



ORDINANCE No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

AN ORDINANCE AMENDING SECTIONS 2.02.030 AND 2.09.160 OF THE NEVADA COUNTY CODE TO UPDATE THE DUTIES AND DESCRIPTIONS, AND TO ALIGN WITH STATE LAW, FOR THE OFFICES OF AUDITOR-CONTROLLER, DIRECTOR OF PUBLIC HEALTH, AND PUBLIC HEALTH OFFICER

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

SECTION I:

The Board of Supervisors wishes to amend Sections 2.02.030 and 2.09.160 of Chapter 2 of Title 2 of the Nevada County Code setting forth the duties and descriptions of certain County Officers; namely, the position of Auditor-Controller, Director of Public Health, and Public Health Officer.

The amendment will clarify that the person holding the consolidated office of Auditor-Controller shall qualify separately for each office of Auditor and Controller, as the qualifications for those offices are described in state law, as may be amended from time to time.

The amendment also clarifies and differentiates the descriptions for the positions of Director of Public Health and the Board of Supervisors-appointed Public Health Officer.

SECTION II:

Sections 2.02.030 and 2.09.160 of Chapter 2 of Title 2 of the Nevada County Code are hereby amended to read as shown in Exhibit A, attached hereto and incorporated by this reference.

SECTION III:

Severability. If any provision of this Article or the application thereof to any person or circumstance is held invalid, the remainder of this Article, including the application of such part or provision to other circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Article are severable. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one (1) or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be held unconstitutional, invalid or unenforceable.

SECTION III:

This Ordinance shall be passed and adopted immediately after notice and a public hearing as required by statute, and shall take effect and be in force at the expiration of thirty (30) days from and after its passage, and shall become operative on the 18th day of December, 2025, and, before the expiration of fifteen (15) days after its passage a summary shall be published once, with the names of

the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.

EXHIBIT A

Section 2.02.030 Auditor-Controller.

A. *Position of County Auditor-Controller.* The official filling the position of County Auditor-Controller shall meet the provisions of Article 4 of Chapter 4, Part 3, Division 2, Title 3 of the Cal. Gov't Code, as may be amended from time to time, and which are hereby adopted and made applicable to the County. (See Cal. Govt. Code §§ 26945—26946.)

B. *Consolidation of Offices of Auditor and Controller.* The positions of Auditor and Controller shall be consolidated. The person holding the consolidated office shall qualify separately for each office. Duties and responsibilities of each office as described in Cal Gov't Code §§ 26800—26886 for the position of controller and Cal. Gov't Code §§ 26900—26946 for the position of auditor, as those sections may be amended from time to time, and which are hereby adopted and made applicable to the County.

C. *Election.* The position of Auditor-Controller shall be an elected position as per Cal. Gov't Code § 24009.

(Ord. 241. (01/03/1961); Ord. 2518. (03/14/2023))

Section 2.09.160 Positions of the Director of Public Health and Public Health Officer.

A. *Director of Public Health.* The County of Nevada Public Health Department shall be administered by the Public Health Director, under the general administrative direction of the Health and Human Services Agency Director.

B. *Public Health Officer.* The Public Health Officer of the County of Nevada is appointed by the Board of Supervisors and functions as staff or contractor of the Public Health Department. The Public Health Officer serves at the will of the Board of Supervisors and is under the general direction of the Health and Human Services Agency Director.

(Ord. 2525. (06/13/2023))