



# **ORDINANCE No. \_\_\_\_\_**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

### **AN ORDINANCE AMENDING ARTICLE 13 AND ARTICLE 30 OF CHAPTER II OF THE NEVADA COUNTY ADMINISTRATIVE CODE REGARDING THE ASSESSMENT APPEALS BOARD**

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

#### **SECTION I:**

#### **Findings and Declarations**

- A. Pursuant to Article XI, section 7 of the California Constitution, the County of Nevada (“County”) may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its residents.
- B. Article 13, section 11 of Chapter II of the Nevada County Administrative Code is repealed and replaced to allow for Assessment Appeals Board compensation to be set by resolution of the Nevada County Board of Supervisors.
- C. Article 30, section 30.7 of Chapter II of the Nevada County Administrative Code is repealed and replaced to allow for remote meetings pursuant to California Revenue and Taxation Code section 1616, which was enacted in 2020.
- D. Article 30, section 30.7 of Chapter II of the Nevada County Administrative Code is repealed and replaced to conform with California Revenue and Taxation Code section 1605.4 which states “[e]qualization hearings shall be open and public except that, upon conclusion of the taking of evidence, the county board may deliberate in private in reaching a decision.”
- E. Article 30, section 30.13 of Chapter II of the Nevada County Administrative Code is repealed and replaced removing provisions of the County Personnel Code to appointed, non-employee Assessment Appeals Board members.
- F. Article 30, section 30.15 of Chapter II of the Nevada County Administrative Code is repealed and replaced to remove the fee as these fees are reviewed and set by resolution on an ongoing basis. Removal of the phrase “[t]he minimum fee shall be computed as one hour of service provided by the County Counsel’s Office and shall be at the current rate set by Resolution of the Board of Supervisors.”
- G. Other amendments to this Article are part of an on-going effort to update clarification and formatting of the Nevada County Codes. The changes are not substantive.

## SECTION II:

Section A-II 13.11 of Chapter II of the Nevada County Administrative Code is repealed and replaced in its entirety to read as shown in Exhibit A attached hereto and incorporated by reference.

Section A-II 30.1 through 30.16 of Chapter II of the Nevada County Administrative Code is hereby repealed and replaced in its entirety to read as shown in Exhibit B attached hereto and incorporated by 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 IV:

This Ordinance shall be passed and adopted immediately after notice and a public hearing as required by statute, and shall take effect and be in force at the expiration of thirty (30) from and after its passage, and shall become operative on the 7th day of July, 2022, and before the expiration of fifteen (15) days after its passage it 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.