

EXHIBIT B

CHAPTER II- ADMINISTRATION

ARTICLE 1

RESERVED

EXHIBIT B

CHAPTER II: ADMINISTRATION

ARTICLE 4

RESERVED

EXHIBIT B

ARTICLE 7 ELECTIONS

Section:

Sec. A-II 7.1 Electronic Filing of Campaign Statements

Sec. A-II 7.1 Electronic Filing of Campaign Statements

- A. Electronic Filing; Findings and Purpose. The Board of Supervisors makes the following findings in support of requiring that political committees and candidates that meet certain financial thresholds file their campaign statements electronically:
1. Public access to campaign disclosure information is a vital and integral component of a fully informed electorate. Transparency in campaign financing is critical in order to maintain public trust and support of the political process.
 2. State law requires candidates, persons supporting or opposing ballot measures and certain other types of committees to file campaign finance statements with the Nevada County elections official detailing the sources of contributions and purposes of expenditures. The intent of these laws is to assist voters in making informed electoral decisions and to assist in ensuring compliance with campaign contribution laws. Cal. Gov't Code § 84615 authorizes local jurisdictions to require the filing of campaign statements and reports solely in an electronic form, with specified exemptions. The purpose of these laws is to assist voters in making informed electoral decisions and to assist in ensuring compliance with campaign contributions laws.
 3. Campaign statements and reports are often very lengthy and dozens of such reports are filed with the Nevada County elections official each reporting period. An electronic system reduces paper waste and time spent processing and storing paper filings, so that efforts can be focused on helping filers comply with filing requirements.
 4. The County's electronic filing system shall operate securely and effectively, utilizing multiple safeguards to protect the integrity and security of the data.

5. An electronic system streamlines the process for filers, by storing information previously entered, calculating numbers, and helping to catch errors before filings are submitted.
6. An electronic filing system makes the filing process more efficient for County elections staff by automatically redacting address information for donors and uploading the filings to the internet for virtually real time access to the public.
7. Once the statements are placed online, they are easily accessible for public viewing and allow the public to search reports by field, including, but not limited to, elections, candidate, date, contributor and expenditure. Online electronic filing facilitates review of the statements and maximizes the availability of this information to the public.
8. An electronic system is not unduly burdensome on candidates in that it reduces the need for candidates to print out and physically mail statements to the Nevada County elections office, and it eases the entry of contributors' information in that the electronic filing system will recognize repeat contributors and automatically populate their information.

B. Electronic Filing of Campaign Disclosures

1. Whenever any candidate or committee is required to file campaign disclosure statements or reports with the Nevada County Elections Official in accordance with the California Political Reform Act, Cal. Gov't Code §§ 84100-91014, such statements or reports shall be filed electronically. Such statements shall include, but not be limited to, the following: pre-election campaign statements, an amended campaign statement, a supplemental pre-election campaign statement, a report disclosing a contribution received by or made to a candidate, local ballot measure or an independent expenditure made for or against a candidate or local ballot measure, or an independent expenditure made for or against a candidate or local ballot measure of an amount allowable as per the California Fair Political Practices Commission (FPPC) and California State statute, during an election cycle. The candidate or committee shall file the statement using the electronic filing system available on the Nevada County Elections office website, in accordance with procedures established by the Nevada County elections official. The street or address or building number of any persons or entity representatives listed on the statements or reports, or any bank account number, shall not be displayed online.
2. Elected officials who do not maintain a committee have the option of filing their semi-annual campaign statement electronically.

3. Statements or reports that are filed electronically with the Nevada County elections official pursuant to this section need not also be filed in a paper format.

C. Exemptions

1. In any instance in which the original statement, report, or other document is required to be filed with the Secretary of State and a copy of that statement, report or other document is required to be filed with the Nevada County elections official, the filer is exempt from filing the statement electronically as provided by Cal. Gov't Code § 84615. However, the filer has the option of filing an electronic copy with the Nevada County elections official.
2. This requirement does not apply to any candidate who receives contributions totaling less than \$2,000.00, and makes expenditures totaling less than \$2,000.00, in a calendar year. (Ord. 2404. (01/12/16))

EXHIBIT B

ARTICLE 10

RESERVED

EXHIBIT B

ARTICLE 11

PARTNERSHIP HEALTHPLAN OF CALIFORNIA COMMISSION

Sections:

Sec. A-II 11.1	Purpose
Sec. A-II 11.2	Authorization to Join Commission
Sec. A-II 11.3	Membership of Commission
Sec. A-II 11.4	Term of Office
Sec. A-II 11.5	Committees
Sec. A-II 11.6	Termination of Membership

Sec. A-II 11.1 Purpose

- A. Partnership HealthPlan of California Commission (“Commission”) is a multi-county commission that has created a managed health care plan for Medi-Cal recipients. The purpose of this article is to authorize the County of Nevada to join the existing Commission. This will allow the implementation of a County organized health system in Nevada County as authorized by Cal. Welf. & Inst. Code § 14087.54.
- B. The Commission will negotiate an exclusive contract with the California Department of Health Care Services (DHCS) authorizing the expansion of the Partnership HealthPlan of California into Nevada County. This expansion is expected to occur on or about January 1, 2024. (Ord. 2494. (08/24/2021))

Sec. A-II 11.2 Authorization to Join Commission

Pursuant to Cal. Welf. & Inst. § 14087.54, the Nevada County Board of Supervisors hereby authorizes the County of Nevada to join the Commission. (Ord. 2494. (08/24/2021))

Sec. A-II 11.3 Membership of Commission

- A. The Commission shall be comprised of commissioners appointed by the Board of Supervisors of each member county. Unless and until the commission, by formal action, establishes a different formula or system of membership, the Commission representation shall be based on the number of Medi-Cal beneficiaries enrolled in

the HealthPlan in each county, as determined by the Partnership HealthPlan of California's established formula.

- B. The Commission members appointed by the Nevada County Board of Supervisors shall serve at the pleasure of the Board and shall include an employee of the County within Health and Human Services and may include the following:
 - 1. Local healthcare and medical providers who provide services to Medi-Cal beneficiaries;
 - 2. Medi-Cal beneficiaries;
 - 3. Family members of Medi-Cal beneficiaries.
- C. Individuals may be appointed to the Partnership Health Plan Commission by the Nevada County Board of Supervisors, with recommendations from the Nevada County Chief Executive Officer and the Nevada County Health and Human Services Agency Director. (Ord. 2494. (08/24/2021))

Sec. A-II 11.4 Term of Office

The term for the Commission members shall be for two-year periods. Nothing herein shall prohibit a person from serving more than one term. Each Commission member shall remain in office at the conclusion of that member's term until a successor member has been selected and installed into office. An office shall become vacant if a Commission member discontinues to live or work in the area from which appointed or fails to attend three meetings in a row of the Commission. (Ord. 2494. (08/24/2021))

Sec. A-II 11.5 Committees

In collaboration with Partnership Health Plan, the County may establish a local managed care committee that may include any members of the Commission, and that would inform the County members on the Partnership HealthPlan Commission, on behalf of Nevada County, of local health needs, priorities and issues. Individuals on this local committee shall be nominated by Nevada County Health and Human Services Director or designee. (Ord. 2494. (08/24/2021))

Sec. A-II 11.6 Termination of Membership

The Commission shall continue to represent Nevada County until such time as the Nevada County Board of Supervisors terminates the representation. To terminate the representation, the Nevada County Board of Supervisors, or its designee, shall provide a ninety-day notice to other participating counties and the State Department of Health Care Services, as specified in Cal. Welf. & Inst. Code § 14087.54(g). (Ord. 2494. (08/24/21))

EXHIBIT B

ARTICLE 12

BOARDS, COMMITTEES, COMMISSIONS, COUNCILS AND SPECIAL DISTRICTS ESTABLISHED BY RESOLUTION

Sections:

Sec. A-II 12.1	Authority of Board of Supervisors to Establish
Sec. A-II 12.2	State Mandated Boards, Committees, Commissions, Councils, or Special Districts
Sec. A-II 12.3	Boards
Sec. A-II 12.4	Commissions
Sec. A-II 12.5	Committees
Sec. A-II 12.6	Councils
Sec. A-II 12.7	Special Districts
Sec. A-II 12.8	Miscellaneous Advisory Entities
Sec. A-II 12.9	Adoption of State Law Relating to Law Libraries

Sec. A-II 12.1 Authority of Board of Supervisors to Establish

Boards, Commissions, Committees, Councils and Special Districts may be established by Resolution of the Board of Supervisors. These entities are created for the purposes of advising the Board of Supervisors and of performing specific functions designated by the Board in their respective areas of expertise. Each Board, Commission, Committee, Council and Special District shall be governed by Resolutions specifying the composition, functions, rules and procedures. A full list of these various Boards, Commissions, Committees, Councils and Special Districts are on file in the office of the Clerk of the Board of Supervisors.

Sec. A-II 12.2 State Mandated Boards, Committees, Commissions, Councils, or Special Districts

State mandated Boards, Committees, Commissions, Councils, or Special Districts, include, but are not limited to:

- Abandoned Vehicle Abatement Program – County Service Authority
- Air Quality Management District Board
- Area 4 Agency on Aging Advisory Council

Area 4 Agency of Aging Governing Board
Assessment Appeals Board
Board of Trustees of the Law Library
Citizen's Oversight Committee of the Nevada Country Library
County Oversight Board for the County of Nevada
First 5 Nevada County Children and Families First Commission
Juvenile Justice/Delinquency Prevention Commission
Local Agency Formation Commission (LAFCo)
Local Planning Council for Child Development for the County of Nevada (LPC)
Mental Health & Substance Use Advisory Board (Nevada County)
Nevada-Sierra Connecting Point Public Authority Governing Board
Remote Access Network (RAN)
Solid and Hazardous Waste Commission (Nevada County)

Sec. A-II 12.3 Boards

Boards include, but are not limited to:

Area 4 Agency of Aging Governing Board
Assessment Appeals Board
Board of Trustees for the Law Library
Building and Accessibility Standards Board of Review
Countywide Oversight Board for the County of Nevada
Mental Health & Substance Use Advisory Board (Nevada County)
Nevada-Sierra Connecting Point Public Authority Governing Board

Sec. A-II 12.4 Commissions

Commissions include, but are not limited to:

Adult and Family Services Commission
Agricultural Commission
Airport Land Use Commission
Farm Commission
First 5 Nevada County Children and Families First Commission
Fish and Wildlife Commission
Historical Landmarks Commission
Juvenile Justice/Delinquency Prevention Commission

Local Agency Formation Commission (LAFCo)
Planning Commission
Nevada County Transportation Commission
Planning Commission
Solid and Hazardous Waste Commission (Nevada County)
Transit Services Commission.

Sec. A-II 12.5 Committees

Committees include, but are not limited to:

Citizen's Oversight Committee of the Nevada County Library
City Selection Committee
Emergency Medical Care Committee
Nevada County sanitation District No. 1 Advisory Committee
Roll Correction Review Committee

Sec. A-II 12.6 Councils

Councils include, but are not limited to:

Area 4 Agency on Aging Advisory Council
Local Planning Council for Child Care Development for County of Nevada (LPC)
Multi-Agency Juvenile Justice Coordinating Council/Local Planning Council
Operational Area Emergency Services Council (Nevada County)
Penn Valley Area Municipal Advisory Council
South County Area Municipal Advisory Council

Sec. A-II 12.7 Special Districts

Special Districts include, but are not limited to:

Air Quality Management District Hearing Board
Industrial Development Authority
Donner Summit Public Utility District
Underground Utility Districts

Sec. A-II 12.8 Miscellaneous advisory entities

Other advisory entities include, but are not limited to:

Abandoned Vehicle Abatement Program – County Service Authority

Grand Jury

Nevada County Finance Authority

Northern Rural Training Employment Consortium (NORTEC)

Regional Housing Authority

Remote Access Network

Sewage Disposal Technical Advisory Group

Sec. A-II 12.9 Adoption of State Law Relating to Law Libraries

Adoption of State Law Relating to Law Libraries

All of the provisions of Chapter 5 of Division 3 of the Business and Professions Code of California regarding law libraries shall be, and the same are, hereby made applicable to the County. (Cal. Bus. & Prof. Code §§ 6300-6364.) (Ord. 206. (12/01/1955))

EXHIBIT B

ARTICLE 13

TRAVEL EXPENSES AND COMPENSATION OF COMMITTEES AND COMMISSIONS

Section:

Sec. A-II 13.1	Rates Established Generally
Sec. A-II 13.2	Paid Meetings Authorized for Planning Commission
Sec. A-II 13.3	Juvenile Justice/Delinquency Prevention Commission
Sec. A-II 13.4	Authorized Meeting, Defined
Sec. A-II 13.5	Reserved
Sec. A-II 13.6	Reserved
Sec. A-II 13.7	Drawing of Warrants
Sec. A-II 13.8	Reserved
Sec. A-II 13.9	Grand Jury Compensation and Mileage - Grand Jury Sessions
Sec. A-II 13.10	Reserved
Sec. A-II 13.11	Assessment Appeals Board

Sec. A-II 13.1 Rates Established Generally

There is hereby established in the County mileage rates for authorized meetings attended by members of committees, commissions, or boards which have been established by the Board of Supervisors. Such mileage rates shall be in accordance with the provisions of the Resolution or Ordinance establishing the Committee, Commission, or Board, or if such travel expenses are budgeted. (Ord. 1713. (06/04/1991); Ord. 1861. (05/17/1994); Ord. 1944. (07/22/1997))

Sec. A-II 13.2 Paid Meetings Authorized for Planning Commission

There is hereby established in the County of Nevada, for the Planning Commission, the sum of \$75.00 per authorized half-day meeting and \$140.00 per authorized full-day meeting to be paid to each member, and the sum of \$85.00 per authorized half-day meeting and \$160.00 per authorized full-day meeting to be paid to the Chair for each meeting attended.

The Nevada County Planning Commission is authorized to hold as many paid meetings per month, up to a maximum of four (4) times per month, as is necessary to conduct the business of the Commission. The Board of Supervisors may authorize additional meetings upon the request of the Chair of the Commission. (Ord. 1677. (11/06/1990); Ord. 1831. (05/18/1993); Ord. 2036. (09/26/2000))

Sec. A-II 13.3 Juvenile Justice/Delinquency Prevention Commission

In lieu of reimbursement for mileage or any other actual or necessary expenses incurred in the performance of their duties, members of the Juvenile Justice/Delinquency Prevention Commission shall receive a stipend for attendance at meetings in the sum of \$25.00 per authorized meeting to be paid to each member. The stipend may be paid for up to two authorized meetings per month. (Ord. 2393. (04/28/2015))

Sec. A-II 13.4 Authorized Meeting, Defined

For purposes of this Article, the term “authorized meeting” shall mean a noticed regular or special meeting of the appointed board or commission to address matters within its jurisdiction. Authorized meetings shall not include subcommittee meetings, working group meetings or any other meetings at which less than the full board or commission is expected to attend. (Ord. 2393. (04/28/2015))

Sec. A-II 13.5 Reserved

Sec. A-II 13.6 Reserved

Sec. A-II 13.7 Drawing of Warrants

The Chair of each committee or commission eligible for travel expenses and compensation shall establish with the Auditor-Controller the number of miles between the committee or commission member’s residence and the normal meeting place. Immediately after the normal meeting date, the chair of each committee or commission shall file with the Auditor-Controller, following written approval by the department head responsible for budget unit on forms provided, a listing of all persons in attendance at the meeting(s) who are entitled to compensation under this Chapter, and the Auditor-Controller shall draw warrants in the amounts established herein by Nevada County Personnel section 7 payable to said persons entitled to compensation. (Ord. 1012. (06/02/1981); Ord. 1944. (07/22/1997))

Sec. A-II 13.8 Reserved

Sec. A-II 13.9 Grand Jury Compensation and Mileage - Grand Jury Sessions

A. The Foreperson, or Business Manager, of the County Grand Jury shall establish with the County Auditor the number of miles between the County Administrative Center and each Grand Juror's residence. The Auditor is hereby directed, upon presentation of official mileage claims, to compensate Grand Jurors for mileage actually traveled to and from meetings of the County Grand Jury or any committee thereof at the rate as established by the County as the mileage reimbursement rate.

B. The Auditor is further directed to reimburse Grand Jurors a sum to be adopted, from time to time, by resolution of the Board of Supervisors for attendance as Grand Jurors at all committee or full panel meetings of the Grand Jury, up to a maximum of twelve (12) meetings per month except the Foreperson, or Pro Tem, who shall be reimbursed for up to a maximum of twenty (20) meetings per month.

C. The Foreperson of the Grand Jury is authorized to appoint one of the members of the Grand Jury as Business Manager to perform clerical and financial services and other functions as are deemed necessary and appropriate by the Foreperson. The member acting in such capacity, or at the discretion of the Foreperson the Full Panel Recorder, shall be compensated at an hourly rate in effect for an Office Assistant I and in no event shall such compensation exceed \$5,000 during the term of the Grand Jury; provided, however, that such work shall not exceed 20 hours per week nor more than 1,000 hours during any fiscal year. Alternatively, at the commencement of the term the Foreperson may request the County Executive Officer to authorize the filling of a temporary, part-time position to provide services under the same terms and conditions as described above. (Ord. 1792; Ord. 1820; Ord. 2252; Ord. 2395; Ord. 2514, 8/23/22)

Sec. A-II 13.10 Reserved

Sec. A-II 13.11 Assessment Appeals Board

A. Members of the Assessment Appeals Board shall receive compensation for attendance at meetings as set forth by resolution of the Nevada County Board of Supervisors.

B. The Clerk of the Assessment Appeals Board shall establish with the County Auditor the number of miles between each Assessment Board member's residence and the normal meeting place, and the Auditor is hereby directed to reimburse those members at the rate as established by the Internal Revenue Service as the prevailing mileage reimbursement rate and to include this on the per diem rate for each of the members. (Ord. 2509, 6/14/22)

EXHIBIT B

ARTICLE 14 COUNTY VEHICLES

Sections:

- Sec. A-II 14.1 Legislative Intent**
- Sec. A-II 14.2 Application**
- Sec. A-II 14.3 General Rules and Regulations**
- Sec. A-II 14.4 Fleet Services Manager Responsibilities**
- Sec. A-II 14.5 Department Head Responsibilities**
- Sec. A-II 14.6 Driver's Responsibilities**
- Sec. A-II 14.7 Temporary and/or Permanent Retention of County Vehicles**
- Sec. A-II 14.8 Reporting of Vehicle Accidents**
- Sec. A-II 14.9 Use of Private Vehicles on County Business**
- Sec. A-II 14.10 Violations**

Sec. A-II 14.1 Legislative Intent

The Board of Supervisors enacts this Article to accomplish the following purposes:

- A. To institute uniform rules and regulations governing the use and operation of County vehicles;
- B. To assign Fleet Services Manager, department head and driver responsibilities pertaining to County vehicles;
- C. To establish a uniform policy regarding permanent retention and/or temporary retention of County vehicles;
- D. To establish a formal policy for reporting vehicle accidents; and
- E. To establish uniform policies regarding the use of private vehicles on County business.

Sec. A-II 14.2 Application

Each department head of the County of Nevada shall be responsible for assuring that all employees and volunteers within their department who drive vehicles on County business are thoroughly aware of and comply with these rules and regulations.

Sec. A-II 14.3 General Rules and Regulations

- A. Responsibility for County vehicles shall be centralized under the direction of the County Fleet Services Manager.
- B. County vehicles shall be operated only by an authorized County employee, officer, volunteer or agent possessing a valid driver's license of proper class for the vehicle being operated.
- C. Use of County vehicles for any purpose other than County business is prohibited.
- D. Use of a County vehicle for transportation to home or a restaurant, for meals, is prohibited unless the following conditions exist:
 - 1 The employee is in route while on field duty or attending a meeting on official County business; or
 - 2 The permanent or temporary retention of a County vehicle is authorized.
- E. Transportation of any person not connected with County business shall be prohibited in County vehicles except where (1) with prior approval of the department head that such transportation is in furtherance of County business, or (2) in situations imposing immediate personal danger an employee or volunteer may assist any such person to another location. This policy does not permit the transport of individuals to non-work-related destinations or for non-work purposes.
- F. Members of the Board of Supervisors and their spouses may attend local, regional or state meetings by travel in County vehicles. With the written approval of the appropriate department heads, County employees may transport their spouses to local, regional or state meetings by travel in County vehicles; provided, however, that there shall be no additional costs incurred by the County by such travel, and no County employee shall be displaced from travel in a County vehicle by the application of this Section.
- G. Seat belts shall be worn while operating or riding in County vehicles. The driver of the vehicle shall be responsible for passenger adherence to this rule.
- H. Smoking in County vehicles is prohibited.
- I. Use of cell phone while driving a County vehicle must comply with Cal. Veh. Code § 23123.5, allowing for hands free operation and specific handheld exceptions. Any other usage is prohibited. (Ord. 2005. (09/14/1999))
- J. Use of a County vehicle to haul any material or pull a trailer for any other purpose than County business, is prohibited.

Sec. A-II 14.4 Fleet Services Manager Responsibilities

The Fleet Services Manager shall plan, organize and direct all facets of the County vehicle program including, but not limited to, the following:

- A. Scheduling, coordinating and supervising all maintenance and repair activities;

- B. Establishing and maintaining a maintenance and repair cost program;
- C. Preparing recommendations and specifications for replacement and/or new vehicles;
- D. Transferring vehicles between departments;
- E. Preparing surplus vehicles for disposal in coordination with the Purchasing Agent;
- F. Preparing new and/or replacement vehicles for service;
- G. Managing all facets of a centralized motor pool; and
- H. Performing related duties as required. (Ord. 2028. (05/02/2000))

Sec. A-II 14.5 Department Head Responsibilities

Each department head shall:

- A. Approve usage for temporary employees or volunteers;
- B. Be responsible for the enforcement of rules and regulations contained in this Chapter;
- C. Be responsible for the effective utilization of County vehicles;
- D. Support the concept of defensive driving;
- E. Review accident reports and assure corrective action is taken;
- F. Maintain a current listing of employees' and volunteers' drivers' license and vehicle insurance expiration dates;
- G. Be responsible for registration of employees and volunteers with the Department of Motor Vehicles Pull Notice System, where the employee or volunteer is required to maintain a Class A or B license for the operation of County vehicles. A Class A or B driver's license is required when employees operate passenger vans with seating capacity of 10 or more passengers, including the driver, as well as heavy truck operators (those operating vehicles with gross vehicle weight of 26,001 pounds or more);
- H. Be responsible for obtaining a completed certification as required in this Code for temporary employees and volunteers authorized to operate a county vehicle or privately-owned vehicle on County business;
- I. Department heads to whom vehicles have been assigned shall submit monthly mileage and fuel reports to the Fleet Services Manager.

Sec. A-II 14.6 Driver's Responsibilities

All County employees and volunteers, when using any vehicle on County business, shall:

- A. Operate vehicles in a safe, reasonable manner consistent with the intended use of the vehicle, and behave or conduct one's self in a manner that is professional and in the best interests of the County.

- B. Observe all traffic laws, rules and regulations. Fines and penalties imposed for violation of traffic laws, rules and regulations while on County business, other than those due to County equipment violations or to over-length or over-width County vehicles, are the responsibility of the driver.
- C. Whenever possible, inspect the assigned vehicle to ensure its safe operating condition.
 - 1. Inspection shall include inspection of stop, turn and taillights, head lamps, windshield wipers, tires and seat belts. In addition, engine oil and coolant levels shall be checked. Departments may designate one employee to inspect all assigned vehicles.
 - 2. If there is evidence of accident damage, it shall be reported immediately to the supervisor before leaving the parking area.
- D. County officers, employees, volunteers, and members of boards, commissions and committees, prior to using any vehicle on County business, shall certify that:
 - 1. The driver and any privately-owned vehicle to be used on County business are currently licensed, that such licenses have not been revoked or suspended, and that restrictions concerning any license will be met by the driver;
 - 2. The driver and any privately-owned vehicle used on County business are insured by a company authorized to do business in the State of California in the minimum amounts specified by law; and
 - 3. The driver has read all articles pertaining to vehicles in the Code of the County of Nevada and will faithfully abide thereby.

Said certification shall be made on a form provided by the Human Resources Department.

Sec. A-II 14.7 Temporary and/or Permanent Retention of County Vehicles

When not being used on County business, all County vehicles shall be kept on County property except as herein provided.

Temporary or permanent retention of a County vehicle may be authorized when, in the opinion of the Fleet Services Manager, storage facilities for the vehicle are not adequate due to lack of security of space, and/or the interests of the County are best served by permitting permanent or temporary retention.

- A. PERMANENT RETENTION shall constitute the ongoing retention of a County vehicle by a County employee or officer at their place of residence, as authorized under this Section. In no event shall permanent retention be authorized for any period longer than one year.

1. An application for authorization for the permanent retention of each vehicle shall be submitted by the department head to the Fleet Services Manager. Justification for permanent retention shall be based on the following criteria:
 - a. The employee must respond to emergencies requiring immediate attention during off-duty hours for the protection of persons or property specifically requiring their presence in a supervisory or technical capacity. Such emergencies must require immediate travel to the emergency scene; or
 - b. Retention is necessary for programs required by State law for operation of a 24 hour Emergency Response System.
 2. All permanent retention applications shall be submitted on forms provided by the Fleet Services Manager.
 3. All approved permanent retention requests shall automatically terminate on the succeeding July 1st.
- B. TEMPORARY RETENTION
- Department heads shall be authorized to grant temporary retention of vehicles to employees based on the following criteria:
1. When an employee is scheduled for standby duty outside of normal working hours due to conditions arising from adverse weather; or
 2. When an employee is returning from an officially authorized trip after 5:00 p.m. or leaving before 8:00 a.m.
- C. Any employee authorized to permanently or temporarily retain a County vehicle shall not use said vehicle for any private purpose while the vehicle is within their possession.

Sec. A-II 14.8 Reporting of Vehicle Accidents

- A. Any employee or volunteer using a County vehicle or a private vehicle on County business who is involved in any type of a vehicle accident, whether or not visible damage is apparent, shall report the accident on the County's accident report form as soon as appropriate emergency action has been taken. The accident report form can be found in the glove compartment of each County vehicle or may be obtained from the employee's or volunteer's department head or the Risk Manager. The completed form is to be given to the employee's or volunteer's department head or the department head's designee. If the employee or volunteer involved in a vehicle accident is not physically able to complete the report form, it shall be the responsibility of the department head, or their designee, to arrange to have the employee or volunteer interviewed and the accident report form completed. When possible, pictures should be taken to accompany the report. The department head,

or department head's designee, shall review the form to ensure it is properly completed and shall forward copies of the form to the Risk Manager, the Fleet Services Manager and the Human Resources Department for inclusion in the employee's file.

- B. At no time shall an employee or volunteer discuss any accident or facets related thereto with anyone other than investigative law enforcement officers, the employee's or volunteer's immediate supervisor, department safety officer, department head, the Risk Manager or County Counsel, without approval of the Risk Manager or County Counsel. All inquiries shall be referred to the Risk Manager.

Sec. A-II 14.9 Use of Private Vehicles on County Business

- A. By mutual consent of the County and employee or volunteer, the use of privately-owned vehicles on County business may be allowed when such use is determined to be in the best interest of the County. However, prior to use of a private vehicle on County business, all of the following conditions must be met:
 - 1. Use of the privately-owned vehicle shall be authorized by the individual's department head;
 - 2. A valid driver's license shall be in the driver's possession at all times;
 - 3. Vehicles shall be adequately insured. The liability insurance coverage on any private vehicle used in County business must conform to the minimum requirements for financial responsibility, as set forth in Cal. Veh. Code § 1602;
 - 4. The vehicle shall be in a sound mechanical condition adequate for providing required transportation in a safe manner;
 - 5. The vehicle shall be equipped with, and each occupant will be required to use, seat belts;
- B. The cost of damage and/or wear and tear to a privately owned vehicle used on County business is the responsibility of the owner of the vehicle. (Ord. 2005. (09/14/1999))
- C. Only conventional automobiles equipped with four or more wheels and steel or fiberglass doors shall be used on County business. Motorcycles, mopeds, scooters, bicycles, or similar vehicles may not be used to conduct County business.

Sec. A-II 14.10 Violations

A violation of this Article shall not be a misdemeanor or infraction but may be cause for disciplinary action pursuant to the Nevada County Personnel Code.

EXHIBIT B

ARTICLE 15 PUBLIC DEFENDER

Sections:

- | | |
|-----------------------|---|
| Sec. A-II 15.1 | Office Established |
| Sec. A-II 15.2 | Appointment of the Public Defender |
| Sec. A-II 15.3 | Duties and Responsibilities of the Office of Public Defender |

Sec. A-II 15.1 Office Established

There is hereby established the Office of Public Defender for the County. (Ord. 252 (08/01/1961))

Sec. A-II 15.2 Appointment of the Public Defender

The Public Defender shall be appointed by, and shall serve at the pleasure of, the Board of Supervisors as per Cal. Gov't Code § 27703 (Ord. 52. (08/01/1961); (05/13/1985)). The Public Defender shall meet all of the qualifications found in Cal. Gov't Codes §§ 27700–27711.

Sec. A-II 15.3 Duties and Responsibilities of the Office of Public Defender

Except as herein otherwise provided, all of the provisions of the Cal. Gov't Codes §§ 27700–27711, as the same now are or as they may hereafter be amended, shall apply to the Office of Public Defender (Ord. 252. (08/01/1961)), including but not limited to, upon request of the defendant or order of the court, defend any person not able to employ counsel and who is charged with the commission of any contempt or offense triable in the superior courts, with applicable statutory restrictions.

EXHIBIT B

ARTICLE 17

COUNTY EXECUTIVE OFFICER (COUNTY ADMINISTRATOR)

Sections:

Sec. A-II 17.1	Position Created
Sec. A-II 17.2	Appointment and Removal - Residence
Sec. A-II 17.3	Salary and Benefits
Sec. A-II 17.4	Administrative Powers and Duties
Sec. A-II 17.5	General Administration
Sec. A-II 17.6	Budgetary Matters
Sec. A-II 17.7	Departmental Supervision - Appointment and Removal
Sec. A-II 17.8	Functional Responsibilities
Sec. A-II 17.9	Duties, Responsibilities and Authorities of Predecessor Position
Sec. A-II 17.10	Reserved
Sec. A-II 17.11	Donations to the County of Nevada
Sec. A-II 17.12	Contracting Authority
Sec. A-II 17.13	Ex Officio District Administrator for Nevada County Sanitation District No. 1
Sec. A-II 17.14	Settlement Authority

Sec. A-II 17.1 Position Created

There is hereby created in the exempt service of Nevada County the position of County Administrator, who shall be called the County Executive Officer (CEO). The CEO is the County's administrative officer pursuant to Cal. Gov't Code § 24000(t), except as otherwise provided by the Board of Supervisors. The County Executive Officer shall be a County officer exempt from the provisions of the Personnel Code, and shall be classified as a confidential employee, except to the extent the Board of Supervisors may desire to make some or all of said provisions applicable to the position.

Sec. A-II 17.2 Appointment and Removal - Residence

The County Executive Officer shall:

A. Be chosen upon the basis of knowledge and skills in public administration, demonstrated administrative ability, and knowledge of public budgeting, personnel, labor relations, finance, and organization. This requirement may normally be met by a

combination of education and experience equal to a master's degree in public administration, plus five or more years of experience in a highly responsible administrative position in a public agency.

B. Be appointed and serve at the pleasure of the Board of Supervisors and may be removed from office by majority vote of the Board of Supervisors upon 45 days' written notice of such removal; except that the County Executive Officer shall not be removed during the first 120 days following any change in membership of the Board of Supervisors except upon four-fifths vote of said Board of Supervisors. Such notice of removal shall be given at a regular meeting of the Board. Upon such removal, the Assistant County Executive Officer shall perform as the Acting County Executive Officer until a permanent successor is selected.

C. Maintain residence within the County during his/her tenure in office, but he/she need not be a resident of the County at the time of appointment. (Ord. 1726. (06/12/1963))

Sec. A-II 17.3 Salary and Benefits

The salary and other compensation of the County Executive Officer shall be established by the Board of Supervisors and shall be paid by the Auditor-Controller in the same manner as the salaries and benefits of other County employees are paid.

Sec. A-II 17.4 Administrative Powers and Duties

The County Executive Officer shall be the Chief Administrative Officer of the County and shall be responsible to the Board of Supervisors for the proper and efficient administration of all County offices, departments, institutions, and special districts under the jurisdiction of the Board of Supervisors. To this end, the County Executive Officer shall have those powers and duties set forth in this Article and as reasonably implied therefrom and shall be authorized to assign or delegate the administration of these duties to any department or person under the Board's control, subject to the limitations imposed by law. The County Executive Officer shall have such other powers and duties as the Board of Supervisors may assign hereafter by motion, Resolution, or Ordinance.

The Board of Supervisors and its members shall normally provide nonpolicy, administrative direction to the various departments and divisions only through the County Executive Officer's office.

Sec. A-II 17.5 General Administration

The County Executive Officer shall:

A. Administer and enforce policies established by the Board of Supervisors and promulgate rules and regulations as necessary to implement Board policies.

B. Refer policy matters and other matters beyond his/her authority to resolve to the Board of Supervisors for determination, direction, or authorization.

C. Investigate the affairs of the County or any department or division thereof; investigate all complaints in relation to matters concerning the administration of the government of the County and see that all franchises granted by the County are faithfully observed.

D. Be notified of and attend all meetings of the Board of Supervisors unless excused; make reports to the Board on County matters; evaluate departmental and other requests to determine if such requests should be submitted to the Board; and make recommendations to the Board on agenda items.

E. Propose necessary revisions of the County Codes in conjunction with the County Counsel.

F. Implement the Board of Supervisors' legislative advocacy program, including the initiation of legislation approved by the Board of Supervisors that will benefit the County and County government; in co-ordination with County Counsel, provide analysis of proposed State and Federal legislation; make recommendations to the Board of Supervisors for positions on proposed legislation; review all department head requests involving legislative activities.

G. Produce, or cause to be produced, such records, documents and related information as may be necessary to permit the Board of Supervisors, or contractual agent of the Board of Supervisors, to conduct a management audit of his office or any other office or department in the County service, as the said Board shall deem necessary.

H. Negotiate or supervise the negotiation of, and execute contracts, on behalf of the Board of Supervisors, subject to the limitations and procedures established by State law and those which have been authorized by the Board by Resolution and/or through budget adoption.

I. Supervise the County's insurance programs and advise the Board of Supervisors of recommended changes.

J. In conjunction with the Auditor-Controller and Purchasing Agent, maintain or supervise the maintenance of inventories of all the County's real and personal property, and undertake activities to prevent the misuse, loss, theft, or damage of County property.

K. Conduct research in administrative practices so as to bring about greater efficiency and economy in County government; develop and recommend to the Board of Supervisors long-range plans to improve County operations and to prepare for future County growth and development.

L. Exercise control of County government in extreme emergencies when there is not sufficient opportunity for the Board of Supervisors to act, as per provisions outlined in "Emergency Services" contained within this Code. In such an instance, the County Executive Officer or Chair of the Board shall have the authority to hire necessary extra personnel, purchase necessary supplies and equipment, and take other actions necessary to meet such emergencies.

M. Provide oversight and supervision to the Environmental Health Department insofar as Environmental Health functions as the Local Enforcement Agency (LEA) for solid waste. (Ord. 1606. (12/28/1989); Ord. 2267. (06/10/2008))

Sec. A-II 17.6 Budgetary Matters

The County Executive Officer shall keep the Board of Supervisors advised of the financial condition and future needs of the County and make recommendations as may be deemed desirable.

Sec. A-II 17.7 Departmental Supervision - Appointment and Removal

The County Executive Officer shall:

A. Supervise and evaluate the performance of County departments, within the limitations established by State law or the Board of Supervisors, by directing the establishment of standards, goals, and objectives for quality and quantity of departmental performance, and the measure of the performance of individual departments against those standards and goals; assign projects to departments and scrutinize departmental expenditures to assure that they are necessary and proper.

B. Evaluate all proposed departmental programs and recommend those to the Board of Supervisors that he/she feels should be approved or modified; periodically evaluate existing departmental programs and recommend changes to the Board where they are indicated.

C. Evaluate departmental organization on a continuous basis; subject to the limitations of State law or the directives of the Board of Supervisors, initiate changes in interdepartmental organization, structure, duties, or responsibilities when warranted, including authorizing the transfer of equipment between departments; assign space to County departments in County facilities, and authorize budgeted travel and County business expenses in accordance with rules and regulations prepared, based upon policies established by the Board; recommend to the Board of Supervisors the transfer of positions between departments and the consolidation or combining of County offices, departments, positions, or units.

D. Evaluate the performance of all nonelective department heads and approve merit step salary increases in accordance with demonstrated performance and provisions of the Personnel Code; confer with department heads as necessary to discuss any shortcomings noted and to suggest remedial action.

E. Except as otherwise specifically required by law, appoint, transfer, discipline, and dismiss all nonelective department heads; such department heads shall serve at the pleasure of the County Executive Officer. In those cases where the County Executive Officer is not the appointing authority under this Ordinance, the County Executive Officer shall: (1) recommend to the Board of Supervisors appointment of a qualified candidate to fill any vacancy occurring in that department head position, and (2) recommend to the Board of

Supervisors, for their consideration and determination, the transfer, discipline, or dismissal of such department head, when appropriate.

F. When necessary or upon a department head's request, assist department heads in solving problems which inhibit efficient operation within a department or create friction between departments.

G. Provide management training and develop leadership qualities among department heads as necessary to build a County management team that can plan for and meet future challenges.

H. Periodically review permanent and limited-term personnel positions to assure that the positions are required and that funds are available; authorize advanced-step recruitment upon recommendation and justification of a department head; authorize and control the use of extra help and payment for over-time within available funds; approve overfilling an authorized position upon proper justification.

I. Be responsible for orientation and training of new County Supervisors.

J. Exercise general supervision over all public buildings and property, whether leased or owned by the County; assign all reserved parking spaces. (Ord. 1726. (06/12/1963))

Sec. A-II 17.8 Functional Responsibilities

In addition to the foregoing, the County Executive Officer shall supervise or provide for the supervision, of such divisions and services as the Board may assign by Resolution or motion, and he shall be the appointing authority of all personnel assigned thereto.

Sec. A-II 17.9 Duties, Responsibilities and Authorities of Predecessor Position

In addition to the foregoing, all duties, responsibilities, and authorities heretofore assigned or delegated, by motion, Resolution, Ordinance, or the Personnel Code, to the Director of Administration and Personnel shall hereby be assigned or delegated to the County Executive Officer.

Sec. A-II 17.10 Reserved

Sec. A-II 17.11 Donations to the County of Nevada

The County Executive Officer shall have the power to accept donations of any kind on behalf of the County of Nevada so long as the value of the donation does not exceed Twenty-Five Thousand Dollars (\$25,000), in accordance with Cal. Gov't Code § 25355. The County Executive Officer shall submit notification to the Clerk of the Board of all approved donations. (Ord. 2468. (06/11/2019); Ord. 1571. (05/02/1989))

Sec. A-II 17.12 Contracting Authority

A. The County Executive Officer is authorized to enter into and to execute all contracts or agreements which are Twenty-Five Thousand Dollars (\$25,000) or under and which are not contracts that fall within Cal. Pub. Cont. Code § 20131 relating to the authority granted to purchasing agents, contracts for construction of public improvements, and contracts which must be awarded after public notice and competitive bidding.

B. The County Executive Officer is authorized to enter into and to execute all grant or revenue contracts or agreements which are Twenty-Five Thousand Dollars (\$25,000) or less. (Ord. 2468. (06/11/2019); Ord. 1936. (04/15/1997))

Sec. A-II 17.13 Ex Officio District Administrator for Nevada County Sanitation District No. 1

The County Executive Officer of the County of Nevada shall be the ex officio District Administrator for the Nevada County Sanitation District No. 1. The County Executive Officer is authorized to enter into and to execute all contracts or agreements on behalf of the Nevada County Sanitation District No. 1 that are Twenty-Five Thousand Dollars (\$25,000) or under and which are not contracts that fall within Cal. Pub. Cont. Code § 20131 relating to the authority granted to purchasing agents, contracts for construction of public improvements, and contracts which must be awarded after public notice and competitive bidding. (Ord. 2468. (06/11/2019); Ord. 1936. (04/15/1997))

Sec. A-II 17.14 Settlement Authority

The County Executive Officer is hereby authorized to approve claims and legal settlements up to and including Fifty Thousand Dollars (\$50,000), with the concurrence of County Counsel. (Ord. 2468. (06/11/2019))

EXHIBIT B

ARTICLE 19

CLERK OF THE BOARD OF SUPERVISORS

Sections:

- Sec. A-II 19.1 Office Established**
- Sec. A-II 19.2 Deputies Authorized**
- Sec. A-II 19.3 Duties Established**
- Sec. A-II 19.4 Reserved**
- Sec. A-II 19.5 Reserved**

Sec. A-II 19.1 Office Established

There is hereby created the Office of the Clerk of the Board of Supervisors. The Clerk of the Board of Supervisors shall serve under the general direction and at the pleasure of the Board of Supervisors. (Ord. 1786. (06/16/1992))

Sec. A-II 19.2 Deputies Authorized

The Clerk of the Board of Supervisors may appoint deputies as authorized by the Board of Supervisors to assist the Clerk in the performance of their duties. The Clerk of the Board shall have sole responsibility for the management and control of any such deputies.

Sec. A-II 19.3 Duties Established

The Clerk of the Board of Supervisors shall perform those duties prescribed by law for the County Clerk as Ex Officio Clerk of the Board of Supervisors and such other duties as may be assigned by the Board of Supervisors. Additionally, the Clerk of the Board of Supervisors shall:

- A. Attend each session of the Board of Supervisors and attend committee meetings when requested to do so.
- B. Keep and enter in the minute book of the Board a full and complete record of the proceedings of the Board at all regular and special meetings, including the entry in full of all Resolutions and all decisions on questions concerning the allowance of accounts. The vote of each member on every question shall be recorded.
- C. Immediately after each meeting of the Board, deliver to, and leave with the Auditor, all demands allowed for the payment of money.
- D. File and preserve, or dispose of pursuant to law, all petitions, applications, and other papers and records deposited with them.

- E. Authenticate with their signature and the seal of the Board, and file each Ordinance passed by the Board.
- F. Take acknowledgments and administer and certify oaths in the performance of such person's official duties.
- G. Perform such other functions of such person's office as may be required by law. (Ord. 1786. (06/16/1992))

Sec. A-II 19.4 Reserved

Sec. A-II 19.5 Reserved

EXHIBIT B

CHAPTER II: ADMINISTRATION

ARTICLE 20

RESERVED

EXHIBIT B

ARTICLE 24

FEEES

Sections:

Sec A-II 24	Consolidated Fee Schedule
Sec. A-II 24.1	Coroner Fees
Sec. A-II 24.2	Elections Department Fees
Sec. A-II 24.3	Concealed Firearm License Fee
Sec. A-II 24.4	Fingerprinting Fee Required
Sec. A-II 24.5	Fees for Transportation of Trees, Shrubs and Boughs
Sec. A-II 24.6	Reserved
Sec. A-II 24.7	Reserved
Sec. A-II 24.8	County Clerk-Recorder Fees
Sec. A-II 24.9	Reserved
Sec. A-II 24.10	Reserved
Sec. A-II 24.11	Reserved
Sec. A-II 24.12	Probation Department Fees
Sec. A-II 24.13	Reserved
Sec. A-II 24.14	Reserved
Sec. A-II 24.15	Fee for Explosives Permit
Sec. A-II 24.16	Identification Photographs
Sec. A-II 24.17	Reserved
Sec. A-II 24.18	Geographic Information System
Sec. A-II 24.19	Credit Cards Accepted
Sec. A-II 24.20	Library Fines and Fees
Sec. A-II 24.21	Transcription and Duplication Fees by the Clerk of the Board of Supervisors

Sec. A-II 24 Consolidated Fee Schedule

The Board of Supervisors, shall, from time to time, adopt by resolution, fees. To provide greater transparency and ease of accessibility, fees may be listed within a County consolidated fee schedule. Additional fees may be established as permissible by state law and passed by Resolution of the Board of Supervisors.

Sec. A-II 24.1 Coroner Fees

In accordance with Cal. Gov't Code §§ 27472, 54985, the Coroner of the County of Nevada shall charge and collect a fee, the amount which reflects the actual expense incurred by the Coroner, for the removal of a body from the place of death and/or the keeping of a body until its release or interment. Such fee shall be set by resolution of the Board of Supervisors and shall be imposed in accordance with the Cal. Gov't Code § 27472. (Ord. 2244. (06/26/2007); Ord. 2413. (06/28/2016))

Sec. A-II 24.2 Elections Department Fees

A. The Elections Department is hereby authorized to charge and collect fees for the following services, the amount of which shall be adopted by Resolution of the Board of Supervisors of the County of Nevada.

1. Voter registration index.
2. Voter registration/street list by district (digital or printed).
3. Voter registration/street list County-wide (digital or printed).
4. Voter registration list proposed territory/district.
5. Absentee ballot voter list (digital or printed).
6. Absentee voter mailing labels.
7. Certified copy of voter's affidavit of registration.
8. Election results digital (County-wide only); 1999 on or available online; pre-1999 printed (County-wide or a portion thereof).
9. Filing a County initiative (fee is refundable if measure qualifies for the ballot).
10. Maps: 8 1/2" x 11"; 11" x 14"; 34" x 44".
11. Preprinted supervisorial district maps.
12. Other such fees as are adopted by Resolution of the Board of Supervisors or allowable by state or federal law.

B. The fee for certifying a copy of any paper, record or document, the original of which is on file in the County Elections Office. (Ord. 2056. (05/08/2001); Ord. 2108. (02/11/2003); Ord. 2346. (01/24/2012))

Sec. A-II 24.3 Concealed Firearm License Fee

The Sheriff is authorized and directed to charge and collect a fee for each concealed firearm license issued by the Sheriff's Office, and a sum for each renewal of said permit, in an amount to be determined by resolution of the Board of Supervisors. (Ord. 2413, (06/28/2016))

Sec. A-II 24.4 Fingerprinting Fee Required

Any person desiring to be fingerprinted by the Sheriff's Office shall pay a fee in an amount set by the Board of Supervisors, which the Sheriff shall deposit in the General Fund of the County. Said fee shall be in addition to any amount required by the State of California.

Sec. A-II 24.5 Fees for Transportation of Trees, Shrubs and Boughs

The Sheriff is authorized and directed to collect a fee in an amount set by the Board of Supervisors for each application filed with the Sheriff's Office for tags for the transportation of trees, shrubs, and boughs as required by California Penal Code. The Sheriff is also authorized and directed to collect an additional fee in the amount to be set by the Board of Supervisors for each transportation tag issued.

Sec. A-II 24.6 Reserved

Sec. A-II 24.7 Reserved

Sec. A-II 24.8 County Clerk-Recorder Fees

The Clerk-Recorder is hereby authorized to charge and collect, as provided by Cal. Gov't Code §§ 27366, 27397, and 54985, and the Cal. Fish & Game § 711.4, fees for the following services, and others, in the amount of which shall be adopted by Resolution of the Board of Supervisors of the County of Nevada:

1. Application for and issuance of a marriage license.
2. Application for and issuance of a confidential marriage license.
3. Duplicate marriage license.
4. Keepsake marriage license.
5. Issuance of authorization to marry and oath.
6. Marriage ceremony (in-house, on-duty); wedding ceremony witness.
7. Marriage ceremony solemnization.
8. Environmental impact report, clerk's fee.
9. Filing of a fictitious business name statement; first fictitious name; each additional fictitious name; each additional owner; abandonment; withdrawal.
10. Power of attorney for an admitted surety insurer; each subsequent name.
11. Bond of a notary public.
12. Notary signature certification, first signature and subsequent signatures.

13. Involuntary liens (mailed notice); 20-day preliminary notice.
14. Official records duplication, first page and subsequent pages.
15. Official records recordation, first page per document for social security number truncation program.
16. Records search, archival and files search.
17. Maps, first page and subsequent pages.
18. Certification; conformed copies.
19. Mailing and packaging (plus actual postage costs).
20. Fax charge, first page and subsequent pages.
21. Internet subscription service.
22. CD-ROM with one day's images.
23. CD-ROM with one week's images.
24. CD-ROM with one month's images.
25. CD-ROM with archival images.
26. CD-ROM with map images.
27. Complete set of Nevada County recorded maps on electronic format (1865-).
28. Quarterly update map in electronic format.
29. Clerk's filing fee for California Environmental Quality Act documents.
30. Official Records Recordation, First Page Per Document Recording Fee, Submitter Agreement Fee, and Vendor Fee for Electronic Recording Delivery Act of 2004.

*You cannot purchase just the electronic update without first purchasing the complete set.

Sec. A-II 24.9 Reserved

Sec. A-II 24.10 Reserved

Sec. A-II 24.11 Reserved

Sec. A-II 24.12 Probation Department Fees

The Probation Department is hereby authorized to charge and collect fees for the investigation and preparation of presentencing reports for the Superior Courts, and for probation supervision services, in accordance with the provisions of Cal. Penal Code §

1203.1(b). The amount of such fees shall be adopted by Resolution of the Board of Supervisors of the County of Nevada. (Ord. 1763. (03/17/1992))

Sec. A-II 24.13 Reserved

Sec. A-II 24.14 Reserved

Sec. A-II 24.15 Fee for Explosives Permit

In accordance with Cal. Health & Safety §§ 12101-12401, the Sheriff's Office is hereby authorized to charge and collect a fee or fees for the application for, and issuance of, an explosives permit. Such fees shall be set by Resolution of the Board of Supervisors and shall be imposed in accordance with the provisions of Cal. Health & Safety §§ 12101-12401. (Ord. 1847. (10/26/1993); Ord. 2413. (06/28/2016))

Sec. A-II 24.16 Identification Photographs

The Sheriff's Office is hereby authorized to charge and collect a fee in an amount to be determined by Resolution of the Board of Supervisors upon request for and receipt of an identification photograph. (Ord. 1847. (10/26/1993))

Sec. A-II 24.17 Reserved

Sec. A-II 24.18 Geographic Information System

In accordance with Cal. Gov't Code §6254.9, the County of Nevada shall charge and collect fees for maps, data, analyses, reports, and other such related information services and/or use of the Geographic Information System (GIS). A schedule of such fees shall be adopted by Resolution of the Board of Supervisors provided, however, that only the actual cost associated with the copying of any map or report shall be charged with regard to any such map or report that was originally provided by the GIS system for any County purpose. (Ord. 1898. 03/26/1996))

Sec. A-II 24.19 Credit Cards Accepted

In accordance with Cal. Gov't Code § 6159 and Cal. Rev. & Tax. § 2511.1, the Board of Supervisors hereby authorizes County departments to accept credit cards as payment. 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 subdivision (d) of Cal. Gov't Code § 6159. 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 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.
- C. Payment of child, family, or spousal support, including reimbursement of public assistance, related fees, costs, or penalties.
- D. Payment for services rendered by the County.
- E. 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-II 24.20 Library Fines and Fees

In accordance with Cal. Educ. Code §§ 18700-18767, and Cal. Gov't Code § 54985, the Nevada County Community Library is authorized to charge and collect fees and fines to ensure adequate services are provided. Such fees and fines shall be set by resolution of the Board of Supervisors. (Ord. 2438. (06/27/17; Ord. 2294. (08/11/2009))

Sec. A-II 24.21 Transcription and Duplication Fees by the Clerk of the Board of Supervisors

The Clerk of the Board of Supervisors shall be the custodian of all recordings of the official proceedings of the Board of Supervisors. Most current proceedings are available online. The general public shall have the right to listen to or view these recordings and to request a written transcription or digital recording, or accessibility to recordings to create their own transcription of the proceedings recorded thereon subject to the following conditions:

- A. That the transcribing, or reproduction of the proceedings recorded shall only be done at a time which is reasonably convenient to the Clerk of the Board of Supervisors.
- B. That only the Clerk of the Board of Supervisors, or their designee, shall be allowed to operate said equipment for the purpose of producing a certified transcription or reproduction of the proceedings.
- C. That the person requesting the transcription or recording of the proceedings shall pay to the Clerk of the Board of Supervisors an advance deposit in an amount to be established by Resolution of the Board of Supervisors, which sum shall be applied to the total cost of preparing the transcript. The cost of transcribing the proceedings as set

forth herein shall be calculated at the rate established by Resolution of the Board of Supervisors.

- D. The Clerk of the Board of Supervisors shall be responsible for and collect the advance deposit and all fees authorized herein. All proceeds derived therefrom shall be paid to the County General Fund. (Ord. 1658. (08/07/1991); Ord. 2389. (10/28/2014))

EXHIBIT B

ARTICLE 25

COUNTY OFFICES AND DEPARTMENTS

Sections:

Sec. A-II 25.1	Office of Assessor
Sec. A-II 25.2	Office of Auditor-Controller
Sec. A-II 25.3	Office of County Clerk and County Recorder
Sec. A-II 25.4	Elections Office
Sec. A-II 25.5	Office of the District Attorney
Sec. A-II 25.6	Office of the Sheriff
Sec. A-II 25.6.1	Qualifying for State Aid
Sec. A-II 25.6.2	Compliance with CPOST Standards
Sec. A-II 25.6.3	Compliance with Corrections Standards Authority Standards
Sec. A-II 25.6.4	Adherence to Standards
Sec. A-II 25.7	Office of the Coroner
Sec. A-II 25.8	Office of Public Administrator
Sec. A-II 25.9	Office of Treasurer
Sec. A-II 25.10	Office of Tax Collector

Sec. A-II 25.1 Office of Assessor

There is hereby established in the County of Nevada the Office of Assessor.

Sec. A-II 25.2 Office of the Auditor-Controller

There is hereby established in the County of Nevada the Office of Auditor-Controller.

Sec. A-II 25.3 County Clerk and County Recorder Office

There is hereby established in the County of Nevada the Office of County Clerk and County Recorder. These offices are combined pursuant to the authority of Cal. Gov't Code § 24300 (e).

Sec. A-II 25.4 Elections Office

There is hereby established in the County of Nevada the Office of Elections. This office is combined with the Office of the County Clerk-Recorder.

Sec. A-II 25.5 Office of the District Attorney

There is hereby established in the County of Nevada the Office of District Attorney.

Sec. A-II 25.6 Sheriff's Office

There is hereby established in the County of Nevada the Sheriff's Office.

Sec. A-II 25.6.1 Qualifying for State Aid

The County declares its desire to qualify for aid from the State of California under the provisions of Title 3, Chapter 1 of Title 4, Part 4, of the Cal. Penal Code (commencing with Section 13510, et seq.).

Sec. A-II 25.6.2 Compliance with CPOST Standards

Pursuant to the provisions of Sections 13510, 13522, 13524 and 13525 of the California Penal Code, the County, while receiving aid from the State pursuant to Chapter 1 of the Penal Code, will adhere to the standards for recruitment and training established by the California Commission on Correctional Peace Officer Standards and Training (CPOST), now called the Corrections Standards Authority.

Sec. A-II 25.6.3 Compliance with Corrections Standards Authority Standards

While receiving any State aid pursuant to Article 3, commencing with Penal Code § 6035, the County of Nevada will adhere to the standards for recruitment and training established by the Corrections Standards Authority.

Sec. A-II 25.6.4 Adherence to Standards

Pursuant to Cal. Penal Code § 13512, the Authority and its representatives shall make such inquiries as deemed appropriate by the Authority to ascertain that Nevada County's public safety dispatcher personnel and investigators of the District Attorney's office adhere to standards for selection and training established by the CPOST. (Ord. 1564. (02/28/1989), Ord. 2053. (04/11/2001))

Sec. A-II 25.7 Office of Coroner

There is hereby established in the County of Nevada the Office of Coroner. This office is combined with the Office of the Nevada County Sheriff under the authority of Cal. Gov't Code §24300 (n).

Sec. A-II 25.8 Office of Public Administrator

There is hereby established in the County of Nevada the Office of Public Administrator. This office is combined with the Coroner's Office pursuant to the authority granted in Cal. Gov't Code §24300 (k)

Sec A-II 25.9 Treasurer

There is hereby established in the County of Nevada the Office of Treasurer.

Sec. A-II 25.10 Tax Collector

There is hereby established in the County of Nevada the Office of Tax Collector. This office is combined with the Office of Treasurer pursuant to the authority of Cal. Gov't Code § 24300 (g).

EXHIBIT B

ARTICLE 26

AMENDMENT TO PERS CONTRACT

Sections:

Sec. A-II 26.1 Amended PERS Contract

Sec. A-II 26.2 Execution of Amended PERS Contract Authorized

Sec. A-II 26.1 Amended PERS Contract

An amendment to the Contract between the Board of Supervisors and the Board of Administration, California Public Employee's Retirement System is hereby authorized, a copy of which is on file with the Human Resources Department, and by such reference made a part hereof as though herein set out in full.

Sec. A-II 26.2 Execution of Amended PERS Contract Authorized

The Chair of the Board of Supervisors is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency. (Ord. 694. (11/06/1974); Ord. 697. (01/07/1975); Ord. 747. (04/27/1976); Ord. 792. (06/21/1997))

EXHIBIT B

ARTICLE 28 ELECTED COUNTY OFFICERS

Sections:

Sec. A-II 28	Elected Officers
Sec. A-II 28.1	Assessor
Sec. A-II 28.2	Auditor and Controller
Sec. A-II 28.3	County Clerk-Recorder and Elections Official
Sec. A-II 28.4	District Attorney
Sec. A-II 28.5	Sheriff-Coroner-Public Administrator
Sec. A-II 28.6	Treasure-Tax Collector

Sec. A-II 28 Elected Officers

The following officers are elected:

1. Assessor
2. Auditor-Controller
3. County Clerk-Recorder
4. District Attorney
5. Sheriff
6. Treasurer-Tax Collector

Sec. A-II 28.1 Assessor

The Official filing the position of Assessor for the County of Nevada shall comply with the provisions of Cal. Gov't Code §24002.5.

A. Position of Assessor

The position of Assessor shall be an elected position as per Cal. Gov't Code § 24009.

Sec. A-II 28.2 Auditor – Controller

A. Position of County Auditor – Controller

The Official filling the position of County Auditor – Controller shall meet the provisions of Article 4 of Chapter 4, Part 3, Division 2, Title 3 of the Government Code are hereby adopted and made applicable to the County. (See Cal. Govt. Code §§ 26945 to 26946.) (Ord. 241. (01/03/1961))

B. Consolidation of Offices of Auditor and Controller

The positions of Auditor and Controller shall be consolidated. The person holding the consolidated office shall qualify separately for each office. Duties and Responsibilities of each office as described in Cal Gov't Code §§26800 -26886 for the position of controller and Cal. Gov't Code §§ 26900 – 26946 for the position of auditor.

C. Election

The position of Auditor – Controller shall be an elected position as per Cal. Gov't Code § 24009.

Sec. A-II 28.3 County Clerk – Recorder and Elections Official

A. Position of County Clerk – Recorder, Elections Official

The Official filling the position of County Clerk shall meet the qualifications and perform all the duties as provided for in Cal. Gov't Code §§ 26801-26861. The Clerk-Recorder shall serve as the ex officio Elections Official.

B. Consolidation of Offices of Clerk and Recorder

The offices of County Clerk and County Recorder are hereby consolidated, as per Cal. Gov't Code §24304, and the person hereafter elected or appointed shall qualify separately for each office, and office and shall receive the salaries pertaining thereto. Pursuant to Cal. Elec. Code § 320, the Clerk -Recorder shall serve as the ex officio Elections Official. (Ord. 308. (01/14/1965)) (For State law as to consolidation of County offices, see Govt. Code §§ 24300 to 24308.)

C. Election

The position of County Clerk – Recorder is an elected position as per Cal. Gov't Code § 24009.

Sec. A-II 28.4 District Attorney

A. Position of District Attorney

The Official filling the position of District Attorney shall meet all requirements for this office including, but not limited to, being admitted to practice in the Supreme Court of the State, in accordance with Cal. Gov't Code § 24002.

B. Election

The position of District Attorney is an elected position as per Cal. Gov't Code § 24009.

Sec. A-II 28.5 Sheriff – Coroner- Public Administrator

A. Position of Sheriff

The Official filling the position of Sheriff shall meet all the qualifications and perform all the duties outlined by state statute, including but not limited to, Cal. Gov't Code §§24002 – 24004.5.

B. Consolidation of Offices of Sheriff, Coroner and Public Administrator

The offices of Sheriff, Coroner, and Public Administrator are hereby consolidated, and the person holding such consolidated office by reason of election or appointment or consolidation shall qualify separately for each office and shall receive the salaries pertaining thereto.

C. Animal Control is administratively delegated to the Sheriff. (Ord. 571. (02/01/1972))

D. Position of Sheriff as an Elected Position

The position of Sheriff - Coroner shall be an elected position as per Cal. Gov't Code § 24009.

Sec. A-II 28.6 Treasurer-Tax Collector

A. Position of Treasurer – Tax Collector

The Official filling the position of Treasurer-Tax Collector shall meet all the qualifications and perform all the duties required by state law.

B. Consolidation of Offices of Treasurer and Tax Collector

The County Treasurer shall be ex officio County Tax Collector and shall perform the duties thereof. The offices of Treasurer and Tax Collector are hereby consolidated and the Treasurer hereafter (July 26, 1984) elected shall qualify separately for the office held ex officio and shall receive the salaries pertaining thereto; provided, that in addition to the salary provided by law, the Tax Collector shall receive the fees allowed for collecting all licenses levied and imposed by this Code or other County Ordinances.

C. Eligibility for Office of County Treasurer and Tax Collector

No person shall be eligible for election or appointment to the office of Treasurer and Tax Collector unless that person meets the criteria provided for in Cal. Gov't Code section § 27000.7, including but not limited to, at least one of the following criteria:

1. The person has served in a senior financial management position in a county, city, or other public agency dealing with similar financial responsibilities for a continuous period of not less than three years, including, but not limited to, treasurer, tax collector, auditor, auditor-controller, or the chief deputy or an assistant

in those offices.

2. The person possesses a valid baccalaureate, masters, or doctoral degree from an accredited college or university in any of the following major fields of study: business administration, public administration, economics, finance, accounting, or a related field, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.
3. The person possesses a valid certificate issued by the California State Board of Accountancy pursuant to Cal/ Bus. & Prof. §§ 5000 - 5134, showing that person to be, and a permit authorizing that person to, practice as a certified public accountant.
4. The person possesses a valid charter issued by the Institute of Chartered Financial Analysts showing the person to be designated a Chartered Financial Analyst, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.
5. The person possesses a valid certificate issued by the Treasury Management Association showing the person to be designated a Certified Cash Manager, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.

D. Position of Treasurer – Tax Collector as an Elected Position

The position of Treasurer – Tax Collector shall be an elected position as per Cal. Gov't Code § 24009.

EXHIBIT B
ARTICLE 33

INFORMATION AND GENERAL SERVICES AGENCY

Sections:

- Sec. A-II 33.1 Department Established**
- Sec. A-II 33.2 Duties and Responsibilities**
- Sec. A-II 33.3 Information and General Services Agency Director**
- Sec. A-II 33.4 Information and General Services Appointed Positions**
- Sec. A-II 33.5 Reserved**
- Sec. A-II 33.6 Revenue Collection Services**

Sec. A-II 33.1 Department Established

There is hereby created in the County the Information and General Services Agency. The Information and General Services Agency Department is a comprehensive Agency which consolidates the former Information Systems Department and the Department of General Services.

Sec. A-II 33.2 Duties and Responsibilities

The Information and General Services Agency shall be responsible for the following:

- A. Provide voice data, and video communication services to County departments and other agencies as warranted.
- B. Centralizing all information system services and all IT staffing positions for all County departments.
- C. Provide office automation, data sharing, and support services among County departments/offices.
- D. Providing business analysis, application programming and business systems consultation services to County departments.
- E. Developing, supporting, and protecting all County information systems assets, data, and infrastructure, by establishing, implementing, and enforcing County information security best practices, policies, and procedures.
- F. Develop and enforce County-wide information technology security policies and procedures.
- G. Developing County-wide information systems strategic plans and policies.
- H. Administer and oversee all franchises awarded by the County.

- I. Provide for the maintenance and remodeling of County buildings and grounds and perform any and all other services of a general nature for the upkeep, preservation and function of County property that may be ordered by the CEO or the Board of Supervisors.
- J. Provide for capital development and construction of new and existing facilities, including project management related to such development activities.
- K. Provide for central services to include mail handling, printing, and related support services.
- L. Repealed by Ord. 2260. (07/13/2010)).
- M. Perform such other services, duties, and responsibilities as the Board of Supervisors or the CEO may assign. (Ord. 2321. 07/13/2010))
- N. Management all Airport Activities
- O. Oversee County Library Activities

Sec. A-II 33.3 Information and General Services Agency Director

Under the general direction of the County Executive Officer (CEO) , the Information and General Services (IGS) Director shall be the administrative head of the Agency. The IGS Director shall report directly to the CEO and shall serve at the will and pleasure of the CEO.

Sec. A-II 33.4 Information and General Services Appointed Positions

The Information and General Services Director shall appoint the following positions:

- A. Chief Information Officer. The Chief Information Officer shall be appointed by the IGS Director and shall lead and manage the Information Systems department.
- B. Facilities Director. The Facilities Director shall be appointed by the IGS Director and shall lead and manage the Facilities Management Department and Capital Facilities budget, and other operations as assigned.
- C. Purchasing Program Manager. The Purchasing Program Manager shall be appointed by the IGS Director and shall lead and manage the Purchasing operations and act as the County Purchasing Agent.
- D. Director of Emergency Services. The Director of Emergency Services shall be appointed by the IGS Director and shall perform under the provisions of Emergency Services of the Nevada County Code.

Sec A-II 33.5 Reserved

Sec. A-II 33.6 Revenue Collection Services

Information and General Services shall be responsible for managing the County's revenue collection services.

EXHIBIT B

ARTICLE 35

HUMAN RESOURCES DEPARTMENT

Sections:

- | | |
|-----------------------|--|
| Sec. A-II 35.1 | Human Resources Department Created |
| Sec. A-II 35.2 | Responsibilities and Duties |
| Sec. A-II 35.3 | Director of Human Resources |
| Sec. A-II 35.4 | Adoption of Personnel Rules by Resolution |

Sec. A-II 35.1 Human Resources Department Created

There is hereby created in the County Human Resources Department. (Ord. 2192. (12/13/2005))

Sec. A-II 35.2 Responsibilities and Duties

- A. The Human Resources Department shall be responsible to the County Executive Officer for the administration and operation of the County's personnel functions and systems in accordance with County Ordinances and State and Federal laws, rules, and regulations. The Department's responsibilities shall include recruitment, selection, organizational development, job standards and qualifications, classification and pay, performance evaluation and discipline, personnel actions, equal employment opportunity, employment benefit programs, and such other related functions as the County Executive Officer or the Board of Supervisors may assign.
- B. The Department shall keep and maintain the official personnel records of County employees, shall administer the County's Personnel Code and the Memoranda of Understanding with the bargaining units, and shall provide assistance to the County's negotiators in contract negotiations, as needed. (Ord. 2192. (12/13/2005))

Sec. A-II 35.3 Human Resources Director

The Human Resources Director shall be the administrative head of the Human Resources Department and shall be responsible for the proper administration of the Department. The Director shall be appointed by and serve at the will and pleasure of the County Executive Officer. (Ord. 2192. (12/13/2005))

Sec. A-II 35.4 Adoption of Personnel Rules by Resolution

Except where prohibited by law, the Board of Supervisors may establish, by Resolution, such rules and regulations as it deems necessary: to provide for equitable levels and types of

employee classification, compensation and fringe benefits; to provide for the development of effective recruitment, selection, placement, training, evaluation and promotion programs; to afford assurance of equal employment opportunity of persons consistent with merit principles and without regard to race, national origin, politics, religion, age, sex, or other non-merit factors; to develop and administer an effective employer-employee relations program; to allocate positions to various departments; and to establish such other personnel rules, regulations and practices as it may deem necessary.

EXHIBIT B

ARTICLE 36

MOTOR VEHICLE IN LIEU FEES

Sections:

Sec. A-II 36.1	Segregation of Funds
Sec. A-II 36.2	Dedication of Funds
Sec. A-II 36.3	Intent; Reduction in Road Funding Prohibited
Sec. A-II 36.4	Reporting Requirements
Sec. A-II 36.5	Commencement of Limitation

Sec. A-II 36.1 Segregation of Funds

All funds received by the County of Nevada from the State of California from the various motor vehicle in-lieu taxes (Vehicle License Fee Law “VLF”) as defined in California Constitution Article XI section 15 and Cal. Rev. & Tax. Code §§ 10701–11053, shall be segregated into a separate accounting fund.

Sec. A-II 36.2 Dedication of Funds

One-half, or more, of such funds received in each fiscal year shall be expended only upon public roads, ways and highways (as defined in Cal. Sts. & High. Code §§ 23, 23.5 and 25) for the following purposes: maintenance (as defined in Cal. Sts. & High. Code § 27), repair, circulation enhancement, general road safety, and fire access.

Sec. A-II 36.3 Intent; Reduction in Road Funding Prohibited

The people of the County of Nevada declare that their intention is to increase the funds available for the maintenance, upkeep and safety of our County road system. Therefore, the Board of Supervisors shall not reduce other funding for roads without an express finding that said reduction will not negatively impact the public road system of the County of Nevada.

Sec. A-II 36.4 Reporting Requirements

Within ninety (90) days after the end of each fiscal year, the County Executive Officer, or such other County official as the Board of Supervisors may from time to time designate, shall prepare a report showing income received from the State of California from motor vehicle in lieu taxes and the County expenditures thereof, by budget category, showing the percentage of each. Said report shall be available for public scrutiny for at least five (5) years thereafter.

Sec. A-II 36.5 Commencement of Limitation

This limitation shall commence with the next fiscal year beginning after the adoption of this initiative Ordinance.

EXHIBIT B

ARTICLE 37 TREASURER AND TAX COLLECTOR

Sections:

Sec. A-II 37.1 Reserved

Sec. A-II 37.2 Reserved

Sec. A-II 37.3 Continuing Education Requirements

Sec. A-II 37.4 Reserved

Sec. A-II 37.5 Delegation of Authority to Invest County Funds

Sec. A-II 37.6 Fee for Payment of Delinquent Taxes in Installments

Sec. A-II 37.7 Tax Separation Application Fee

Sec. A-II 37.8 Title Report Costs

Sec. A-II 37.1 Reserved

Sec. A-II 37.2 Reserved

Sec. A-II 37.3 Continuing Education Requirements

The County Treasurer and Tax Collector shall, beginning in 2000, complete a valid continuing course of study as prescribed in this Section and shall, on or before June 30, of each two-year period, render to the State Controller a certification indicating that the Treasurer and Tax Collector has successfully completed a continuing education program consisting of, at a minimum, 24 hours or an equivalent amount of continuing education units within the discipline of treasury management or public finance or both, offered by a recognized state or national association, institute, or accredited college or university that provides the requisite educational programs prescribed in this Section.

Sec. A-II 37.4 Reserved

Sec. A-II 37.5 Delegation of Authority to Invest County Funds

- A. The Treasurer and Tax Collector is hereby delegated the authority to invest or reinvest the funds of the County and the funds of other depositors in the County Treasury, or to sell or exchange securities so purchased, pursuant to Government Code Section 53600, et seq.
- B. The authority delegated herein shall automatically expire one year subsequent to delegation. Subject to review, the Board of Supervisors may annually renew the delegation by Resolution.
- C. The Treasurer and Tax Collector shall make monthly reports during the term of each delegation period duly authorized herein.

Sec. A-II 37.6 Fee for Payment of Delinquent Taxes in Installments

Pursuant to Cal. Rev. & Tax. Code Section 4217, the Treasurer/Tax Collector is hereby authorized to charge and collect the following sums for the processing of delinquent tax installment payments: (1) \$50 for property on the secured roll; (2) \$50 reinstatement fee for property on the secured roll; and (3) \$50 per year for property on the unsecured roll.

Sec. A-II 37.7 Tax Separation Application Fee

The Treasurer/Tax Collector of the County of Nevada is hereby authorized to charge and collect, as provided by Section 2821 of the Revenue and Taxation Code Section 2821 of the State of California, the sum of \$61.00 per parcel, per applicable fiscal year, for the processing of applications for the separate valuation of any parcel on the current tax roll.

Sec. A-II 37.8 Title Report Costs

The Treasurer/Tax Collector of the County of Nevada is hereby authorized to collect an amount not to exceed \$700.00 the actual cost, to be computed annually, for the purpose of reimbursing the County of Nevada (General Fund) for the cost of obtaining a title report prior to a tax-defaulted property sale. Such title report is obtained by the Treasurer/Tax Collector in order to assist the Treasurer/Tax Collector in determining the names and addresses of the parties who have a legal interest in the tax-defaulted property which is being sold by the County of Nevada, so that the appropriate parties can receive the legal notices the Treasurer/Tax Collector is required to provide regarding the impending tax sale.

EXHIBIT B

CHAPTER II – ADMINISTRATION

ARTICLE 38

RESERVED

EXHIBIT B

ARTICLE 42 COMMUNITY DEVELOPMENT AGENCY

Sections:

Sec. A-II 42.1	Agency Established
Sec. A-II 42.1.1	Duties and Responsibilities
Sec. A-II 42.1.2	Director of the Community Development Agency
Sec. A-II 42.2	Environmental Health Department Established
Sec. A-II 42.2.1	Environmental Health Department Transfer of Powers and Duties
Sec. A-II 42.2.2	Director of the Environmental Health Department
Sec. A-II 42.2.3	Fees for Environmental Health Department Services
Sec. A-II 42.3	Building Department Established
Sec. A-II 42.3.1	Building Department Duties and Responsibilities
Sec. A-II 42.3.2	Director of the Building Department
Sec. A-II 42.4	Planning Agency Established
Sec. A-II 42.4.1	Planning Agency Powers and Duties
Sec. A-II 42.4.2	Reserved
Sec. A-II 42.5	Planning Commission Established, Composition and Member Appointment
Sec. A-II 42.5.1	Planning Commission Jurisdiction, Powers and Duties
Sec. A-II 42.6	Planning Department Established,
Sec. A-II 42.6.1	Planning Department Duties and Responsibilities
Sec. A-II 42.6.2	Director of the Planning Department
Sec. A-II 42.6.3	Land Use Applications and Submittals
Sec. A-II 42.6.4	Reserved
Sec. A-II 42.6.5	Reserved
Sec. A-II 42.7	Office of Zoning Administrator Established
Sec. A-II 42.7.1	Zoning Administrator Jurisdiction, Power and Duties
Sec. A-II 42.8	Reserved
Sec. A-II 42.8.1	Reserved
Sec. A-II 42.9.1	Creation and Composition of Agricultural Department and County Sealer of Weights and Measures
Sec. A-II 42.9.2	Agricultural Department and Duties and Responsibilities
Sec. A-II 42.9.3	Agricultural Commissioner and Sealer of Weights and Measures
Sec. A-II 42.9.4	The Agricultural Advisory Commission
Sec. A-II 42.9.5	Ex Officio Members
Sec. A-II 42.9.6	Terms, Appointments, Vacancies
Sec. A-II 42.9.7	Regular Meetings
Sec. A-II 42.9.8	Members - Compensation

- Sec. A-II 42.9.9 Staff Functions**
- Sec. A-II 42.9.10 Purpose, Powers and Duties**
- Sec. A-II 42.9.11 Agricultural Commissioner Fees**
- Sec. A-II 42.10 Public Works Department Established**
- Sec. A-II 42.10.1 Public Works Department Duties and Responsibilities**
- Sec. A-II 42.10.2 Director of the Public Works Department**
- Sec. A-II 42.10.3 Road Commissioner**
- Sec. A-II 42.10.4 Repair of Damage Caused by County of Nevada to Private Property**
- Sec. A-II 42.10.5 Director of Public Works Authorized to Acquire Real Property for County; Value Not to Exceed \$50,000**
- Sec. A-II 42.10.6 County Surveyor**
- Sec. A-II 42.10.7 Record of Survey**

Sec. A-II 42.1 Agency Established

There is hereby created in the County of Nevada a Community Development Agency which is a comprehensive local agency for coordination of County policies and regulations concerning County land use, planning and regulation, building, environmental health, agriculture, public works and sanitation. The titles of departments within the Agency shall be known as Environmental Health, Building, Planning, Agriculture, Code and Cannabis Compliance and Public Works. (Ord. 2337. (05/24/2011))

Sec. A-II 42.1.1 Duties and Responsibilities

The Community Development Agency (CDA) shall act to provide administration and coordination with respect to the efforts, powers and duties of the Environmental Health Department, Building Department, Planning Department, Agricultural Department, Code and Cannabis Compliance Department and Public Works Department, with the exception of responsibilities of the Environmental Health Department functioning as the Local Enforcement Agency (LEA) for solid waste.

Employees who perform LEA functions will not be within the CDA but will instead be within the oversight and supervision of the Environmental Health Director and the County Executive Officer. The CDA Director shall not conduct a performance review, discipline or terminate any employees of the CDA who are assigned LEA functions and responsibilities. Should any LEA employee have job duties split between a position within CDA and LEA, they shall only discuss substantive LEA issues with the Environmental Health Director, LEA employees, or employees of the CEO's Office.

The Community Development Agency shall furnish engineering, surveying, and design services to all County agencies as ordered by the Board of Supervisors or County Executive Officer and shall perform any and all other services that may be ordered. (Ord. 2267. (06/10/2008); Ord. 2337. (05/24/2011))

Sec. A-II 42.1.2 Director of the Community Development Agency

The Community Development Agency shall be administered by a County officer to be known as the Community Development Agency Director. The Community Development Agency Director shall carry out general policies of the County Executive Office and the Board of Supervisors, and shall plan, organize, and direct all activities of the Agency in accordance with State and County laws and regulations, with the exception of Law Enforcement Agency (LEA) functions performed by Environmental Health Department employees pursuant to this Code. The CDA Director shall have no power to control or direct the activities of the Environmental Health Director or any employee of that office regarding LEA duties. The Community Development Agency Director shall serve at the will and pleasure of the County Executive Officer. (Ord. 2267. (06/10/2008))

Sec. A-II 42.2 Environmental Health Department Established

There is hereby created an Environmental Health Department within the Community Development Agency in and for the County of Nevada.

Sec. A-II 42.2.1 Environmental Health Department Transfer of Powers and Duties

The Environmental Health Department is created as a comprehensive environmental agency as defined in the California Code of Regulations, Title 17, section 1351, and shall be a component of the Community Development Agency. The Environmental Health Department has transferred to it, pursuant to this section, with the concurrence of and appropriate delegation of authority from the County Health Officer, and upon the concurrence of the Director of Health Services of the California State Department of Health Services, as authorized by Cal. Health & Safety § 101275, the function of providing environmental health and sanitation services.

Sec. A-II 42.2.2 Director of the Environmental Health Department

The Environmental Health Department shall be administered by a County officer to be known as the Director of Environmental Health. Under the general administrative direction of the Community Development Agency Director (CDA Director), the Environmental Health Director shall be the sole appointing authority and shall plan, direct, supervise and coordinate all programs of the Environmental Health Department including implementation of the LEA program for solid waste; however, general administrative direction shall be conducted by the County Executive Officer (CEO) rather than the CDA Director in the LEA program. Neither the CDA Director nor any department head within the CDA, other than the Environmental Health Director, may direct, control, hire or fire any employees of the LEA or those employees who are performing split duties between the LEA and the CDA. Nor shall the CDA Director evaluate or contribute to the evaluation of the Environmental Health Director insofar as that evaluation is based in whole or in part

on the performance of the functions of the LEA. The CDA Director is authorized to conduct a performance evaluation on all other aspects of the Environmental Health Department Director's duties that are not related to LEA functions. The Environmental Health Department Director shall serve at the will and pleasure of the Community Development Agency Director. (Ord. 2267. (06/10/2008))

Sec. A-II 42.2.3 Fees for Environmental Health Department Services

A. IN GENERAL

The Environmental Health Department is hereby authorized to charge and collect fees for services provided by the Environmental Health Department, including but not limited to fees for enforcement and emergency response. A schedule of fees shall be adopted by Resolution of the Board of Supervisors unless otherwise provided for under State or Federal law.

Sec. A-II 42.3 Building Department Established

There is hereby created a Building Department within the Community Development Agency in and for the County of Nevada.

Sec. A-II 42.3.1 Building Department Duties and Responsibilities

The Nevada County Building Department shall include, but not necessarily be limited to, those functions, powers, and duties designated by the Board of Supervisors by resolution or ordinance.

Sec. A-II 42.3.2 Director of the Building Department

The Building Department shall be administered by a County officer to be known as the Building Department Director. Under the general administrative direction of the Community Development Agency Director, the Building Department Director shall be the building official as defined in Cal. Health & Safety Code § 18949.27, vested with the responsibility for overseeing local building standards and housing enforcement activities, including administration of the Building Department, interpretation of code requirements, and direction of the code adoption process. The Building Department Director shall serve at the will and pleasure of the Community Development Agency Director.

Sec. A-II 42.4 Planning Agency Established

There is hereby created a Planning Agency in and for the County of Nevada, pursuant to Article 1, Chapter 3, Division 2 of Title 7 of the Government Code of the State of California, Cal. Gov't Code §§ 66451–66472.1. Pursuant to Cal. Gov't Code § 65100, the Planning Agency shall include, but not necessarily be limited to, a Nevada County Planning

Commission, Zoning Administrator, and Planning Department. The Planning Department is a component department within the Community Development Agency.

Sec. A-II 42.4.1 Planning Agency Powers and Duties

The Nevada County Planning Agency shall include, but not necessarily be limited to, those functions, powers and duties set forth in the Government Code of the State of California relating to planning as well as those functions, powers and duties designated by the Board of Supervisors by Resolution or Ordinance.

Sec. A-II 42.4.2 Reserved

Sec. A-II 42.5 Planning Commission Established, Composition and Member Appointment

Pursuant to the provisions of the Planning and Zoning Law of the Cal. Gov't Code, §§ 65000 – 66499.58, there is hereby established a Planning Commission in and for the County of Nevada. The Nevada County Planning Commission shall consist of five (5) members of the Nevada County Planning Agency; one (1) to be appointed by each Supervisor from their supervisorial district. Such appointee shall serve at the pleasure of the appointing Supervisor.

Sec. A-II 42.5.1 Planning Commission Jurisdiction, Powers and Duties

The Nevada County Planning Commission shall have jurisdiction over and shall review and consider and make recommendations to the Board of Supervisors to approve or disapprove all of the following:

1. All General Plan amendments;
2. All amendments to the Nevada County Zoning Ordinance;
3. All subdivisions requiring the approval and filing of a final map and parcel maps creating more than four lots and all major use permits and site plans as provided in the zoning ordinance. (Ord. 2484. (12/15/2020))

Sec. A-II 42.6 Planning Department Established

There is hereby created a Planning Department within the Community Development Agency in and for the County of Nevada.

Sec. A-II 42.6.1 Planning Department Duties and Responsibilities

The Planning Department shall serve as liaison between the Planning Agency and the Board of Supervisors. The Planning Department shall perform all duties as provided by law, and such other duties may be assigned to the department from time to time.

Sec. A-II 42.6.2 Director of the Planning Department

The Planning Department shall be administered by a County officer to be known as the Planning Department Director. Under the general administrative direction of the Community Development Agency Director, the Planning Department Director shall plan, organize, direct and coordinate the planning functions of the County. The Planning Department Director shall serve at the will and pleasure of the Community Development Agency Director.

Sec. A-II 42.6.3 Land Use Applications and Submittals

The Nevada County Department of Planning shall charge and collect a fee for the processing and review of those land use applications and submittals as are designated by Resolution of the Board of Supervisors. The amount of such fee shall be set by Resolution of the Board of Supervisors and shall be based upon the estimated staff time required to process such land use applications and submittals.

Whenever any land use application and/or submittal requires more than two reviews by Department of Planning personnel, the applicant shall be charged an additional hourly fee, at the rates as set by Resolution of the Board of Supervisors, for all of the additional time spent by the Department of Planning personnel in reviewing any such land use application and/or submittal.

Sec. A-II 42.7 Office of Zoning Administrator Established

There is hereby created the office of Zoning Administrator, pursuant to Cal. Gov't Code §§ 65900-65909.5. The Planning Department Director, or their designee, shall serve as the Zoning Administrator. Such designee shall be a senior planner or above.

Sec. A-II 42.7.1 Zoning Administrator Jurisdiction, Power and Duties

The Zoning Administrator shall have jurisdiction over and shall consider all site plan approvals, certain use permit applications, as designated by the zoning ordinance, area variance applications, certificates of compliance, and environmental review concerning all projects and permits within their jurisdiction.

Sec. A-II 42.8 Housing and Community Services Established

There is hereby created in the County a Department of Housing and Community Services.

Sec. A-II 42.8.1 Responsibilities and Duties

The duties and services to be furnished and performed by the Department of Housing and Community Services shall include the following:

- A. The administration and overview of a wide range of programs designed to assist low and moderate income families;
- B. The identification and acquisition of grant funding and community resources for the maintenance and expansion of services;
- C. The development and implementation of extensive housing support programs;
- D. The administration of contracts relating to community programs supported by grant funding; and
- E. The performance of any other related services as may be directed by the County Executive Officer or Board of Supervisors. (Ord. 1712. (05/28/1991))

Sec. A-II 42.9.1 Creation and Composition of Agricultural Department and County Sealer of Weights and Measures

There is hereby created the County of Nevada Agricultural Department. The Department shall be administered by a County officer to be known as the Agricultural Commissioner, under the general administrative direction of the Community Development Agency Director. The Office of the County Sealer of Weights and Measures shall be consolidated with the Department of Agriculture as per Cal. Gov't Code § 24300 (p).

Sec. A-II 42.9.2 Agricultural Department Duties and Responsibilities

To perform such duties as required as the County Sealer of Weights and Measures as provided for in Cal. Bus. & Prof. Code §§ 12001–13800.

The Agricultural Department shall perform all duties as provided for in Cal. Food & Agric. Code §§ 2001-2350. The Agricultural Department shall work with the Agricultural Advisory Commission, Fish and Wildlife Commission and the Farm Commission.

Sec. A-II 42.9.3 Agricultural Commissioner and Sealer of Weights and Measures

The Agricultural Commissioner shall act as the County Sealer of Weights and Measures. This position is appointed by the Board of supervisors and is under the general administrative direction of the Community Development Agency Director.

Sec. A-II 42.9.4 The Agricultural Advisory Commission

The Agricultural Advisory Commission shall consist of nine (9) members and shall be appointed by the Board of Supervisors.

Membership shall include a balanced representation of the industries within the County. Representatives from the following industries are preferred and include:

1. Forest and related industries,
2. The cattle industry,
3. The equine industry,
4. Livestock other than the cattle and equine industries,
5. The farming industry,
6. The viticulture industry, or
7. Other agricultural interests.

No more than two (2) members from any single industry listed above shall serve at the same time to maintain a balanced industry representation. (Ord. 2490. (04/27/2021); Ord. 2148. (05/25/2004); Ord. 2211. (07/11/2006); (Ord. 2417. (08/09/2016))

Sec. A-II 42.9. 5 Ex Officio Members

One (1) member of the Board of Supervisors appointed by the Chair of the Board of Supervisors, as well as the Nevada County Farm Advisor and the Nevada County Agricultural Commissioner shall serve as ex officio members of the Nevada County Agricultural Advisory Commission. (Ord. 2490. (04/27/2021))

Sec. A-II 42.9. 6 Terms, Appointments, Vacancies

The term of office of each member of the Agricultural Advisory Commission shall be four (4) years and until the appointment and qualification of their successor. The first members of the Advisory Commission shall classify themselves by lot so that the terms of office of one member is one year, of one member two years, of one member three years, and of two members four years. Any member may be removed by the Board of Supervisors at any time without cause. Any vacancy that is created during a term shall be filled by the Board of Supervisors for the remainder of the unexpired term. All vacancies on the Advisory Commission shall be immediately reported to the Board of Supervisors.

Sec. A-II 42.9.7 Regular Meetings

The Agricultural Advisory Commission shall hold regular monthly meetings, plus such additional meetings as may be called by the Chair of the Advisory Commission. (Ord. 2076. (02/12/2002))

Sec. A-II 42.9.8 Members - Compensation

All members of the Agricultural Advisory Commission shall serve without compensation.

Sec. A-II 42.9.9 Staff Functions

The County Agricultural Commissioner may provide staff service for the Agricultural Advisory Commission in the conduct of its business as hereinafter designated.

Sec. A-II 42.9.10 Purpose, Powers and Duties

The Agricultural Advisory Commission shall be an advisory body to and for the Board of Supervisors on all matters pertaining to agriculture. The Commission shall advise the Board of Supervisors of procedures and techniques requiring legislative and policy actions that will encourage, promote and protect agricultural activities that are conducive to the continued well-being of the County of Nevada. The Agricultural Advisory Commission shall formulate and recommend to the Board general policies related to the purposes for which this Commission is created. The Commission shall also recommend approval or disapproval of development and use permits and subdivision applications for projects on, or adjacent to, agricultural zoned lands pursuant to such policies as may be adopted by Resolution by the Board. (Ord. 2076(02/12/2002))

Sec. A-II 42.9.11 Agricultural Commissioner Fees

The Agricultural Commissioner is hereby authorized to charge and collect fees for services provided by the Agricultural Commissioner and Sealer of Weights and Measures' staff, including wildlife services. A schedule of fees shall be adopted by Resolution of the Board of Supervisors, unless otherwise provided for under State or Federal law.

Sec. A-II 42.10 Public Works Department Established

There is hereby created a Public Works Department within the Community Development Agency in and for the County of Nevada. The Public Works Department consists of a Road Maintenance Division, a Fleet Division, a Transit Division, a Sanitation Division, a Solid Waste Division, Surveyor, and a Road Engineering Division. (Ord. 2337. (05/24/2011))

Sec. A-II 42.10.1 Public Works Department Duties and Responsibilities

- A. The Department of Public Works shall provide all necessary services related to maintenance and construction of all County roads. The Department shall administer all County Service Area programs relating to the improvement and/or maintenance of public roads and shall administer all Permanent Road Divisions within the County.
- B. The Department shall be responsible for the administration and operation of all public fixed route and paratransit passenger transportation systems owned by the County and operated either directly by or contracted through the County.
- C. The Department shall be responsible for the administration and operation of the County vehicle program as provided for in all sections of this Code.

- D. The Department shall be responsible for the proper administration and operation of all County solid waste programs, including the operation of such County landfills, transfer station, or other facilities and programs that relate to the proper disposal of waste material including solids, recyclables, toxics, and any other wastes. The Department shall oversee any franchise agreements or other contracts let by the County in these areas.
- E. The Department shall also administer, manage and operate any sewer plants or other sanitation facilities which the Nevada County Sanitation District No. 1 or the County own or operate on behalf of any County Service Area, the Nevada County Sanitation District No. 1 or any other special district. (Ord. 2118. (05/13/2003); Ord. 2337. (05/24/2011))

Sec. A-II 42.10.2 Director of the Public Works Department

The Public Works Department shall be administered by a County officer to be known as the Public Works Department Director. Under the general administrative direction of the Community Development Agency Director, the Public Works Department Director shall plan, direct, supervise and coordinate the programs, operations and divisions of the Public Works Department within the Community Development Agency. The Public Works Department Director shall serve at the will and pleasure of the Community Development Agency Director.

The Director shall request the County Purchasing Agent to purchase, lease or hire such equipment as may be necessary to perform the functions of the Department in conformity with the budget and all applicable policies and procedures.

Sec. A-II 42.10.3 Road Commissioner

The Road Commissioner for the County of Nevada shall be the Public Works Department Director, or as appointed by the Board of Supervisors, and shall comply with all requirements set forth in §§ 2006 - 2010 of the California Streets and Highways Code.

Sec. A-II 42.10.4 Repair of Damage Caused by County of Nevada to Private Property

The Department of Public Works Director or, in their absence, the Director's designee, shall be authorized to use Department personnel, equipment and resources to repair any damage to privately-owned property caused by the Department's employees while working for the County. The Director, or the Director's designee, and the County Risk Manager shall authorize such repair only upon receipt of a completed Incident Report from the employee involved in the incident which resulted in such damage or where it is not readily ascertainable which of several employees may have been involved in the incident, from the road supervisor or road superintendent, stating the circumstances under which the property was damaged, the name of any other County employees involved in the incident, or any

other witness to the incident, the type of repair to be provided, and the estimated cost of repairing such damage. In no event shall the cost of such repair exceed \$1,000.

Before any such repair work is authorized, the injured party shall complete and file a claim with the Risk Manager on a form provided by Risk Management.

Whenever any such repair work has been authorized as provided for herein, the Risk Manager shall submit a copy of the claim and the supporting documentation to the Clerk of the Board of Supervisors.

Whenever the Director or their designee authorizes any such repair work, they shall promptly submit copies of the claim and the supporting documentation to the Clerk of the Board of Supervisors and the Risk Management Committee.

Sec. A-II 42.10.5 Director of Public Works Authorized to Acquire Real Property for County; Value Not to Exceed \$50,000

- A. Pursuant to the provisions of Cal. Gov't Code § 25350.60 and subject to the procedures specified in this section, the Public Works Department Director is hereby authorized to perform all acts necessary to approve and accept, for the County, the acquisition of any interest in real property for right-of-way, public utility, undergrounding or other public purposes related to the construction, maintenance and repair of County-maintained roads, where the purchase price for such interest does not exceed Fifty Thousand Dollars (\$50,000).
- B. The Public Works Department Director may approve and accept the acquisition of any interest in real property only if such acquisition (1) is in furtherance of a project which the Board of Supervisors has previously determined to undertake; and (2) the appropriate environmental review pursuant to CEQA has been completed; and (3) funds have been appropriated by the Board of Supervisors for the acquisition.
- C. The form of any deed or grant conveying any interest in real property shall be approved by County Counsel.
- D. Upon acceptance of any deed or grant the Public Works Department Director shall promptly execute a certificate of acceptance substantially in the form specified in Cal. Gov't Code § 27281 and shall transmit same to the County Recorder for recording.
- E. Notwithstanding the other provisions of this section, where the offers or deeds are tendered in compliance with conditions requested by the Department of Public Works in conjunction with approval of a land development project or to permit construction to proceed on projects approved in the most recent Nevada County Capital Improvement Plan, the Board of Supervisors may, by Resolution, authorize the Public Works Department Director or assignee(s), to accept, on behalf of the County of Nevada, offers of dedication made by a statement on a subdivision map and grant deeds or easement deeds for road right-of-way, public utility and/or drainage purposes and to execute and request recording of any necessary certificate

of such acceptance, reporting such action to the Board of Supervisors. The Board of Supervisors shall periodically review this delegation of authority.

- F. Pursuant to Cal. Gov't Code § 25350.60, the authority granted by this section shall automatically expire as of July 13, 2024, unless such authority is renewed or extended by a subsequent ordinance of the Board of Supervisors. (Ord. 2468. (06/11/2019))

Sec. A-II 42.10.6 County Surveyor

County land surveyor functions shall be performed within the Public Works Department by a County officer to be known as the County Surveyor. Under the general administrative direction of the Public Works Department Director, the County Surveyor shall plan, organize, direct and coordinate the land surveying functions of the County. The County Surveyor shall be appointed by the Board of Supervisors and shall serve at the will and pleasure of the Board of Supervisors.

Sec. A-II 42.10.7 Record of Survey

In accordance with Cal. Gov't Code §§ 27601-54985, the Nevada County Department of Planning, Public Works - County Surveyor may charge a reasonable fee for examining a record of survey. In addition, Cal. Bus. & Prof. Code § 8766.5 allows the fee to exceed one hundred dollars if it is adopted by ordinance pursuant to a staff report demonstrating that the cost of providing the examination service actually exceeds one hundred dollars (\$100.00) per record of survey.

A staff report has been prepared and filed in the office of the County Surveyor demonstrating that the cost of providing the examination service exceeds one hundred dollars (\$100.00) per record of survey. The amount to be determined by resolution of the Board of Supervisors. (Ord. 2437. (06/27/2017))

EXHIBIT B

ARTICLE 43

**PAYMENT OF SALARIES TO ELECTED OFFICIALS, OFFICERS AND
EMPLOYEES**

Section:

Sec. A-II 43.1 Payment of Salaries to Elected Officials, Officers and Employees

Sec. A-II 43.1 Payment of Salaries to Elected Officials, Officers and Employees

In accordance with Cal. Gov't Code §§ 28000-28004, the Nevada County Auditor-Controller is hereby authorized to issue paychecks to all elected and appointed officials, officers, and employees on a bi-weekly basis as set forth in the Nevada County Personnel Code.