

EXHIBIT B

GENERAL CODE

CHAPTER IV: GENERAL REGULATIONS

ARTICLE 2 TREES AND PLANTS

Sections:

Sec. G-IV 2.1 Definitions

Sec. G-IV 2.2 Certificates

Sec. G-IV 2.3 Detention and Inspection

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Sec. G-IV 2.1 Definitions

A. GRAPE PHYLLOXERA means the insect *Phylloxera Vitifoliae*.

B. INFESTED WITH GRAPE PHYLLOXERA means that Grape Phylloxera has been detected and not eradicated.

C. COMPETENT ANNUAL SURVEY means a survey conducted annually using known methods for the detection of Grape Phylloxera.

D. WESTERN GRAPELEAF SKELETONIZER or "GLS" shall mean the insect *Harrisina brillians*.

E. GLS INFESTED AREA shall mean an area in which GLS has been detected and not eradicated.

F. GREEN-GROWING GRAPEVINES shall mean grapevine plants with leaves which, unlike dormant grapevines without leaves, are at risk from GLS infestation.

G. GROWING OR HOLDING AREA shall mean a specific grapevine nursery stock growing ground or holding location plus all land within one mile of the exterior perimeter of such growing ground or holding location.

Sec. G-IV 2.2 Certificates

A. FORM OF CERTIFICATES. All certificates required by this section shall be on California Department of Food and Agriculture Form 66-079, "Certificate of Quarantine Compliance", as such may be amended from time to time.

B. GRAPE PHYLLOXERA

1. Certificate Required. All inter-county shipments of grapevines and cuttings, rooted or otherwise, must be certified by the Agricultural Commissioner at the point of origin as free of Grape Phylloxera or treated as stated in this subsection.

2. Origin Certificate. Certification may be granted if a Competent Annual Survey of the point of origin has been made by the County Agricultural Commissioner and a certificate has been issued stating that no Grape Phylloxera is known to exist in the area where the vines or cuttings were grown.

3. Treatment Certificates. If no Competent Annual Survey has been made, or if a survey has been made and the area is found to be infested with Grape Phylloxera, then all vines and cuttings originating from that area must be subjected to one of the following methods of treatment, and so certified:

a. Hot Water Treatment: Complete submergence in water at a temperature not less than 125 degrees for five minutes or 130 degrees for three minutes.

b. Methyl Bromide Fumigation: Atmospheric fumigation in an approved gas-tight fumigation chamber, equipped with a heating unit, fan for dispersal of gas and clearing chamber of gas after fumigation, and an interior thermometer (visible from the outside) with a dosage of not less than two pounds of Methyl Bromide per 1000 cubic feet for a period of at least three hours at a temperature of not less than 65 degrees Fahrenheit. The fan is to be operated during and for ten minutes after the injection of the gas.

C. WESTERN GRAPELEAF SKELETONIZER

1. Certificate Required. No green-growing grapevines originating outside the County of Nevada, but inside the State of California, shall be shipped to, off-loaded, distributed, stored or planted within the County of Nevada unless accompanied by an Origin Certificate or a Treatment Certificate.

2. Origin Certificate. Origin Certificates may be issued only when the Agricultural Commissioner or their duly authorized representatives in the shipping county has surveyed for GLS and has determined that GLS does not occur in the growing or holding area. Such determination shall be indicated on the Origin Certificate by a written statement that “no GLS is known to exist in the area where the vines were grown or held.”

3. Treatment Certificates. Green-growing grapevines originating from un-surveyed or GLS-infested areas shall be accompanied by a certificate affirming that the grapevines have been treated by at least one of the following methods:

- a. Treatment with 6 to 8 pounds of cryolite per acre, with thorough coverage.
- b. Other insecticidal treatment approved in writing by the Nevada County Agricultural Commissioner.

Sec. G-IV 2.3 Detention and Inspection

No intrastate shipment of grapevines, cuttings, or green-growing grapevines, rooted or otherwise, destined for the County of Nevada shall be off-loaded within the County of Nevada prior to reaching its destination. Upon arriving at such destination, each shipment shall be held until the certificates required by this Article have been reviewed and the shipment has been inspected by the Nevada County Agricultural Commissioner or their duly authorized representative.

Sec. G-IV 2.4 Equipment Controls

These rules govern the movement of any farming implements, machinery, and field equipment, tractors, grape picking boxes, used grape stakes, or other appliances which have been used or operated in culturing, harvesting, or transporting within the vineyard. Inspections will be required for any/all equipment transported over or working on vineyard properties.

All such equipment shall be held upon arrival in the County of Nevada until released by the County Agricultural Commissioner or their Inspector. All such equipment will be inspected and released if:

- A. Accompanied by a certificate signed by the Agricultural Commissioner or their inspector at origin stating that such equipment has not previously been used in an infested area; or

B. Certified by the Agricultural Commissioner or their inspector at origin as having been thoroughly cleaned and free of all soil and debris immediately prior to leaving that area of infestation.

C. All such equipment found contaminated with soil and debris and not certified as required in subparagraph A. above:

1. May be refused movement from that area; or
2. Shall be treated at the owner's expense in an area designated by and under the supervision of the Agricultural Commissioner or their inspector. The location of said cleaning operation shall be designated by the Agricultural Commissioner.

Sec. G-IV 2.5 Treatment within the County of Nevada

A. Following inspection in accordance with County requirements and prior to any further distribution, storage or use, the person receiving any intrastate shipment of plants which are infected as described herein shall, upon written request by the Nevada County Agricultural Commissioner or their duly authorized representatives, treat such plants in whatever manner is determined by the Commissioner or their representatives to be reasonably necessary to prevent the introduction or spread of the infestation.

B. If any infestation of any pest as described herein is located within Nevada County, any vines or cuttings from the infested property shall be treated in whatever manner is determined by the Commissioner or their representatives to be reasonably necessary to prevent the introduction or spread of the infestation.

C. Any equipment as described in this code may be refused movement from the infested area or be treated at the owner's expense under the direction of the Agricultural Commissioner.

Sec. G-IV 2.6 Enforcement

Any person, firm, partnership, association, or corporation who violates or causes the violation of any of the provisions of this Article shall be guilty of a misdemeanor.

EXHIBIT B

GENERAL CODE

CHAPTER IV GENERAL REGULATIONS

ARTICLE 3.A MOTOR VEHICLES AND TRAFFIC: SPEED LIMITS, PARKING AND CONTROL OF VEHICLES

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- Sec. G-IV 3.A.2 Twenty Miles Per Hour Prima Facie Speed Limit Established; Signs to be Posted
- Sec. G-IV 3.A.3 Twenty-five Miles Per Hour Prima Facie Speed Limit Established; Signs to be Posted
- Sec. G-IV 3.A.4 Thirty Miles Per Hour Prima Facie Speed Limit Established
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- Sec. G-IV 3.A.23 Speed Limits Where Persons at Work
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- Sec. G-IV 3.A.26 Golf Carts on County Roads
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- Sec. G-IV 3.A.29 Prohibition of Parking in No Parking Zones
- Sec. G-IV 3.A.30 Ten Miles Per Hour Speed Limit in County Parking Facilities
- Sec. G-IV 3.A.31 Enforcement of Parking Regulations
- Sec. G-IV 3.A.32 Tow Away Procedures for Parking Violations
- Sec. G-IV 3.A.33 Reserved

Sec. G-IV 3.A.1 Fifteen Miles Per Hour Prima Facie Speed Limit Established; Signs to be Posted

The prima facie speed limits on the following described portions of various County roads and highways, after an engineering and traffic survey, are hereby determined to be fifteen miles per hour; and such prima facie speed limit of 15 miles per hour on such County roads and highways is hereby established.

Furthermore, the Director of the Department of Public Works of the County of Nevada is hereby authorized and instructed to erect, or cause to be erected, appropriate signs on the County roads or highways specified in this section, giving notice of the prima facie speed limit as declared and established by this Section.

1. Washington Road, 1 mile segment at town.

Sec. G-IV 3.A.2 Twenty Miles Per Hour Prima Facie Speed Limit Established; Signs to be Posted

The prima facie speed limits on the following described portions of various County roads and highways, after an engineering and traffic survey, are hereby determined to be twenty miles per hour; and such prima facie speed limit of 20 miles per hour on such County roads and highways is hereby established.

Furthermore, the Director of the Department of Public Works of the County of Nevada is hereby authorized and instructed to erect, or cause to be erected, appropriate signs on the County roads or highways specified in this section, giving notice of the prima facie speed limit as declared and established by this section. (Ord. 2238. (05/29/2007))

Within the Grand View Terrace Subdivision as listed below:

Pleasant Valley Road from 2.41 miles north of Bitney Springs Road to 4.02 miles north of Bitney Springs Road (1.61 miles).

Sec. G-IV 3.A.3 Twenty-five Miles Per Hour Prima Facie Speed Limit Established; Signs to be Posted

The prima facie speed limits on certain portions of various County roads and highways, after an engineering and traffic survey, are hereby determined to be twenty-five miles per hour. Furthermore, the Director of Public Works of the County is hereby authorized and instructed to erect, or cause to be erected, appropriate signs on the County roads or highways specified in this Section, giving notice of the prima facie speed limit as declared and established by this Section. (Ord. 2238. (05/29/2007))

Roads and highways affected include:

1. Banner Lava Cap Road extending from 0.8 miles east to 1.3 miles east of Idaho-Maryland Road.
2. Banner Quaker Hill Road from 300 ft. westerly of Pasquale Rd. (West) to 200 feet easterly of Summit Ridge Drive (East).
3. Polaris Drive from 0.3 mile South of McCourtney Road to 1.45 miles South of McCourtney Road.

4. Cement Hill Road from 0.1 mile northwest of Highway 49 to 0.5 mile northwest of Highway 49. {not in Willaura Acres subdivision}
5. Alta Sierra Drive from Highway 49 to 500 east of Little Valley Road.
6. Walker Drive (including a portion of Alpine Lane) from Squirrel Creek Road to Butler Road.
7. Gold Hill Drive, entire length.
8. Footwall Drive, entire length.
9. Silver Way, entire length.
10. Copper Drive, entire length.
11. Hanging Wall Drive, entire length.
12. Mercury Drive, entire length.
13. Partridge Drive, entire length.
14. Terrace Pines, entire length.
15. Grass Valley Avenue, entire length.
16. Nevada City Avenue, entire length.
17. Charles Drive, entire length.
18. Gold Country Drive from Pleasant Valley Road to Lodestone Court (0.68 miles).
19. Alta Vista Avenue, entire length.
20. Adams Avenue from Squirrel Creek Road northerly to Rough and Ready Highway.
21. Bragg Avenue, entire length.
22. Wheeler Acres Road, entire length.
23. Mount Olive Road from Highway 174 to Miranda Drive.
24. Rough and Ready Highway and Adam Avenue along the frontage with 10085 Adam Avenue, a school zone when children are present. (Ord. 2469.(08/27/2019); Ord. 2443., (Adopt. 10/10/2017, Eff. 11/09/2017); Ord. 2440. (09/12/2017); Ord. 2400. (10/27/2015); Ord. 2387. (10/28/2014); Ord. 2378. (04/10/2014); Ord. 1680. (11/13/1990))
25. Pasquale Road from the intersection of Red Dog Road on the west to the first intersection with Banner Quaker Hill Road on the east.
26. Soda Springs Road from Donner Pass Road to the Placer County line between November 1 and April 1.
27. Squirrel Creek Road from Rough and Ready Highway to Shockley Road.
28. Pittsburg Road, entire segment. of Pittsburg Road.
29. Willow Valley Road, City limits to 0.85 miles east of the city limits.
30. Meadow Drive for its entire length south from Highway 174.
31. Entire length of Crystal Wells Road
32. Red Dog Road from Cedar Springs Road east 1.1 miles
33. Boulder Street from the easterly city limits of the City of Nevada City to its intersection with Red Dog Road.
34. Red Dog Road from its intersection with Boulder Street to the intersection of Park Avenue Extension (formerly known as Murchie Road).

35. East Empire Street from the Grass Valley City Limit to State Highway 174. (Length 0.82 mile).
36. Lake Vera-Purdon Road from North Bloomfield Road to Rock Creek Road (0.5 miles).

Within the Alta Sierra Subdivision as listed below:

37. Tammy Way
38. Gary Way
39. Agnes Way
40. Aileen Way
41. Alexandra Way
42. Anona Court
43. Alice Way
44. Alioto Drive
45. Angelina Way
46. Annie Drive
47. Avern Way
48. Lower Circle
49. Betty Way
50. Barde Court
51. Bernadine Court
52. Carrie Drive from Dog Bar to Gary Way.
53. Cathy Drive
54. Upper Circle
55. Crotty Court
56. Charles Way
57. Curtis Court
58. Connie Drive
59. Darlene Court
60. David Way
61. Dennis Way
62. Ernest Court
63. Elizabeth Way
64. Edward Drive
65. Francis Drive (from west intersection with Alta Sierra Drive to Ball Road)
66. Fay Road
67. Geneva Court
68. George Way
69. Grace Court
70. Hensen Way
71. Horace Drive
72. Hanley Drive
73. Hackett Court

74. Joann Way
75. Joey Court
76. Judith Court
77. Jamie Lee Court
78. Joseph Court
79. Juanita Court
80. Janet Way
81. Jody Court
82. Jon Eric Court
83. John Way
84. Lawrence Way
85. Low Court
86. Laurrine Way
87. Iola Way
88. Lorie Drive
89. Lena Court
90. Michael Way
91. Marion Way
92. Meyer Way
93. Marilyn Court
94. Nancy Way
95. Names Drive
96. Norager Way
97. Norvin Way
98. Oscar Drive
99. Pamela Drive
100. Pammy Way
101. Penny Court
102. Patricia Way
103. Ragan Way
104. Robert Court
105. Ricky Court
106. Ruth Court
107. Rainbow Road
108. Shana Way
109. Sharon Way
110. Sandra Court
111. Sunset Way
112. Sean Way
113. Sky Pines Way
114. Scott Way
115. Stinson Drive
116. Tony Court

117. Troy Court
118. Tina Court
119. Thiel Way
120. Tippy Way
121. Terren Court
122. Thorncroft Way
123. Timothy Way
124. Virginia Way
125. Wallis Drive
126. West View Way
127. Alta Sierra Drive between a point 500 feet east of Little Valley Road to Ball Road.

Within the Cascade Shores Subdivision as listed below:

128. Aurora Close
129. Gaston Drive
130. Spanish Lane
131. Cascade Drive
132. Summit Ridge Drive
133. Sargent and Jacobs Dr.
134. Mountain View Drive
135. China Close
136. Baltic Close Drive
137. Lake Lane
138. Sadie D. Drive
139. Arctic Close
140. Little York Close
141. Nugget Street
142. Gas Canyon Road
143. Cascade Loop
144. Banner Quaker Hill Road from 300 ft. westerly of Pasquale Rd. (West) to 200 feet easterly of Summit Ridge Drive (East).

Within the Willaura Acres Subdivision as listed below:

145. Vintage Drive, the County maintained portion which extends from the intersection with Lime Kiln Road West to Harvest Way and North to Autumn Way.
146. Autumn Way, entire length.
147. Harvest Way, entire length.
148. Repealed
149. Brewer Road from Gary Way to Sandra Court (length of 3,000 feet).
150. Burma Road, entire length (0.93).

Sec. G-IV 3.A.4 Thirty Miles Per Hour Prima Facie Speed Limit Established

The prima facie speed limits on the following described portions of various County roads and highways, after an engineering and traffic survey, are hereby determined to be thirty miles per hour; and such prima facie speed limit of 30 miles per hour on such County roads and highways is hereby established.

Furthermore, the Director of the Department of Public Works of the County of Nevada is hereby authorized and instructed to erect, or cause to be erected, appropriate signs on the County roads or highways specified in this section, giving notice of the prima facie speed limit as declared and established by this Section.

1. Alta Sierra Drive from Ball Road to the East Intersection of Francis Drive. (Length 1.9 miles)
2. You Bet Road from State Highway 174 to the Greenhorn Bridge.
3. Norlene Way from Alta Sierra Drive to Tammy Way and from 800 feet south of Lawrence Way to 6,950 feet south of Lawrence Way.
4. Cement Hill Road from 2.1 miles northwest of Highway 49 at Gochine Drive 0.5 miles northwest to 2.6 miles northwest of Highway 49 at Applewood Lane.
5. Little Valley Road (north) from Alta Sierra Drive to Highway 49.
6. Scotts Flat Road from Highway 20 to 1.82 miles southwest to the end of pavement just east of Scotts Valley Road.
7. Banner Ridge Lava Cap Road from Nevada City Highway to 1 mile southeast.
8. Rattlesnake Road from 1.8 miles south of Highway 174 to Wheeler Cross Road (1.2 miles).
9. North Bloomfield Road from Lake Vera-Purdon Road to 0.8 miles north of Cooper Road (3.5 miles).
10. Allison Ranch Road from the Grass Valley City limits to Highway 49.
11. Cement Hill Road from Applewood Lane to end of the road.
12. Rattlesnake Road extending from Dog Bar Road to Wheeler Cross Road.
13. Donner Pass Road between November 1 and April 1 from Placer/Nevada County Line to Brennan Avenue (0.9 miles).
14. Mount Olive Road from Miranda Drive to Rolphholm Road. (Ord. 2443. (Adopt. 10/10/2017, Eff. 11/09/2017); Ord. 1721. (06/25/1991))

Sec. G-IV 3.A.5 Thirty-Five Miles Per Hour Prima Facie Speed Limit Established; Signs to be Posted

The prima facie speed limits on the following described portions of various County roads and highways, after an engineering and traffic survey, are hereby determined to be thirty-five miles per hour; and such prima facie speed limit of 35 miles per hour on such County roads and highways is hereby established.

Furthermore, the Director of the Department of Public Works of the County of Nevada is hereby authorized and instructed to erect, or cause to be erected, appropriate signs on the County roads or highways specified in this section, giving notice of the prima facie speed limit as declared and established by this Section.

County roads and highways which are affected by this Section include the following:

1. Ridge Road from 0.34 mile east of Rough & Ready Hwy to Hughes Rd. (1.11 miles) and from Grass Valley City Limits (0.52 mile east of Hughes Rd.) to Nevada City Hwy (1.62 miles).
2. Alta Street from the city limits of the City of Grass Valley, northwesterly to the intersection of Alta Street with Ridge Road.
3. Donner Pass Road from the easterly end of the Soda Springs Interchange at Interstate 80 to a point 2.9 miles easterly.
4. Rough and Ready Rd. from Rough and Ready Highway to 1.4 miles northwesterly.
5. Penn Valley Drive from a point approximately 800 feet easterly of the Spenceville Rd. intersection with Penn Valley Drive to a point approximately 10 feet west of the eastern intersection of Easy St. and Penn Valley Drive.
6. Greenhorn Rd. from Brunswick Rd. to a point four miles east of Brunswick Rd.
7. Alta Sierra Drive from the east intersection of Francis Drive to Dog Bar Road.
8. Norlene Way from Tammy Way to 800 feet south of Lawrence Way and from 6,950 feet south of Lawrence Way to Patricia Way.
9. Banner Ridge Lava Cap Road from 1 mile southeast of Nevada City Highway to 0.8 miles east of Idaho-Maryland Road.
10. Entire segment of Ball Road.
11. McCourtney Road, city limits to Auburn Rd. (.35 mile).
12. East Bennett Street, city limits to 0.4 miles east.
13. Willow Valley Rd., 0.85 miles east of city limits to 1.85 miles east of city limits.
14. Nevada City Highway from the city limits of Grass Valley to the city limits of Nevada City.
15. Repealed.
16. Magnolia Rd. from intersection with Combie Rd. to 0.1 miles east.
17. Francis Drive from Ball Road to Alta Sierra Drive at its easterly intersection.
18. Red Dog Road from Park Avenue Extension to Cedar Springs Road.
19. Repealed.
20. Prosser Dam Road from 1.3 miles east of Highway 89 to 2.0 miles east of Highway 89.
21. Loma Rica Drive from Brunswick Road to the end of the County maintained portion of the road (length 1.4 miles).
22. LaBarr Meadows Road from State Highway 49 to Dog Bar Road. (Length 1.25 miles).
23. Idaho-Maryland Road from 1.0 miles east of Brunswick Road to Banner Lava Cap Road.
24. Quaker Hill Cross Road from Red Dog Road to Banner Quaker Hill Road.

25. Polaris Drive from McCourtney Road to 0.3 mile south of McCourtney Road.
26. Gracie Road from Banner Mountain Trail 0.4 mile to the Nevada City Limit (450 feet south of Gold Flat Road).
27. Cement Hill Road from the NID Ditch at West Piper Lane 0.5 miles northwest of Highway 49 1.6 miles northwest to 2.1 miles northwest of Highway 49 at Gochine Drive.
28. North Bloomfield Road from 0.8 miles north of Cooper Road to 0.2 miles south of Rock Creek Road (1.8 miles).
29. North Meadow View Drive, entire length (0.57).
30. Lake Vera-Purdon Road from Rock Creek Road to New Rome Road (1.0 miles).
31. Banner Quaker Hill Road from Quaker Hill Cross Road to 0.3 miles east of Quaker Hill Cross Road.
32. Rough and Ready Highway from Grass Valley City Limits to 225 feet west of Squirrel Creek Road; from 650 feet east of Mills Road to 600 feet west of West Drive; and from 900 feet west of Ponderosa Way to Rex Reservoir Road.
33. East Bennett Road from Brunswick Road to 0.4 miles east of Grass Valley city limits.
34. Lime Kiln Road from Highway 49 to 2.1 miles west; curve warning signs to be installed.
35. Pleasant Valley Road from 1.85 miles north of Bitney Springs Road to 2.41 miles north of Bitney Springs Road (0.56 mile).
36. Dog Bar Road from Carrie Drive to Taylor Crossing Road (3.46 miles).
37. Red Dog Road from Hornbrook Road to Banner Quaker Hill Road.
38. Jones Bar Road from Newtown Road to Yuba Crest Drive.
39. Lower Colfax Road extending from Powerline Road to Laws Ranch Road.
40. East Lime Kiln Road from Highway 49 to Karen Drive (0.28 mile).
41. Lake Vera Purdon Road from New Rome Road to Round Mountain Ranch Road (1.44 miles).
42. Dalewood Way from Braemer Way to 0.14 miles south.
43. Golden Star Road from Alison Ranch Road to Norambagua Lane
44. Squirrel Creek Road from Shockley Road to Toad Lane.
45. Rough and Ready Highway from Rex Reservoir Road to Valley Drive.
46. Oak Tree Road from Tyler Foote Crossing Road to Wampum Way (1.2 miles).

(Ord. 2493, 6/22/21; Ord. 2457, 12/11/18; Ord. 2449, 5/22/18; Ord. 2440, Adopt. 9/12/17, Eff. 10/12/17; Ord. 2372, 12/10/13; Ord. 2369 § 1, 2013; Ord. 2342; Ord. 1811; Ord. 1780, 5/26/92; Ord. 1729)

Sec. G-IV 3.A.6 Forty Miles Per Hour Prima Facie Speed Limit Established

The prima facie speed limits on the following described portions of various County roads and highways, after an engineering and traffic survey, are hereby determined to be forty (40) miles per hour.

Furthermore, the Director of the Department of Public Works of the County of Nevada is hereby authorized and instructed to erect, or cause to be erected, appropriate signs on portions of the various County roads and highways described in this section, giving notice of the prima facie speed limit as declared and established by this Section.

1. Duggans Road, entire length (Lime Kiln Road to Wolf Road 1.89 miles).
2. Bitney Springs Road from Rough and Ready Highway to 3.0 miles north.
3. Lime Kiln Road from 2.1 miles west of Highway 49 to McCourtney Road; curve warning signs to be installed.
4. Brewer Road from Sandra Court to the end of the County maintained portion.
5. Rattlesnake Road from Highway 174 to 1.8 miles south.
6. Indian Springs Road from Penn Valley Drive to Spenceville Road (1.95 miles).
7. Pleasant Valley Road from 7.12 miles north of Bitney Springs Road to Highway 49 (1.8 miles).
8. Auburn Road from McCourtney Road 2.05 miles south.
9. Spenceville Road from Penn Valley Drive to Indian Springs Road (1.6 miles).
10. Tyler Foote Crossing Road from Old Mill Road to Lake City Road.
11. Dog Bar Road extending from Lodestar Drive to Magnolia Road.
12. Wolf Road extending from Highway 49 to Duggans Road.
13. Lower Colfax Road extending from Laws Ranch Road to Rattlesnake Road.
14. Newtown Road extending from Highway 49 to Bitney Springs Road.
15. McCourtney Road from Banner Grange Hall (1.25 miles) to South Ponderosa Way.
16. McCourtney Road Wolf Mountain Road to Indian Springs Road.
17. McCourtney Road 1.3 miles south of Indian Springs Road to 2.2 miles south of Indian Springs Road.
18. Magnolia Road from 0.10 miles east of Combie Road to 1.78 miles east of Combie Road.
19. Combie Road from Magnolia Road to Robles Road (2.8 miles).
20. Combie Road from State Highway 49 to Magnolia Road (0.82 miles).
21. Spenceville Road from Indian Springs to the end of the County maintained portion (1.74 miles). (Ord. 2493. (06/22/2021); Ord. 2375. (01/14/2014))

Sec. G-IV 3.A.7 Forty-Five Miles Per Hour Prima Facie Speed Limit Established

The prima facie speed limits on the following described portions of various County roads and highways, after an engineering and traffic survey, are hereby determined to be forty-five (45) miles per hour.

Furthermore, the Director of the Department of Public Works of the County of Nevada is hereby authorized and instructed to erect, or cause to be erected, appropriate signs on portions of the various County roads and highways described in this Section, giving notice of the prima facie speed limit as declared and established by this Section.

1. Mooney Flat Road, from the intersection of State Highway 20 to Northerly U.S. Army Corps of Engineers, Englebright Marina Entrance.
2. LaBarr Meadows Road from Grass Valley city limits to the intersection with Dog Bar Road.
3. Dog Bar Road from LaBarr Meadows to Alta Sierra Drive. (Ord. 1874. (09/27/1994))
4. Pleasant Valley Road from State Highway 20 to 5.1 miles north.
5. Repealed.
6. Prosser Dam Road from Highway 89 to 1.3 miles east of Highway 89.
7. Ridge Road from Rough and Ready Highway to 0.34 mile East (0.34 mile).
8. Penn Valley Drive from the eastern intersection with Highway 20 to 800 feet east of Spenceville Rd.
9. Penn Valley Drive from the intersection with Pleasant Valley Road to the west side of the eastern intersection of Easy Street.
10. McCourtney Road starting at 2.2 miles south of Indian Springs Road and extending to Lime Kiln Road (a length of 2.9 miles).
11. Gracie Road from Banner Lava Cap Road 1.06 mile to Banner Mountain Trail.
12. Repealed.
13. Repealed.
14. Rough and Ready Highway from 225 feet west of Squirrel Creek Road to 650 feet east of Mills Road; and from 600 feet west of West Drive to 900 feet west of Ponderosa Way.
15. Karen Drive from East Lime Kiln Road to Alexandra Way (0.73 miles).
16. Oak Tree Road from Wampum Way to State Route 49 (1.6 miles).
17. Washington Road extending from Highway 20 to 1.4 miles north.
18. Donner Pass Road between April 2 and October 31 from Placer/Nevada County Line to Brennan Avenue (0.9 miles).
19. Brunswick Road from Towntalk Road to 0.28 miles to the south.
20. Rough and Ready Highway from Valley Drive to State Route 20.
21. McCourtney Road from South Ponderosa Way to Wolf Mountain Road.
22. McCourtney Road from its intersection with Indian Springs Road to 1.3 miles south of Indian Springs Road.
23. McCourtney Road from Auburn Road to Banner Grange Hall.

(Ord. 2493. (06/22/2021); Ord. 2457. (12/11/2018); Ord. 2449. (05/22/2018))

Sec. G-IV 3.A.7.1 Fifty Miles Per Hour Prima Facie Speed Limit Established

The prima facie speed limits on the following described portions of various County roads and highways, after an engineering and traffic survey, are hereby determined to be 50 miles per hour, and such prima facie speed limit of 50 miles per hour on such County roads and highways is hereby established.

Furthermore, the Director of Public Works of the County of Nevada is hereby authorized and instructed to erect, or cause to be erected, appropriate signs on the County roads or highways specified in this Section, giving notice of the prima facie speed limit as declared and established by this Section.

1. Brunswick Road from 0.1 miles northwest of Loma Rica Road to State Route 174.
2. Tyler Foote Road from Highway 49 to Oak Tree Road.

Sec. G-IV 3.A.8 Parking Prohibitions

A. No vehicle shall be parked at any time upon the traveled portion being approximately twenty-four feet wide, of the Soda Springs Road from the southerly end of the bridge crossing the spillway from Van Norden Lake thence southerly to the Nevada-Placer County boundary.

B. No vehicle shall be parked at any time upon the County right-of-way used for Dog Bar Road for a distance of one thousand five hundred feet from the bridge crossing Bear River.

C. No vehicle shall be parked at any time upon the traversed portion of Newtown Road from State Highway 49 to 500 feet southwest on Newtown Road.

D. Repealed.

E. The Director of the Department of Public Works of the County of Nevada is hereby authorized and instructed to erect or cause to be erected, appropriate signs on various County roads and highways described in this Code, giving notice of the prohibition of parking as declared and established by this Section.

F. No vehicle shall be parked at any time upon the County right-of-way from 1,200 feet south of the Yuba River Bridge on Pleasant Valley Road at the South Yuba State Park to 500 feet north of the Yuba River Bridge on Pleasant Valley Road at the South Yuba State Park. No vehicle shall be parked at any time upon County right-of-way in designated no parking zones on Purdon Road, both sides of Purdon Bridge, nor on North Bloomfield-Graniteville Road, both sides of the Edwards Crossing Bridge.

G. No vehicle shall be parked between the hours of 8 a.m. and 4 p.m. on school days upon the County right-of-way on Via Vista between Ridge Road and 200 feet east of its intersection with Echo Ridge Drive.

H. No vehicle shall be parked at any time upon the County right-of-way in designated no parking zones, and between 10p.m.-5a.m. where indicated by “NO PARKING 10p.m.-5a.m.” signs, on Old Downieville Highway from Cedro Road to the Nevada City limit and Champion Road from Newtown Road to Old Downieville Highway. (Ord. 2451. (06/26/2018); Ord. 2446. (01/23/2018); Ord. 2497. (10/12/2021))

Sec. G-IV 3.A.9 Erection of Signs Prohibiting Parking

The provisions of the preceding section shall be effective when appropriate signs giving notice thereof are erected upon such street.

The Road Commissioner of the County is hereby authorized and directed to erect and maintain or cause to be erected and maintained appropriate signs on such street giving notice of the provisions of this and the preceding section and in accordance with the requirements of the California Vehicle Code.

Sec. G-IV 3.A.10 Bus Zones - “Bus” Defined

The word “bus” as used in this Code, shall mean any motorbus, motor coach or passenger stage used as a common carrier of passengers.

Sec. G-IV 3.A.11 Bus Zones - Established

A bus zone for the purpose of loading or unloading buses or common carriers of passengers is hereby established and described as follows:

A. Beginning at the intersection of the northerly line of Commercial Row (State Highway Road III-Nev-38-A) with the easterly property line of Bridge Street (State Highway Road III-Nev-83-A); thence easterly along said northerly line of Commercial Row 180 feet to a point Town of Truckee.

B. No person shall stop, stand by or park any vehicle except a bus in a bus zone.

C. Unless the locality described herein is either signposted or appropriately marked in the manner provided in Cal. Veh. Code § 21458 to give warning of the prohibition against such stopping, standing or parking, there is not a violation of this Code.

Sec. G-IV 3.A.12 Parking Prohibitions - Erection of Signs Giving Notice Thereof

The Road Commissioner of the County is hereby authorized and directed to erect and maintain, or cause to be erected and maintained, appropriate signs on the street referred to

in the preceding section, giving notice of the provisions of such section and in accordance with the requirements of the California Vehicle Code.

Sec. G-IV 3.A.13 Snow Emergency Routes - Generally

It is necessary and for the health, safety and welfare of the people of the County that the County roads as defined in s Cal. Sts. & High. Code § 25 within the County be kept clear of snow and other obstructions.

Vehicles parked on the rights-of-way of said highways during the process of snow removal by the County cause an obstruction and an impediment to such operations of snow removal resulting in delays, expenses and inconvenience to the County.

Sec. G-IV 3.A.14 Parking During Snow Removal Operations Prohibited

It shall be unlawful for any person to park or leave unattended any vehicle as defined in Section 670 of the California Vehicle Code upon the right-of-way of any County road in the County of Nevada, outside of an incorporated city, at any time or in any manner which will obstruct, hinder, delay or otherwise inconvenience any County officer, employee, or County contractor during snow removal operations, or which will leave the vehicle in such a position that it is subject to damage by County officers, employees, or County contractors engaged in snow removal operations.

Sec. G-IV 3.A.15 Authority for the Removal of Parked Vehicles

Any public officer of the County of Nevada and any member of the Department of Public Works of the County of Nevada, or any agency under contract with the County of Nevada which is actively involved in providing snow removal upon County roads and highways within the unincorporated territory within the County of Nevada shall have the right and responsibility during snow removal operations, or in preparing for snow removal, to remove or to cause to be removed, any vehicle which is disabled or abandoned or unattended or which obstructs or interferes with traffic or with the snow removal operations on any such County road or highway in accordance with the provisions of the Cal. Veh. Code § 22654 as it presently exists or may from time to time hereinafter be amended. All costs and expenses incurred in the removal and/or storage of any such vehicles shall be the responsibility of the registered owner of the vehicle.

Sec. G-IV 3.A.16 Parking During Snow Removal Prohibited - Penalty

Any violation of Section G-IV 3.A.14 shall be punishable by a fine of not less than ten dollars (\$10.00) and not more than two hundred fifty dollars (\$250.00) or by imprisonment in the County jail for not less than five (5) days nor more than thirty (30) days or both.

Sec. G-IV 3.A.17 Parking at the Grass Valley and Nevada City Veterans' Buildings

A. No vehicle shall be parked in the parking areas located adjacent to the Grass Valley or Nevada City Veterans Building between the hours of 7:00 a.m. and 5:30 p.m., Monday through Friday, for more than one (1) hour for any purpose unrelated to County business unless the vehicle displays a County parking permit.

B. Parking permits shall be issued by the Department of General Services on a first come, first served basis. Permits shall be issued for a specific parking space. Permits shall be valid solely for the vehicle displaying the permit and for the parking space assigned.

C. Parking permits shall be issued on a calendar quarterly basis. The fee for any permit issued after the beginning of a calendar quarter shall be prorated from the date of issuance to the end of the quarter. The fee for the parking permit shall be established by resolution of the Board of Supervisors. There shall be no refund of any portion of a permit fee for any time during which the permit is not required by the permittee.

D. County employees whose assigned duty location is the Grass Valley Veterans Building, the Nevada City Veterans Building, or the Nevada County Courthouse and Annex shall be issued a permit without cost, except as may be modified by a subsequent labor agreement. Jury members and persons attending events or having business in the Grass Valley Veterans' Building or Nevada City Veterans' Building are exempt from these permit requirements.

E. Notwithstanding any other provisions contained in the County of Nevada Code, the [Director of General Services](#), the Nevada County Sheriff, the Grass Valley Police Department and the Nevada City Police Department are authorized to issue parking violation citations as prescribed by Cal. Veh. Code §§ 40202, 4020. The Sheriff of Nevada County shall be authorized to order the removal of vehicles in violation of this section pursuant to Cal. Veh. Code §§ 22850 - 22856

F. The fine for parking in violation of this Section shall be that amount adopted by resolution of the Board of Supervisors.

G. A permittee shall save and hold harmless the County of Nevada, its officers, employees, contractors and consultants for liability or damages sustained while parked on County property and shall provide evidence of automobile insurance coverage in the amount required by law.

Sec. G-IV 3.A.18 Skateboard Prohibitions

A. Persons are prohibited from riding or propelling skateboards on the roadways of all County maintained roads and highways. As used in this section, roadways shall mean that portion of the road or highway improved, designed or ordinarily used for vehicular traffic.

B. Persons are prohibited from riding or propelling skateboards on any public parking facility or private parking facility open to the public if the facility is posted with a sign stating that skateboarding is prohibited. For the purpose of this section, public parking facility or private parking facility open to the public include sidewalks adjacent to or within such parking facilities.

C. Persons are prohibited from willfully riding, propelling or operating a skateboard on any sidewalk, road not regulated by the Vehicle Code, or private property open to public access in such a manner as to endanger the property, safety or well-being of any person. (Ord. 1694. (02/26/1991))

Sec. G-IV 3.A.19 Skateboard Prohibitions - Erection of Signs

A. The Director of Public Works of the County of Nevada is hereby authorized and instructed to erect and maintain, or cause to be erected and maintained, appropriate signs on County roads or highways giving notice of provisions where deemed necessary.

B. Notwithstanding any other County ordinance to the contrary, the provisions of this Ordinance shall only apply to public parking facilities, private property generally open to the public or to business premises if said property or premises is posted with signs expressly forbidding skateboarding. Such posting shall be located at all clearly defined entry ways and shall not be required on any property not generally open to the public. Appropriate wording on such signs would be "No Skateboarding. Violators may be cited. Nevada County Ord. 1694".

Sec. G-IV 3.A.20 Skateboard Prohibition Penalty

A. Every person convicted of a violation of Section IV 3.A. 18 subsection A shall be punished by a fine not exceeding fifty dollars (\$50.00).

B. Every person convicted of a violation of Section G-IV 3.A.18 subsection B is guilty of an infraction.

C. Every person convicted of a violation of Section G-IV 3.A. 18 subsection C is guilty of a misdemeanor.

Sec. G-IV 3.A.21 Prohibiting the Parking or Storing of Vehicles in Excess of Seventy-Two (72) Consecutive Hours on County Roads

A. No person who owns or has custody or control of any vehicle, as the term is defined in the California Vehicle Code, shall park, store, or otherwise leave standing any such vehicle upon any highway, street or county road which is publicly maintained and open to the use of the public, for more than seventy-two (72) consecutive hours. Any peace officer, as defined in Chapter 4.5 of said Code (commencing with section 830) or any regularly employed County employee who enforces parking laws and regulations may remove any vehicle that is parked in violation of this Section.

B. Any person convicted of violation of this Section shall be punished by a fine of not less than \$100 and shall provide proof to the Court that the cost of removal and disposition of the vehicle have been paid.

C. Any person who violates any provision of this Chapter shall be guilty of an infraction and, upon conviction thereof, shall be subject to a mandatory fine of \$100 for a first violation; \$200 for a second violation of the same ordinance (section) within a 12-month period and \$500 for a third or subsequent violation of the same ordinance (section) within a 12-month period. Every day any violation continues shall constitute a separate offense punishable by a separate fine.

Sec. G-IV 3.A.22 Traffic Control Regulations and Devices on County Roads

The Director of the Department of Public Works of the County of Nevada is hereby authorized and instructed to adopt traffic regulations and to place and maintain, or cause to be placed and maintained, official traffic control devices, when they are required or authorized by State law and when it is determined, on the basis of a traffic and engineering survey, that such regulations and/or devices are necessary in order to provide for the safe and efficient movement of vehicles on County roads or highways. Such regulations and devices may pertain to:

1. Parking
2. Delineation, and
3. Such other traffic signs, signals and traffic control devices as outlined in Division 11 of the California Vehicle Code; except that the Director shall not control or regulate with regard to speed limits, weight limits, multi-ways stop signs and traffic signals.

Sec. G-IV 3.A.23 Speed Limits Where Persons at Work

The Director of the Department of Public Works of the County of Nevada is hereby authorized and instructed to cause the designation of restricted speed zones on any portion of any road or highway maintained by the County where officers or employees of the County, or any contractor of the County or their employees, are at work on the roadway or within the right-of-way so close thereto, in the opinion of the Director as to be endangered by passing traffic. The Director shall cause the erection and maintenance of appropriate signs within 400 feet of each end of each restricted zone, indicating the boundaries of the zone and the speed limit applicable thereto. The signs shall display figures indicating the applicable speed limit, which shall not be less than 25 miles per hour and shall indicate the purpose of the restriction.

Nothing in this Section shall relieve any operator of a vehicle from complying with the basic speed law.

Sec. G-IV 3.A.24 Reserved Parking - Jurors

The parking area located on the northeast corner of the intersection of Main Street and Washington Street in Nevada City shall contain parking spaces designated as reserved, Tuesday through Friday, between the hours of 8:00 a.m. and 5:00 p.m. for the vehicles of persons serving during that time as jurors in the Nevada County Courthouse. The twelve (12) parking spaces adjacent to Washington Street and nearest the intersection of Main Street and Washington Street shall be so reserved. It shall be unlawful for any person not actively answering a summons to serve as a juror to park or leave unattended any vehicle as defined by Cal. Veh. Code § 670 in said parking spaces during the periods when this restriction applies and when posted as provided herein.

Any vehicle found parked during the restricted hours in the reserved parking spaces by anyone not actively answering a summons to serve as a juror may be removed and stored at the expense of the owner or person in charge thereof. Towed vehicles may be stored at the nearest garage designated by the County for this purpose and may be reclaimed by paying the bill for towing and storage. The restricted parking spaces shall be posted with a sign immediately adjacent thereto and visible from each restricted parking space. The sign shall be not less than 17 by 22 inches in size with lettering not less than one inch in height providing notice of the parking restriction, vehicle removal, and information as to how and where towed vehicles may be reclaimed.

Sec. G-IV 3.A.25 Repealed

Sec. G-IV 3.A.26 Golf Carts on County Roads

Golf carts may be driven on the following specified County roads, or parts thereof, between the hours of sunrise and sunset, daily:

1. Agnes Way
2. Alioto Drive
3. Angelina Way
4. Avern Way
5. Barde Court
6. Bernadine Court
7. Betty Way
8. Brewer Road from Gary Way to Nancy Way (South)
9. Repealed.
10. Cathy Way
11. Charles Way
12. Dennis Way
13. Edward Way
14. Elizabeth Way
15. Fay Road from Rainbow Road to Janet Way
16. Francis Drive from its westerly intersection with Alta Sierra to its intersection with Ball Road
17. Gary Way
18. Hanley Drive
19. Hansen Way
20. Horace Drive
21. Iola Way
22. Janet Way
23. Joey Court
24. John Way
25. Juanita Court
26. Lawrence Way from Brewer Road to David Way
27. Lorrie Way
28. Lower Circle
29. Marilyn Court
30. Marion Way
31. Michael Way
32. Names Drive
33. Nancy Way
34. Pamela Way
35. Pammy Drive
36. Ragan Way
37. Rainbow Road from Carrie Drive to Pamela Way
38. Ricky Court

39. Robert Court
40. Scott Way
41. Sean Way
42. Sharon Way
43. Tammy Way
44. Terren Court
45. Thiel Way
46. Timothy Way
47. Upper Circle
48. Carrie Drive
49. Pleasant Valley Road, just for crossing from the Lake Wildwood subdivision to the shopping center to the west.

Sec. G-IV 3.A.27 Traffic Signs in Lake of the Pines and Lake Wildwood Subdivisions

A. The Board of Directors of the Lake of the Pines Association, as the entity owning and maintaining the private roads located within the Lake of the Pines Subdivision, is hereby authorized, pursuant to the provisions of Cal. Veh. Code § 21107.7, to erect such traffic signs, signals, markings, and devices which conform to the uniform standards and specifications adopted by the California Department of Transportation for the roads owned and maintained by the Association located within the Lake of the Pines Subdivision. As a condition of the exercise of the authority granted by this Ordinance, the Association shall maintain a comprehensive policy of public liability and property damage insurance for the subject roads in an amount not less than \$2 million.

B. The Board of Directors of the Lake Wildwood Association, as the entity owning and maintaining the private roads located within the Lake Wildwood Subdivision, is hereby authorized, pursuant to the provisions of Cal. Veh. Code § 21107.7, to erect such traffic signs, signals, markings, and devices which conform to the uniform standards and specifications adopted by the California Department of Transportation for the roads owned and maintained by the Association located within the Lake Wildwood Subdivision. As a condition of the exercise of the authority granted by this Ordinance, the Association shall maintain a comprehensive policy of public liability and property damage insurance for the subject roads in an amount not less than \$2 million.

Sec. G-IV 3.A.28 Reserved

Sec. G-IV 3.A.29 Prohibition of Parking in No Parking Zones

A. No vehicle shall be parked for any purpose on County roads which are designated as no parking zones and/or with curbs painted red.

B. The provisions of the preceding paragraph shall be effective when appropriate signs giving notice thereof are erected upon such street. The Director of the Department of Public

Works of the County of Nevada is hereby authorized and instructed to erect and maintain, or cause to be erected and maintained, appropriate signs on such streets giving notice of the provisions of this and the preceding paragraph and in accordance with the requirements of the Vehicle Code.

C. The Sheriff of the County of Nevada, California Highway Patrol, or their designee, is hereby authorized to enforce the parking regulations contained in this Section. The Sheriff shall comply with all of the procedural requirements contained in Cal. Veh. Code §§ 40200 - 40230.

(Reference: Cal. Veh. Code § 22507.)

Sec. G-IV 3.A.30 Ten Miles Per Hour Speed Limit in County Parking Facilities

A. No vehicle shall travel at a speed in excess of ten (10) miles per hour on any of the following listed County property, including but not limited to the driveways, access roadways and parking lots thereof:

1. Eric Rood Administrative Center;
2. Truckee Government Center;
3. Truckee Government Center Annex;
4. Repealed ;
5. Truckee Library;
6. Repealed;
7. Repealed;
8. HEW Building;
9. Grass Valley Veterans Building;
10. County Corporation Yard, 12548 Loma Rica Drive, Grass Valley;
11. Nevada City Veterans Building; and
12. Nevada County Airpark.

B. The provisions of the preceding paragraph shall be effective when appropriate signs giving notice thereof are erected at the entrance to each parking area delineated herein. The Director of General Services of the County is hereby authorized and directed to erect and maintain, or cause to be erected and maintained, appropriate signs on such public property giving notice of the provisions of this and the preceding paragraph and in accordance with the requirements of the California Vehicle Code.

(Reference: Cal. Veh. Code § 21113.)

Sec. G-IV 3.A.31 Enforcement of Parking Regulations

- A. The Director of General Services, or their designee (hereinafter “Director”) is authorized to enforce parking restrictions contained in Section G-IV 3.A.28 of this Chapter.
- B. If a vehicle is unattended during the time of the violation, the Director shall securely attach to the vehicle a notice of parking violation setting forth the violation. The notice shall contain all information required by Cal. Veh. Code § 40202. The notice of parking violation shall be accompanied by a written notice of parking penalty due pursuant to Cal. Veh. Code § 40203.
- C. Once the Director has prepared the notice of parking violation and has attached it to the vehicle, the Director shall file a copy of the notice with the Municipal Court of the County of Nevada.
- D. If the person appears and contests the parking violation or the parking penalty is not otherwise paid, further proceedings as outlined in Cal. Veh. Code §§ 40206-40230, inclusive, shall be followed.

(Reference: Cal. Veh. Code § 40200.)

Sec. G-IV 3.A.32 Tow Away Procedures for Parking Violations

- A. The Director of General Services (hereinafter “Director”), shall have the authority to remove a vehicle from a County road or public property for violation of this Article. Whenever the Director, or their designee, removes a vehicle from a County Road or public property for violation of this Article, they shall take the vehicle to the nearest garage, or other place of safety, or to a garage maintained by the County where the vehicle shall be placed in storage. The Director shall comply with all requirements specified in Cal. Veh. Code § § 22850 – 22856.
- B. Pursuant to Cal. Veh. Code § 22851 , the County and the garage owner shall have a lien for compensation for towing and for storage of the vehicle. The amount of the lien shall be established by resolution of the Board of Supervisors.
- C. Whenever the Director directs the storage of a vehicle, they shall provide the vehicle’s registered and legal owner of record, or their r agent, with the opportunity for a post-storage hearing to protest the storage.
- D. A notice of the storage shall be mailed or personally delivered to the registered and legal owner within 48 hours of the storage. The notice shall contain all of the information required by Cal. Veh. Code § 22852.
- E. Upon request of the registered or legal owner, the post-storage hearing shall be conducted before the County Administrative Officer, or their designee, no later than 48

hours after the request, excluding weekends and holidays. The Director may not serve as the hearing officer. The County of Nevada shall be responsible for the costs incurred for towing and storage if it is determined by the County Administrative Officer, or their designee, at the post-storage hearing that reasonable grounds for the storage are not established.

F. A post-storage hearing shall not be required if the vehicle was towed and stored under circumstances described in Cal. Veh. Code § 22852(g).

G. If the Director removes a vehicle for storage under this Article, and the Director is unable to ascertain the name of the owner or otherwise give notice to the owner, the Director shall immediately notify the Department of Justice, Stolen Vehicle System. The notice and any subsequent reports, if any, shall comply with the provisions of Cal. Veh. Code § 22853.

(Reference: Cal. Veh. Code § 22651.

Sec. G-IV 3.A.33 Reserved

EXHIBIT B

GENERAL CODE

G-IV GENERAL REGULATIONS

ARTICLE 4 REGULATING TAXIWAY ENCROACHMENTS AT NEVADA COUNTY AIRPORT

Sections:

- Sec. G-IV 4.40 Definitions
- Sec. G-IV 4.41 Work Requiring Permit
- Sec. G-IV 4.42 Application
- Sec. G-IV 4.43 Bond or Cash Deposit Required
- Sec. G-IV 4.44 Issuance of Written Permits
- Sec. G-IV 4.45 Refusal to Issue Permit
- Sec. G-IV 4.46 Fees
- Sec. G-IV 4.47 Permits Nontransferable
- Sec. G-IV 4.48 Display of Permit
- Sec. G-IV 4.49 Standards on Supervision and Inspection
- Sec. G-IV 4.50 Revisions
- Sec. G-IV 4.51 Term of Permit; Completion of Work
- Sec. G-IV 4.52 Notice of Completion
- Sec. G-IV 4.53 Revocation of Permit
- Sec. G-IV 4.54 Traffic Safety
- Sec. G-IV 4.55 Storage of Material
- Sec. G-IV 4.56 Dust and Debris
- Sec. G-IV 4.57 Protection of Adjoining Property
- Sec. G-IV 4.58 Preservation of Monuments

- Sec. G-IV 4.59 Restoring Taxiway
- Sec. G-IV 4.60 Care of Drainage
- Sec. G-IV 4.61 Clean Up
- Sec. G-IV 4.62 Relocation of Facilities
- Sec. G-IV 4.63 Disclaimer of Liability
- Sec. G-IV 4.64 Violations/Infractions

Sec. G-IV 4.40 Definitions

For the purpose of this ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this section.

- A. APPLICANT: Any person making written application to the Nevada County Public Works Department for an encroachment permit hereunder is an applicant.
- B. BOARD: The Board of Supervisors of the County of Nevada.
- C. DEPARTMENT: Nevada County Public Works Department and the authorized representatives of Public Works
- D. TAXIWAY: The term “TAXIWAY” includes all or any part of the property at the Nevada County Airport, owned by the County, and the space over it and the ground under it, whether or not such entire area is actually used for taxiway purposes.
- E. ENCROACHMENT: The term “ENCROACHMENT” includes any tower, pole, poleline, pipe, pipeline, private taxiway, fence, portable hangar, sign, building, tree, embankment, excavation or any structure or object of any kind or character not particularly mentioned in this Section which is placed in, under or over any portion of a taxiway, taxilane, ramp or tie-down, or which may cause water to back onto any portion of the taxiway, taxilane, ramp or tie-down or which may obstruct the maintenance of or travel on the taxiway, taxilane, ramp or tie-down.

The term “ENCROACHMENT” shall also include the development of any private facility, taxiway, taxilane, road-way or other means of access to the airport from any off-site access point other than a public road (“through-the-fence” access).

- F. EXCAVATION: Removal of material and any opening in the surface except an opening into a lawful structure below the surface, the top of which is flush with the adjoining surface and so constructed as to permit frequent openings without injury or damage to the taxiway.

G. PERMITTEE: Means any person, firm, company, corporation, association, public agency or organization that proposes to do work or encroach on or access a right-of-way as defined in this section and has been issued a permit for encroachment by the Department of Public Works. All obligations, responsibilities, and other requirements of the permittee as described in this section shall be binding on subsequent owners of the encroachment.

H. PORTABLE HANGAR: Means any structure used to provide shelter for an aircraft which is portable in nature and is licensed by the State of California, Department of Motor Vehicles, to be moved over public roadways

I. TIE-DOWN AREA: Means any area used or designated for future use as an area to “tie down” aircraft.

Sec. G-IV 4.41 Work Requiring Permit

No person, firm, company, corporation, association, public agency nor organization shall do or cause to be done any of the following without first obtaining a permit therefor, and complying with all conditions there-of, and all provisions of this ordinance:

A. Fill or excavate on Nevada County Airport property.

B. Install, construct, cut into, improve, or remove any sidewalks, driveways, curbs, gutters, walls, culverts, taxiway or taxilane approaches, or road surfacing, or install, repair or remove any approaches, or road surfaces, or install, repair or remove any facilities or substructures in, on, over, or under any taxiway or taxilane, or erect or remove any structure or portable hangar.

C. Access the airport property from an off-site location other than a public road (“through-the-fence”).

D. Place, change, or renew an encroachment.

Sec. G-IV 4.42 Application

Applications for permits for performance of any of the acts stated in this code shall be made in writing upon forms furnished by the Department and approved by the Director of the Department. The form shall be filed with the Department and shall set out the following in detail where applicable:

A. Name and residence or business address and phone number of the applicant.

B. Name and residence or business address and phone number of person to be hired by applicant to do any proposed work. If this information is not known at time of application,

the permittee shall provide said information for the Department prior to start of work by the person hired to do the work.

C. Location, dimensions, purpose, extent and nature of the proposed encroachment and business operation, if any.

D. Such other information as may be needed by the Department such as engineering calculations, structural sections, profiles, manufacturer's specifications, etc.

E. The permittee shall keep adequately informed of all state and federal laws and local ordinances and regulations which affect the permit.

F. The applicant shall enclose with, attach or add to the application for a permit, a map, plat, sketch, diagram, or similar exhibit, when required by the Department, of a size and in the quantity that it may prescribe, on which shall be plainly shown all information necessary to locate, delineate, illustrate, or identify the proposed use or encroachment and the right and necessity of the applicant to cause an encroachment. If necessary, changes, corrections, and notes will be made on the map, plat, sketch, diagram, or similar exhibit and these items will become an integral part of the permit.

G. The applicant shall also provide copies of all permits, licenses and insurance policies which are required to operate any proposed off-site business enterprise.

H. The applicant shall be required to sign an indemnification agreement agreeing to protect and indemnify the County and all of its officers, agents and employees against any claims or liability proximately caused by any work, encroachment, use, access or violation of any law, ordinance, regulation or order issued by any agency having authority and jurisdiction over airport operations.

Sec. G-IV 4.43 Bond or Cash Deposit Required

Before granting a permit under the provisions of this Ordinance, the Department may require the applicant to file with the Board security in the form of cash or a satisfactory bond payable to the County of Nevada in such amount as the Department deems sufficient to reimburse the County for costs of restoring the taxiway to its former condition. This Section shall apply where the encroachment will consist of construction work affecting airport property.

The Department may require a new or additional bond or cash deposit at any time that evidence indicates the amount of the bond or cash deposit previously made is insufficient to cover the cost of restoring the taxiway to its former condition. Any bond or cash deposit required by the Department under this section shall be payable to the County and shall be filed with the Department. On satisfactory completion of all work authorized in the permit

and fulfillment of all conditions of the permit, the Board of Supervisors will release the bond or cash deposit on the expiration of ninety (90) days.

The Director of the Department may waive the provisions of this section relating to cash deposit or surety bond for permits required under this Ordinance upon satisfactory proof by certificate of insurance that permittee is adequately insured to assure reimbursement to the County for repair of any damage caused to County property.

In the event any applicant shall refuse to pay fees, costs, or charges due under this Ordinance, the Department may, at its discretion, proceed against the surety or bond posted by the applicant pursuant to this Ordinance to collect such fees, costs, or charges. The Department may, in addition, refuse to issue any new permits to an applicant with unpaid fees, costs or charges due on any job.

Sec. G-IV 4.44 Issuance of Written Permits

The written permits required by this Section may be issued by the Department for any lawful use, subject to conditions set forth in this Section and required by law. In cases where the encroachment permit is for a continuing use such as “through-the-fence” access, the Department may impose conditions on the encroachment which it deems to be reasonably necessary at the time of issuance of the permit and may, from time to time, amend said permit and the conditions thereon. The permit shall be a revocable license and shall not be construed as the grant of an interest in real property.

Sec. G-IV 4.45 Refusal to Issue Permit

The Department may refuse to issue a permit to any applicant who is in default of any terms or conditions of any prior permit issued by the Department. The Department may also refuse to issue a permit if the work or the use would be harmful or detrimental to airport property, airpark business operations or public safety. Any person who contests the decision of the Department may appeal such decision in writing to the Director of the Department within ten (10) days after said refusal, asking for a hearing before the Director. The hearing shall be held not less than fifteen (15) days after receipt of the request by the Director. Any decision of the Director considering such appeal may be further appealed to the Board of Supervisors in writing within thirty (30) days after it is rendered.

Sec. G-IV 4.46 Fees

The schedule of fees will be those recommended by the Department and established and adopted by the Board from time to time by resolution or ordinance. Before a permit is issued, the applicant shall deposit with the Department for payment to the Treasurer of the

County cash or check in a sufficient sum to cover the fee for issuance of the permit, charges for field investigation, and the fee for necessary inspection, all in accordance with schedules established and adopted by the Board.

In addition to any fees required for a permit application as set forth above, where the encroachment is for access to Airport property “through-the-fence” the fees set forth in this Code for aircraft parking shall apply to each and every aircraft parked off-site and accessing the airpark pursuant to the encroachment. Fees shall apply to any business operation conducted off-site and accessing the airport pursuant to the encroachment permit.

Sec. G-IV 4.47 Permits Nontransferable

Encroachment permits issued pursuant to this article are nontransferable.

Sec. G-IV 4.48 Display of Permit

A permit issued for continuing use or maintenance of an encroachment may be kept at the place of business of the permittee or otherwise safeguarded during the term of validity but shall be made available to an authorized representative of the Department or law enforcement officer within a reasonable time after demand.

Sec. G-IV 4.49 Standards on Supervision and Inspection

All encroachment work done under a permit issued under this article shall conform to specifications established by the Department, or in the absence of established specifications, to recognized standards of construction and approved practices in connection with such work. All encroachment repair work shall be done subject to final approval of the Department.

Unless otherwise noted on the permit, all encroachment work performed on the taxiway shall conform to the construction specifications contained in the current edition of the Standard Specifications of the State of California, issued by the Department of Transportation, as may be amended by special provisions adopted by the Department. All work done on portable hangars shall conform to the current edition of the Uniform Building Code as adopted by the County of Nevada.

No person shall prevent or obstruct any officer or employee of the Department from making any inspection pursuant to this article nor in taking any sample or making any test.

No portable hangar shall be constructed without having a current valid building permit issued by the Nevada County Building Department.

Sec. G-IV 4.50 Revisions

No changes shall be made in the location, dimensions, character, or duration of the encroachment or use granted by the permit except on written authorization by the Department.

The Department may revise any permit pursuant to a written request submitted to the Department by the permittee. (Such revision becomes effective forty-eight [48] hours after deposit in the U.S. Mail of a certified letter addressed to the permittee or upon personal service of such revision on the permittee.)

The Department may revise any permit only upon the following conditions:

- A. Such revision is necessary for the public welfare or safety.
- B. Such revision is necessary for the permittee to reasonably accomplish its intended goal and does not pose a threat to the financial viability of airport operations or to public safety.
- C. Such proposed revision becomes effective forty-eight (48) hours after deposit in the U.S. Mail of a certified letter addressed to the permittee unless permittee requests a hearing on the proposed revision in writing. Any applicant who contests the revision in the permit proposed by the Department may appeal said revision in writing to the Director of the Department within ten (10) days after said notice of revision, asking for a hearing before the Director. The hearing shall be held not less than fifteen (15) days after receipt of the request by the Director. Any decision of the Director considering said appeal may be further appealed to the Board of Supervisors in writing within thirty (30) days after it is rendered.

Sec. G-IV 4.51 Term of Permit; Completion of Work

Where the encroachment permit is for construction or a temporary use, the permittee shall complete the work or use authorized by a permit within the time specified in the permit. If, at any time, the Department finds that delay in beginning, prosecuting, or completing the work or use is due to lack of diligence by the permittee, it may cancel the permit and restore the taxiway or tie-down area to its former condition. In the event the permittee wishes to appeal the cancellation of the permit, permittee may submit such appeal in writing to the Director of the Department within ten (10) days after notice of such cancellation asking for a hearing before the Director. The hearing shall be held not less than fifteen (15) days after receipt of the request by the Director. Any decision of the Director considering said appeal may be further appealed to the Board of Supervisors in writing within thirty (30) days after it is rendered. The permittee shall reimburse the County for all expenses incurred by the

Department in restoring the airport property, plus twenty-five per-cent (25%) as administrative costs. Where the encroachment permit is for “through-the-fence” access, the permit shall be a revocable license which shall remain in effect until revoked as set forth in this Article.

Sec. G-IV 4.52 Notice of Completion

Upon completion of any work or act for which a permit has been granted, the permittee shall notify the Department in writing on a form prescribed by the Department. No work shall be deemed completed without such notice.

Sec. G-IV 4.53 Revocation of Permit

The Department may revoke any construction or temporary use encroachment permit by notifying the permittee in writing. Said notification may be personally delivered or deposited in the United States Mail addressed to the permittee at the address shown on the application form. Effective immediately upon personal delivery or forty-eight (48) hours after deposit in the mail, the permit is void and no work may be performed under the permit unless it is reinstated by the Department. In the event the permittee contests the revocation, permittee may appeal such decision in writing to the Director of the Department within ten (10) days after said revocation asking for a hearing before the Director. The hearing shall be held not less than fifteen (15) days after receipt of the request by the Director. Any decision of the Director considering said appeal may be further appealed to the Board of Supervisors in writing within thirty (30) days after it is rendered. The Department may revoke an encroachment permit for “through-the-fence” access upon thirty (30) days’ notice to the permittee. In the event permittee contests the revocation, permittee may appeal as set forth above.

Sec. G-IV 4.54 Traffic Safety

The permittee shall take appropriate measures to assure that during the performance of any work normal airport activities are maintained so as to minimize inconvenience to the general public using said airport. The Department may permit the closing of appropriate parts of the airport for specific periods of time if it is necessary and the Department may require the permittee to give notification to both the County and the Airport Manager of work being performed and areas that may require closing to do the job. (Ord. 1640)

Sec. G-IV 4.55 Storage of Material

No material shall be stored within any taxiway. Excess earth materials from operations shall be removed from the taxiway.

Sec. G-IV 4.56 Dust and Debris

Each permittee shall conduct and carry out work permitted hereunder in such manner as to avoid unnecessary inconvenience and annoyance to the public and occupants of neighboring property. The permittee shall take appropriate measures to reduce, to the fullest extent practicable in the performance of the work, noise, dust, and unsightly debris.

Sec. G-IV 4.57 Protection of Adjoining Property

The permittee shall always and at permittee's own expense preserve and protect from injury any adjoining property by providing proper foundations, shoring, and taking other measures suitable for the purpose. The permittee must obtain permission from the owner of private property to enter upon or do work on such property. The permittee shall be responsible for all damage to any roads or other public or private property, real and personal, resulting from the performance of permittee's work.

Sec. G-IV 4.58 Preservation of Monuments

Any monument set for the purpose of locating or preserving the lines of the taxiway or taxilane, or a precise survey reference point, or a permanent survey benchmark within the County shall not be removed or disturbed or caused to be removed or disturbed without first obtaining permission in writing from the Department to do so. Before monuments, reference points and benchmarks are disturbed or removed, they shall be tied out by a licensed surveyor or Registered Civil Engineer or under the directions of same. After completion of the work, the monuments, reference points and benchmarks shall be accurately reset at the expense of permittee.

Sec. G-IV 4.59 Restoring Taxiway

Any permit issued under the provisions of this article shall provide that the permittee shall pay the entire expense of replacing any taxiway, taxilane, ramp, tie-down or airpark property in as good condition as before, and may provide such other conditions as to location and the manner in which the work is to be done as the Department finds necessary for the protection of the taxiway, tie-down or airport property.

Sec. G-IV 4.60 Care of Drainage

If the work, use, or encroachment authorized in a permit interferes with the established drainage, the permittee shall provide for proper drainage as approved by the Department.

Sec. G-IV 4.61 Clean Up

As the work progresses, all taxiways, tie-downs or airport property shall be thoroughly cleaned of all rubbish, excess earth, rock and other debris resulting from such work. All clean-up operations at the location of such excavation shall be accomplished at the expense of the permittee and shall be completed to the satisfaction of the Department. From time to time, as may be ordered by the Department and, in any event, immediately after completion of the work, the permittee shall, at permittee's own expense, clean up and remove all refuse and unused materials of any kind resulting from such work, and upon failure to do so within forty-eight (48) hours after having been notified to do so by the Department, the work may be done by the Department and the cost thereof charged to the permittee. Said notice shall be effective upon personal delivery, or forty-eight (48) hours after deposit in the U.S. Mail of a certified letter addressed to the permittee.

Sec. G-IV 4.62 Relocation of Facilities

Any permit issued under the provisions of this Ordinance shall contain a provision that in the event of the future improvement of the taxiway, necessitating the relocation or removal of such encroachment, the permittee will relocate or remove same at permittee's own expense. In said event, the Department shall serve on the permittee its written demand specifying the place or location or that the encroachment must be removed from the taxiway and specifying a reasonable time within which the work of relocation or removal must be commenced. Permittee shall commence such relocation or removal within the time specified in said demand and thereafter diligently prosecute the same to completion. Permittee shall have all appeal rights set forth above.

Sec. G-IV 4.63 Disclaimer of Liability

This Ordinance shall not be construed as imposing upon the County or any official or employee any liability or responsibility for damages to any person injured by the performance of any work for which the permit is issued hereunder, nor shall the County or any official or employee thereof be deemed to have assumed any such liability or responsibility by reason of the inspections authorized hereunder, or the issuance of any permit hereunder.

Sec. G-IV 4.64 Violations/Infractions

A. Violation of the provisions of this Article shall be an infraction and upon conviction thereof there shall be a mandatory fine imposed, as per Cal. Gov't Code §25132, as follows:

1. For a first violation, a fine of one hundred dollars (\$100).
2. For a second violation of the same ordinance (section) within a twelve-month period, a fine of two hundred dollars (\$200).
3. For a third or subsequent violation of the same ordinance (section) within a twelve-month period, a fine of five hundred dollars (\$500).

B. The Director of the Department shall be designated as the Nevada County Airport Encroachment Officer and shall be responsible for the enforcement of this Article. The Airport Encroachment Enforcement Officer may deputize one or more employees of the Department to carry out the duties of the Enforcement Officer. These duties include:

1. Issuing a citation to any person, firm, company, corporation, association, or public agency which does any of the acts specified in this code without the authority of a permit authorizing the act.
2. Issuing a citation to any person, firm, company, corporation, association, or public agency who exceeds the terms of their permit by changing the location, dimensions and character of the act or acts authorized in their permit. (Ord. 1640. (05/08/1990))

EXHIBIT B

GENERAL CODE

CHAPTER IV: GENERAL REGULATIONS

ARTICLE 4.A REGULATING ROADWAY ENCROACHMENTS

Sections:

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Sec. G-IV 4.A.2 Work Requiring Permit

Sec. G-IV 4.A.3 Application

Sec. G-IV 4.A.4 Prohibited Activities

Sec. G-IV 4.A.5 Security Required

Sec. G-IV 4.A.6 Exemption from Bond for Public Agency or Utility and Exception

Sec. G-IV 4.A.7 Exemption from Bond for City, Municipal Utility or Water District

Sec. G-IV 4.A.8 Issuance of Written Permits

Sec. G-IV 4.A.9 Refusal to Issue Permit

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Sec. G-IV 4.A.33 Planting and Maintenance of Trees

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Sec. G-IV 4.A.36 Sight Distance Required

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Sec. G-IV 4.A.38 Disclaimer of Liability

Sec. G-IV 4.A.39 Violations/Infractions

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Sec. G-IV 4.A.41 Non-Exclusive Remedies

Sec. G-IV 4.A.42 Enforcement Official

Sec. G-IV 4.A.43 Cost of Enforcement

Sec. G-IV 4.A.44 Reserved

Sec. G-IV 4.A.1 Definitions

For the purpose of this Article, the following words and phrases have the meanings respectively ascribed to them by this section.

A. APPLICANT means any person, firm corporation or entity and includes any property owner and contractor, if applicable, who makes written application to the Department of Public Works for an excavation or encroachment permit hereunder.

B. BOARD means the Board of Supervisors of the County of Nevada.

C. COUNTY HIGHWAY: The term “county highway” includes all or any part of the entire width or right-of-way of a county-owned, controlled and/or maintained highway, street, road or alley and the space over it and the ground under it, including, but not limited to, bridges culverts, curbs, and drains and all works incidental to such construction, improvement, and maintenance, whether or not such entire area is actually used for vehicular, bicycle, or pedestrian purposes. The term “county highway” shall also include all County Service Area (“CSA”) roads which are owned and/or maintained by the CSA. If right-of-way is by prescription, a highway encompasses that area which has historically been used for the public travel including any shoulders, drainage ditches and/or facilities and any turnouts.

D. DEPARTMENT means the Department of Public Works of the County of Nevada.

E. ENCROACHMENT means any tower, pole, poleline, pipe, pipeline, driveway, private road, fence, sign, billboard, stand or building, or tree within the county highway, or any activity that can obstruct the free use of the county highway by the public. The term shall also include any excavation or other construction or work activity within the County highway or the placement of any structure or object in, under or over any portion of the county highway, or any activity which may cause water to back onto any portion of the county highway, or which may obstruct maintenance of or travel on the county highway.

F. EXCAVATION means the removal of material and any opening in the surface except an opening into a lawful structure below the surface, the top of which is flush with the adjoining surface and so constructed as to permit frequent openings without injury or damage to the county highway.

G. PERMITTEE means any person, firm, company, corporation, association, public agency or organization that proposes to do work or encroach on a county highway as defined in this section and has been issued a permit for encroachment by the Department. All obligations, responsibilities and other requirements of the permittee as described in this Article shall be binding on subsequent owners of the encroachment. (Ord. 2238. (05/29/2007))

Sec. G-IV 4.A.2 Work Requiring Permit

No person, firm, company, corporation, association, public agency or organization shall do or cause to be done any of the following without first obtaining an encroachment permit (hereinafter referred to as a “permit”) therefor from the County and complying with all conditions thereof and all provisions of this Article:

- A. Fill or excavate a county highway.
- B. Install, construct, cut into, improve, or remove any sidewalks, driveways, curbs, gutters, walls, culverts, road approaches, or road surfacing, or install, repair or remove any facilities or substructures in, on, over, or under any county highway. Notwithstanding the above, routine repair, asphalt overlays or sealing of an existing, previously permitted driveway serving a single-family residence does not require an encroachment permit when such driveways are pre-existing and the access onto the county highway is basically the same and creates no new drainage or traffic hazard.
- C. Place, change or reconstruct an encroachment.
- D. Place or display in any county highway any kind of sign or device. Any such sign or device placed or displayed contrary to the provisions of this section is a public nuisance, and the Department of Public Works may immediately remove it. The provisions of this section shall not prohibit the posting of any notice required by law or by the order of any court of this State.
- E. Plant, remove, trim, injure or destroy any tree or shrub in a county highway.
- F. Obstruct travel on or public use of the county highway.

Sec. G-IV 4.A.3 Application

Applications for encroachment permits shall be made in writing or electronically upon forms furnished by the Department and approved by the Director of the Department. The form shall be filed with the Department and shall set out the following in detail, where applicable:

- A. Name and residence or business address and phone number of the applicant.
- B. Name and residence or business address and phone number for person to be hired by applicant to do the proposed work. If this information is not known at the time of application, the permittee shall provide said information to the Department prior to the start of work by the person hired to do the work.
- C. Location, dimensions, purpose, extent and nature of the proposed encroachment.

D. Such other information as may be needed by the Department such as engineering calculations, cross-sections, profiles, etc.

E. The applicant shall also enclose with, attach to, or add to the application copies of the written order or consent to any work under the permit required by law of the Public Utilities Commission, sanitary districts, water districts, or any other public body having jurisdiction. A permit shall not be issued until the order or consent, if required, is first obtained and evidence of it filed with the Department. All permits shall constitute a revocable license to use the county highway and may be revoked on five (5) days' notice, and the encroachment must be removed or relocated as may be specified by the Department in a notice revoking the permit and within the time specified by the Department, which time shall not be less than five days unless the permit so provides.

F. The permittee at all times shall comply and shall cause all their agents and employees to comply with all such laws, ordinances and regulations, decisions and orders of the court or similar authoritative orders.

G. The applicant shall enclose with, attach or add to the application for a permit a map, plat, sketch, diagram, or similar exhibit, when required by the Department, of a size and in the quantity that it may prescribe, on which shall be plainly shown all information necessary to locate, delineate, illustrate or identify the proposed use or encroachment and the right and necessity of the applicant to cause an encroachment. If necessary, changes, corrections and notes will be made on the map, plat, sketch, diagram or similar exhibit, and these items will become an integral part of the permit.

H. As a condition to the issuance of an encroachment permit, the permittee shall be required to indemnify and defend the County and all of its officers, agents and employees against any loss, liability, claims, demands, actions or suits of any and every kind and description arising or resulting from or in any way connected with or proximately caused by the permittee's encroachment activity and/or the result of violation by them or their agents or employees of any law, ordinance, regulation, or order issued under police power and in accordance with the law.

Sec. G-IV 4.A.4 Prohibited Activities

It shall be unlawful to construct or maintain a loading platform within the county highway or to erect, use or maintain any post, pole, column or structure for support for any sign or structure, including any advertising sign, political sign, real estate sign, event sign, private sign or to make any marking within the county highway, other than temporary survey or construction markings.

Sec. G-IV 4.A.5 Security Required

Unless waived pursuant to this section, before granting a permit under the provisions of this Article, the Department shall require the applicant to post with the Department adequate security, in the form of cash or a satisfactory bond payable to the County of Nevada, in such amount as the Department deems sufficient to reimburse the County for costs of restoring the county highway to its former condition.

The Department may require a new or additional bond or cash deposit at any time that evidence indicates the amount of the bond or cash deposit previously made is insufficient to cover the cost of restoring the county highway to its former condition or when, in the Director's judgment, there is a need for a bond. Any bond or cash deposit required by the Department under this section shall be payable to the county and shall be filed with the Department. On satisfactory completion of all work authorized in the permit and fulfillment of all conditions of the permit, the Department of Public Works shall release the bond or cash deposit on the expiration of ninety (90) days.

The Department of Public Works may waive the provisions of this section relating to cash deposit or surety bond for permits required under this Article upon satisfactory proof by certificate of insurance that the permittee is adequately insured to assure reimbursement to the County for repair of any damage caused to County property.

In the event any applicant shall refuse to pay any fees, costs or charges due under this Article, the Department may, at its discretion, proceed against the surety to collect such fees, costs or charges. The Department may, in addition, suspend any permit or refuse to issue any new permits to an applicant with unpaid fees, costs or charges due on any job.

Sec. G-IV 4.A.6 Exemption from Bond for Public Agency or Utility and Exception

A bond shall not be required of any public agency or public utility having lawful authority to occupy the county highways which is authorized by law to establish or maintain any works or facilities in, under or over any county highway, nor shall the application of any such public agency or public utility for a permit be denied; however, the Department may require a bond in an amount to be set, from time to time, by Resolution of the Board of Directors, if such public utility or public agency has previously failed to comply with this Article or with the provisions of a previous permit.

Sec. G-IV 4.A.7 Exemption from Bond for City, Municipal Utility or Water District

Any city, municipal utility district or public utility having authority to occupy the county highways is entitled to a blanket permit issued by the Department and renewable annually for the installation of its service connections and for ordinary maintenance of its facilities

located or installed in county highways; however, the Department may revoke any such blanket permit if the permittee fails to comply with the provisions of this Article. When any such permit is revoked, an encroachment permit may be issued only upon the furnishing of a bond as provided in this Code.

Sec. G-IV 4.A.8 Issuance of Written Permits

The Department may issue a single permit for any number of encroachments which are part of a single project or single job.

Sec. G-IV 4.A.9 Refusal to Issue Permit

The Department may refuse to issue a permit including to any applicant who is in default of any terms or conditions of any prior permit issued by the Department.

Sec. G-IV 4.A.10 Exemption from Encroachment Permit Process for State Agencies

An encroachment permit shall not be required of the State of California Department of Transportation (aka Caltrans) provided that the Sheriff, the California Highway Patrol, local emergency services and the Department of Public Works for the County of Nevada are all notified two weeks in advance, and they do not object to the same.

Sec. G-IV 4.A.11 Fees

A. Fees shall be paid for all applications for and upon the issuance of any encroachment permit in such amounts as set out in the latest adopted Resolution by the Board of Supervisors.

B. Fees will not be required for encroachment permits, provided placement is first approved by the Board of Supervisors, authorizing the placement of:

1. Historical markers or
2. Bus stops installed as a community service by a non-profit or service organization.

Sec. G-IV 4.A.12 Permits Non-Transferable

Encroachment permits issued pursuant to this Article shall be deemed to be a personal entitlement and are nontransferable; provided, however, that any permit issued for the work

associated with the development of any real property shall be allowed to be transferred to the subsequent owner of the real property, provided adequate security (as otherwise required by this Article) is provided before the work is commenced.

Sec. G-IV 4.A.13 Display of Permit

The permittee shall keep any permit issued under this Article at the site of work, and the permit must be shown to any authorized representative of the Department or law enforcement officer on demand.

A permit issued for continuing use or maintenance of an encroachment may be kept at the place of business of the permittee; provided, however, that a copy thereof shall be kept at the site of the work and shall be shown to any authorized representative of the Department or law enforcement officer within a reasonable time after demand.

Sec. G-IV 4.A.14 Compliance with Laws and Encroachment Standards

A. Unless otherwise noted on the permit, all encroachment work performed on any county highway shall conform to the County standard plans and specifications. In the absence of established County standard plans and specifications, the encroachment work shall conform to the standard plans and specifications of the State of California issued by the State Department of Transportation. In the absence of County or State standard plans and specifications, all encroachment work shall conform to recognized standards of construction and approved practices.

B. All encroachment work above shall be subject to approval of the County Department of Public Works.

C. The permittee shall comply with all State and federal laws and local ordinances and regulations which affect the permit.

D. No person shall prevent or obstruct any officer or employee of the Department from making any inspection, taking any sample or making any test pursuant to this Article.

Sec. G-IV 4.A.15 Revisions and Revocation

No changes shall be made in the location, dimensions, character, or duration of the encroachment or use granted by the permit except on written authorization by the Department.

The Department may approve a revision only upon the written request by the permittee or, on its own initiative, the Department may revise or revoke any permit as it deems necessary

in order to protect the interest of the County or for the convenience or safety of the public. Such revision shall become effective immediately upon personal service or two days after deposit in the United States mail.

Sec. G-IV 4.A.15.1 Appeals

Any applicant or permittee may appeal any decision denying the issuance of an encroachment permit or any decision to revise, suspend or to revoke a permit to the Board by filing a notice of appeal with the Clerk of the Board of Supervisors within 10 calendar days from the date of any such decision by the Department, on a form to be provided by the county, and by paying any applicable fees. Any such appeal shall be scheduled and decided in accordance with the procedure established for land use appeals in the Nevada County Code. The appeal shall be denied where the Board finds that the encroachment adversely affects the interest of the County or the convenience or safety of the public.

Sec. G-IV 4.A.16 Term of Permit: Completion of Work

The permittee shall complete the work or use authorized by a permit within the time specified in the permit. If, at any time, the Department finds that delay in beginning, prosecuting or completing the work or use is due to lack of diligence by the permittee or is otherwise adversely affecting the interest of the County or the convenience or safety of the public, the Department may cancel the permit and order the permittee to immediately restore the county highway to its former condition. In the event that the permittee fails to immediately and properly restore the county highway to its former condition, the county may undertake such work and the permittee shall be responsible for all expenses incurred by the Department in restoring the county highway, plus an additional fifteen percent (15%) as administrative costs.

If the work or use is not completed and accepted by the Department within the time stated in the permit, the permit shall become void unless before its expiration the time for completion has been extended, in writing, by the Department. Where the permit authorizes the construction of any encroachment within the county highway, following the completion of the construction and inspection and approval by the Department, the permit shall be valid for a continuing encroachment until revoked by the County and shall be subject to the terms of maintaining a valid permit.

The permittee, or successor in interest thereto, shall be responsible for the cost of relocation or removal or any encroachment.

Sec. G-IV 4.A.17 Notice of Completion

Upon completion of any work or act for which a permit has been granted, the permittee shall notify the Department in writing on a form prescribed by the Department. No work shall be deemed completed without such notice.

Sec. G-IV 4.A.18 Suspension and Revocation of Permit

Whenever the Department finds that there has been a failure to comply with any of the provisions of this Article or any of the terms and conditions contained in any permit or that the encroachment adversely affects the interest of the County of Nevada or the convenience or safety of the public, the Department may suspend or revoke the permit by notifying the permittee in writing, which shall be personally delivered to the permittee or deposited in the United States mail, addressed to the permittee at the address shown on the application form. The suspension or revocation shall be effective immediately upon personal delivery to the permittee or their representatives, employees, agents or contractors at the work site or their place of business. Alternatively, the suspension or revocation shall be effective two days after deposit in the mail. No work may be performed under any suspended or revoked permit unless it is reinstated by the Department.

Sec. G-IV 4.A.19 Emergency Work Authorization

This Article shall not prevent any person from performing emergency maintenance on any pipe, pipeline, or conduit or electrical line lawfully existing within the county highway or from making an emergency use or encroachment necessary to preserve life or property when an urgent necessity arises. Whenever any such emergency work is performed within the county highway, the person(s), firm, entity or contractor responsible for such work shall apply for a written permit on the next business day the county offices are open. Any person requiring an emergency use or encroachment shall first notify the Department. During the hours the county offices are closed, notice shall be given to the Sheriff's Office.

Sec. G-IV 4.A.20 Traffic Safety

The permittee shall take appropriate measures to assure that during the performance of the work, traffic conditions shall be maintained at all times as near normal as practical so as to minimize inconvenience to the occupants of the abutting property and to the general public. The Department may permit the closing of the county highway for specific periods of time if it is necessary, and the Department may require the permittee to give notification to any interested persons before such closing. The permittee shall provide safe access for each road and to each parcel of land. The permittee shall provide watchpersons, signs,

barricades, railings, lights, and other safety devices as specified by the California Manual on Uniform Traffic Control Devices (CA MUTCD) and any other safety devices necessary for the safe passage of persons or vehicles using the County highway. Any omission on the part of the Department to specify in the permit that protective measures or devices shall be provided, erected or maintained by the permittee or the fact that the Department may not specify sufficient protective measures or devices shall not excuse the permittee from complying with all requirements of law and appropriate regulations for adequately protecting the safety of the traveling public, or from taking such action as may be necessary to reasonably safeguard the public. If, at any time, the Department finds that suitable safeguards are not being provided, the Department may direct the permittee to immediately take additional steps to safeguard the site of the encroachment and the public's use of the right-of-way or, where in the Department's judgment it is necessary for the Department to take immediate steps to provide any such safeguards, the Department may provide, erect, maintain or relocate the safeguards deemed necessary or may cancel the permit and restore the right-of-way to its former condition, all of which shall be at the expense of the permittee.

Sec. G-IV 4.A.21 Aids to Visibility

Whenever the Department determines that the location or position of a pole or other obstruction requires accentuation of its visibility to vehicular traffic, the Department may require that the pole or other obstruction be painted or equipped with reflectors or other aids to visibility prescribed or authorized by the Public Utilities Commission or the Department of Transportation of the State of California, at the expense of the permittee. No pole shall be allowed closer than eight (8) feet from the edge of the traveled way without the express written permission from the Department of Public Works.

Sec. G-IV 4.A.22 Storage of Material

No material shall be stored within eight (8) feet of a county highway. Excess earth materials from trenching or other operations shall be removed from the pavement, traveled way, or shoulder as the trench is backfilled or other work is carried forward unless otherwise approved, in writing, by the Department.

Sec. G-IV 4.A.23 Dust and Debris

Each permittee shall conduct and carry out work permitted hereunder in such manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property. The permittee shall take appropriate measures to reduce noise, dust, mud and unsightly debris to the fullest extent practicable in the performance of the work.

Sec. G-IV 4.A.24 Protection of Adjoining Property

The permittee shall protect adjoining property from injury by providing proper foundations and shoring or such other action as may be prudent. The permittee shall not enter upon or do any work on private property without first obtaining the express written consent of the property owner. The permittee shall be responsible for all damage to any roads or other public or private property, real and personal, resulting from the performance of the permittee's work.

Sec. G-IV 4.A.25 Preservation of Monuments

Any survey or other monument set for the purpose of locating or preserving the lines of any county highway or property subdivision, or a precise survey reference point, or a permanent survey bench marker within the county shall not be removed or disturbed or caused to be removed or disturbed without first obtaining written permission from the Department. Before monuments, reference points and bench markers are disturbed or removed, they shall be tied out by a licensed surveyor or Registered Civil Engineer or under the directions of same. After completion of the work, the monuments, reference points and benchmarks shall be accurately reset at the expense of permittee.

Sec. G-IV 4.A.26 Poles and Transmission Line Carriers

All poles located within the county highway shall maintain the clearances set out in and shall be constructed in accordance with the rules, regulations, and orders of the Public Utilities Commission and other public agencies having jurisdiction over any such poles.

No new pole or replacement pole shall be set in such a manner that it creates a traffic hazard or is within the clear recovery zone (as defined by Caltrans). No pole shall be allowed closer than eight (8) feet from the edge of the traveled way without the express written permission from the Department of Public Works.

No guy wires shall be attached to trees unless specifically authorized in the permit, and in no event shall guy wires be attached to girdle the tree or interfere with its growth. Guy wires shall not be below the minimum elevation above the ground prescribed in the rules, orders and regulations of the Public Utilities Commission.

The permittee shall remove and keep clear all vegetation on the county highway within a radius of five (5) feet of poles when requested by the Department.

When a pole, guy, stub or similar timber is removed and not replaced, the entire length shall be removed from the ground and the hole backfilled and compacted.

Sec. G-IV 4.A.27 Small Pipes or Rigid Conduits

Utility, service, and other small diameter pipes or rigid conduits shall be jacked, bored, driven, or otherwise forced underneath the paved surface. The paved surface of a road shall not be cut, trenched or otherwise disturbed unless specifically authorized in the permit. No tunneling will be permitted except as specifically set forth in the permit.

Sec. G-IV 4.A.28 Mailboxes

All mailboxes shall be placed in accordance with the rules and regulations of the United States Post Office Department, but no box shall be so placed within the county highway as to endanger the life or safety of the traveling public. A permit is not required for the placement of mailboxes, not including pillars that are sometimes used to house mailboxes.

Sec. G-IV 4.A.29 Restoring Highway

Upon the completion of the work authorized by any permit, or at such earlier time as the Department may direct, the permittee shall restore the county highway to as good condition as it was before the work began. The Department may provide such other conditions as to location and the manner in which the work is to be done as the Department finds necessary for the protection of the county highway and/or the protection or convenience of the public. Should the permittee fail to promptly restore the county highway, the Department may perform such work and charge the permittee for all costs incurred. After completion of all work, the permittee shall exercise reasonable care in inspecting and maintaining the area affected by the encroachment. Upon request by the Department, the permittee shall immediately repair or redo any work performed in the county highway that the Department finds to be defective or substandard or which may have created a nuisance or hazard in any portion of the county highway. If the permittee fails to act promptly or if the Department finds that the public convenience or safety requires that the work be done immediately, the Department may proceed to do the repair or replacement work, and the permittee shall be charged the actual costs thereof, plus fifteen percent (15%) as administrative costs.

Sec. G-IV 4.A.30 Care of Drainage

If the encroachment authorized in a permit interferes with the established drainage, the permittee shall provide for proper drainage as approved by the Department.

Sec. G-IV 4.A.31 Clean-Up

As excavation work progresses, all county highways shall be immediately and thoroughly cleaned of all rubbish, excess earth, rock and other debris resulting from such work. All clean-up operations at the location of such excavation shall be accomplished at the expense of the permittee and shall be completed to the satisfaction of the Department. From time to time, as may be ordered by the Department and, in any event, immediately after completion of work, the permittee shall, at the permittee's own expense, clean up and remove all refuse and unused materials of any kind resulting from such work, and upon failure to do so within 24 hours after having been notified to do so by the Department, the work may be done by the Department and the cost thereof charged to the permittee.

Sec. G-IV 4.A.32 Relocation of Facilities

In the event that the Department determines that it is necessary, any encroachment maintained within the county highway shall be relocated by and at the expense of the permittee, their successor or the owner of the encroachment. In said event, the Department shall serve on the permittee its written demand specifying that the encroachment must be removed from the county highway and specifying a reasonable time within which the work of relocation must be commenced. The permittee shall commence such relocation or removal within the time specified in said demand and thereafter diligently execute the same to completion.

Sec. G-IV 4.A.33 Planting and Maintenance of Vegetation

Applications for permits to plant trees and vegetation in the county highway shall be made on forms prescribed by the Department. The form shall include, in addition to the other requirements, an agreement by the applicant to maintain the trees/vegetation in a neat, healthy, and safe condition to the satisfaction of the Department and an agreement to remove the trees as directed by the Department and to pay the cost of removal on the permittee's failure promptly to remove trees on direction of the Department. The application shall show the exact location and kind of trees/vegetation to be planted, and no change shall be made either in the location or kind of trees without the written approval of the Department.

No hedge, shrub or other planting whatever shall be maintained in a manner so as to interfere with or obstruct any sidewalk or area within the county highway which is used or susceptible for use as a walkway or path. The intent of this restriction is to keep a walkway free for pedestrian or other lawful public travel which is separated from the surface of the road use by motor vehicles. No encroachment will be permitted or maintained which impedes, obstructs, or denies pedestrian or other lawful travel within the limits of the

county highway of a public highway or impairs adequate sight distance for safe pedestrian or vehicular traffic.

Other provisions of this Article notwithstanding, it is lawful for a person, firm or corporation or other body of persons to plant and maintain a lawn or similar ground cover of any grass type not otherwise prohibited by law within the county highway without a written permit. However, the lawn or similar ground cover shall not extend into the traveled way or shoulder area nor into the drainage ditches, gutter or other drainage facilities.

The general public shall not be denied the use of a planted area for pedestrian travel or other lawful use. The county may use the planted area for any purpose and may issue a permit to any applicant to go on the planted area to perform work or otherwise encroach under this Article. If the lawn or similar ground cover is damaged or disturbed in the course of an authorized encroachment, the permittee will be held responsible for the replacement unless the permit specifically states otherwise.

All vegetation placed in the county highway shall be maintained by the permittee or the permittee's successor in interest in a neat, healthy and safe condition to the satisfaction of the Department and at no expense to the county. If the encroachment is not located or maintained as specified in this section, the Department may direct the permittee to remove the encroachment and restore the county highway to its former condition at the expense of the permittee; if the permittee fails to promptly remove the encroachment as directed, the Department shall have the right to remove it and collect the cost of removal from the permittee, together with all of the county's costs and expenses in enforcing collection. No tree/plant shall be planted in the county highway if the tree/plant will impede or inconvenience public travel, create an existing or future safety problem, unduly disturb the county highway, interfere with the construction or maintenance of necessary facilities, or interfere with the existing pipelines, utility installations, or other facilities lawfully placed within the county highway.

Sec. G-IV 4.A.34 Removing Trees

When a tree is removed under authority of a permit, the entire stump shall be taken out for a depth of at least two feet (2') below the ground surface unless otherwise specified in the permit, and the site and the county highway restored to its former condition.

Sec. G-IV 4.A.35 Fences

No fence or similar structure, shall be planted, erected or maintained in a right-of-way without a permit. No fence or similar structure shall be maintained in a manner so as to interfere with or obstruct any sidewalk or area within the County highway which is used or susceptible for use as a walkway or path. The intent of this restriction is to keep a

walkway free for pedestrian or other lawful public travel which is separated from the surface of the road use by motor vehicles. No encroachment will be permitted or maintained which impedes, obstructs, or denies pedestrian or other lawful travel within the limits of the county highway of a public highway or impairs adequate sight distance for safe pedestrian or vehicular traffic.

Sec. G-IV 4.A.36 Sight Distance Required

A. It is unlawful for any person to maintain their property in a manner which creates or causes to exist any obstruction to the view (sight distance) of the users of any county-owned, controlled and/or maintained highway, which creates an unsafe condition to the users thereof.

B. Any use of the property in violation of the provisions of this section shall constitute a public nuisance which may be abated by the duly constituted officer of the County of Nevada. The enforcement of this section shall rest in the sole discretion of the county officers performing such functions.

C. No encroachments shall be made where to do so would create an unsafe condition to the users of the county highway in violation of the provisions of this Code.

D. New development which substantially increases the use of any existing encroachment shall not be allowed unless the encroachment is brought into conformity with the sight distance requirement of this Code and other provisions or standards relating thereto.

E. Any person who is beneficially interested in the decision of the county officials enforcing this section shall have a right to appeal. No fee shall be charged for any such appeal. All applicants for encroachments shall be advised of their appeal rights by the inclusion of a notice thereof on the county's application form.

Sec. G-IV 4.A. 37 Reserved

Sec. G-IV 4.A.38 Disclaimer of Liability

This Article shall not be construed as imposing upon the county or any official or employee any mandatory duty or basis of liability, nor shall the county or any official or employee be responsible for damages to any person injured by the performance of any work for which the permit is issued hereunder, nor shall the county or any official or employee thereof be deemed to have assumed any such liability or responsibility by reason of inspections authorized hereunder.

Sec. G-IV 4.A.39 Violations/Infractions

Any person who violates any provision of this Article shall be guilty of an infraction and, upon conviction thereof, shall be subject to a mandatory fine, to be set, from time to time, by Resolution of the Board of Supervisors. Every day any violation continues shall constitute a separate offense punishable by a separate fine.

Sec. G-IV 4.A.40 Nuisance Abatement

Any act in violation of any provision of this Article is hereby declared to constitute a public nuisance, the maintenance or continuance of which may be abated, removed and/or enjoined by any appropriate proceeding in the manner prescribed by law.

Sec. G-IV 4.A.41 Non-Exclusive Remedies

The remedies provided herein are not exclusive and are in addition to any other remedy or penalty provided by law.

Sec. G-IV 4.A.42 Enforcement Official

The Director of Public Works shall be the person primarily responsible for enforcing the provisions of this Article. In addition, the Nevada County Sheriff shall also be responsible for enforcing the provisions of this Article and, to the extent any violation is designated to be an infraction, the Code Compliance Department is also authorized to enforce the provisions of this Article.

Sec. G-IV 4.A.43 Cost of Enforcement

Any person, firm, entity or agency who violates the provisions of this Article shall be liable for payment for the cost incurred by the County in enforcing the provisions of this Article, up to a maximum cost of \$5,000 per violation. Cost shall be calculated according to the latest schedule of fees as adopted by the Board of Supervisors. The cost of enforcement shall be paid to the Department within 30 days of the date of the billing therefor and any fees not paid within 30 days shall be assessed a late penalty of 10% of the balance that is not paid and shall thereafter accrue interest at the rate of 1% per month until paid. Any such costs which remain unpaid for more than 90 days shall be referred to Collections and may be subject to such other legal action or remedies as may be allowed by law.

Any person, firm, entity or agency that is assessed for the cost of enforcement may appeal such assessment to the Board of Supervisors by filing a statement of appeal thereof with

the Clerk of the Board of Supervisors within 30 days from the date of the mailing of the initial notice of the assessment thereof.

If any appeal is filed regarding the assessment of such fees, the appeal shall stay any action by the County of Nevada to collect same. The appeal shall be promptly presented to the Chair or the Board of Supervisors or to such other member of the Board as the Chair may designate, which person shall render a decision thereon within 15 days of the date of the filing of the appeal. The costs as determined by the appeal shall then be due within 15 days from the date of the mailing of the decision thereon. Failure to pay the costs when due shall subject the costs to late penalties and interest as set out above.

Sec. G-IV 4.A.44 Reserved

EXHIBIT B

GENERAL CODE

CHAPTER IV: GENERAL REGULATIONS

ARTICLE 8.A DIVERSION OF CONSTRUCTION AND DEMOLITION MATERIALS

Sections:

Sec. G-IV 8.A.1 Reserved

Sec. G-IV 8.A.2 Definitions

Sec. G-IV 8.A.3 Threshold

Sec. G-IV 8.A.4 Diversion Requirements

Sec. G-IV 8.A.5 Diversion Requirement Exemption

Sec. G-IV 8.A.6 Compliance with the Diversion Requirement

Sec. G-IV 8.A.1 Purpose

Sec. G-IV 8.A.1 Reserved

Sec. G-IV 8.A.2 Definitions

For the purposes of this Article, the following definitions apply:

A. “Applicant” means any individual, firm, limited liability company, association, partnership, political subdivision, government agency, contractor, municipality, industry, public or private corporation, or any other entity whatsoever who applies to the County for applicable permits to undertake any construction, demolition, or renovation project within the unincorporated area of the County.

B. “Contractor” means any person or entity holding, or required to hold, a contractor’s license of any type under the laws of the State of California, or who performs (whether as contractor, subcontractor or owner-builder) any construction, demolition, remodeling, or landscaping service relating to buildings or accessory structures within the unincorporated area of the County.

C. “Construction” means all building, remodeling, addition, removal or destruction.

- D. “Construction and Demolition Materials” includes:
1. Discarded materials generally considered to be not water soluble and non-hazardous in nature, including, but not limited to, wood, concrete, asphalt, masonry, metals, cardboard, roofing, gypsum drywall, and inerts (rock, soil, and fines) from the construction, renovation, remodel or destruction of a commercial, agricultural or residential structure.
 2. Small amounts of other non-hazardous wastes that are generated at construction or demolition projects.
- E. “Demolition” means the decimating, razing, ruining, tearing down or wrecking of any facility, structure, pavement or building, whether in whole or in part, whether interior or exterior.
- F. “Department” means the Department of Public Works for the County of Nevada.
- G. “Divertible Materials” includes:
1. Masonry building materials generally used in construction including, but not limited to, rock, stone, tile, mortar, and brick.
 2. Wood materials including dimensional lumber, cabinetry, fencing, form wood, scrap wood, plywood, and engineered lumber. Painted and stained wood materials are currently divertible.
 3. Concrete materials including foundations, pier posts, blocks, and other structural concrete materials.
 4. Metals including all metal scraps such as, but not limited to, pipes, siding, window frames, doorframes, and fences.
 5. Roofing materials including wood shingles, asphalt composition shingles, tiles, and metal roofing.
 6. Inerts including rocks, soil, and fines that are not contaminated by controlled or hazardous materials.
 7. Cardboard including boxes, flats, cartons, and containers.
- H. “Divert” means to prevent material from being disposed in a landfill, through eventual recycling or reuse.
- I. “Project” means any activity involving construction, demolition or renovation, and which requires issuance of a permit from the County of Nevada.
- J. “Recycling” means the material will be processed and made into new products or materials.

- K. “Renovation” means any change, addition, or modification to an existing structure.
- L. “Reuse” means the material will be used again in its original form.
- M. “Structure” means anything constructed or erected.

Sec. G-IV 8.A.3 Threshold

A. Covered Projects: All construction, demolition, and renovation projects within the unincorporated area of the County for which a building or demolition permit is required shall comply with this Article if a project exceeds 600 square feet or if such project’s cost estimates are greater than \$50,000. If a project exceeds either threshold value, it shall be considered covered by this Article. For the purposes of determining whether a project meets the foregoing threshold, all phases of a project and all related projects taking place on a single or adjoining parcel(s) shall be deemed a single project.

B. Non-Covered Projects: Construction, demolition, and renovation projects within the unincorporated area of the County that do not meet the established thresholds for “Covered Projects.” Non-Covered Projects will still be encouraged to divert as much material as possible.

C. County-Sponsored Projects: All County-sponsored construction, demolition, and renovation projects shall comply with the same threshold values as non-government projects.

Sec. G-IV 8.A.4 Diversion Requirements

A. Applicants shall sign a Statement of Intent, as stated on the Nevada County Building Permit Application form, agreeing to use the Construction and Demolition Materials Recycling Facility at the McCourtney Road Transfer Station (MRTS), Construction Materials Recovery Facility sort line at the Eastern Regional Landfill in Truckee Region, use Construction and Demolition materials recycling services provided by franchise waste hauler agreement, or another Construction and Demolition recycling facility.

B. Materials that cannot immediately be salvaged or reused shall be transported by the contractor or by County-designated franchise waste hauler to the MRTS, where it will be deposited at the Construction and Demolition Area separate from the Solid Waste Area. Materials dropped at the MRTS Construction and Demolition Area will be further sorted and/or processed to achieve the maximum diversion that is feasible. Applicants from eastern Nevada County (Truckee region) may transport construction and demolition materials to the Eastern Regional Landfill Construction and Demolition Materials Recovery Facility outside of Truckee.

C. Although it may not be an explicit condition of the building or demolition permit, Contractors or property owners working on Non-Covered Projects are encouraged to divert material from construction and demolition projects to the maximum extent feasible.

D. All Applicants are encouraged to contact their waste service provider or the Department for suggestions about how to minimize disposal costs and maximize diversion. Applicants shall be familiar with other requirements governing the disposal of solid waste in California, including identification of materials that are prohibited from disposal in landfills.

Sec. G-IV 8.A.5 Diversion Requirement Exemption

A. If an Applicant for a Covered Project experiences unique circumstances that the Applicant believes makes it infeasible to comply with established Diversion Requirements, the Applicant may request, in writing, an exemption from one or all of the waste diversion requirements during the building or demolition permit process.

B. The Department of Public Works shall review all exemption request information supplied by the Applicant and may meet with the Applicant to assess alternative ways of meeting waste diversion requirements. Based on the information supplied by the Applicant, the Department of Public Works shall determine whether it is possible for the Applicant to meet any or all of the Diversion Requirements of the project.

C. If it is determined that it is not feasible for the Applicant to meet all of the diversion requirements specified herein, the Department of Public Works shall determine alternative requirements and will inform the Applicant, in writing, of any such alternative requirements.

Sec. G-IV 8.A.6 Compliance with the Diversion Requirement

The Department may review the information submitted by Applicant and determine whether the Applicant has fully complied, made a good faith effort, or failed to comply with the diversion requirement. The Department's determination regarding compliance may be provided to the owner in writing.

A. "Full compliance" means the Applicant fully complied with the requirements of this Article.

B. "Good faith effort compliance" means the Applicant did not fully comply with the requirements of this Article but has made a good faith effort to comply. In making this determination, the Department shall consider the availability of markets for the specific construction and demolition materials disposed, the documented efforts of the Applicant to comply with this Article, and other relevant factors.

C. “Failed to comply” means the Applicant did not fully comply with the requirements of this Article and did not make a good faith effort to comply. An Applicant’s failure to comply may be considered an infraction, and upon conviction thereof there may be a potential maximum fine of \$100 imposed (see Cal. Gov’t Code § 25132).

EXHIBIT B

GENERAL CODE

G-IV GENERAL REGULATIONS

ARTICLE 11 NEVADA COUNTY AIRPORT COMMISSION

Sections:

Sec. G-IV 11.1 Airport Commission - Composition, Appointment of Members

Sec. G-IV 11.2 Airport Commission - Powers and Duties

Sec. G-IV 11.1 Airport Commission - Composition, Appointment of Members

The Airport Commission shall consist of five (5) members. Each member of the Board of Supervisors is entitled to appoint one Commissioner, from among residents of the County at-large, and the Commissioner will serve at the pleasure of the Supervisor.

Three members shall constitute a quorum for the transaction of business.

Sec. G-IV 11.2 Airport Commission - Powers and Duties

The Commission shall have the following powers and duties:

1. To assist and advise the Airport Manager and the Board of Supervisors on the planning, maintenance, development and operation of the airports and airport facilities which are, or will be, owned, controlled or leased by the County.
2. To study and to make recommendations on the subject of developing the airports and airport facilities at the Nevada County Airport.
3. To formulate and to recommend to the Airport Manager and the Board of Supervisors the general policies relating to the purposes of the Airport Commission.
4. To work with the Airport Manager in the preparation of a preliminary and final budget to submit to the Board annually, providing for the costs of maintenance, operation and improvement for the ensuing fiscal year.
5. To assist the Airport Manager in the study and to make recommendations on the subject of funds available to the County for the development of the airports and airport facilities from Federal, State and other sources.
6. The Airport Commission shall have such other functions, powers, and duties as the Board of Supervisors shall designate by resolution.

EXHIBIT B

GENERAL CODE

G-IV GENERAL REGULATIONS

ARTICLE 12 NEVADA COUNTY AIRPORT RULES AND REGULATIONS

Sections:

- Sec. G-IV 12.1 Definitions
- Sec. G-IV 12.2 Operation of Aircraft
- Sec. G-IV 12.3 Use of Airport
- Sec. G-IV 12.4 Insurance
- Sec. G-IV 12.5 Fire Safety Regulations
- Sec. G-IV 12.6 General Rules & Regulations

Sec. G-IV 12.1 Definitions

- A. AIRPORT - Shall mean airport and all airport property owned, operated, or controlled by the County of Nevada. It shall include all improvements, facilities, adjacent properties used to store, maintain, service or supply materials necessary for the servicing or maintenance of aircraft and appurtenances.
- B. AIRPORT COMMISSION - Five members appointed by the Board of Supervisors.
- C. AIRPORT MANAGER - Shall mean the person assigned by the County Executive Officer to this position.
- D. BOARD - Shall mean the Board of Supervisors of the County of Nevada, State of California.
- E. COUNTY- Shall mean the County of Nevada, State of California
- F. F.A.A. - Shall mean the Federal Aviation Agency of the United States of America, as defined in the Federal Aviation Act of 1958, or any subsequent and successor body to that agency created for the control and operation of aviation and its related functions.

G. FIRE DEPARTMENT - Shall mean the fire department within whose jurisdiction the airport lies.

H. MAINTAIN AIRCRAFT - Shall mean any form of service, maintenance, or repair of aircraft.

I. OPERATE AIRCRAFT - Shall mean the self-propelled, pushed, or towed movement of aircraft on the ground, or the movement of aircraft in flight.

J. OWNER - Shall mean the registered and/or legal owner of an aircraft according to the files and records of the F.A.A.

K. PERSON - Shall mean individuals, corporate entities, and public agencies.

L. RULES & REGULATIONS - Shall mean the provisions contained herein and adopted by the Board pertaining to the use of the airport.

M. AIRPORT OPERATIONS AREA (AOA) - is the portion of an airport designed and used for landing, take-off, or taxiing of aircraft. Taxiing aircraft are those moving under their own power between parking areas and runways. This is done on the ramps, taxiways, and taxiways.

Sec. G-IV 12.2 Operation of Aircraft

A. COMPLIANCE WITH RULES AND REGULATIONS. No person shall operate or maintain any aircraft at any airport except in strict conformity with all ordinances, rules, and regulations of the County of Nevada and the regulations of the F.A.A. All aircraft shall be operated in accordance with air traffic patterns established by the County of Nevada and the F.A.A. All operators of aircraft are responsible for complete knowledge of all laws, rules and regulations relating to the operation of aircraft. Unusual performance tests of aircraft may be conducted only upon prior permission of the Airport Manager and only upon such conditions as the Airport Manager shall impose.

B. LANDING AND TAKE-OFF. All aircraft shall land and take off only on designated runways unless specifically authorized by the Airport Manager to use other areas of the airport. No person shall land on or take off from the airport unless the aircraft is equipped with properly functioning brakes or other positive means to assure adequate ground control. The Airport Manager may suspend all operations during period of emergency.

C. ENGINE STARTING AND RUN-UPS. No aircraft engine shall be started or run-up in any hangar or positioned in such manner as to constitute a danger to persons or property. All engine run-ups and tests shall be performed only in areas and at such times as shall be designated by the Airport Manager. No engine affixed to an aircraft shall be started or operated unless a competent aircraft operator is in the aircraft attending to the

controls and the parking brakes are set or the wheels properly blocked to prevent movement.

D. TAXIING OF AIRCRAFT. Aircraft shall always be taxied at a slow and reasonable speed, in a safe manner and under control of a competent aircraft operator.

E. LOADING OF AIRCRAFT. No passenger or freight shall be loaded or unloaded from any aircraft unless and until all engines on the aircraft have come to a complete stop.

F. DAMAGE TO AIRPORT. All damage to the airport or airport property shall be promptly reported to the Airport Manager. (Ord. 635. (06/05/1973))

Sec. G-IV 12.3 Use of Airport

A. BUSINESS ACTIVITIES. No person shall use the airport in any manner whatsoever for any commercial, profit, gainful, or revenue producing purpose, including, without limitation, flight instruction or mechanical work, without written approval of the Airport Manager. No person shall distribute, post, or display any commercial or non-commercial signs, circulars, handbills or advertisements on the airport without the consent of the Airport Manager. No person shall solicit funds for any purpose without the permission of the Airport Manager.

B. PARKING OF AIRCRAFT. No person shall park any aircraft in any area not designated for such purpose without prior consent of the Airport Manager. Parked aircraft shall have parking brakes set or wheels properly blocked to prevent movement and shall be firmly secured to the ground by ropes or other appropriate means when left unattended. No aircraft shall be taxied under its own power into or out of any hangar. Aircraft shall be halted, and all engines stopped before entering any hangar or building.

C. CHARGES FOR PARKING AIRCRAFT. The fee schedule for reserved and transient aircraft parking spaces in tie-down areas shall be implemented and updated by Resolution of the Board of Supervisors.

D. DAMAGED AIRCRAFT. Witnesses to and participants in any accident or damage to aircraft occurring at the airport shall promptly make a full report of such damage or accident to the nearest F.A.A. Safety Officer and to the Airport Manager. Aircraft operators, owners, or their agents shall be responsible for, and shall cooperate and assist in the prompt removal of damaged aircraft, parts, property or debris resulting from any accident; provided, however, that the Airport Manager or Officials of the F.A.A. may prohibit the movement or removal of any damaged aircraft or property.

E. DAMAGE TO PROPERTY. No person shall destroy or damage any building, structure, facility, sign, marker, or other property on the airport, unless authorized by the Airport Manager.

F. LANDING AIRCRAFT FEES. The schedule of charges for landing of private and commercial aircraft shall be implemented and updated by resolution of the Board of Supervisors.

H. Reserved. AIRPORT OPERATIONS AREA (AOA). All persons be subject to all applicable federal, state, local laws, regulations, and policies when in the AOA. Vehicles must yield to all aircraft, pedestrians, and emergency vehicles. The vehicle speed limit shall be 15mph.

I. DROPPING OF FOREIGN OBJECTS. No foreign objects (powder, liquid, solid or otherwise) may be dropped on the airport or airport property without permission of the Airport Manager.

J. FIREARMS. No person shall hunt, conduct target practice, or discharge firearms on the airport.

K. AVIATION FUEL. The County of Nevada shall be the sole distributor of aviation fuel at the airport or shall provide by contract for the manner of distribution of such product.

L. MODEL AIRPLANES AND DRONES. Model airplanes or drones shall not be operated from any location where they could fly over, or land on, the airport or airport property except when authorized by the Airport Manager for special events.

M. LEASE OF AIRPORT PROPERTY. Pursuant to Cal. Gov't Code §25536, and notwithstanding any other provision set forth in the County Codes relating to the lease of County property, the Board of Supervisors may, by four-fifth's vote, enter into leases, concessions, or managerial contracts involving leasing or subleasing of all or any part of County-owned, leased or managed property devoted to or held for use as an airport without complying with the formal bidding or alternative procedures set forth in Cal. Gov't Code §§ 25520 – 25539.10. Lease rates for County owned hangars shall be as negotiated by the Airport Manager and as approved by the Board of Supervisors.

Any person desiring to use any space including tie-down spaces shall be required to obtain a Reserved Space Permit and agree to abide by its terms. In addition, all parties desiring to place a hangar on County property shall be required to obtain an Encroachment Permit and agree to abide by its terms. All parties desiring “through the fence” access to the Airport shall obtain an Encroachment Permit.

Reserved Space Permits and Encroachment Permits may be changed by County from time to time and all current occupants may be required to execute current agreements in order to remain on the premises or continue getting access to the premises. Failure to execute a new agreement on request of the Airport Manager shall be grounds for termination of the right to occupy a space at the Airport.

Sec. G-IV 12.4 Insurance

A. INSURANCE REQUIRED. No person shall base or maintain an aircraft at the airport unless such person shall file with the Airport Manager, and keep in current effect, a certificate of property damage and general liability insurance executed by a company authorized to carry on insurance business in this State, insuring coverage in the minimum amounts as noted in permit or lease agreement.

Sec. G-IV 12.5 Fire Safety Regulations

A. No person shall operate any electric or gas welding or cutting equipment anywhere on the Airport without prior written approval of the Airport Manager.

B. No person shall store or stock material or equipment so as to constitute a fire hazard.

C. No person shall store or place any flammable liquids, solids, gasses, signal flares or similar hazardous materials within any hangar or building except in areas or rooms specifically approved by the Airport Manager. Such storage shall be contained within approved containers bearing the label of the Underwriters Laboratories, Inc. and shall not exceed a five (5) gallon maximum container in size.

D. All tenants of buildings shall provide approved metal containers equipped with sealing covers for the storage of oily wastes, rags, and similar combustible materials.

E. All tenants of buildings shall maintain the floors of hangars, hangar ramps and adjacent areas free and clear of oil, grease, and other flammable materials.

F. No person shall use flammable substances for cleaning floors of hangars or other buildings.

G. Cleaning of aircraft engines or other parts using solvents shall be limited in scope and only nonflammable or high flashpoint (100 degrees F. or greater) solvents shall be used. Drip and collecting pans shall be used during any cleaning process.

H. Painting and doping of aircraft shall be conducted only in authorized areas under permit issued by the Airport Manager.

I. Every person who becomes aware of any fire or smoldering combustion of any unwarranted or insidious nature, which is not confined within equipment designated for fire or which is a hazard to the premises shall report said fire or smoldering combustion without delay to the local fire department and the Airport Manager.

J. Portable fire extinguishers shall be provided as required and approved by the Airport Manager and shall not be moved for any reason other than to fight a fire or to be recharged.

K. Access to all fire extinguishing equipment shall always be kept free and unobstructed. Portable fire extinguishers shall be inspected periodically by the Airport Manager and recertified annually by the tenant, owner, or responsible party.

L. For aircraft fueling regulations, the National Fire Protection Association Standard 407 is adopted herein by reference. All persons using or occupying the airport shall be required to have full knowledge of the terms and conditions of NFPA Standard 407.

Sec. G-IV 12.6 General Rules & Regulations

A. All persons using the airport shall be subject to, and governed by, these rules and regulations, all County ordinances, State and Federal laws and F.A.A. rules and regulations.

B. Any person using or entering the airport for any purpose shall be responsible for full and complete knowledge of, and compliance with the rules and regulations.

C. The Airport Manager shall interpret the rules and regulations. Requests for review of any interpretation shall be made in writing to the Airport Manager.

D. Any person finding lost articles on the airport shall immediately deposit them at the Airport's Administration office.

E. All lessees and persons using the airport shall be responsible for the cleanliness of their respective area and for the removal of all trash and debris. (Ord. 635. (06/05/1973))

EXHIBIT B

GENERAL CODE

CHAPTER IV: GENERAL REGULATIONS

ARTICLE 14 OUTDOOR BURNING

Sections:

Sec. G-IV 14.1 Outdoor Burning

Sec. G-IV 14.1 Outdoor Burning

Outdoor burning in the unincorporated areas of Nevada County shall be conducted pursuant to the provisions of the 1985 Uniform Fire Code and all code sections pertaining to fire safety standards and California fire code amendments for the County of Nevada.

EXHIBIT B

GENERAL CODE

CHAPTER IV: GENERAL REGULATIONS

ARTICLE 15 BINGO

Sections:

Sec. G-IV 15.1 Bingo

Sec. G-IV 15.2 Definitions

Sec. G-IV 15.3 License Required

Sec. G-IV 15.4 License Fee

Sec. G-IV 15.5 License Application

Sec. G-IV 15.6 Rules and Regulations for Licensee Conducting Bingo Games for Charity

Sec. G-IV 15.7 Posting and Keeping License

Sec. G-IV 15.1 Bingo

This Ordinance is enacted under Section 19 of Article IV of the State Constitution and Section Cal. Penal Code § 326.5 and allows the game of Bingo to be conducted and played in the County of Nevada.

As used in this Ordinance “Bingo” means a game of chance in which prizes are allowed on the basis of designated numbers or symbols on a card which conforms to numbers or symbols selected at random.

Sec. G-IV 15.2 Definitions

A. BINGO. As used in this Ordinance, the word “bingo” means a game of chance in which prizes are awarded on the basis of designated numbers or symbols on a card which conform to the numbers or symbols selected at random.

B. COUNTY. As used in this Ordinance “County” shall mean the County of Nevada, State of California.

C. EXEMPT, CHARITABLE ORGANIZATIONS. As used in this Ordinance, “exempt, charitable organizations” means all organizations exempted from the payment of the bank and corporation tax by Cal. Rev. & Tax. Code §§ 23701a, 23701b, 23701d, 23701e, 23701f, 23701g and 23701-l and all mobile home park associations and senior citizens organizations who wish to conduct bingo games to be used only for charitable purposes, or as specified for charitable or purposes specified in Cal. Penal Code § 326.5.

D. MINOR. A minor is described as one who has not reached the age of legal majority, or 18 years.

E. LICENSE PERIOD. As used in this Ordinance, the words “License Period” shall be for a period of twelve (12) consecutive months.

Sec. G-IV 15.3 License Required

All organizations exempted from the payment of the bank and corporation tax by Cal. Rev. & Tax. Code §§ 23701a, 23701b, 23701d, 23701e, 23701f, 23701g and 23701-l and all mobile home park associations and senior citizens organizations who wish to conduct bingo games, the proceeds of such games to be used only for charitable purposes or as specified for charitable or purposes specified in Cal. Penal Code § 326.5 shall procure a license to operate any such bingo game for charity, and it shall be unlawful for any such organization, mobile home park association, or senior citizens organization to conduct a bingo game for charitable purposes within the unincorporated limits of the County of Nevada without first having procured a license from said County to do so and without complying with any and all applicable provisions of this ordinance.

Sec. G-IV 15.4 License Fee

The County shall impose a license fee to be set by resolution of the Board of Supervisors for the issuance of a license or the renewal thereof, which fee shall be paid concurrently at the time of the application of said license. Said license shall be for a term of twelve (12) consecutive months.

All such licenses shall expire on the termination of the twelfth month and shall have to be renewed for the ensuing twelve (12) months. If an applicant for a license or renewal thereof is denied, one-half of said license fee shall be refunded to the organization. (Ord. 824. (12/13/1977))

Sec. G-IV 15.5 License Application

Every exempt, charitable organization required to have a license under the provisions of this Ordinance shall make application for the same to the County Clerk of the County of Nevada, on a form provided by the County Clerk, and upon payment of the prescribed license fee the County Clerk shall issue such exempt, charitable organization a license which shall contain:

1. The name of the exempt, charitable organization to which the license is issued.
2. The date of issuance.
3. Such other information as may be necessary for the enforcement of the provisions of this Ordinance, including, but not limited to, a written statement sworn to before some officer authorized to administer oaths that such organization is exempt from the payment of bank and corporation tax by Cal. Rev. & Tax. Code §§ 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, and 23701-l or that such organization is a mobile home park association or senior citizens organization.

No such statement shall be conclusive upon the County of Nevada or any officer thereof as to matters therein set forth, and the same shall not prejudice the rights thereof of the County to make an independent investigation as to the status of the organization applying for a license.

Sec. G-IV 15.6 Rules and Regulations for Licensee Conducting Bingo Games for Charity

The following rules and regulations, as set forth in Cal. Penal Code § 326.5 as amended, enacted under the authority of Section 19(c) of Article IV of the Constitution of the State of California, shall be applicable to all licensees under the provisions of this ordinance:

- A. It is a misdemeanor for any person to receive or pay a profit, wage, or salary from any bingo game authorized by Section 19(c) of Article IV of the State Constitution.
- B. A violation of subdivision (A) of this section shall be punishable by a fine not to exceed ten thousand dollars (\$10,000.00), which fine shall be deposited in the general fund of the County. A violation of any provision of this Ordinance other than subdivision (A) is a misdemeanor.
- C. No minor shall be allowed to participate in any bingo game.
- D. An organization authorized to conduct bingo games pursuant to this Ordinance shall conduct a bingo game only on property owned or leased by it and which property is used by such organization for an office or for the performance of the purposes for which the organization is organized. Nothing in this subdivision shall be construed to require that the

property owned or leased by the organization be used or leased exclusively by such organization.

E. All bingo games shall be open to the public, not just to members of the authorized organization.

F. A bingo game shall be operated and staffed only by members of the authorized organization which organized it. Such members shall not receive a profit, wage, or salary from any bingo game. Only the organization authorized to conduct a bingo game shall operate such a game, or participate in the promotion, supervision, or any other phase of such game.

G. No individual corporation, partnership or other legal entity except the organization authorized to conduct the bingo game shall hold a financial interest in the conduct of such bingo game.

H. With respect to organizations exempt from payment of the bank and corporation tax by Cal. Rev. & Tax. Code § 23701d, all profits derived from a bingo game shall be kept in a separate fund or account and shall not be comingled with any other fund or account. Such profit shall be used only for charitable purposes. With respect to other organizations authorized to conduct bingo games pursuant to this section, all proceeds derived from a bingo game shall be kept in a separate fund or account and shall not be comingled with any other fund or account. Such proceeds shall be used only for charitable purposes, except as follows:

1. Such proceeds may be used for prizes.
2. A portion of such proceeds, not to exceed ten percent (10%) of the proceeds after the deduction for prizes, or Five Hundred Dollars (\$500.00) per month, whichever is less, may be used for rental of property, overhead, and administrative expenses.

I. No person shall be allowed to participate in a bingo game, unless the person is physically present at the time and place in which the bingo game is being conducted.

J. The total value of prizes awarded during the conduct of an evening of bingo games shall not exceed two hundred and fifty dollars (\$250.00) in cash or kind or both, for each separate game which is held.

Sec. G-IV 15.7 Posting and Keeping License

All licenses must be kept and posted in the following manner:

The licensee carrying on a bingo game for charity in the County of Nevada shall keep the license posted in a conspicuous place upon the premises where the bingo game is carried on.

EXHIBIT B

GENERAL CODE

CHAPTER IV: GENERAL REGULATIONS

ARTICLE 20 RESPONSIBILITY FOR REPORTING DISCHARGES OF HAZARDOUS WASTES

Sections:

Sec. G-IV 20.1 Duty of County Health Officer

Sec. G-IV 20.2 Duty of Director of Environmental Health

Sec. G-IV 20.1 Duty of County Health Officer

For purposes of compliance with the reporting and disclosure requirements of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986, and in particular, Cal. Health & Safety Code § 25180.7, the official to whom illegal discharge or threatened illegal discharge of hazardous wastes shall be reported is the County Environmental Health Officer. The County Environmental Health Officer shall be responsible for notifying local news media and making such information available to the public. In addition, the County Environmental Health Officer shall have the further obligation of reporting any such discharge or threat of discharge of hazardous wastes to the Director of Environmental Health, or their designee, immediately and shall continue to inform the Director of Environmental Health on a regular basis of any changes in a previously reported discharge or of any preventive or corrective measures taken, or to be taken, by any person, business or entity.

Sec. G-IV 20.2 Duty of Director of Environmental Health

The Director of Environmental Health shall have the obligation of reporting any discharges or threats of discharges of hazardous wastes that they become aware of to the County Health Officer immediately and to keep the County Health Officer informed of any preventive or corrective measures taken or to be taken by any person, business or entity.

EXHIBIT B

GENERAL CODE CHAPTER IV GENERAL REGULATIONS ARTICLE 21 ART IN PUBLIC PLACES

Sections:

Sec. G-IV 21.1 Intent

Sec. G-IV 21.2 Construction of Public Buildings

Sec. G-IV 21.3 Funding

Sec. G-IV 21.1 Intent

In adopting this Article, it is the intent of the Board of Supervisors to foster culture and the arts within the County of Nevada by acquiring art for public display within any new buildings that may hereinafter be built by the County.

Sec. G-IV 21.2 Construction of Public Buildings

Whenever any new building is to be constructed by the County of Nevada, the Board of Supervisors shall determine whether the building layout and use are conducive to the public display of art, and in such cases as the Board finds to be suitable, the Board of Supervisors shall endeavor to provide funding in an amount up to one percent (1%) of the total estimated cost of construction thereof for the express purpose of acquiring and displaying art therein.

Sec. G-IV 21.3 Funding

In order to establish a funding mechanism for art acquisitions, the County shall establish a separate budgetary account which shall be known as the "Art Acquisition Account". The Board of Supervisors shall annually during the budget adoption process allocate such funds to the account as the Board deems appropriate.

EXHIBIT B

GENERAL CODE

CHAPTER IV: GENERAL REGULATIONS

ARTICLE 22 PROHIBITION OF RADIOACTIVE WASTE DISPOSAL

Sections:

Sec. G-IV 22.1 Prohibition of Radioactive Waste Disposal

Sec. G-IV 22.1 Prohibition of Radioactive Waste Disposal

A. No person shall dispose of radioactive waste within the County of Nevada.

B. As used herein, "radioactive waste" shall mean such amount of radioactive waste as poses a potential hazard to human health and safety and is more particularly defined in Federal EPA regulations contained in Title 40, Part 191, Subpart A, Section 191.02 of the Code of Federal Regulations.

C. Violation of this section shall be a misdemeanor, punishable by a fine of up to \$1,000 for each violation and/or six months imprisonment in county jail.