



RESOLUTION No. 24-402

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION ESTABLISHING THE OFFICE OF COUNTY HEARING OFFICER AND DESIGNATING HEARING OFFICERS TO CONDUCT ADMINISTRATIVE AND NUISANCE ABATEMENT HEARINGS

WHEREAS, California Government Code section 27720 authorizes the Board of Supervisors to establish the office of a County hearing officer; and

WHEREAS, Government Code section 25845 authorizes the Board to establish a procedure for the abatement of a nuisance and to delegate to a hearing officer appointed pursuant to section 27720 the powers and duties specified in section 25845 related to abatement of a public nuisance abatement; and

WHEREAS, Nevada County Code sections 12.03.300 (Cannabis Cultivation), 12.05.220 (Administrative Enforcement) and other provisions of County Code delegate the authority to conduct administrative appeal and nuisance abatement hearings under these provisions to hearing officers appointed by the Nevada County Board of Supervisors; and

WHEREAS, the Board of Supervisors desires to maintain a panel of attorneys who are well qualified and willing to serve in the capacity of hearing officers to conduct administrative hearings under the provisions of County Code referenced herein; and

WHEREAS, the Board of Supervisors has previously appointed attorneys employed by the law firms of Colantuono, Highsmith & Whatley, PC and Diamond Baker Mitchell Cole, LLP, who are well-qualified to serve as hearing officers and who wish to continue to conduct administrative hearings as specified herein; and

WHEREAS, the County has recently renewed contracts with the two law firms referenced herein, and desires to continue utilizing the services of the attorneys specified in the contracts.

NOW, THEREFORE, BE IT HEREBY RESOLVED, the Board of Supervisors for the County of Nevada, State of California, establishes the office of hearing officer and designates the law firms of Colantuono, Highsmith, & Whatley, PC and Diamond Baker Mitchell Cole, LLP to continue to provide well-qualified attorneys to serve as hearing officers for administrative hearings and public nuisance abatement hearings in accordance with Nevada County Code.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 9th day of July 2024, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarthout,
Susan Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

Recuse: None.

ATTEST:

TINE MATHIASSEN
Chief Deputy Clerk of the Board of Supervisors

By: _____



Hardy Bullock, Chair

