-II 17.5 “General Administration”: Editorial changes; Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-II 17.6 “Budgetary Matters”: Editorial changes.

- Sec. A-II 17.7 “Departmental Supervision - Appointment and Removal”: Editorial changes; Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-II 17.11 “Donations to the County of Nevada”: Editorial changes; Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
 - Sec. A-II 17.12 “Contracting Authority”: Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
 - Sec. A-II 17.13 “Ex Officio District Administrator for Nevada County Sanitation District No. 1”: Citation of California statute revised.
 - Sec. A-II 17.14 “Settlement Authority”: Conformity of format for dates of prior Ordinance revisions.
- k. Article 19 “Clerk of the Board of Supervisors” the following sections have been amended:
- Sec. A-II 19.1 “Office Established”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-II 19.2 “Deputies Authorized”: Pronoun revisions.
 - Sec. A-II 19.3 “Duties Established”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-II 19.6 “Transcription Fees”: Repealed and moved to Sec. A-II 24.21 “Fees”.
- l. Article 20 “Correctional Peace Officer Standards and Training”: Repealed. Moved to Sec.s A-II 25.6.1 – 25.6.4, within the description of the Nevada County Sheriff’s Office. Currently A-II 20.1 – 20.4.
- m. Article 24 “Fees” the following sections have been amended:
- Sec.s A-II 24 – 24.21: Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
 - Sec. A-II 24. “Consolidated Fee Schedule”: Added; includes a description and reference to the County of Nevada’s consolidated fee schedule.
 - Sec. A-II 24.2 “Election Department Fees”: Conformity of format for dates of prior Ordinance revisions. Added A(12).
 - Sec. A-II 24.3 “Concealed Firearm Fee”: Added, moved from G-IV 9.1.
 - Sec. A-II 24.4 “Fingerprinting Fee Required”: Added, moved from G-IV 10.1.
 - Sec. A-II 24.5 “Fees for Transportation of Trees, Shrubs and Boughs”: Added, moved from G-III 2.1.
 - Sec. A-II 24.19 “Credit Cards Accepted”: Moved to Sec. A-I 1.10 “Scope”. Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
 - Sec. A-II 24.21 “Transcription Fees”: Moved from A-II 19.6.
- n. Article 25 “Reserved” now replaced with “County Offices and Departments” the following sections have been amended:

- Sec. A-II 25.1 “Office of Assessor”: Added.
 - Sec. A-II 25.2 “Office of Auditor – Controller”: Added.
 - Sec. A-II 25.3 “Office of County Clerk and County Recorder”: Added.
 - Sec. A-II 25.4 “Elections Office”: Added.
 - Sec. A-II 25.5 “Office of District Attorney”: Added.
 - Sec. A-II 25.6 “Office of Sheriff”: Added.
 - Sec. A-II 25.6.1 “Qualifying for State Aid”: Added, moved from A-II 20.1.
 - Sec. A-II 25.6.2 “Compliance with CPOST standards”: Added, moved from A-II 20.2.
 - Sec. A-II 25.6.3 “Compliance with Corrections Standards and Authority Standards”: Added, moved from A-II 20.3.
 - Sec. A-II 25.6.4 “Adherence to Standards”: Added, moved from A-II 20.4.
 - Sec. A-II 25.7 “Office of Coroner”: Added.
 - Sec. A-II 25.8 “Office of Public Administrator”: Added.
 - Sec. A-II 25.9 “Office of Treasurer”: Added.
 - Sec. A-II 25-10 “Tax Collector”: Added.
- o. Article 26 “Amendment to PERS Contract” the following sections are amended:
- Sec.s A-II 26.1 – 26.2: Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
- p. Article 28 “Elected County Officers” the following sections are added:
- Sec. A-II 28 “Elected Officers”. Added.
 - Sec. A-II 28.1 “Assessor”: Added.
 - Sec. A-II 28.2 “Auditor-Controller”: Added.
 - Sec. A-II 28.2(A) “Position of County Auditor-Controller”: Editorial changes. Moved from A-II 1.9. (B) and (C) added.
 - Sec. A-II 28.3 “County Clerk–Recorder and Elections Official”, (A) “Position of County Clerk-Recorder” and (C) “Election” added.
 - Sec. A-II 28.3 (B) “Consolidation of Offices of Clerk and Recorder”: Editorial changes, moved from A-II 1.3.
 - Sec. A-II 28.4 “District Attorney”: Added.
 - Sec. A-II 28.5 (A) and A-II 28.5 (C) “Sheriff–Coroner – Public Administrator”: Added.
 - Sec. A-II 28.5 (B) “Consolidation of Offices of Sheriff, Coroner and Public Administrator: Editorial changes, moved from A-II 1.5.

- Sec. A-II 28.6 “Treasurer–Tax Collector”: Added.
 - Sec. A-II 28.6 (B) “Consolidation of Offices of Treasurer and Tax Collector” moved from A-II 37.1.
 - Sec. A-II 28.6 (C) “Eligibility for Office of County Treasurer and Tax Collector” moved from A-II 37.2.
- q. Article 33 “Information and General Services Department” the following sections are amended:
- Sec.s A-II 33.1 – 33.4: Revised to reflect current departmental practices. Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
 - Sec. A-II 33.5 “Director of Emergency Services” Reserved and moved to A-II 33.4 (D).
 - Sec. A-II 33.6 “Revenue Collection Services”: Added.
- r. Article 35 “Human Resources Department” the following sections have been amended:
- Sec.s A-II 35.1 – 35.4: Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
- s. Article 36 “Motor Vehicles in Lieu of Fees” the following sections have been amended:
- Sec.s A-II 36.1 – 36.5: Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
- t. Article 37 “Treasurer and Tax Collector: the following sections have been amended:
- Sec. A-II 37.1 “Consolidation of the Offices of Treasurer and Tac Collector”: Repealed and moved to “Elected County Officers” A-II 28.6.2.
 - Sec. A-II 37.2 “Eligibility for Office of County Treasurer and Tax Collector”: Repealed and moved to “Elected County Officers” A-II 28.6.3.
- u. Article 38 “First 5 Nevada County Children and Families First Commission” the following sections have been amended:
- Sec.s A-II 38.1 – 38.12: Repealed and moved into A-II, Article 124, “Boards, Commissions, Committees and Councils”.
- v. Article 42 “Community Development Agency” the following sections have been amended:
- Sec.s A-II 42.1 – 42.10.7: Revised to reflect current Agency structure. Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
 - Sec. A-II 42.6.4 “County Land Surveyor” repealed.
 - Sec. A-II 42.6.5 “Record of Survey” repealed.
 - Sec. A-II 42.8 “Housing and Community Services Established” repealed.
 - Sec. A-II 42.8.1 “Responsibilities and Duties” repealed.
 - Sec. A-II 42.9.2 “Agricultural Department and Duties and Responsibilities” added

- Sec. A-II 42.9.3 “Agricultural Commissioner and Sealer of Weights and Measures” added
 - Sec. A-II 42.9.4 “The Agricultural Advisory Commission” added
 - Sec. A-II 42.10.6 “County Surveyor” added
 - Sec. A-II 42.10.7 “Record of Survey” added
- w. Article 43 “Payment of Salaries to Elected Officials, Officers and Employees” the following sections have been amended:
- Sec. A-II 43.1 Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
3. Chapter III “EMERGENCY SERVICES” of the Nevada County Administrative Code is hereby revised and amended to read as shown in “Exhibit C” attached hereto and incorporated by reference.
- a. Article 1 “In General” the following sections have been amended:
- Sec. A-III 1.1 “Definitions”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-III 1.2 “Purposes of Chapter”: Repealed, “Purpose” provisions are being removed from county codes. The purposes, or findings, will remain in the original ordinances for historical reference.
 - Sec. A-III 1.3 “Expenditures Deemed for Protection of Inhabitants and Property”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-III 1.4 “Succession of Members of the Board of Supervisors in a Declared Emergency”: Internal reference of County of Nevada Ordinance section removed. Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-III 1.5 “Succession as Director of Emergency Services”: Succession order is changed from “A. Assistant Director of Emergency Services, B. Nevada County Sheriff, C. Director of Community Development Agency” to “A. Assistant Director of Emergency Services or their designee, B. Nevada County Sheriff County Executive Officer or their designee, C. Director of Community Development Agency or their designee”. Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-III 1.6 “Conformance to Federal and State Emergency Services Policies”: Conformity of format for dates of prior Ordinance revisions.
- b. Article 2 “Emergency Services Council; Director; Assistant Director” the following sections have been amended:
- Sec. A-III 2.1 “Nevada County – Operational Area; Emergency Services Council – Created”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-III 2.2 “Composition; Appointment of Members; Officers”: “local area” changed to “operational area”. Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-III 2.3 “Meetings”: Conformity of format for dates of prior Ordinance revisions.

- Sec. A-III 2.4 “Powers and Duties of Emergency Services Council”: revised to allow for current practice.
 - Sec. A-III 2.5 “Director of Emergency Services – Office Created; Designated”: title updated from “Chief Information Officer (CIO)” to “Director of Information and General Services Agency”. Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-III 2.6 “Powers and Duties of Director of Emergency Services Generally”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-III 2.7 “Powers in Event of Proclamation of Disaster”: Added provision for Disaster Service Workers which may be issued an oath and called into service. Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-III 2.8 “Duties of Assistant Director”: Conformity of format for dates of prior Ordinance revisions.
- c. Article 3 “Organization” the following sections have been amended:
- Sec. A-III 3.1 “Emergency Services Organization”: Internal reference of County of Nevada Ordinance section removed. Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-III 3.2 “Resolution Establishing Organization and Prescribing Duties”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-III 3.3 “Responsibilities and Activities”: revoked, this was a departmental delegation of duties that is outdated and more appropriately established by policies.
 - Sec. A-III 3.4 “Unlawful Acts”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-III 3.5 “Emergency Operating Center”: retitled “Emergency Operations Center”. Adds authority of “Acting” Director of Emergency Services. Conformity of format for dates of prior Ordinance revisions.
4. Chapter IV “PURCHASES” of the Nevada County Administrative Code is hereby revised and amended to read as shown in “Exhibit D” attached hereto and incorporated by reference.
- a. Article 1 “Purchases” the following sections have been amended:
- Sec. A-IV 1.1 “Purchasing Agent – Office Established”: Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
 - Sec. A-IV 1.2 “Consolidation of Information and General Services and Office of Purchasing Agent”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-IV 1.3 “Purchasing Agent – Duties”: Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
 - Sec. A-IV 1.4 “Emergency Purchases”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-IV 1.5 “Purchasing Policies, Rules, Regulations and Procedures”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-IV 1.6 “Delegation of Purchasing Agent Authority”: Conformity of format for dates of prior Ordinance revisions.

- Sec. A-IV 1.7 “Local Vendor Preference”: Conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
 - Sec. A-IV 1.8 “Acceptance of Gratuities Prohibited; Removal or Other Disciplinary Action Against Officer”: Replace “Etc.” with “Irresponsible Bidder” in title. Conformity of format for dates of prior Ordinance revisions.
5. Chapter V “PARCEL CHARGES” of the Nevada County Administrative Code is hereby revised and amended to read as shown in “Exhibit E” attached hereto and incorporated by reference.
- a. Article I “Parcel Charges and Procedures for Collection in County Service Areas” the following sections have been amended:
- Sec. A-V 1.2 “Responsibility of the Director of Public Works”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-V Sec. 1.3 “Hearing for Filing Objections or Protests”: Citation of California statute revised.
6. Chapter VI “UNDERGROUND UTILITY DISTRICTS” of the Nevada County Administrative Code is hereby revised and amended to read as shown in “Exhibit F” attached hereto and incorporated by reference.
- Article 1 “Underground Utility Districts” the following sections have been amended:
 - Sec.s A-V 1.1 – A-V 1.14: Repealed.
7. Chapter VII “ADMINISTRATION FEES” of the Nevada County Administrative Code is hereby revised and amended to read as shown in “Exhibit G” attached hereto and incorporated by reference.
- a. Article 1 “Property Tax Administration” the following sections have been amended:
- Sec. A-VII 1.1 “Property Tax Administration Fee”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-VII 1.2 “Definitions”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-VII 1.3 “Calculation and Charging of Property Tax Administration Fee”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-VII 1.4 “Responsibility and Duties”: Conformity of format for dates of prior Ordinance revisions.
 - Sec. A-VII 1.5 “Severability”: Repeal, contained in A-I “General Provisions”.
- b. Article 2 “Criminal Justice Administration” the following sections have been amended:
- Sec. A-VII 2.1 “Authority”: Citation of California statute revised.
 - Sec. A-VII 2.2 “Definitions”: Citation of California statute revised.
 - Sec. A-VII 2.3 “Criminal Justice Administration Fee”: Citation of California statute revised.
 - Sec. A-VII 2.4 “Effective Date”: Conformity of format for dates of prior Ordinance revisions.

- Sec. A-VII 2.5 “Severability”: Repealed:
8. Chapter VIII of the Nevada County Administrative Code is hereby revised and amended to read as shown in “Exhibit H “attached hereto and incorporated by reference.
- a. Article 1 “Claims Against the County” the following sections have been amended:
- Sec. A-VIII 1.1 “Generally”: Citation of California statute revised.
 - Sec. A-VIII 1.2 “Presentation of Claims”: Citation of California statute revised.
 - Sec. A-VIII 1.3 “Time for Presentation of Claims”: Internal reference of County of Nevada Ordinance section removed.
 - Sec. A-VIII 1.4 “Claim Procedures”: Citation of California statute revised.

SECTION III:

Severability. If any provision of these Articles or the application thereof to any person or circumstance is held invalid, the remainder of these Articles, 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 of these Articles are severable. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one (1) or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be held unconstitutional, invalid or unenforceable.

SECTION IV:

This Ordinance shall be passed and adopted immediately after notice and a public hearing as required by statute, and shall take effect and be in force at the expiration of thirty (30) from and after its passage, and shall become operative on the 13th day of April 2023, and before the expiration of fifteen (15) days after its passage a summary shall be published once, with the names of Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.

PASSED AND ADOPTED by a majority vote of the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 14th day of March, 2023, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarhout, Susan Hoek and Hardy Bullock.
- Noes: None.
- Absent: None.
- Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Edward C. Scofield, Chair

3/14/2023 cc: Union*
COB*
CoCo*
QC*
GIS*