



**REGULAR CITY COUNCIL MEETING  
WEDNESDAY, FEBRUARY 12, 2020**

**Regular Meeting - 6:30 PM**

**City Hall – Beryl P. Robinson, Jr. Conference Room  
317 Broad Street, Nevada City, CA 95959**

**MISSION STATEMENT**

*The City of Nevada City is dedicated to preserving and enhancing its small town character and historical architecture while providing quality public services for our current and future residents, businesses and visitors.*

**Reinette Senum, Mayor**

**Duane Strawser, Council Member  
David Parker, Council Member**

**Erin Minett, Vice Mayor  
Valerie Moberg, Council Member**

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The City Council welcomes you to its meetings which are scheduled at 6:30 PM on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of each month. Your interest is encouraged and appreciated. This meeting is recorded on DVD and is televised on local public television Channel 17. Other special accommodations may be requested to the City Clerk 72 hours in advance of the meeting. Please turn off all cell phones or similar devices. Action may be taken on any agenda item. Agenda notices are available at City Hall. Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Hall at 317 Broad Street, Nevada City, CA during normal business hours.

**ANY MEMBER OF THE PUBLIC DESIRING TO ADDRESS THE COUNCIL ON ANY ITEM ON THIS AGENDA:** After receiving recognition from the Mayor, give your name and address, and then your comments or questions. Please direct your remarks to the Councilmembers. In order that all interested parties have an opportunity to speak, please limit your comments to the specific item under discussion. All citizens will be afforded an opportunity to speak, consistent with their Constitutional rights. Time limits shall be at the Mayor's discretion. **IF YOU CHALLENGE** the Council's decision on any matter in court, you will be limited to raising only those issues you or someone else raised at the meeting or Public Hearing described on this agenda, or in written correspondence delivered to the City Council at, or prior to, the meeting or Public Hearing.

**CLOSED SESSION: None**

**Under Government Code Section 54950 members of the public are entitled to comment on the closed session agenda before the Council goes into closed session.**

**REGULAR MEETING – 6:30 PM - Call to Order**

**Roll Call:** Mayor Senum, Vice Mayor Minett, Council Members Moberg, Parker and Strawser

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS:**

**PRESENTATIONS:**

## **BUSINESS FROM THE FLOOR**

### **1. PUBLIC COMMENT**

Under Government Code Section 54954.3, members of the public are entitled to address the City Council concerning any item within the Nevada City Council's subject matter jurisdiction. Comments on items NOT ON THE AGENDA are welcome at this time. Normally, public comments are limited to no more than three minutes each. **Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda.**

### **2. COUNCIL MEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:**

### **3. CONSENT ITEMS:**

All matters listed under the Consent Calendar are to be considered routine by the City Council and will be enacted by one motion in the form listed. There will be no separate discussion of these items unless, before the City Council votes on the motion to adopt, members of the Council, City staff or the public request specific items to be removed from the Consent Calendar for separate discussion and action.

**A. Subject:** Accounts Payable Activity Report – January 2020

**Recommendation:** Receive and file.

**B. Subject:** Side Letter No. 3 to the Nevada City Miscellaneous Employee's Association Memorandum of Understanding (MOU) and Side Letter No. 1 to the Nevada City Management and Supervisory Employee's (MOU) – Clothing Allowance and Miscellaneous Allowance WTP/WWTP Definition

**Recommendation:** Review and approve Side Letter No. 3 to the City of Nevada City Miscellaneous Employee's Association Memorandum of Understanding (MOU) and Side Letter No. 1 to the Nevada City Management and Supervisory Employee's (MOU) rescinding and replacing policies regarding required work clothing.

**C. Subject:** Award of Contract for Downtown Curb Ramp Improvements

**Recommendation:** Pass Resolution 2020-XX, a Resolution of the City of Nevada City to award a contract to Mattingly's Concrete in the amount of \$107,935 plus \$20,000 contingencies for Downtown Curb Ramp Improvements and authorize the Mayor to sign.

**D. Subject:** Letter of Support for Broadband Grant Proposal

**Recommendation:** Review the letter of support for a broadband grant proposal for the Nevada County Last-Mile Grant Program and authorize the City Council to sign.

- E. Subject:** An Ordinance of the City of Nevada City Amending Title 15 of the Nevada City Municipal Code to Adopt the 2019 California Building Standards with Local Amendments  
**Recommendation:** Waive the second reading and adopt the Ordinance 2020-XX as presented.
- F. Subject:** Division Chief/Fire Investigator- Peace Officer Qualification  
**Recommendation:** Pass Resolution 2020-XX, a Resolution of the City of Nevada City approving the Peace Officer status for the Division Chief/Fire Investigator.
- G. Subject:** Quit-Claim Abandonment of Drainage Easement and Acceptance of an Offer of Dedication for Drainage Easement by CDS properties, Inc.  
**Recommendation:** Pass Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City authorizing the Mayor to sign easement documents for quit-claim abandonment of drainage easement and acceptance of an offer of dedication for drainage easement by CDS properties, Inc.
- H. Subject:** Consulting Services Agreement with Jacobson James & Associates for Wastewater Discharge Permitting Assistance  
**Recommendation:** Pass Resolution 2020-XX, a Resolution of the City of Nevada City to Authorize a Professional Consulting Services Master Agreement with Jacobson James & Associates, Inc. and contract work order for environmental services in the amount of \$10,000 to assist with Wastewater Treatment Plant Permit Compliance and authorize the Mayor to sign.
- I. Subject:** Action Minutes January 22, 2020 City Council Meeting  
**Recommendation:** Review and approve City Council Meeting Action Minutes of January 22, 2020.

#### **4. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:**

- A. Subject:** Pay Scale for Temporary Parks & Recreation Employees  
**Recommendation:** Pass Resolution 2020-XX, a Resolution for the City Council of the City of Nevada City to adopt the Parks & Recreation part-time employee pay scale.
- B. Subject:** Street Closure Request Application for the City of Nevada City Birthday Party  
**Recommendation:** Review and authorize the street closure request application for the City of Nevada City Birthday Party.
- C. Subject:** Nevada City Fat Tire Festival Street Closure Request  
**Recommendation:** Review and authorize the Nevada City Fat Tire Festival street closure request per application.

**D. Subject:** Ordinance No. 2020-XX Amending Nevada City Municipal Code Section 13.04050 Entitled “Water Rates-Delinquency-Penalties” and Resolution Adopting Water Shut-Off Policy Pursuant to SB 998

**Recommendation:**

1. Waive reading of Ordinance, read by title only and introduce for first reading Ordinance No. 2020-XX An Ordinance of the City of Nevada City Amending Title 13, Article II, Section 13.04.050 of the Nevada City Municipal Code Entitled “Water Rates—Delinquency—Penalties”.
2. Adopt Resolution No. 2020-XX, a Resolution of the City Council of the City of Nevada City, State of California adopting a Policy on Residential Water Shut-Off for Nonpayment.

**5. PUBLIC HEARINGS:**

**A. Subject:** Adjustment to Downtown Employee Parking Permit Fee

**Recommendation:** Pass Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City establishing revised fee for Nevada City Downtown Employee Parking Permit.

**B. Subject:** Swimming Pool Program Fees Update

**Recommendation:** Conduct a Public Hearing and upon conclusion pass Resolution 2020-XX, a Resolution of the City of Nevada City adopting updated fee schedule for swimming pool programs.

**C. Subject:** Consideration of Ordinance Amendments for the Regulation of Wireless Telecommunication Facilities in the City

**Recommendation:** Provide staff direction on whether or not to have the Consulting Attorney incorporate requested Ordinance amendments.

**6. OLD BUSINESS:**

**7. NEW BUSINESS:**

**A. Subject:** Freeway Visible Sign Amendment – Chevron Price Signage at 301 Sacramento Street

**Recommendation:** Review the “as-installed” modified signage and make a recommendation.

**8. CORRESPONDENCE:**

**9. ANNOUNCEMENTS:**

**10. CITY MANAGER’S REPORT:**

**11. ADJOURNMENT**

**Certification of Posting of Agenda**

I, Loree' McCay, Administrative Services Manager/Deputy City Clerk for the City of Nevada City, declare that the foregoing agenda for the February 12<sup>th</sup> , 2020 Regular Meeting of the Nevada City City Council was posted February 7<sup>th</sup>, 2020 at the entrance of City Hall. The agenda is also posted on the City's website [www.nevadacityca.gov](http://www.nevadacityca.gov).

Signed February 7<sup>th</sup>, 2020, at Nevada City, California

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Loree' McCay, Administrative Services Manager/Deputy City Clerk

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**CITY OF NEVADA CITY  
City Council  
Long Range Calendar**

February 12, 2020	Regular Council Meeting
February 17, 2020	Holiday
February 26, 2020	Regular Council Meeting
March 11,2020	Regular Council Meeting
March 25, 2020	Regular Council Meeting
March 31, 2020	Holiday
April 8, 2020	Regular Council Meeting
April 22, 2020	Regular Council Meeting
May 13, 2020	Regular Council Meeting
May 25, 2020	Holiday
May 27, 2020	Regular Council Meeting

NOTE: This list is for planning purposes; items may shift depending on timing and capacity of a meeting.

***NOTICE:*** *As presiding officer, the Mayor has the authority to preserve order at all City Council meetings, to remove or cause the removal of any person from any such meeting for disorderly conduct, or for making personal, impertinent, or slanderous remarks, using profanity, or becoming boisterous, threatening or personally abusive while addressing said Council and to enforce the rules of the Council.*

## REPORT TO CITY COUNCIL

February 12, 2020

City of Nevada City  
317 Broad Street  
Nevada City CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

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**TITLE:** Accounts Payable Activity Report – January 2020

**RECOMMENDATION:** Receive and file.

**CONTACT:** Loree' McCay, Administrative Services Manager

**BACKGROUND / DISCUSSION:**

The attached Accounts Payable Activity Report includes all the cash disbursements associated with the citywide expenditures for the month of January 2020.

**ENVIRONMENTAL CONSIDERATIONS:** Not applicable.

**FISCAL IMPACT:** Varies Monthly

**ATTACHMENTS:**

- ✓ Accounts Payable Activity Report – January 2020

REPORT.: Jan 31 20 Friday  
 RUN...: Jan 31 20 Time: 15:39  
 Run By.: Desirae Andresen

City of Nevada City  
 Month End Payable Activity Report  
 Report for 01-20

PAGE: 001  
 ID #: PY-AC  
 CTL.: NEV

Period	Vendor # (Name)	Invoice Number	Invoice Date	Due Date	Disc. Terms	Gross Amount	Description
01-20	49E02 (49ER WATER SERVICES)	1918	01/07/20	/ /		120.00	WWTP TESTING OCT 2019
01-20	4LE01 (4LEAF, INC.)	J3652N	01/21/20	/ /		1105.00	NATIONAL HOTEL 12/01-12/31/19
01-20	ADA05 (ADAM LABORATORIES, INC.)	26068	05/02/18	/ /		550.00	SEWER BACKUP CLAIM #SR402VALLEY ST
01-20	ADV11 (ADVANTAGE GEAR, INC.)	1071	01/13/20	/ /		160.82	UNIFORM ALLOWANCE C.ELLISON
01-20	ALH02 (ALHAMBRA & SIERRA SPRINGS)	010920	01/09/20	/ /		10.03	DPW WATER
01-20	ALL01 (ALL SEASONS POOLS & SPAS)	6643	12/09/19	/ /		157.27	WTP ACID
		6937	12/17/19	/ /		211.47	SAND FILTER CHLORINE
		121919C	12/19/19	/ /		80.00	CHLORINE DEPOSIT RETURN
		Vendor's Total ----->				288.74	
01-20	ALL24 (ALL TRAFFIC SOLUTIONS)	Q-44823	08/26/19	/ /		1500.00	12 MONTH RENEWAL EXP 02/25/21
01-20	AME19 (AMERICAN FIDELITY)	D111415	01/21/20	/ /		789.74	STD/LTD BENEFITS JAN 2020
01-20	AME24 (AMERICAN UNITED LIFE INSURA JAN 2020)		01/09/20	/ /		436.73	LIFE INS 01/01-01/30/20
01-20	ANG01 (ANGELO, KILDAY & KILDUFF, L)	38139	12/17/19	/ /		488.00	LIABILITY C#NCO33 F#GHC002649 PARKS
01-20	ARA01 (ARAMARK)	637167147	12/05/19	/ /		71.69	CITY HALL/DPW MATS
		637194673	12/19/19	/ /		58.09	MATS/LINENS
		637208494	12/26/19	/ /		58.09	MATS/LINENS
		637221438	01/02/20	/ /		58.09	MATS/LINENS
		637234800	01/09/20	/ /		58.09	MATS/LINENS
		637248484	01/16/20	/ /		58.09	MATS/LINENS
		637261886	01/23/20	/ /		58.09	MATS/LINENS
		Vendor's Total ----->				420.23	
01-20	ARR00 (ARROWHEAD SCIENTIFIC, INC.)	90815	01/06/20	/ /		250.67	EVIDENCE SUPPLIES
01-20	AT&15 (AT&T CALNET 3)	14159541	01/10/20	/ /		1046.81	12/10/19-01/09/20 BAN #9391023504
01-20	AT&16 (AT&T - WWTP)	1229-0128	12/28/19	/ /		102.50	WWTP INTERNET SVC 12/19/19-01/28/20
01-20	ATO01 (A TO Z SUPPLY)	365241	12/24/19	01/23/20	A	210.85	CROSSWALK
		365292	12/27/19	01/26/20	A	73.53	240 GENERATOR HEATER RECCRC
		365560	01/08/20	02/07/20	A	35.93	NUTS & BOLTS
		365579	01/09/20	02/08/20	A	36.59	NUTS, BOLTS
		365588	01/09/20	02/08/20	A	949.76	WTP LIME
		365709	01/13/20	02/12/20	A	97.87	BALL VALVES
		365761	01/15/20	02/14/20	A	8.54	CONCRETE
		365802	01/17/20	02/16/20	A	122.53	SUMP PUMP
		Vendor's Total ----->				1535.60	
01-20	B&C01 (B & C TRUE VALUE HOME CTR)	004604	01/08/20	02/07/20	A	29.38	CORP YARD FENCE
		402839	12/19/19	01/18/20	A	15.41	CITY HALL MOP HEADS
		402861	12/19/19	01/18/20	A	149.99	MISC PARTS
		402862	12/19/19	01/18/20	A	31.01	PLYWOOD
		402996	12/20/19	01/19/20	A	15.50	PLYWOOD
		403277	12/23/19	01/22/20	A	136.68	RAT TRAPS, GLOVES
		403415	12/24/19	01/23/20	A	38.97	STREET CROSSING SIGN
		403440	12/24/19	01/23/20	A	38.07	CODE ENFORCEMENT OFFICE
		403615	12/27/19	01/26/20	A	25.92	RAT TRAPS
		403916	12/31/19	01/30/20	A	13.61	PARKING METERS
		404082	01/02/20	02/01/20	A	.54	BOLTS/NUTS PARK BATHROOMS
		404095	01/02/20	02/01/20	A	53.70	TORCH
		404200	01/03/20	02/02/20	A	26.35	PARK BATHROOMS
		404548	01/06/20	02/05/20	A	51.10	WINTERIZING MATERIALS
		404662	01/07/20	02/06/20	A	207.22	CORP YARD FENCE
		404747	01/08/20	02/07/20	A	20.33	CORP YARD FENCE
		404766	01/08/20	02/07/20	A	206.14	DOOR REPLACEMENT
		404787	01/08/20	02/07/20	A	23.20	MISC REPAIRS
		405040	01/10/20	02/09/20	A	27.23	PARKING METERS
		405280	01/13/20	02/12/20	A	41.96	PLUNGER

REPORT.: Jan 31 20 Friday  
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City of Nevada City  
 Month End Payable Activity Report  
 Report for 01-20

PAGE: 002  
 ID #: PY-AC  
 CTL.: NEV

Period	Vendor # (Name)	Invoice Number	Invoice Date	Due Date	Disc. Terms	Gross Amount	Description
01-20	B&C01 (B & C TRUE VALUE HOME CTR)	405374	01/13/20	02/12/20	A	36.14	VANDALISM RESTROOM REPAIR
		405465	01/14/20	02/13/20	A	28.09	VANDALISM RESTROOM REPAIR
		405489	01/14/20	02/13/20	A	11.70	RESTROOM REPAIR
		405675	01/16/20	02/15/20	A	10.92	CORP YARD
		405729	01/17/20	02/16/20	A	13.35	RESTROOM REPAIR
		405730	01/17/20	02/16/20	A	12.68	RESTROOM REPAIR
		405732	01/17/20	02/16/20	A	13.67	RESTROOM REPAIR
		406094	01/21/20	02/20/20	A	38.03	CLEANING SUPPLIES
						----->	
						1316.89	Vendor's Total
01-20	BAN01 (JOHN PEKAREK, BANNER COMMUN	9187	12/30/19	01/29/20	A	54.25	MISC RADIO
		9193	01/03/20	02/02/20	A	1105.62	HANDHELD RADIO
		36650	01/01/20	01/31/20	A	50.00	WTP RADIO REPEATERS DEC 2019
						----->	
						1209.87	Vendor's Total
01-20	BAN02 (TRISTIN BANKS)	0111-0124	01/27/20	/ /		120.00	FIRE INTERN SVCS 01/11-01/24/20
01-20	BEA02 (BEAM SECURITY SYSTEMS)	R203050	01/01/20	/ /		45.00	ALARM MONITOR 01/01-03/31/20
01-20	BLU05 (BLUE SHIELD OF CALIFORNIA)	FEB 2020	01/14/20	/ /		58633.62	HEALTH INS FEB 2020 INV #200140009314
01-20	BOR01 (BORGES & MAHONEY)	141592	01/10/20	02/09/20	A	2939.10	CHLORINE EQUIPMENT ANNUAL SVC
		141593	01/10/20	02/09/20	A	2450.56	CHLORINE EQUIPMENT ANNUAL SVC
						----->	
						5389.66	Vendor's Total
01-20	BRO01 (THOMAS BROKAW)	010220	01/02/20	/ /		321.51	UNIFORM & EQUIPMENT REIMB
01-20	BUC01 (BUCKMASTER OFFICE SOLUTIONS)	385954	12/30/19	/ /		130.82	CONTRACT USAGE 11/29-12/28/19
01-20	BUS02 (BUSINESS CARD/B OF A VISA)	DEC 2019	01/06/20	/ /		1606.54	MISC DEPT PURCHASES 12/07/19-01/06/20
01-20	CAL49 (CALIF. RURAL WATER ASSOC.)	FEB 20-21	12/20/19	/ /		816.00	MEMBERSHIP DUES ID#CA2910002 FEB 2020-FEB 20
01-20	CAN03 (SYLVIA J. CANO)	010120	01/01/20	/ /		500.00	JANITOR VETS HALL DEC 2019
01-20	CAS08 (CASH )	010220	01/02/20	/ /		39.95	REPLENISH CASH DRAWER FROM 12/17/19
		OCT-DEC19	01/07/20	/ /		47.97	PETTY CASH REIMB OCT-DEC 2019
						----->	
						87.92	Vendor's Total
01-20	CHA14 (CHARTER MACHINE COMPANY)	0324407IN	01/15/20	/ /		2999.50	BELT PRESS BEARINGS
01-20	CIT01 (CITY OF GRASS VALLEY)	NCPD-0306	01/14/20	02/13/20	A	500.00	GVPD RANGE USE PAYMENT 2Q FY 19/20
01-20	CIT05 (CITIZENS BUSINESS BANK)	121519	12/15/19	/ /		8403.99	WWTP DEBT SVC#08-032 INSTALLMENT 02/01/20
01-20	COM08 (COMCAST CABLE)	122120	12/27/19	/ /		90.16	DPW MNTHLY SVC INTERNET 01/02-02/01/20
		120021920	01/15/20	/ /		32.22	MNTHLY TV CHG/MTG REC 01/20-02/19/20
						----->	
						122.38	Vendor's Total
01-20	CON11 (CME SERVICES)	64775	12/18/19	/ /		23985.00	WATER MAIN REPLACEMENT OLD DOWNIEVILLE HWY
		64778	01/15/20	/ /		28226.00	WATER MAIN REPLACEMENT OLD DOWNIEVILLE HWY
						----->	
						52211.00	Vendor's Total
01-20	COO01 (COOLER ZONE)	52724	01/01/20	/ /		49.00	COOLER RENTAL JAN 2020
01-20	COP07 (COP SHOP INSTALLATIONS, INC	9679	12/23/19	/ /		13268.35	2020 CHEVY TAHOE PATROL BUILD
01-20	COR01 (CORBIN WILLIAMS SYSTEMS)	C001151	01/15/20	02/14/20	A	432.01	MNTHLY OPS SYS FEB 2020
01-20	COR08 (DAN CORTINOVIS)	320-5	12/31/19	/ /		640.00	PERMIT COMPLIANCE CONSULTING DEC 2019

REPORT.: Jan 31 20 Friday  
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City of Nevada City  
 Month End Payable Activity Report  
 Report for 01-20

PAGE: 003  
 ID #: PY-AC  
 CTL.: NEV

Period	Vendor # (Name)	Invoice Number	Invoice Date	Due Date	Disc. Terms	Gross Amount	Description
01-20	COU06 (COUNTY OF NEVADA)	123019	12/30/19	01/29/20	A	100.00	SL 12/05/19 HONEYBOOK NCSSO
01-20	COU23 (NEVADA COUNTY COLLECTIONS)	DEC 2019	01/16/20	02/15/20	A	3547.50	PARKING TIX/POC DEC 2019
01-20	COU40 (COUNTY OF NEVADA)	2NDQ19/20	01/07/20	/ /		2394.09	QTRLY VETS BLDG PMNT FOR OCT-DEC 2019
01-20	COX01 (CAROL COX)	123019	12/30/19	/ /		100.00	SL 12/20/19 HONEYBOOK CAROL COX
01-20	CRA01 (CRANMER ENGINEERING, INC.)	GCA0070	12/31/19	01/30/20	A	137.50	WATER TESTING DEC 2019
		GCA0071	12/31/19	01/30/20	A	1440.00	WATER TESTING NOV 2019
		GCA0072	12/31/19	01/30/20	A	3033.20	WASTE WATER TESTING NOV & DEC 2019
		Vendor's Total ----->				4610.70	
01-20	CUR03 (CURTIS BLUE LINE)	INV345995	12/19/19	/ /		596.32	ACADEMY EQUIP & UNIFORM T.BROKAW
		INV348710	12/31/19	/ /		156.03	ACADEMY EQUIP & UNIFORM K.STOFLETH
		INV349800	01/06/20	/ /		589.90	UNIFORM ALLOWANCE K.STOFLETH
		INV351438	01/10/20	/ /		625.08	UNIFORM ALLOWANCE B.FISH
		INV354529	12/18/19	/ /		83.50	UNIFORM ALLOWANCE S.MASON
		Vendor's Total ----->				2050.83	
01-20	DAM01 (TRENT DAMBLY)	1129-1220	12/30/19	/ /		180.00	FIRE INTERN SVCS 11/29-12/20/19
01-20	DAT01 (DATA TICKET, INC.)	108771	01/16/20	02/15/20	A	1596.81	TICKET PROCESSING DEC 2019
01-20	DEL05 (DELL MARKETING L.P.)	103574476	12/02/19	/ /		3885.34	3 LAPTOPS - ASSETT FORFEITURE
01-20	DEL08 (DELTA INDUSTRIAL SOLUTIONS)	27756	12/13/19	/ /		2087.24	SUPPLIES
		27757	12/13/19	/ /		76.11	WORK TOWELS
		Vendor's Total ----->				2163.35	
01-20	DEP06 (DEPT OF FORESTRY & FIRE)	1257594	01/06/20	/ /		4180.05	BROADCAST DISPATCH 1ST QTR FY 19/20
01-20	DEP13 (DEPARTMENT OF JUSTICE)	429631	01/08/20	/ /		140.00	BLOOD & ALCOHOL ANALYSIS DEC 2019
		429653	01/08/20	/ /		35.00	BLOOD & ALCOHOL ANALYSIS NOV 2019
		Vendor's Total ----->				175.00	
01-20	DEP17 (DEPT OF TOXIC SUBSTANCES CO 19SM1796)	1257594	01/06/20	/ /		310.16	COST ESTIMATE FEE INV#19SM1796
01-20	DIV01 (DIVISION OF THE STATE ARCHI2Q FY1920)		01/09/20	/ /		60.00	DISABILITY ACCESS & ED FEE SB 1186 OCT-DEC 2
01-20	DMC01 (DMCE CONCRETE & )	3995	01/01/20	01/31/20	A	19235.25	BOULDER ST SIDEWALK & RAILING
01-20	ECO01 (ECONOMY PEST CONTROL INC)	010320	01/02/20	02/01/20	A	375.00	SEAMANS LDGE PEST CONTROL
01-20	ELL01 (CONNOR ELLISON)	012720	01/27/20	/ /		100.00	SL 01/27/20 HONEYBOOK CLAUDIA ELLIS
		012720u	01/29/20	/ /		100.00	-Ck# 036938 Reversed
		Vendor's Total ----->				.00	
01-20	ELL04 (CLAUDIA ELLIS)	012720	01/27/20	/ /		100.00	SL 01/18/20 HONEYBOOK CLAUDIA ELLIS
01-20	ENG06 (ENGINEERED FIRE SYSTEMS, IN	15996	01/01/20	/ /		100.00	FIRE PLAN REVIEW SEARLS GROUP 12/18/19
01-20	EVE01 (EVERGUARD SYSTEMS)	A65869	01/22/20	/ /		90.00	CHAMBER FIRE ALARM SVC 02/01-04/30/20
01-20	EW100 (TIMOTHY EWING)	011520	01/15/20	/ /		37.29	THREAT ANALYSIS TRAINING IN FOWLER MEAL REIM
01-20	FER02 (FERRELLGAS)	110916542	12/03/19	01/02/20	A	1102.20	PROPANE GENERATOR WTP INV#1109165426
01-20	FIR01 (FIRE CATT, LLC)	8013	12/21/19	/ /		2000.00	HOSE TESTING

REPORT.: Jan 31 20 Friday  
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City of Nevada City  
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 Report for 01-20

PAGE: 004  
 ID #: PY-AC  
 CTL.: NEV

Period	Vendor # (Name)	Invoice Number	Invoice Date	Due Date	Disc. Terms	Gross Amount	Description
01-20	FOS01 (FOSTER & SON HOSE & FITTING)	72480	12/17/19	/ /		59.51	JETTER REPAIR
		72482	12/17/19	/ /		63.86	JETTER REPAIR
		Vendor's Total ----->				123.37	
01-20	GAL01 (GALLS, LLC)	014598109	12/23/19	01/22/20	A	60.96	VOLUNTEER UNIFORMS
		014598132	12/23/19	01/22/20	A	182.88	VOLUNTEER UNIFORMS
		014598133	12/23/19	01/22/20	A	173.36	VOLUNTEER UNIFORMS
		Vendor's Total ----->				417.20	
01-20	GAR01 (JEREMY GARRETT)	012720	01/27/20	/ /		155.00	WWTP GRADE II EXAM APP
01-20	GRA01 (GRAY ELECTRIC COMPANY)	051471	12/30/19	01/29/20	A	26.00	CITY HALL ALARM SVC JAN 2020
		051472	12/30/19	01/29/20	A	28.00	SEAMANS LDGE ALARM SVC JAN 2020
		Vendor's Total ----->				54.00	
01-20	GRA03 (GRASS VALLEY PICKLEBALL CLU)	011420	01/14/20	/ /		100.00	SL 01/13/20 HONEYBOOK GV PICKLEBALL CLUB
01-20	GRA10 (GRAINGER)	940988241	01/13/20	02/12/20	A	35.70	CLEANING SUPPLIES
01-20	GRA14 (CITY OF GRASS VALLEY FIRE DFD2119015)		12/30/19	01/29/20	A	2718.33	SALARY NON PERMANENT SICK LEAVE BACKFILL
01-20	GRA19 (GRASS VALLEY SIGN COMPANY)	12182019	12/23/19	01/22/20	A	107.04	PARKING DECALS
01-20	GRE17 (GREAT AMERICA FINANCIAL SVC)	26261242	01/08/20	/ /		384.46	COPIERS CONTRACT 01/01-01/31/20
01-20	HAC01 (HACH COMPANY)	11800590	01/17/20	02/16/20	A	4105.50	COMPUTERIZED MAINT PROGRAM
		11800602	01/17/20	02/16/20	A	296.35	CHLORINE TESTER REAGENTS
		Vendor's Total ----->				4401.85	
01-20	HAR03 (HARRIS & ASSOCIATES)	42449	09/24/19	/ /		1487.50	AB1600 STUDY 07/28-08/24/19
		43068	11/25/19	/ /		10906.25	AB1600 STUDY 09/29-10/26/19
		43324	12/20/19	/ /		466.25	AB1600 STUDY 10/27-11/23/19
		43592	01/27/20	/ /		2292.50	AB1600 STUDY 11/24-12/28/19
		Vendor's Total ----->				15152.50	
01-20	HES01 (KELSEY HESS)	122419	12/24/19	/ /		46.33	MILEAGE REIMB DMV HEARING
01-20	HIG07 (WILLIAM HIGHSMITH)	012420	01/24/20	/ /		819.57	SUIT SET FOR COURT
		012720	01/27/20	/ /		483.00	DMV FEES #42
		Vendor's Total ----->				1302.57	
01-20	HIL02 (HILLS FLAT LUMBER CO.)	892711/1	01/15/20	02/14/20	A	320.70	RETAINING BLOCKS
01-20	HIL10 (HILL BROTHERS CHEMICAL CO.)	07062880	12/23/19	/ /		5587.83	WTP MAG
01-20	HOD02 (JOSEPHINE HODGES)	123019	12/30/19	/ /		138.40	UNIFORM REIMB
01-20	INT07 (INTERSTATE SALES)	3731	10/18/19	11/17/19	A	3345.68	CROSS WALK LIGHTS
		4175	12/09/19	01/08/20	A	6677.84	CROSS WALK LIGHTS
		Vendor's Total ----->				10023.52	
01-20	JKA01 (JK ARCHITECTURE ENGINEERING)	4931	01/07/20	/ /		1250.00	OLD AIRPORT CONSULTANT THROUGH 12/31/19
01-20	JOH04 (KIM JOHNS)	011420	01/14/20	/ /		100.00	RVETS 01/11/20 KIM JOHNS
01-20	JON00 (JONES & MAYER)	123119	01/10/20	/ /		4125.00	LEGAL SVC DEC 2019
01-20	KIM01 (KIMBALL MIDWEST)	7632157	12/27/19	/ /		267.09	NUTS & BOLTS

REPORT.: Jan 31 20 Friday  
 RUN....: Jan 31 20 Time: 15:39  
 Run By.: Desirae Andresen

City of Nevada City  
 Month End Payable Activity Report  
 Report for 01-20

PAGE: 005  
 ID #: PY-AC  
 CTL.: NEV

Period	Vendor # (Name)	Invoice Number	Invoice Date	Due Date	Disc. Terms	Gross Amount	Description
01-20	KYS01 (AMANDA KYSAR)	012320	01/23/20	/ /		159.98	UNIFORM REIMB
01-20	LEA04 (LEAGUE OF CALIF. CITIES)	4902	01/01/20	/ /		100.00	CM SAC CHAPTER DUES 2020
01-20	LEW01 (CHRIS LEWIS)	012220	01/22/20	/ /		102.82	THREAT ANALYSIS TRAINING IN FOWLER CA REIMB
01-20	LEX01 (RELX INC. DBA LEXIS NEXIS)	309242393	12/31/19	/ /		115.00	ONLINE ATTORNEY SVC DEC 2019
01-20	LIF01 (LIFE ASSIST)	963900	12/24/19	01/23/20	A	155.82	MED SUPPLIES
01-20	LSA01 (LSA ASSOCIATES, INC.)	169658	01/16/20	/ /		85.79	NEVADA ST BRIDGE ENVIRO DEC 2019
01-20	MAT04 (MATCO CONSTRUCTION)	010720	01/07/20	/ /		11650.00	MILL BUILDING
01-20	MEA01 (MEADOW ELECTRIC, INC)	12-19	12/10/19	/ /		2179.00	PUMP STATION
01-20	MIN02 (ERIN MINETT)	011020	01/10/20	/ /		625.00	COUNCIL MEMBER TRAINING 01/22-24/20
01-20	MK&01 (MK & SONS CONSTRUCTION)	123119	12/31/19	/ /		20401.00	CITY HALL DECK REPLACEMENT
01-20	MUN05 (MUNICIPAL EMERGENCY SERVICE)	IN1408606 IN1415834	12/18/19 01/13/20	/ / / /		60.22 9444.88	SAFETY MASK BAG NEW HIRE TURN OUTS
			Vendor's Total	----->		9505.10	
01-20	NCT00 (NEVADA CO. DIGITAL MEDIA CE)	959 ) 3Q 2019	01/02/20 01/08/20	/ / / /		860.00 2774.22	VIDEO SVCS DEC 2019 COMCAST PEG FEES JUL-SEPT 2019
			Vendor's Total	----->		3634.22	
01-20	NEV02 (NEVADA IRRIGATION DISTRICT)	1203*0107 1203*0107 1203-0107 1203/0107	01/07/20 01/07/20 01/07/20 01/07/20	02/06/20 02/06/20 02/06/20 02/06/20	A A A A	20.58 32.84 66.56 19.32	WATER SVC 5 KIDDER 12/03/19-01/07/20 ACCT#38 WATER SVC 5 KIDDER 12/03/19-01/07/20 ACCT#38 WATER SVC 201 PROV 12/03/19-01/07/20 ACCT#37 WATER SVC 201 PROV 12/03/19-01/07/20 ACCT#37
			Vendor's Total	----->		139.30	
01-20	NEV03 (NEVADA CITY CHAMBER)	010920	01/09/20	02/08/20	A	10419.43	TOT'S 2ND QTR FY 19/20
01-20	NEV06 (NEVADA CITY ENGINEERING)	28934 28935	01/06/20 01/06/20	02/05/20 02/05/20	A A	2398.80 82.60	PG&E STREET IMPROVEMENTS @ UPPER BROAD DEC 2 WATERLINE REPLACEMENT PROJECT UPPER BROAD DE
			Vendor's Total	----->		2481.40	
01-20	NEV49 (NEVADA COUNTY ECONOMIC)	074490	01/01/20	01/31/20	A	3000.00	2020 PARTNER INVESTMENT
01-20	NEV54 (COUNTY OF NEVADA)	011420	01/14/20	/ /		7000.00	TRUCK PURCHASE
01-20	NEW08 (DAVID NEWGARD)	VACA 0111-0124	01/15/20 01/15/20	/ / / /		5768.16 949.53	VACATION PAYOUT - FINAL PAYCHECK 01/11-01/24 FINAL PAYCHECK PAY PERIOD 01/11-01/24/20
			Vendor's Total	----->		6717.69	
01-20	NOR30 (NORTH STATE CONSULTING)	19-12	01/20/20	/ /		5088.00	ENGINEER CONSULT DEC 2019
01-20	NOR34 (NOR-CAL PIPELINE SERVICES)	3314CV05	01/15/20	/ /		1740.00	GRIT CHANNEL CLEANING
01-20	OCO01 (ITARA O'CONNELL)	011420	01/14/20	/ /		100.00	SL 01/11/20 ITARA KATHERINE O'CONNELL
01-20	OFF06 (OFFICE DEPOT, INC.)	422092512 422092744 427023309	01/01/20 01/02/20 01/10/20	/ / / / / /		11.89 9.26 11.12	MISC OFFICE SUPPLIES MISC OFFICE SUPPLIES MISC OFFICE SUPPLIES
			Vendor's Total	----->		32.27	

REPORT.: Jan 31 20 Friday  
 RUN...: Jan 31 20 Time: 15:39  
 Run By.: Desirae Andresen

City of Nevada City  
 Month End Payable Activity Report  
 Report for 01-20

PAGE: 006  
 ID #: PY-AC  
 CTL.: NEV

Period	Vendor # (Name)	Invoice Number	Invoice Date	Due Date	Disc. Terms	Gross Amount	Description
01-20	OND01 (ON DEMAND LEGAL)	185225	11/19/18	/ /		112.10	LIABILITY CLAIM #NC032 J.SAKIOKA
01-20	OWE01 (OWEN EQUIPMENT)	00048034	12/16/19	/ /		1563.00	SWEEPER BROOMS
01-20	P.S00 (P. SCOTT BROWNE, ATTORNEY) PE	121519	12/15/20	/ /		1193.50	NC B&B LIT 11/16-12/15/19
01-20	PAC01 (PAC MACHINE CO., INC.)	78687	01/08/20	/ /		2137.98	CLARIFIER BRUSH PROJECT PUMP RENTAL
		78822	01/21/20	/ /		2137.98	CLARIFIER BRUSH SYS PROJ RAS PUMP RENTAL
		Vendor's Total ----->				4275.96	
01-20	PAC02 (PACIFIC GAS & ELECTRIC)	11301231	01/03/20	02/02/20	A	1401.34	GAS SVC 11/30-12/31/19
		1116/1216	12/16/19	01/15/20	A	15693.08	GAS/ELECT SVC 11/16-12/16/19
		1217-0115	01/15/20	02/14/20	A	16276.10	GAS/ELECT SVC 12/17/19-01/15/20
		Vendor's Total ----->				33370.52	
01-20	PAR13 (PARENTS' RESOURCE GUIDE)	2975	01/09/20	/ /		310.50	FACILITY RENTAL AD
01-20	PET02 (PETER SCHACK CONSTRUCTION E	PW-48	01/14/20	/ /		2000.00	WATER SVC REPLACEMENT BOULDER ST & WWTP DITC
		PW-49	01/26/20	/ /		26134.66	WATERLINE REPLACEMENT BOULDER ST
		PW-50	12/23/19	/ /		2360.00	BLOWER LINE REPAIR
		Vendor's Total ----->				30494.66	
01-20	PIT04 (PITNEY BOWES POSTAGE BY PHO	010520	01/05/20	/ /		301.50	LATE NOTICES SEP/OCT 2019 & GENERAL POSTAGE
01-20	PLA13 (PLATT )	0A52166	01/14/20	/ /		47.49	ELECTRICAL TESTER
01-20	PRE05 (PREMIER ACCESS INSURANCE CO FEB 2020		01/22/20	/ /		3789.48	DENTAL BENEFITS FEB 2020
01-20	PRI01 (PRICE CONSULTING SERVICES)	HEU-009	12/19/19	/ /		1985.00	HOUSING ELEMENT UPDATE 10/03-11/07/19
01-20	PRO07 (PROFORCE LAW ENFORCEMENT)	393631	11/26/19	/ /		3032.00	TASERS & BATTERIES - ASSETT FORFEITURE
01-20	R&S03 (R&S ARCHITECTURAL PRODUCTS,	132304	01/16/20	/ /		3738.15	GARAGE DOOR REPAIR
01-20	RAY01 (RAY MORGAN CO)	2818649	01/06/20	/ /		67.05	CONTRACT USAGE 12/01-12/31/19
01-20	REA00 (REAL GRAPHIC)	71962	12/15/19	/ /		290.24	MAPS
01-20	REE01 (WILLIAM REED)	123019	12/30/19	/ /		100.00	RVETS 12/20/19 HONEYBOOK WILLIAM REED
01-20	REE02 (REED'S LOCKSMITHING, INC.)	4270	01/07/20	02/06/20	A	5.42	#34 KEY
		4275	01/22/20	02/21/20	A	460.35	KEY REPLACEMENTS
		4283	01/27/20	02/26/20	A	117.94	KEYS
		4286	01/12/20	02/11/20	A	88.64	KEYS
		4298	01/16/20	02/15/20	A	106.33	KEYS/LOCKS
		Vendor's Total ----->				778.68	
01-20	RIE02 (RIEBER'S NAPA AUTO PARTS)	854210	12/03/19	01/02/20	A	7.72	OIL PUMP
		854274	12/04/19	01/03/20	A	17.48	SHOP TOOL
		854574	12/06/19	01/05/20	A	46.46	FLEET
		855103	12/11/19	01/10/20	A	1.14	#29 BRAKE LIGHT
		855495	12/14/19	01/13/20	A	18.90	WINDSHIELD WIPER BLADES
		855634	12/17/19	01/16/20	A	37.80	SHOP
		855738	12/18/19	01/17/20	A	32.92	CLARIFIER REPAIR SCIMMER ARM
		856147	12/21/19	01/20/20	A	9.65	MISC
		856218	12/23/19	01/22/20	A	24.02	BATTERIES
		856310	12/26/19	01/25/20	A	666.48	TOOL BOXES #64 & 63
		856448	12/27/19	01/26/20	A	29.01	NUT DRIVERS
		856509	12/27/19	01/26/20	A	32.62	240 GENERATOR RADIATOR HOSE
		856602	12/30/19	01/29/20	A	319.92	240 GENERATOR COOLANT SVC
		Vendor's Total ----->				1244.12	
01-20	ROB03 (ROBINSON ENTERPRISES, INC.)	25752	12/06/19	01/05/20	A	9.10	DPW KEY CUST#141100 INV#IN00025752

City of Nevada City  
 Month End Payable Activity Report  
 Report for 01-20

Period	Vendor # (Name)	Invoice Number	Invoice Date	Due Date	Disc. Terms	Gross Amount	Description
01-20	ROB03 (ROBINSON ENTERPRISES, INC.)	26145	12/31/19	01/30/20	A	7909.30	BIO-SOLIDS CUST#141130 INV#IN00026145
		26258	05/01/19	05/31/19	A	425.13	BACKHOE TIRE CUST#141221 INV#INV00026258
		19121372	12/15/19	01/14/20	A	893.50	DPW FUEL CUST#141100 INV#FI19121372
		19121374	12/15/20	01/14/21	A	270.34	WWTP FUEL CUST#141130 INV#FI19121374
		19122385	12/31/19	01/30/20	A	492.14	DPW FUEL CUST#141100 INV#FI19122385
		19122386	12/31/19	01/30/20	A	1292.17	PD FUEL CUST#141120 INV#FI19122386
		19122387	12/31/20	01/30/21	A	99.88	WWTP FUEL CUST#141130 INV#FI19122387
		19122391	12/31/19	01/30/20	A	547.92	FD FUEL CUST#141217 INV#FI19122391
		20011374	01/15/20	02/14/20	A	859.79	DPW FUEL CUST#141100 INV#FI20011374
		20011375	01/15/20	02/14/20	A	1374.17	PD FUEL CUST#141120 INV#FI20011375
		20011376	01/15/20	02/14/20	A	68.65	WWTP FUEL CUST#141130 INV#FI20011376
		20011380	01/15/20	02/14/20	A	617.02	FD FUEL CUST#141217 INV#FI20011380
		Vendor's Total ----->				14859.11	
01-20	ROD01 (RYAN RODRIGUEZ)	1214-1227	12/30/19	/ /		60.00	FIRE INTERN SVCS 12/14-12/27/19
01-20	SAM01 (SAMUEL WELDING SERVICE)	9272	11/18/19	/ /		1760.00	PUMP STATION RENTAL
01-20	SCH03 (JACK SCHAEFER)	0111-0124	01/23/20	/ /		120.00	FIRE INTERN SVCS 01/11-01/24/20
01-20	SCH08 (SCHWAAB, INC.)	4600819	01/13/20	02/12/20	A	41.68	SIGNATURE STAMP
01-20	SEC01 (SECURE RECORD MANAGEMENT)	19913	08/01/19	/ /		50.00	RECORDS SHRED 07/31/19
		20145	09/05/19	/ /		147.95	RECORDS SHRED PLUS 3 BOXES PURGE
		20284	10/01/19	/ /		50.00	RECORDS SHRED 09/25/19
		20822	12/03/19	/ /		50.00	RECORDS SHRED 11/20/19
		Vendor's Total ----->				297.95	
01-20	SIE64 (SIERRA NEVADA MEMORIAL)	OCT 2019	01/24/20	/ /		229.00	PINK PATCH
01-20	SIE67 (SIERRA STREAMS INST.)	011019	01/10/19	/ /		690.00	BROWNSFIELD QUARTZ MILL SSI DEC 2019
01-20	SMA02 (SMARTERBROADBAND, INC.)	84119	01/15/20	/ /		140.00	BROADBAND MNTHLY SVC FEB 2020
01-20	SOU09 (SOUTH YUBA RIVER CITIZENS L	012720	01/27/20	/ /		100.00	RVETS 01/16-19/20 HONEYBOOK SYRCL
01-20	SPD01 (SPD MARKETS)	6863485	12/13/19	01/12/20	A	17.73	XMAS GATHERING SUPPLIES
		05788114	12/27/19	01/26/20	A	5.77	RAT FOOD
		07700569	12/31/19	01/30/20	A	64.99	PROPANE EXCHANGE
		Vendor's Total ----->				88.49	
01-20	STE12 (STERICYCLE, INC.)	300494424	01/01/20	/ /		22.32	SHARPS MNTHLY COLLECTION/MED WSTE JAN 2020
01-20	SUN01 (SUNRISE ENVIRONMENTAL)	104543	12/13/19	01/12/20	A	733.49	SUPPLIES
		104579	12/13/19	01/12/20	A	111.89	TOILET TISSUE
		104626	12/17/19	01/16/20	A	181.50	SUPPLIES
		105018	01/08/20	02/07/20	A	529.89	SUPPLIES
		105214	01/16/20	02/15/20	A	592.04	SUPPLIES
		Vendor's Total ----->				2148.81	
01-20	SWR01 (SWRCH )	WD0171317	01/08/20	02/07/20	A	260.00	LDC PERMIT FEES FAC#5A29CR00107 7/1/19-6/30/
01-20	THA01 (THATCHER COMPANY OF CA., IN	271597	12/23/19	/ /		5511.49	CL2 \$ S02
		271598C	12/23/19	/ /		1150.00	CL2 & S02 RETURNS
		271599	12/23/19	/ /		2672.51	CHLORINE
		271600C	12/23/19	/ /		600.00	CL2 RETURNS
		Vendor's Total ----->				6434.00	
01-20	THE10 (THE AUTO SHOP)	28222	12/06/19	/ /		260.39	#36 OIL CHANGE
		28411	12/26/19	/ /		78.03	#23 OIL CHANGE
		28642	01/22/20	/ /		78.03	#27 OIL CHANGE
		Vendor's Total ----->				416.45	
01-20	TIM01 (KEVIN TIMMS)	010320	01/03/20	/ /		380.38	WWTP REIMB

REPORT.: Jan 31 20 Friday  
 RUN...: Jan 31 20 Time: 15:39  
 Run By.: Desirae Andresen

City of Nevada City  
 Month End Payable Activity Report  
 Report for 01-20

PAGE: 008  
 ID #: PY-AC  
 CTL.: NEV

Period	Vendor # (Name)	Invoice Number	Invoice Date	Due Date	Disc. Terms	Gross Amount	Description
01-20	TOM01 (RODNEY TOMLINSON)	1214-1227	12/30/19	/ /		120.00	FIRE INTERN SVCS 12/14-12/27/19
01-20	TRA01 (KELLY TRACE)	010720	01/07/20	/ /		100.00	SL 01/04/20 KELLY TRACE
01-20	TRO01 (TROOP 181)	061019u 061019y	01/22/20 01/22/20	/ / / /		100.00 100.00	Ck# 035683 Reversed Ck# 036907->035683 Replacement
		Vendor's Total ----->				.00	
01-20	TRO04 (TROPHIES ANYONE?)	472440	01/08/20	/ /		18.77	CITY ATTORNEY NAME PLATE
01-20	UNI01 (THE UNION)	100526228 100531149	01/02/20 01/02/20	02/01/20 02/01/20	A A	338.72 170.42	WTP/WWTP II EMP AD #526228-02 PH CITY COUNCIL-ADU ORD AD #531149-01
		Vendor's Total ----->				509.14	
01-20	UPS01 (UPS STORE 5417/DJE CONSULTA	22048 22392 22403 22493	12/02/19 12/17/19 12/18/19 12/18/19	/ / / / / / / /		56.59 16.30 13.19 12.87	POSTAGE POSTAGE TASER RETURN SHIPPING TASER RETURN SHIPPING
		Vendor's Total ----->				98.95	
01-20	USA01 (USA BLUE BOOK)	099952 117767	12/26/19 01/16/20	01/25/20 02/15/20	A A	225.43 94.12	LIME BATCH, WATER METER CL2 BLDG WIND SOCK
		Vendor's Total ----->				319.55	
01-20	VAL08 (VALLEY TOXICOLOGY SERV)	3614	12/31/19	/ /		590.00	BLOOD & ALCOHOL ANALYSIS DEC 2019
01-20	VER01 (VERIZON WIRELESS)	FD DEC19 PD DEC19 DPW DEC19 W-W DEC19	12/23/19 12/23/19 12/23/19 01/07/20	/ / / / / / / /		114.03 581.60 76.02 63.96	FD IPAD 11/24-12/23/19 INV #9844959766 11/24-12/23/19 INV #9844959764 DPW IPAD MAPPING 11/24-12/23/19 INV #9844959 WWTP&WTP ON CALL CELL 12/08/19-01/07/20 9845
		Vendor's Total ----->				835.61	
01-20	VSP00 (VISION SERVICE PLAN-(CA))	JAN 2020	12/19/19	/ /		404.52	VISION BENEFITS JAN 2020
01-20	WAL01 (WALKER'S OFFICE SUPPLY)	2086969-0 2088247-0 2088254-0 2088956-0 2089083-0 2089083-1 2089131-0 2089408-0 2089414-0 2089414-1 2090328-0 2090881-0 2091731-0 2093089-0	12/26/19 12/26/19 12/26/19 12/31/19 01/02/20 01/03/20 01/02/20 01/03/20 01/02/20 01/03/20 01/08/20 01/10/20 01/15/20 01/23/20	01/25/20 01/25/20 01/25/20 01/30/20 02/01/20 02/02/20 02/01/20 02/02/20 02/01/20 02/02/20 02/07/20 02/09/20 02/14/20 02/22/20	A A A A A A A A A A A A A A	557.05 13.50 20.20 151.70 5.43 4.65 56.70 8.65 46.58 168.31 142.58 80.75 34.01 8.58	AMANDAS DESK OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES MISC OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES DESKTOP CALENDARS BANKERS BOXES LOG BOOKS SHRINK WRAP MISC OFFICE SUPPLIES NOTEPADS OFFICE SUPPLIES
		Vendor's Total ----->				1298.69	
01-20	WAS10 (WASTE MGMT. OF NEVADA CO.)	0447438 0448344	12/01/19 01/01/20	/ / / /		78.65 1409.70	ROLL AWAY TRASH MILL BUILDING
		Vendor's Total ----->				1488.35	
01-20	WIC01 (CHANCE WICK)	012420	01/24/20	/ /		155.00	WASTE WATER II EXAM FEE
01-20	WIL02 (WILLIAMS STATIONERY)	0142181 0142300	01/10/20 01/22/20	02/09/20 02/21/20	A A	92.48 8.01	1099 SUPPLIES OFFICE SUPPLIES
		Vendor's Total ----->				100.49	
01-20	YUB06 (YUBA COLLEGE)	0457867 0458654	12/16/19 12/16/19	/ / / /		809.00 809.00	J.ROHDE POST 01/04-04/30/20 INV#SP20 0457867 K.STOPLETH POST 01/04-04/30/20 INV#SP20 0458
		Vendor's Total ----->				1618.00	

REPORT.: Jan 31 20 Friday  
RUN....: Jan 31 20 Time: 15:39  
Run By.: Desirae Andresen

City of Nevada City  
Month End Payable Activity Report  
Report for 01-20

PAGE: 009  
ID #: PY-AC  
CTL.: NEV

Period	Vendor # (Name)	Invoice Number	Invoice Date	Due Date	Disc. Terms	Gross Amount	Description
01-20	ZEE01 (ZEE MEDICAL SERVICE CO.)	724904222	12/17/19	01/16/20	A	301.96	MEDICAL SUPPLIES
01-20	ZIM01 (ZIMA CORPORATION)	77294	12/31/19	/ /		70591.95	CLARIFIER BRUSH CLEANING SYSTEM
01-20	ZYD02 (DAWN ZYDONIS)	010820	01/08/20	/ /		172.21	MISC REIMB DEC 19-JAN 20

Total of Purchases -> -----  
531710.54  
=====

# REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

February 12, 2020

---

**TITLE:** Side Letter No. 3 to the Nevada City Miscellaneous Employee's Association Memorandum of Understanding (MOU) and Side Letter No. 1 to the Nevada City Management and Supervisory Employee's (MOU) – Clothing Allowance and Miscellaneous Allowance WTP/WWTP Definition

**RECOMMENDATION:** Review and approve Side Letter No. 3 to the City of Nevada City Miscellaneous Employee's Association Memorandum of Understanding (MOU) and Side Letter No. 1 to the Nevada City Management and Supervisory Employee's (MOU) rescinding and replacing policies regarding required work clothing.

**CONTACT:** Loree' McCay, Administrative Services Manager

**BACKGROUND / DISCUSSION:**

The current MOU with the City of Nevada City Miscellaneous Employee's Association and the Nevada City Management and Supervisory Employee's (MOU) cover the period of July 1, 2018 to June 30, 2021.

Employees are currently required to purchase their own uniform clothing and are reimbursed \$250 annually by the City. The Department feels that this allowance is insufficient due to the frequency of replacements needed and because of the chemicals and materials that are a part of the everyday work environment. The Chief Plant Operator, Kevin Timms researched the benefits and costs of using a Uniform Service that provides replacements, laundering and delivery of uniforms for a reasonable price. The Department is willing to reduce the annual clothing allowance from \$250 to \$150 to provide replacement costs for boots to offset the increased cost of the service. The City feels that this service could possibly mitigate safety concerns that employees may have about taking their uniforms home.

**FISCAL IMPACT:** Approval of this policy will incur an additional \$1,500 annual expense to the City for Uniform costs.

**ATTACHMENTS:**

- ✓ Side Letter No. 3 to the City of Nevada City Miscellaneous Employee's Association MOU
- ✓ Side Letter No. 1 to the City of Nevada City Management and Supervisory Employee's MOU

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**CITY OF NEVADA CITY**  
**SIDE LETTER NO. 3 TO MEMORANDUM OF UNDERSTANDING**

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**TO:**            Catrina Olson, City Manager

**FROM:**        Kevin Timms, Chief Plant Operator

**SUBJECT:**    Amendment No. 3 to the Nevada City Miscellaneous Employee’s Association  
                  Memorandum of Understanding dated July1, 2018 through June 30<sup>th</sup>, 2021.

**EFFECTIVE DATE:**        February 12, 2020

The Department and City have agreed to rescind and replace the following *CLOTHING ALLOWANCE* policy with changes pertaining to the Employees working in the Water/Wastewater Treatment Plants as follows:

**CLOTHING ALLOWANCE:**

For employees in the Department of Wastewater/Water Treatment Plant Department, expenses for required boots will be reimbursed by the City up to an annual amount of \$150.00. All other expenses for required uniform clothing will be provided by a uniform service paid by the City.

For employees in the Department of Public Works, all expenses for required uniform clothing will be reimbursed by the City up to an annual amount of \$500.00 upon hire, and \$250.00 per year thereafter.

For the Police Records Coordinator, all expenses for required uniform clothing will be reimbursed by the department up to an annual amount of \$500.00.

_____	_____
Catrina Olson, City Manager	Date
_____	_____
Loree' McCay, Administrative Services Manager	Date
_____	_____
Shane Kinne, Maintenance Worker II	Date

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**CITY OF NEVADA CITY  
SIDE LETTER NO. 1 TO MEMORANDUM OF UNDERSTANDING**

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**TO:** Catrina Olson, City Manager

**FROM:** Kevin Timms, Chief Plant Operator

**SUBJECT:** Amendment No. 1 to the Nevada City Management and Supervisory Employee's Association Memorandum of Understanding dated July 1, 2018 through June 30<sup>th</sup>, 2021.

**EFFECTIVE DATE:** February 12, 2020

The Department and City have agreed to rescind and replace the following MISCELLANEOUS ALLOWANCES Section 1 policy with changes pertaining to the Employees working in the Water/Wastewater Treatment Plants as follows:

**MISCELLANEOUS ALLOWANCES:**

Section 1: For those employees in the Managerial and Supervisory Unit (DPW, WWTP/WTP) who are required to perform maintenance and operation duties in and around public infrastructure facilities, the City will provide a clothing allowance consistent with that provided for DWP, WWTP/WTP employees in the Miscellaneous MOU which is as follows:

*For employees in the Department of Wastewater/Water Treatment Plant Department, expenses for required boots will be reimbursed by the City up to an annual amount of \$150.00. All other expenses for required uniform clothing will be provided by a uniform service paid by the City.*

*For employees in the Department of Public Works, all expenses for required uniform clothing will be reimbursed by the City up to an annual amount of \$500.00 upon hire, and \$250.00 per year thereafter.*

\_\_\_\_\_  
Catrina Olson, City Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Loree' McCay, Administrative Services Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kevin Timms, Chief Plant Operator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Amy Kesler-Wolfson, City Planner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Dawn Zydonis, Parks & Recreation Manager

\_\_\_\_\_  
Date

# REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

February 12, 2020

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**TITLE: Award of Contract for Downtown Curb Ramp Improvements**

**RECOMMENDATION:** Pass Resolution 2020-XX, a Resolution of the City of Nevada City to award a contract to Mattingly’s Concrete in the amount of \$107,935 plus \$20,000 contingencies for Downtown Curb Ramp Improvements and authorize the Mayor to sign.

**CONTACT:** Bryan K. McAlister, City Engineer

**BACKGROUND/DISCUSSION:**

City Engineering and Public Works staff identified areas where Curb Ramp Improvements are needed at various locations in the Downtown Historic District. This project was identified as a priority for ADA improvements and funding was procured through the Community Development Block Program (CDBG).

City staff procured bids for Downtown Curb Ramp Improvements as advertised on Jan. 9th 2020. Four qualified bids were received on Feb. 4<sup>th</sup> 2020, as follows:

- Hansen Bros., Grass Valley, CA \$ 130,091
- B&M Builders, Rancho Cordova, CA \$ 218,950
- McCuen Constr., Loomis, CA \$ 126,527
- Central Valley Engineering & Asphalt, Roseville CA \$ 125,460
- Mattingly’s Concrete, Red Bluff, CA \$ 107,923

Mattingly’s Concrete was selected as the lowest responsive and responsible bidder.

**FISCAL CONSIDERATIONS:** The project is funded by a Community Development Block Program (CDBG) grant administered by California Department of Housing & Community Development. Any additional street rehabilitation, if required, will be funded by the City’s Measure S funds.

**ATTACHMENT:**

- ✓ Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City to Award a Contract to Mattingly’s Concrete for Downtown Curb Ramp Improvements in Nevada City and Authorize Mayor to Sign
- ✓ Contract for Downtown Curb Ramp Improvements

**RESOLUTION NO. 2020- XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY  
TO AWARD A CONTRACT TO MATTINGLY'S CONCRETE FOR  
DOWNTOWN CURB RAMP IMPROVEMENTS AND AUTHORIZE THE  
MAYOR TO SIGN**

**WHEREAS**, City Engineering and Public Works staff identified areas where Curb Ramp Improvements are needed at various locations in the Downtown Historic District; and

**WHEREAS**, the City of Nevada City prepared an application for and was awarded a Community Development Block Grant (CDBG) for ADA improvements to curb ramps; and

**WHEREAS**, funding for Downtown Curb Ramp Improvements is provided through CDBG and Measure "S" in fiscal year 2019/2020; and

**WHEREAS**, consistent with the Municipal Code requirements, City staff advertised and received bids for the Downtown Curb Ramp Improvements.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Nevada City to award a contract to Mattingly's Concrete in the amount of \$107,935 plus \$20,000 contingencies for Downtown Curb Ramp Improvements in the form attached hereto as "Exhibit A," and incorporated herein by this reference, and authorize the Mayor to sign.

**PASSED AND ADOPTED** at the regular meeting of the City Council of the City of Nevada City on the 12<sup>th</sup> day of February, 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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**Reinette Senum, Mayor**

**ATTEST:**

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**Niel Locke, City Clerk**

# **DOWNTOWN CURB RAMP IMPROVEMENTS**



City of Nevada City, 95959  
Nevada County, California

**Bryan K. McAlister**  
**PE C58570**  
**PLS 9199**

**William J. Falconi**  
**PE 25842**  
**PLS 4911**

**NOTICE TO CONTRACTOR'S**

**Downtown Curb Ramp Improvements**

Sealed proposals for Downtown Curb Ramp Improvements will be received by the City at City Hall, 317 Broad Street, Nevada City, California, 95959, until **3:00 PM on February 4th, 2020**, at which time, or as soon thereafter as practicable, all such proposals will be publicly opened and read at City Hall, 317 Broad Street, Nevada City, California.

Bids shall be enclosed and sealed in an envelope addressed to the City of Nevada City at the above stated address and shall be marked "Downtown Curb Ramp Improvements" No Bid Bonds are required.

The work includes the furnishing of all labor, materials, and equipment required for the job in accordance with the plans, specifications and other contract documents as set forth by the City Engineer. Such bid documents will be on file with the City staff and are available for inspection during office hours. Bid documents may be obtained at the office of said City Hall at 317 Broad Street, Nevada City, California on or after January 9, 2020.

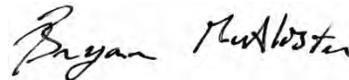
**There is a mandatory pre-bid meeting for this project at 9:00 AM on January 21<sup>st</sup>, 2020 at City Hall at 317 Broad Street. We will meet briefly at City Hall then will walk the site locations.**

\*\*\*\*\*

The City reserves the right to reject all bids; or to accept any portion of bid schedule; to reject any bid which is incomplete or irregular; to determine which proposal is, in its judgment, the lowest responsible bid of a responsible bidder and to waive any informality or minor irregularity of any bid.

DATED: January 9, 2020

CITY OF NEVADA CITY



Bryan McAlister, P.E.

City Engineer

## Forms required for Bid Proposal

In accordance with provisions of Federally Funded projects, the contractor shall provide these forms at time of bid:

- Signed Bid Proposal
- Bid Schedule
- Bidder's List of Subcontractors (DBE and Non-DBE)
- Exhibit 15-H DBE Information (provide this form even if there are no DBE subcontractors)
- EEO Certification
- Public Contract Code Statements (if any exceptions taken)
- Noncollusion Affidavit
- Debarment and Suspension Certification
- Nonlobbying Certification for Federal-aid Contracts
- Disclosure of Lobbying Activities

The above listed documents, General Conditions and all Federal and State Labor Code requirements included herein and attached as Part B of this document are considered part of the Bid Proposal and Contract Agreement.

**PROPOSAL/CONTRACT**

DOWNTOWN CURB RAMP IMPROVEMENTS, Nevada City, CA

TO: City of Nevada City, City Hall, Nevada City, California.

The undersigned, as a bidder, submits the following proposal for the DOWNTOWN CURB RAMP IMPROVEMENTS in the City of Nevada City, California, and offers to perform all work and furnish all labor, materials, tools, equipment, power and water as required for the completion of said project, in accordance with the plans, specifications and all other contract documents. The bidder has inspected the project site and has examined all conditions affecting the proposed work. The bidder is licensed with Contractors State License Board and is registered as a public works contractor with the Department of Industrial Relations as required to bid on this contract.

If this bid is accepted, the bidder agrees to execute the Agreement, and furnish to the City all documents and evidences of insurance, within ten (10) days after receiving written notice of the award of contract, and complete the project within **forty five (45) working days** after receiving written notice to proceed. **No bid bond is required for this project.**

Attached to this bid and made a part hereof is a list of proposed subcontractors, setting forth all information required by Section 4104 of the Government Code.

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The undersigned is (state whether individual, partnership or corporation) Individual.

DATED: 2/3/2020

FIRM NAME: Mattingly's Concrete

ADDRESS: 250 Walnut ST

Red Bluff CA 96080

PHONE: 530-727-9723

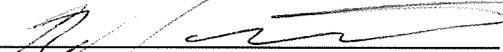
CELL PHONE: 530-200-5283

CONTRACTOR'S #: 1056028

EXPIRATION: 7/31/2021

NEVADA CITY BUSINESS LICENSE #:

N/A EXPIRATION: N/A

BY:   
Signature of Authorized Person

Contact Person: William Mattingly

**BID SCHEDULE**

**CITY OF NEVADA CITY  
DOWNTOWN CURB RAMP IMPROVEMENTS**

<u>No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Item Description</u>	<u>Unit Price</u>	<u>Total Price</u>
1.)	1	LS	Mobilization	\$ <u>1,500.00</u>	\$ <u>1,500.00</u>
2.)	14	EA	Replace Curb Ramp	\$ <u>2,500.00</u>	\$ <u>35,000.00</u>
3.)	2	EA	Replace Truncated Dome on existing ramp	\$ <u>500.00</u>	\$ <u>1,000.00</u>
4.)	800	SF	Reconstruct Driveway	\$ <u>18.00</u>	\$ <u>14,400.00</u>
5.)	1,200	SF	Replace Sidewalk	\$ <u>18.00</u>	\$ <u>21,600.00</u>
6.)	60	LF	Replace Curb/Gutter	\$ <u>50.00</u>	\$ <u>3,000.00</u>
7.)	15	EA	Restripe Cross Walk	\$ <u>708.20</u>	\$ <u>10,623.00</u>
8.)	1	EA	Grind and Remove Existing Cross Walk	\$ <u>500.00</u>	\$ <u>500.00</u>
9.)	25	TN	Asphalt Paving adjacent to new concrete	\$ <u>812</u>	\$ <u>11,377.00</u> <sup>20,300</sup>

Grand Total: NINETY/NINE THOUSAND DOLLARS

\$ 99,000.00  
\$ 107,923

Note

1. Project shall be prevailing wages.
2. Curb Ramp pay item shall include all flatwork including curb and truncated domes to limits of ramp or wings of ramp.
3. Driveway pay item shall include all flatwork including gutter pan and wing/ transitions to adjacent sidewalk.
4. Curb and/or Sidewalk Pay Item shall be used for replacement of concrete beyond the limits of ramps or driveway.
5. City to provide sign posts if required for sign replacement. Contractor to install.
6. City to provide utility boxes if required. Contractor to install.
7. Asphalt paving to include grind/overlay of 8"-12" width and 1" depth where adjoining existing asphalt.
8. Refer to project specifications and plans for additional notes and requirements.

**LIST OF SUBCONTRACTORS**

<u>NAME (DBE Y/N)</u> No	<u>PLACE OF BUSINESS</u> <u>CONTRACTORS LICENSE</u>	<u>PORTION OF WORK</u>
1. Up Towne Sealing and Striping	CA Lic #1002597 DIR #1000030623	Asphalt Patch and Striping
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

**EXHIBIT 15-H: DBE INFORMATION - GOOD FAITH EFFORTS**

Project: DOWNTOWN CURB RAMP IMPROVEMENTS

The City of Nevada City established a Disadvantaged Business Enterprise (DBE) goal of 3.0% for this project. The information provided herein shows that a good faith effort was made.

Lowest, second lowest and third lowest bidders shall submit the following information to document adequate good faith efforts. Bidders should submit the following information even if the "Local Agency Bidder DBE Commitment" form indicates that the bidder has met the DBE goal. This will protect the bidder's eligibility for award of the contract if the administering agency determines that the bidder failed to meet the goal for various reasons, e.g., a DBE firm was not certified at bid opening, or the bidder made a mathematical error.

Submittal of only the "Local Agency Bidder DBE Commitment" form may not provide sufficient documentation to demonstrate that adequate good faith efforts were made.

The following items are listed in the Section entitled "Submission of DBE Commitment" of the Special Provisions:

- A. The names and dates of each publication in which a request for DBE participation for this project was placed by the bidder (please attach copies of advertisements or proofs of publication):

<u>Publications</u>	<u>Dates of Advertisement</u>
Shast Builders Exchange	1/23/20

- B. The names and dates of written notices sent to certified DBEs soliciting bids for this project and the dates and methods used for following up initial solicitations to determine with certainty whether the DBEs were interested (please attach copies of solicitations, telephone records, fax confirmations, etc.):

<u>Names of DBEs Solicited</u>	<u>Date of Initial Solicitation</u>	<u>Follow Up Methods and Dates</u>
None		

C. The items of work which the bidder made available to DBE firms including, where appropriate, any breaking down of the contract work items (including those items normally performed by the bidder with its own forces) into economically feasible units to facilitate DBE participation. It is the bidder's responsibility to demonstrate that sufficient work to facilitate DBE participation was made available to DBE firms.

Items of Work	Bidder Normally Performs Item (Y/N)	Breakdown of Items	Amount (\$)	Percentage Of Contract
None				

D. The names, addresses and phone numbers of rejected DBE firms, the reasons for the bidder's rejection of the DBEs, the firms selected for that work (please attach copies of quotes from the firms involved), and the price difference for each DBE if the selected firm is not a DBE:

Names, addresses and phone numbers of rejected DBEs and the reasons for the bidder's rejection of the DBEs:

None

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Names, addresses and phone numbers of firms selected for the work above:

None

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E. Efforts made to assist interested DBEs in obtaining bonding, lines of credit or insurance, and any technical assistance or information related to the plans, specifications and requirements for the work which was provided to DBEs:

None

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F. Efforts made to assist interested DBEs in obtaining necessary equipment, supplies, materials or related assistance or services, excluding supplies and equipment the DBE subcontractor purchases or leases from the prime contractor or its affiliate:

None  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

G. The names of agencies, organizations or groups contacted to provide assistance in contacting, recruiting and using DBE firms (please attach copies of requests to agencies and any responses received, i.e., lists, Internet page download, etc.):

Name of Agency/Organization	Method/Date of Contact	Results
None		

H. Any additional data to support a demonstration of good faith efforts (use additional sheets if necessary):

None  
\_\_\_\_\_  
\_\_\_\_\_

**NOTE: USE ADDITIONAL SHEETS OF PAPER IF NECESSARY.**

**CITY OF NEVADA CITY**

**EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION**

The bidder, proposed subcontractor

Mattingly Concrete, hereby certifies that he has , has not , participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, where required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filling requirements.

**Note:** The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

**CITY OF NEVADA CITY**

**PUBLIC CONTRACT CODE SECTION 10285.1 STATEMENT**

In conformance with Public Contract Code Section 10285.1 (Chapter 376, Stats. 1985), the bidder hereby declares under penalty of perjury under the laws of the State of California that the bidder has \_\_\_\_\_, has not  been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or Federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Public Contract Code Section 1101, with any public entity, as defined in Public Contract Code Section 1100, including the Regents of the University of California or the Trustees of the California State University. The term "bidder" is understood to include any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

Note: The bidder must place a checkmark after "has" or "has not" in one of the blank spaces provided. The above Statement is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Statement. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

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**PUBLIC CONTRACT CODE SECTION 10162 QUESTIONNAIRE**

In conformance with Public Contract Code Section 10162, the Bidder shall complete, under penalty of perjury, the following questionnaire:

Has the bidder, any officer of the bidder, or any employee of the bidder who has a proprietary interest in the bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation?

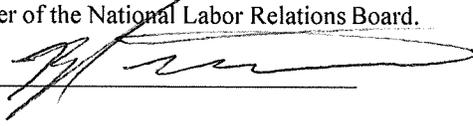
Yes                      No

If the answer is yes, explain the circumstances in the following space.

**PUBLIC CONTRACT CODE 10232 STATEMENT**

In conformance with Public Contract Code Section 10232, the Contractor, hereby states under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the Contractor within the immediately preceding two-year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board.

Contractor's signature



Note:

The above Statement and Questionnaire are part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Statement and Questionnaire.

Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

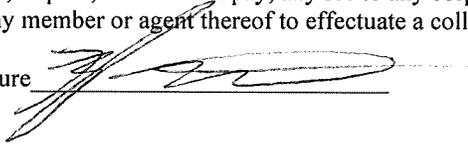
**NONCOLLUSION AFFIDAVIT**

(Title 23 United States Code Section 112 and Public Contract Code Section 7106)

To the CITY of NEVADA CITY,  
*DEPARTMENT OF ENGINEERING PUBLIC WORKS.*

In conformance with Title 23 United States Code Section 112 and Public Contract Code 7106 the bidder declares that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

Contractor's signature



Note:

The above Non-collusion Affidavit is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Non-collusion Affidavit.

Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

## DEBARMENT AND SUSPENSION CERTIFICATION

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29

The bidder, under penalty of perjury, certifies that, except as noted below, he/she or any other person associated therewith in the capacity of owner, partner, director, officer, manager:

- is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any Federal agency;
- has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal agency within the past 3 years;
- does not have a proposed debarment pending; and
- has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Notes: Providing false information may result in criminal prosecution or administrative sanctions.

The above certification is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Certification.

## NONLOBBYING CERTIFICATION FOR FEDERAL-AID CONTRACTS

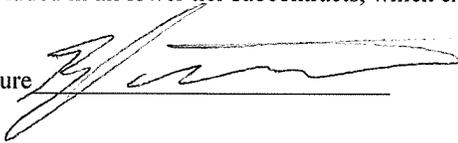
The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

Contractors signature



## AGREEMENT

THIS AGREEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, between the CITY OF NEVADA CITY, a municipal corporation, hereinafter called "City," and \_\_\_\_\_, hereinafter called "Contractor."

WHEREAS, City has caused to be prepared certain plans, specifications and other contract documents pertaining to the DOWNTOWN CURB RAMP IMPROVEMENTS in said City: and

WHEREAS, after notice duly given, City has awarded the contract for such work to Contractor;

NOW, THEREFORE, IT IS AGREED by and between said parties as follows:

1. Scope of Work. The contractor agrees to furnish all labor, materials, tools and equipment, required to complete the improvements in Nevada City, California, in accordance with the plans, specifications and other contract representation made in mandatory meetings. All such work shall be performed in a good and workmanlike manner and to the satisfaction of the designer of said project.

2. Contract Price. As consideration for all such work, City agrees to pay to Contractor the total sum of \_\_\_\_\_ (\$ \_\_\_\_\_) Dollars, payable in the manner hereinafter set forth.

3. Contract Documents. The complete contract between the parties hereto consists of the Notice to Contractors, the Information to Bidders, the Bid Proposal, the General Conditions, the Plans and Specifications, and all other drawings and printed or written explanatory matter pertaining thereto. All of the foregoing documents are intended to cooperate, so that any work or requirement specified in any of them is to be carried out or observed the same as if mentioned in all.

4. Time for Performance. Within five (5) days after the execution of this Agreement, City shall give Contractor written Notice to Proceed, and thereafter Contractor shall commence the work and shall prosecute the same with due diligence until completion and acceptance by City; provided, however, that all such work shall be completed and ready for use within **forty five (45) working days** after Contractor receives said Notice to Proceed.

5. Extension of Time. If, because of adverse weather conditions, strikes, inability of the Contractor (through no fault on his/her part) to obtain necessary materials, or other cause beyond the reasonable control of Contractor, Contractor is unable to complete the required work within the allowed time, he shall be entitled to an extension or extensions of such time, commensurate with the unavoidable delay thus caused; provided, however that Contractor shall apply to City for approval of any such extension prior to the expiration of the time for performance as specified in the preceding paragraph.

6. Contractor's Failure to Complete Work. If Contractor fails to prosecute the work with such diligence as will insure its completion within the time hereinabove specified, or any extension thereof, or fails to complete such work within such time, or if Contractor shall otherwise violate this Agreement, City may give written notice to Contractor and his sureties of City's intention to terminate this Agreement unless, within five (5) days after services of such notice, satisfactory arrangements are made with the City for the completion of such work or the curing of such breach; and if such arrangements are not made within such time, City may, at its option, terminate this Agreement by giving written notice of such termination to Contractor and his sureties.

7. Payments to Contractor. On or before the tenth day of each month during the progress of the work, Contractor shall submit to the City Engineer an itemized statement of all labor and materials incorporated into the improvement during the preceding month and the portion of the contract price applicable thereto. City shall pay to Contractor a sum equal to ninety (90%) percent of the contract price apportionment for approved progress payments. The remaining ten (10%) percent shall be paid to Contractor thirty-five (35) days after final acceptance of the work by City.

8. Indemnification. Contractor agrees to hold City, and its officers, agents, and employees harmless from any and all liability and claims for damages for death and personal injury, and for property damage, incident to or arising out of the operations of Contractor or any subcontractor under this Agreement, and Contractor further agrees to defend City, and its officers, agents, and employees in any and all lawsuits which may be brought for such damages caused, or alleged to have been caused, by such operations. In addition, Contractor agrees to furnish to the City evidences of insurance coverage. The approval of such insurance by City shall not constitute a waiver or limitation of any rights under this indemnity agreement, regardless of whether such insurance shall be held to be inapplicable to any such damage or claims therefore.

Executed in duplicate this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

CITY OF NEVADA CITY

\_\_\_\_\_

By: \_\_\_\_\_

(Mayor)

By: \_\_\_\_\_

(Contractor)

By: \_\_\_\_\_

(Authorized Officer)

## GENERAL CONDITIONS

### 1. Inspection of Construction

The Engineer shall have access to the work and the site of the work at all times and the Contractor shall afford such access to the Engineer and shall furnish all relevant information requested by him. At the request of the Engineer the Contractor shall open for inspection any part of the work which has been covered up, and if any part of the work has been covered up in contravention of the instructions of the Engineer, or if on being opened up, is found not to be in accordance with the terms of the contract, the expense of opening and recovering shall be charged to the Contractor. If the work has been covered up but not in contravention of such instructions and is found to be in accordance with the terms of the contract, the actual cost of opening and recovering shall be borne by the City, and in such case, if the work of opening and recovering is done by the Contractor, it shall be considered as extra work and paid for accordingly.

### 2. Change Orders

If for any reason it becomes necessary or desirable to change the alignment, dimensions, or design of the work, the City shall have the right to issue written change orders therefore. If the Contractor considers that any such change involves extra work, he shall immediately so notify the Engineer in writing, and shall make claim for compensation for such work not later than the first day of the month following the month in which the work was performed. If, in the opinion of the Engineer, any change order results in a change in the amount of work performed, the contract price shall be adjusted for extra work or omitted work, as the case may be.

### 3. Contractor's Employees and Subcontractors

The Contractor shall at all times be responsible for the adequacy and efficiency of his employees and any subcontractor and the latter's employees. All workers shall have adequate skill and experience to perform properly the work assigned to them.

### 4. Errors and Omissions

If the Contractor in the course of the work becomes aware of any error or omission in the contract documents, or of any discrepancy between such documents and the physical conditions of the work site, he shall immediately inform the Engineer, who shall take such action as he may deem necessary in order to rectify the matter. Any work done after such discovery and without the authorization of the Engineer will be at the Contractor's risk.

### 5. Guaranty of Work

For a period of one (1) year after final acceptance of the work by the City, the Contractor shall make all Improvements and replacements arising out of any defective workmanship or materials. If the Contractor fails to make such repairs or replacements within ten (10) days after receiving written notice to do so, or within such further time as may be allowed by the City, the City may undertake such repairs or replacements, in which case the Contractor shall be liable to the City for the cost thereof.

6. Contractor's Responsibility for Work

The Contractor shall be responsible for the proper care and protection of the work, and of all materials delivered to the work site, until completion of the work and its final acceptance by the City.

7. Performance Bond

No Performance bond shall be required for this project.

8. Payment Bond

No Payment bond shall be required for this project.

9. Workmen's Compensation Insurance

The Contractor shall carry workmen's compensation insurance for all employees working on or about the site of the work, and if any work is subcontracted, the Contractor shall require each subcontractor to carry such insurance for all of the latter's employees, unless they are covered by the Contractor's insurance.

10. Insurance Requirements

CONTRACTOR shall purchase and maintain insurance in amounts of coverage not less than the following amounts:

General Liability: (Including operations, products and completed operations)	\$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
Automobile Liability:	\$1,000,000 per accident for bodily injury and property damage.

The Contractor shall deliver to the City, concurrently with the execution of the contract, certificates evidencing all insurance required by the contract, and each such certificate shall include a provision to the effect that the policy or policies cannot be canceled or materially modified unless the insurer gives the City at least fifteen (15) days written notice thereof prior to such cancellation or modification.

## 11. Prevailing Wages

Contractor shall pay each laborer, workman or mechanic in accordance with State and Federal Prevailing Wage Rates and the California Labor Code. These wage rates are hereby made a part of this contract:

State General Prevailing Wage Determinations in effect on date advertised

General prevailing wage determination

Journeyman and Apprentice Prevailing Wage Rates can be accessed at the following websites:

<http://www.dir.ca.gov/OPRL/2017-2/PWD/index.htm> and

<http://www.dir.ca.gov/das/publicworks.html>

Reference: Labor Code <http://www.labor.ca.gov/laborlawreg.htm>

Federal Prevailing Wage Determinations in effect on bid date

General Decision # CA170009 CA9

<http://www.wdol.gov/wdol/scafiles/davisbacon/ca.html>

### Electronic Certified Payroll Records

- All contractors must furnish electronic certified payroll records to the Labor Commissioner using the online eCPR data system
- No contractor or subcontractor may be listed on a bid proposal for a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].
- No contractor or subcontractor may be awarded a contract for public work on a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.
- This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.
- The contractor shall post job site notices prescribed by regulation. (See 8 Calif. Code Reg. §16451(d))

## **Project Specifications**

### **PROJECT LIMITS**

At various locations in downtown Nevada City.

### **PROJECT DESCRIPTION**

The project consists of reconstruction of a curb ramps for ADA access improvements at various intersections throughout downtown Nevada City. Refer to Exhibit A-1 for locations of improvements.

### **CONSTRUCTION NOTES**

Bid items shall include full compensation for furnishing all labor, materials, tools, equipment and incidentals for mobilization, demolition, clearing, removal and disposal of demolition debris or excess materials, earthwork, compaction, and all other incidental work as shown on the plans that is not included in other bid items. The contract unit prices shall also include the cost of sign installation and replacement or raising of any utility boxes to finished grade of the new surfacing. Any incidental fill for new concrete shall be Class II Aggregate Base compacted to 95% relative compaction.

The Contractor shall provide and install traffic control signage and barricades as required. Construction activity requiring lane closures shall conform to the following restrictions: The travel way may be reduced to one 11 foot lane of traffic with two way stop control. The Contractor shall provide access to parking lots, driveways, residences and businesses at all times unless otherwise approved by the City Engineer. Pedestrian and bicycle access shall be provided through construction areas within the right of way, unless otherwise approved by the City Engineer. Upon request, a full road closure with detours may be implemented with signage provided by the Contractor and as approved by the City Engineer.

### **CONSTRUCTION SPECIFICATIONS**

All improvements shall be constructed in accordance with the plans and details for the project and the latest edition of Caltrans Standard Plans and Standard Specifications.

Please note, this project is located within the historic downtown district so we require that all Concrete shall include 2 lbs/cy of Lampblack color additive and 2'x2' score pattern (doesn't apply to ramps).

## CONCRETE JOINTS

A. Isolation Joints / Expansion joints, consisting of ½-inch wide asphalt impregnated felt, shall be placed to full depth at both sides of driveway approaches, at ends of curb returns and at 40 foot intervals in all curb, gutter, valley gutter and sidewalk sections.

1. The concrete adjacent to expansion joints shall be finished with an edger tool.
2. Extend joint fillers full width and depth of joint.
3. Terminate joint filler not less than 1/2 inch or more than 1 inch below finished surface if joint sealant is indicated. Place top of joint filler flush with finished concrete surface if joint sealant is not indicated.
4. During concrete placement, protect top edge of joint filler with metal, plastic, or other temporary preformed cap. Remove protective cap after concrete has been placed on both sides of joint.

B. Score Joints: Within the Downtown Historic District, or where noted on the plans, the contractor shall provide a score pattern of 24"x24". In all other area, score marks shall be placed at 5-foot intervals in sidewalks. Score marks shall be 1/8" – 1/4" wide and 1/4" – 3/8" depth.

C. Contraction Joints: Form weakened-plane contraction joints, sectioning concrete into areas as indicated. Construct contraction joints for a depth equal to at least one-fourth of the concrete thickness, min. 2" deep as follows, to match jointing of existing adjacent concrete paving:

1. Form contraction joints after initial floating by grooving and finishing each edge of joint with deep grooving tool to a 1/4-inch radius. Repeat grooving of contraction joints after applying surface finishes. During final finishing the joint shall be readdressed/finished with a 3/8-inch joint tool.
2. Contraction joints shall be placed at 10-foot intervals in all curb, gutter, valley gutter and sidewalk sections and at the back of the curb for the total length of all monolithic curb, gutter, and sidewalk.
3. The use of sawcutting in lieu of deep tool joints is not acceptable.

D. Edging: After initial floating, tool edges of paving, gutters, curbs, and joints in concrete with an edging tool to a 1/4-inch radius. Repeat tooling of edges after applying surface finishes. Eliminate edging-tool marks on concrete surfaces.

## MATERIAL NOTES

Aggregate Base shall be Class 2, 3/4" maximum grading, conforming to standard specs. Section 26, placed at 95% Relative Compaction.

Asphalt material shall be Type A or B 1/2-inch maximum medium gradation and shall conform to the provisions in Sections 39. "Asphalt Concrete," of the Standard Specifications and these Special Provisions. Asphalt cement shall be grade PG 64-16 conforming to the requirements of Section 92 of the Standard Specifications.

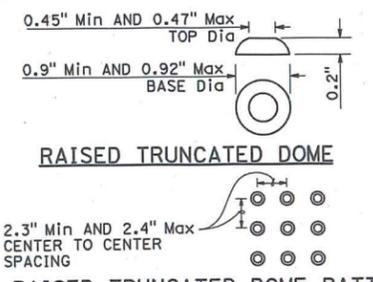
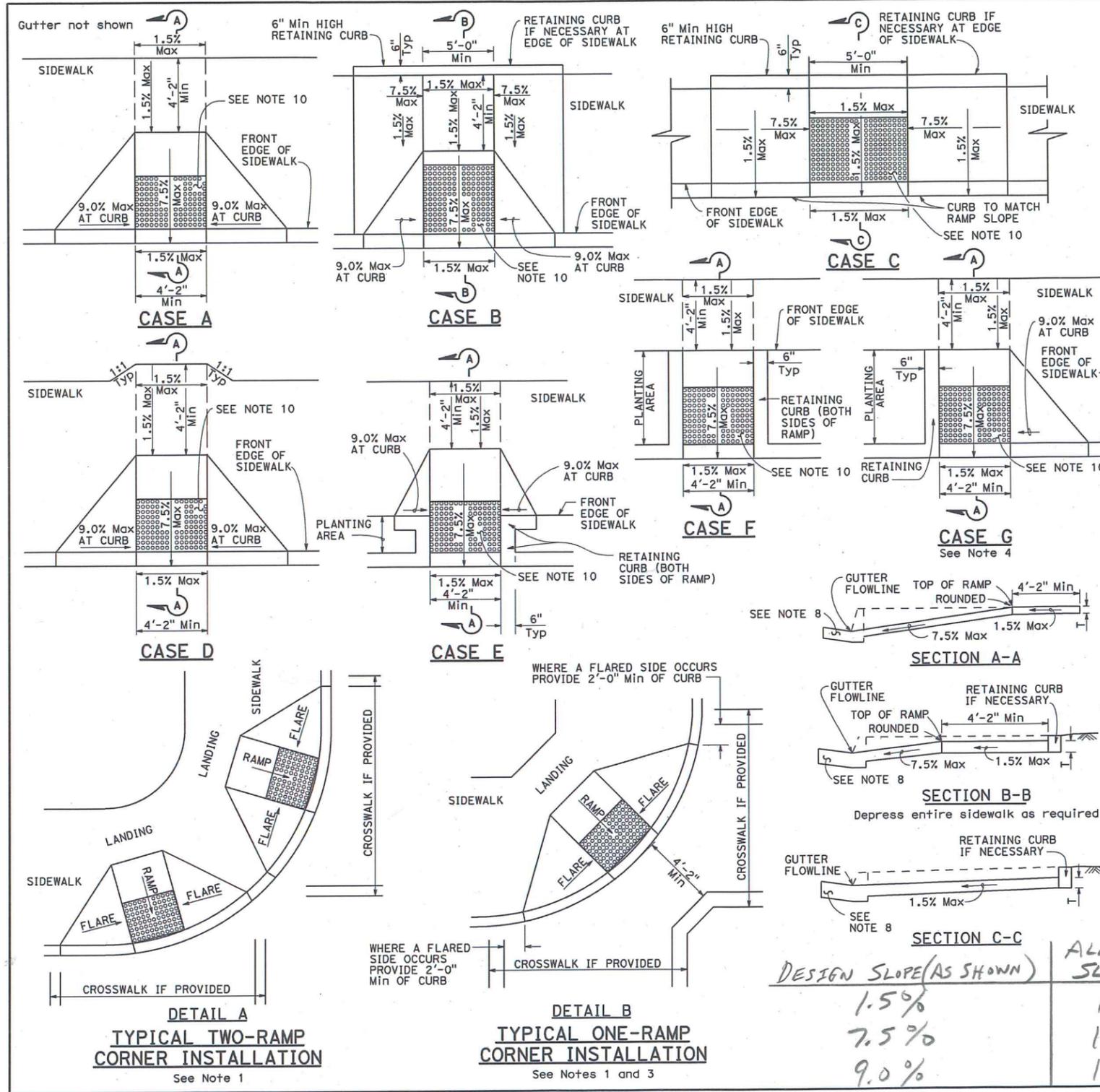
Asphalt paving to include "T-Section" edge grind/overlay of 8"-12" width and 1" depth (beyond sawcut line) where adjoining existing asphalt.

Concrete shall conform to Section 73 of the Standard Specifications and the project specifications. Concrete for curbs and sidewalks shall be proportioned as follows:

1. Minimum compressive strength: 3250 psi at 28 days.
2. Maximum water-cementitious materials ratio: 0.55 maximum. Maximum water-cementitious materials ratio: 0.55 maximum.
3. Cementitious materials: use fly ash, pozzolan, ground granulated cementitious materials: use fly ash, pozzolan, ground granulated blast-furnace slag, and silica fume as needed to reduce the total amount of portland cement, which would otherwise be used, by not less than 20 percent.
4. Slump limit: 4 inches, plus or minus 1 inch. slump limit: 4 inches, plus or minus 1 inch.
5. Additive Color: 2 lb/cy lampblack
6. Air content: maintain within range permitted by ACI 301 air content: maintain within range permitted by ACI 301
7. Cement content: 560 pounds per cubic yard concrete. Cement content: 560 pounds per cubic yard concrete.

#### **SPECIAL PROVISIONS**

Comply with all State and Federal requirements as further described in Attachment Part B General Conditions.



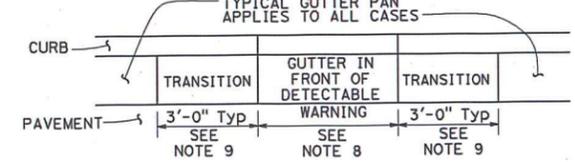
Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET TOTAL SHEETS

REGISTERED CIVIL ENGINEER  
 Rebecca Lynn Mawry  
 No. C54415  
 Exp. 12-31-19  
 CIVIL  
 STATE OF CALIFORNIA

May 31, 2018  
 PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

- NOTES:** See Note 10
- As site conditions dictate, Case A through Case G curb ramps may be used for corner installations similar to those shown in Detail A and Detail B. The case of curb ramps used in Detail A do not have to be the same. Case A through Case G curb ramps also may be used at mid block locations, as site conditions dictate. For specific site condition configuration, including the conform to existing sidewalk, see Project Plans.
  - If distance from curb to back of sidewalk is too short to accommodate ramp and 4'-2" platform (landing) as shown in Case A, the sidewalk may be depressed longitudinally as in Case B or C or may be widened as in Case D.
  - When ramp is located in center of curb return, crosswalk configuration must be similar to that shown for Detail B.
  - As site conditions dictate, the retaining curb side and the flared side of the Case G ramp shall be constructed in reversed position.
  - The ramp portion of the curb ramp is a typical rectangle, unless modified in the Project Plans.
  - Side slope of ramp flares vary uniformly from a maximum of 9.0% at curb to conform with longitudinal sidewalk slope adjacent to top of the ramp, except in Case C and Case F.
  - The adjacent surfaces at transitions at curb ramps to walks, gutters, and streets shall be at the same level.
  - Counter slopes of adjoining gutters and road surfaces immediately adjacent to and within 24 inches of the curb ramp shall not be steeper than 1V:20H (5.0%). Gutter pan slope shall not exceed 1" of depth for each 2'-0" of width.
  - Transition gutter pan slope from 1" of depth for each 2'-0" of width to match typical gutter pan slope per Standard Plan A87A.
  - The detectable warning surface will be a rectangle as shown at back of curb, unless modified in the Project Plans. Curb ramps shall have a detectable warning surface that extends the full width and 3'-0" depth of the ramp. Detectable warning surfaces shall extend the full width of the ramp except a maximum gap of 1 inch is allowed on each side of the ramp. Detectable warning surfaces shall conform to the requirements in the Standard Specifications.
  - Sidewalk and ramp thickness, "T", shall be 3/2" minimum.
  - Utility pull boxes, manholes, vaults and all other utility facilities within the boundaries of the curb ramp will be relocated or adjusted to grade by the owner prior to, or in conjunction with, curb ramp construction.
  - Detectable warning surface may have to be cut to allow removal of utility covers while maintaining detectable warning width and depth.



DESIGN SLOPE (AS SHOWN)	ALLOWABLE MAX. SLOPE (DO NOT EXCEED)
1.5%	1:48
7.5%	1:12
9.0%	1:10

STATE OF CALIFORNIA  
 DEPARTMENT OF TRANSPORTATION  
**CURB RAMP DETAILS**  
 NO SCALE

**A88A**

2018 STANDARD PLAN A88A

# EXHIBIT "A-1"

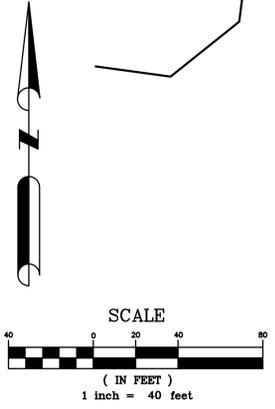
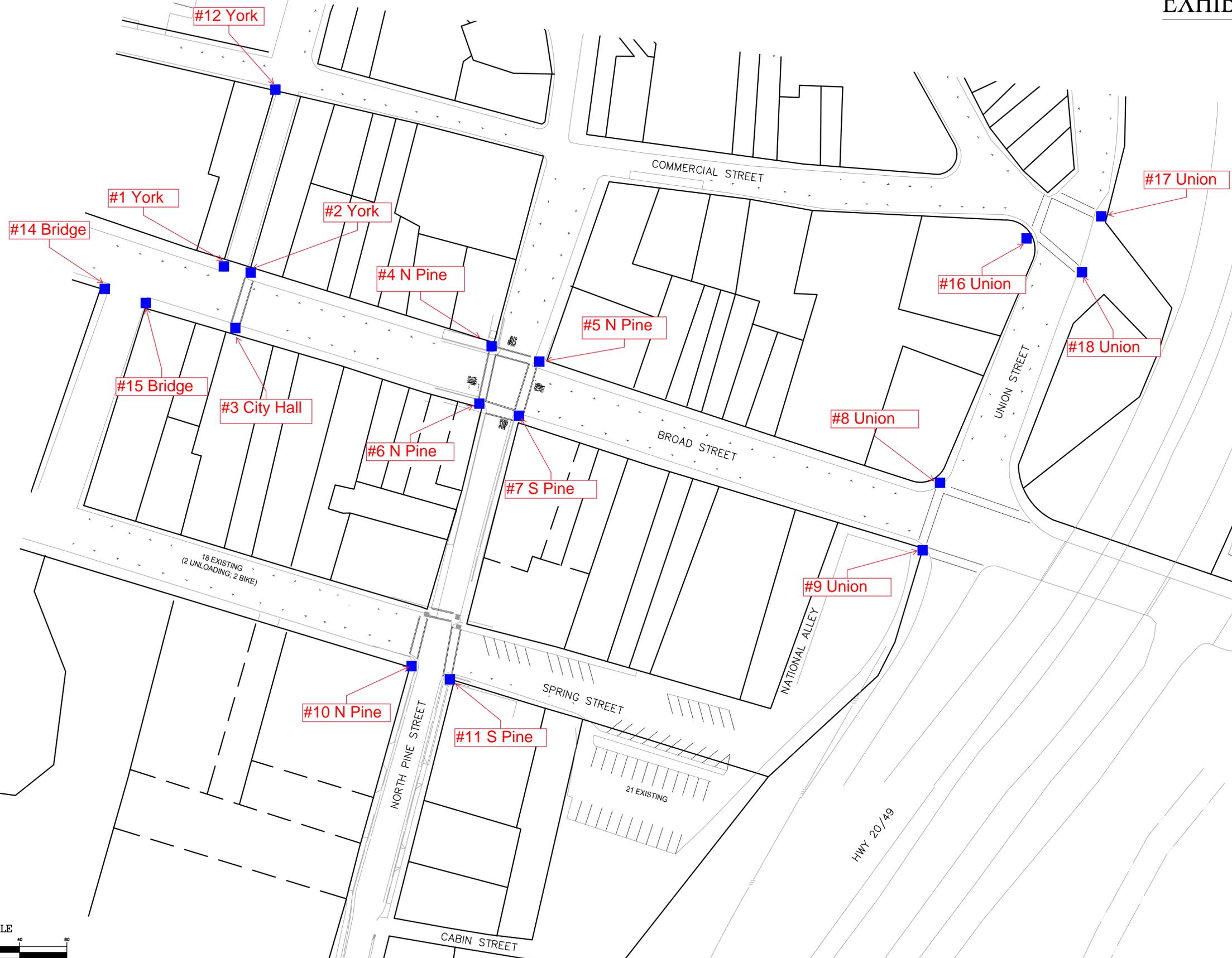
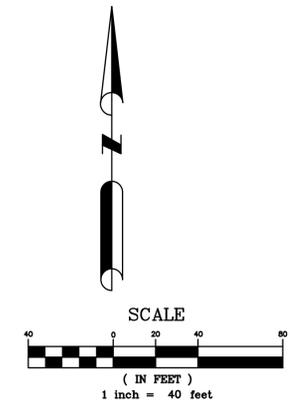
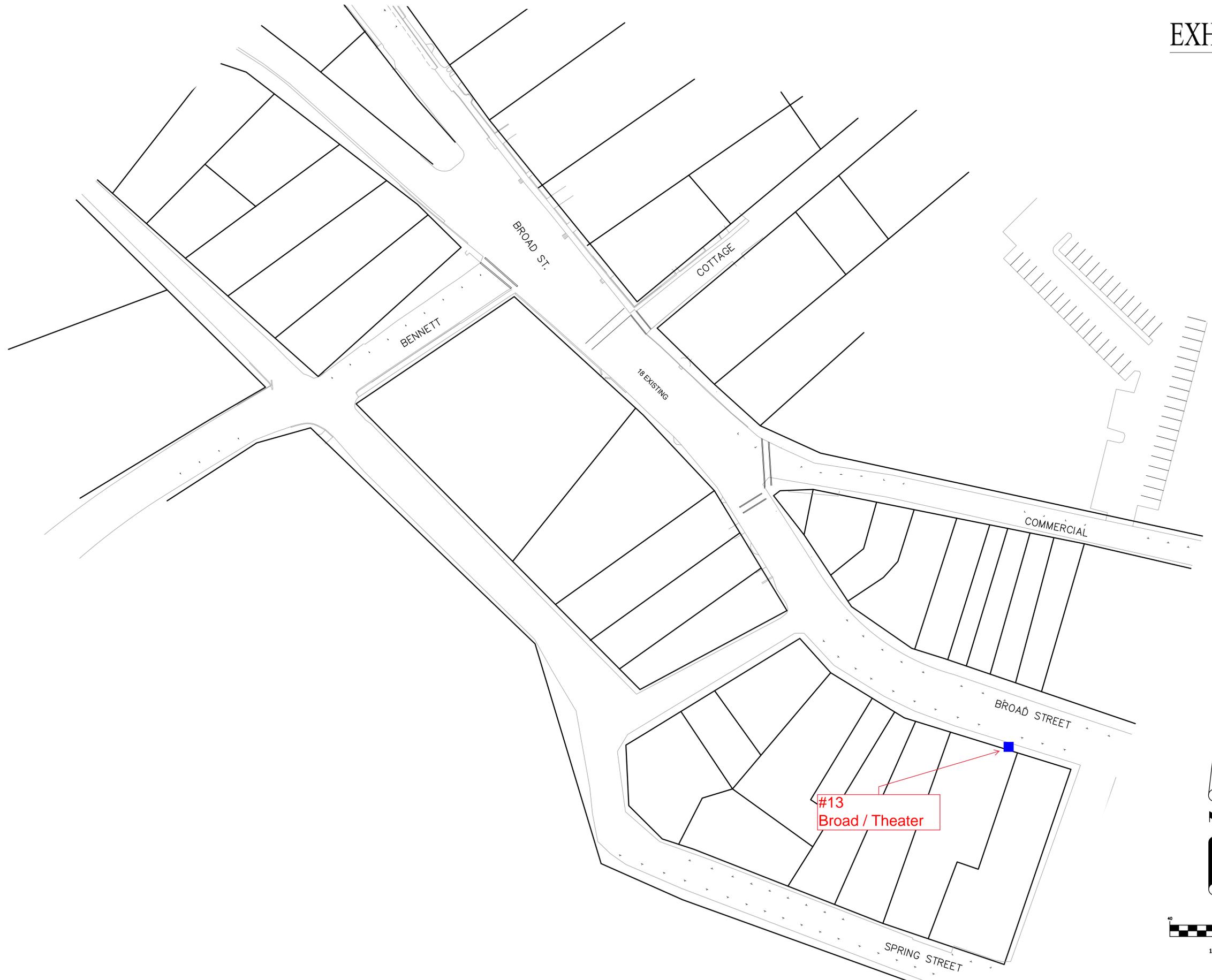


EXHIBIT "A-2"



#1 YORK / BROAD - CASE G  
- Uphill Side

#2 YORK / BROAD - CASE G  
- Downhill Side



**Notes:**

- reset one sign post at uphill ramp
- adjust downhill ramp to avoid utility box
- join existing concrete driveway
- restripe crosswalk (see notes on #3)
- grind and remove existing crosswalk



- Notes:
- reconstruct curb and gutter where ramp is being relocated
  - sidewalk replacement to limits as shown
  - grind and remove existing cross walk
  - stripe new cross walk

#4 N PINE / BROAD - CASE A  
- Uphill Side

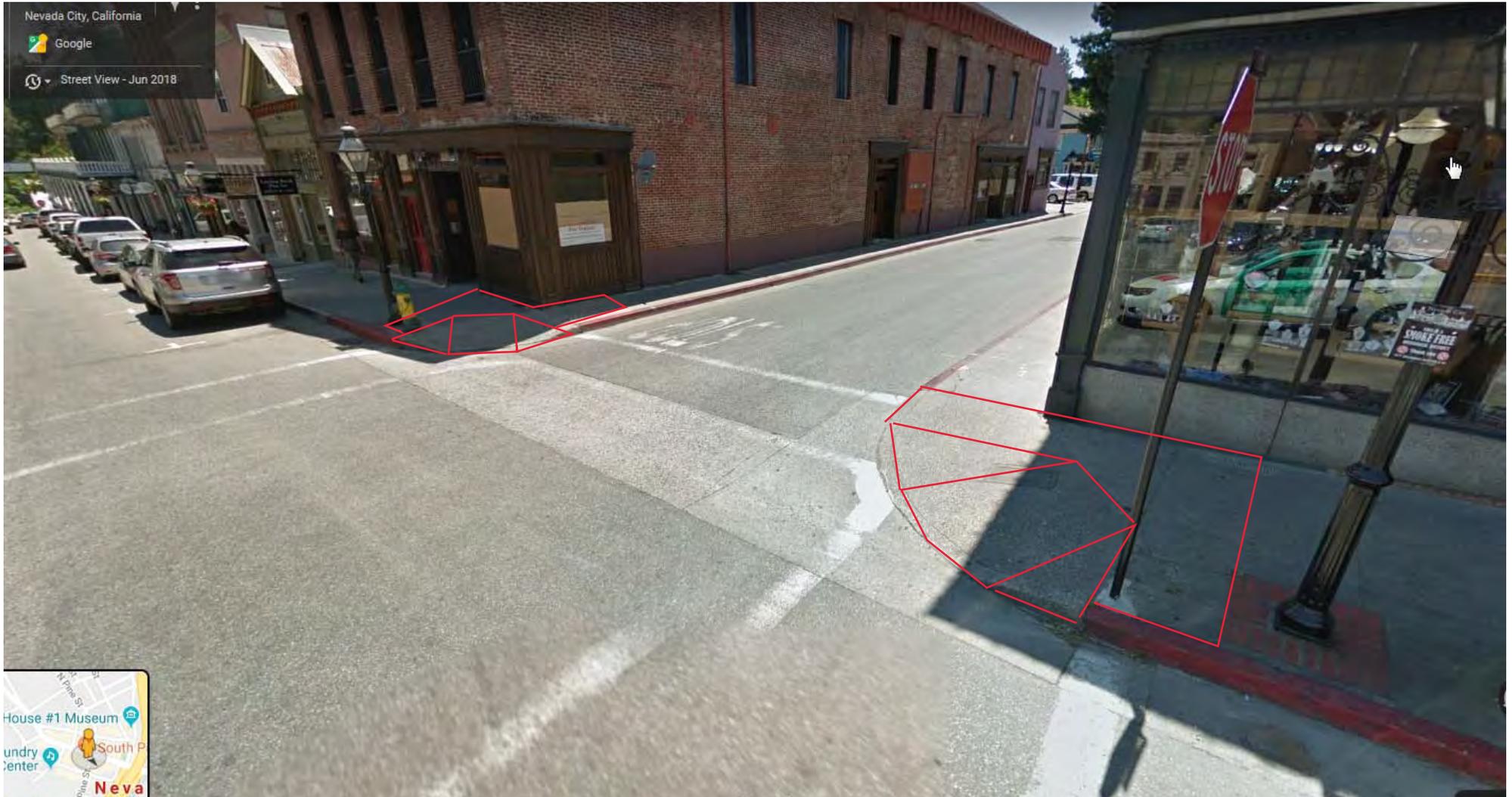
#5 N PINE / BROAD - CASE A  
- Downhill Side



- Notes:
- match grade to brick at light poles
  - reset signs as required
  - sidewalk replacement to limits as shown
  - adjust downhill ramp to avoid utility box
  - restripe crosswalks

#7 S PINE / BROAD - CASE A  
- Downhill Side

#6 S PINE / BROAD - CASE A  
- Uphill Side



- Notes:
- match grade to brick at light poles
  - reset signs as required
  - sidewalk replacement to limits as shown
  - restripe crosswalks
  - adjust water box at uphill ramp

#8 UNION / BROAD - CASE C  
- Uphill Side



- Notes:
- transition to join existing walk at park
  - reset signs as required
  - restripe crosswalks in both directions



#9 UNION / BROAD - REPLACE TRUNCATED DOMES ONLY  
- Uphill Side

Notes:  
-No other concrete work proposed other than replacement of truncated domes  
- restripe cross walks in both directions

#11 S PINE / SPRING - CASE C  
- East Side

#10 S PINE / SPRING - CASE C  
- West Side



**Notes:**

- provide new curb/gutter at west side for broader curb return.
- reconstruct / realign existing back retaining curb (near porch).
- reset signs as required
- restripe cross walk in both directions

#12 Commercial / York - CASE F  
- Uphill Side



- Notes:
- reset signs as required
  - restripe cross walk in both directions

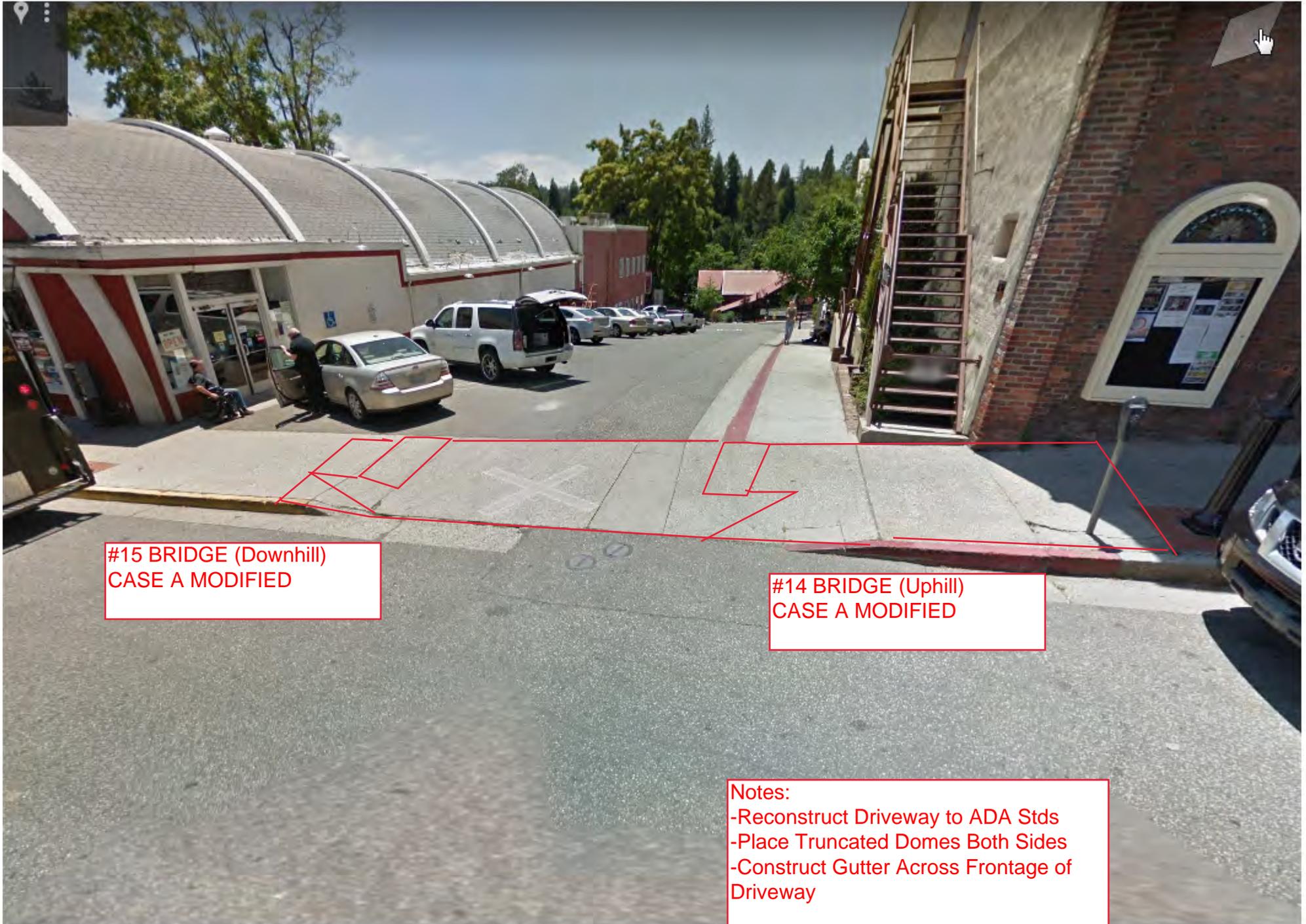


Replace Tele Box

#13 UNION / THEATER DRIVEWAY ADA IMPR

Replace Sidewalk Full Frontage

Notes:  
-Reconstruct Driveway to ADA Stds  
-Place new Tele Box, City to provide  
-Reconstruct Sidewalk for ADA compliance along full frontage of 401 Broad Street



#15 BRIDGE (Downhill)  
CASE A MODIFIED

#14 BRIDGE (Uphill)  
CASE A MODIFIED

Notes:  
-Reconstruct Driveway to ADA Stds  
-Place Truncated Domes Both Sides  
-Construct Gutter Across Frontage of Driveway

#16 COMCL / UNION - CASE A  
- Uphill Side



- Notes:
- replace sidewalk to limits shown
  - restripe cross walk in both directions

#17 COMCL / COYOTE - CASE A/G  
- Chamber of Commerce



- Notes:
- conform to existing plaza
  - restripe cross walk

#18 COMCL / UNION - TRUNC  
DOME ONLY - Downhill Side



Notes:  
- remove and replace truncated domes  
- restripe cross walk

2020 CURB RAMP IMPR  
1/21/19 PRE-BID MEETING

<u>NAME</u>	<u>CONTACT INFO</u>
Bryan McAlistar	Nevada City (530) 559-1326
Phil Buffington	Central Valley Eng & Architects 916 791 1609
Chris Miller	" "
Burt Mallory	MCI 530-604-3710
ROBERT LEWIS	PROBUILDERS 916 225 0373
Maylyn Barcenas	B3M Builders Rancho Cordova 916 308 638 8626
MATTINGLY CONCRETE	530-200-5283
Bob Zucis	WESS LANDSCAPING, INC. 530-913-3205
Brett Schaufles	HBIE 530 263-2961
PETE VAN MATHE	DMCE CONCRETE 930-272-2708 PETER@DMCEINC.COM
GREG TORNBURG,	PBM 916 316 2114 GREG@PBMCONSTRUCTION.COM

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## Current Bids

Search For:

Show

Category:

### Downtown Curb Ramp Improvements

*Status: Open**Closing Date/Time: February 04, 2020 3:00 PM*

The project consists of reconstruction of a curb ramps for ADA access improvements at various intersections throughout downtown Nevada City.





## Downtown Curb Ramp Improvements

Status: Open  
Posted Date: 1/10/2020  
Closing Date: 2/4/2020 3:00 PM

### Documents

- [Part A Bid Documents](#)
- [Part B Bid Documents](#)
- [General Conditions](#)
- [PreBid Meeting Signin](#)

### More Information:

Bid will be received by the City at City Hall, 317 Broad Street, Nevada City, California, 95959, until **3:00 PM on February 4th, 2020**, at which time, or as soon thereafter as practicable, all such proposals will be publicly opened and read at City Hall, 317 Broad Street, Nevada City, California.

There is a mandatory pre-bid meeting for this project at **9:00 AM on January 21<sup>st</sup>, 2020** at City Hall at 317 Broad Street. We will meet briefly at City Hall then will walk the site locations.

[Show All Bids](#)

## Bryan McAlister

**From:** ncrecep@pacbell.net  
**Sent:** Tuesday, February 04, 2020 10:51 AM  
**To:** Bryan McAlister  
**Subject:** Screen shot of Curb project

Here is the screen shot. Let me know if there is anything else I can help with.  
Bre

The screenshot displays the NCCA ON-LINE interface. At the top, the logo for the Nevada County Contractors' Association is visible, along with a notification: "Projects added since Rex Klein last logged in (1028)". A red navigation bar contains links for "Settings/Info", "My Projects Tracked", "Prebid", "Bidding", "Post Bid", and "Logout".

The main content area features a project card for "DOWNTOWN CURB RAMP IMPROVEMENTS" scheduled for FEB 4. The card includes the location "Various Nevada City Nevada CA 95959" and a time of 3:00 PM. It has buttons for "Add Me To Bidders" and "Add to Calendar".

Below the card, the project status is "Bidding". It notes that the project is not postponed and a pre-bid conference is scheduled for 1/21@9AM (Mandatory: Yes). A "Show Location (Map)" link is provided. Another "Add to Calendar" button is present.

Project details are listed in a table:

Project Type:	Public Works	Estimate Low:	
Bid Packages:	No	Estimate High:	
Contract/Ref:		Published Date:	1/10/2020
Plan Status:	Online	Spec Status:	Online
Plans Cost:			

The description states: "Project includes replacing curb ramps, truncated domes, driveways replaced, sidewalk curb and gutters replaced, re-stripe cross walks in various locations around Downtown Nevada City."

On the right side, a blue banner offers a "CLAIM YOUR MEMBERS-ONLY OFFER TAKE 25% OFF ON-SCREEN TAKEOFF". Below this is a "Documents" section with options like "View Project Docs", "Download Files", "Order Prints", and "Launch TakeOff Application". A dropdown menu shows "On-Screen Takeoff", "QuickEye Estimator", and "Install Software".

The "Project Actions" section includes "View Activity", "Email Project Info", "Add Me To Bidders List", "Track Project", "Add Note", and "Search Spec Books". The project ID "NOPS20-00082" is displayed. At the bottom, a "Select Interest" section has buttons for "Yes", "No", and "Maybe".

### Bre Deschaine, Planroom Coordinator

Nevada County Contractors' Association, a partner with Golden State Plan Service  
149 Crown Point Court, Suite A  
Grass Valley, CA 95945  
(530) 274-1919  
[ncrecep@pacbell.net](mailto:ncrecep@pacbell.net)  
[www.nccabuildingpros.com](http://www.nccabuildingpros.com)

The NCCA is part of the Golden State Plan Service Network [www.gsplanservice.com](http://www.gsplanservice.com) Our 22 Plan Room Network is fully staffed with California Employees at all of our participating local plan rooms to give you immediate uploads and distribution of your projects.

**FEB 4** **DOWNTOWN CURB RAMP IMPROVEMENTS**  
 Location: Various Nevada City Nevada CA 95959  
 When: 3:00 PM

[Add Me To Bidders](#)  
[Add to Calendar](#)

Status: Bidding BIN #:  
 Postponed: No Show Location (Map)  
 Pre Bid Conference:  
 1/21@9AM [Mandatory: Yes]

[Add to Calendar](#)

Project Type: Public Works Estimate Low:  
 Bid Packages: No Estimate High:  
 Contract#/Ref: Published Date: 1/10/2020

Plan Status: Online Spec Status: Online  
 Plans Cost:

Description:  
 Project includes replacing curb ramps, truncated domes, driveways replaced, sidewalk curb and gutters replaced, re-stripe cross walks in various locations around Downtown Nevada City.

**Documents**

- View Project Docs
- Download Files
- Order Prints
- Launch TakeOff Application (OST)
- On-Screen Takeoff**
- QuickEye Estimator.
- Install Software

**Project Actions**

- View Activity
- Email Project Info
- Add Me To Bidders List
- Track Project
- Add Note
- Search Spec Books

**NOPS20-00082**

Select Interest

Yes  No

**Bid Date Information**

Description	Bid Date	Bid Time	Extended	Bid Date Change
	2/4/2020	3:00 PM	No	No

**Addenda & Updates**

Number	Type	Entered	Description	Remarks
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**Elizabeth Carter**  
**Planroom Manager**  
**Valley Contractors Exchange**  
 951 E. 8<sup>th</sup> Street  
 Chico, CA, 95928  
 530-343-1981  
 530-343-3503 fax  
[elizabeth@vceonline.com](mailto:elizabeth@vceonline.com)





**CITY OF NEVADA CITY**  
**BID OPENING RESULTS**

PROJECT: DOWNTOWN CURB RAMP IMPR DATE: FEB 4TH 2020

TIME OF BID OPENING: 3 A.M./P.M. (P.M.)

COMPANY NAME

BID AMOUNT

Hanson Bros.

\$ 130,091 -

B & M Builders

\$ 218,950 -

McCuen Const. Inc.

\$ 126,527 <sup>115</sup>

Mattingly Concrete

\$ ~~99,000~~ <sup>\$ 107,923</sup> \*

Central Valley Engineering

\$ 125,460 -

\_\_\_\_\_

\$ \_\_\_\_\_

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\$ \_\_\_\_\_

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\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

\* BID AMOUNT CORRECTED BASED ON UNIT PRICE

# REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

February 12, 2020

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**TITLE: Letter of Support for Broadband Grant Proposal**

**RECOMMENDATION:** Review the letter of support for a broadband grant proposal for the Nevada County Last-Mile Grant Program and authorize the City Council to sign.

**CONTACT:** Catrina Olson, City Manager

**BACKGROUND / DISCUSSION:**

At the January 8, 2020, Wednesday City Council meeting in Nevada City, Michael Anderson on behalf of the Northern Sierra Fiber Broadband Cooperative presented a grant proposal that was made to the Nevada County Last-Mile Grant program on December 6, 2019.

The Nevada City Fiber Hub for Base Industry and Opportunity Residential project is located in the Nevada City Tech Center and will be a single-mode Active Ethernet fiber-to-the-premise (FTTP) network, 100% underground, and utilize fuel cell backup power to provide continuous uptime capability during power outages. The boundary streets for the project are Zion Street to the east, the service loop road for the old Grass Valley Group buildings to the west, Reward Street to the north, and Providence Mine Road to the south. The installation of this broadband infrastructure would provide service to approximately 75 households, 100 businesses and 5 anchors. The project cost is estimated to be \$924,800 and the grant request is for \$25,000, which would cover 50% of the estimated project engineering cost.

At the conclusion of hearing this item the City Council unanimously agreed to sign a letter of support for the project.

**ENVIRONMENTAL CONSIDERATIONS:** Not applicable.

**FISCAL IMPACT:** Not applicable.

**ATTACHMENTS:**

- ✓ Nevada City, City Council Letter of Support for Broadband Grant Proposal made to the Nevada County Last-Mile Broadband Grant Program

## **Nevada City, City Council Letter of Support for Broadband Grant Proposal Made to Nevada County Last-Mile Broadband Grant Program**

At the January 8, 2020, Wednesday evening City Council meeting in Nevada City, Michael Anderson on behalf of the Northern Sierra Fiber Broadband Cooperative presented a grant proposal that was made to the Nevada County Last-Mile Grant program on December 6, 2019.

The Nevada City Fiber Hub for Base Industry and Opportunity Residential project is located in the Nevada City Tech Center and will be a single-mode Active Ethernet fiber-to-the-premise (FTTP) network, 100% underground, and utilize fuel cell backup power to provide continuous uptime capability during power outages. The boundary streets for the project are Zion Street to the east, the service loop road for the old Grass Valley Group buildings to the west, Reward Street to the north, and Providence Mine Road to the south. The installation of this broadband infrastructure would provide service to approximately 75 households, 100 businesses and 5 anchors. The project cost is estimated to be \$924,800 and the grant request is for \$25,000, which would cover 50% of the estimated project engineering cost.

Broadband infrastructure, particularly fiber optic broadband, has been a keen focus of the current City Council membership, both newcomers and those members who have been on the council for multiple terms. And going back over three decades, the Nevada City Tech Center has been identified by Nevada City's political and business leadership as a key strategic location for base industry economic development, which is so important to the financial health of not just the City but to the whole of Nevada County.

After the presentation, City Council members and staff noted the following attributes to the project that added to their overall positive view of the proposal:

- The physical infrastructure will be financed and owned by a democratically-controlled fiber broadband cooperative, modeled after the very successful Plumas-Sierra Rural Electric/Telecommunications Coop based in Portola California. There are over 150 rural telecommunications cooperatives in the United States so it's a proven model.
- The design calls for underground construction, Active Ethernet instead of PON, and fuel cell power backup for robust and high-uptime operations, which should result in a 6 decade life span of the infrastructure's integrity at minimum.
- The project area has already been designated for a high quality of life (QoL) mixed-use of residential and commercial space. Reliable and sustainable water, power, and sewer utilities is the key to achieving this high-QoL, and adding the "fourth utility" of fiber broadband that is also reliable and sustainable is highly desired.

The Nevada City, City Council endorses this proposed project for the reasons noted above and looks forward to working closely with the Northern Sierra Fiber Broadband Cooperative to ensure its success.

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Reinette Senum, Mayor

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Erin Minett, Vice Mayor

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David Parker, Council Member

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Duane Strawser, Council Member

---

Valerie Moberg, Council Member

## REPORT TO CITY COUNCIL

February 12, 2020

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

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**TITLE:** An Ordinance of the City of Nevada City Amending Title 15 of the Nevada City Municipal Code to Adopt the 2019 California Building Standards with Local Amendments

**RECOMMENDATION:** Waive the second reading and adopt the Ordinance 2020-XX as presented.

**CONTACT:** Bryan McAlister, City Engineer  
Crystal Hodgson, Consulting City Attorney

### **BACKGROUND / DISCUSSION:**

Every three years, the California Building Standards Commission adopts and publishes new editions of the California Building Standards Code that are required to be enforced in all parts of the State in accordance with California Health and Safety Code Section 17958. The California Building Standards Commission has adopted and published the 2019 triennial edition of the California Building Standards Code with an effective date of January 1, 2020. The California Building Standards Code includes the 2019 California Building, Electrical, Plumbing, Mechanical, Residential, Green Building, Energy, Historical Building, Existing Building, Referenced Standards, and Fire Codes. The California Building Standards Law provides that a local jurisdiction may, as reasonably necessary, establish more restrictive amendments based upon local climatic, topographical or geological conditions.

On November 12, 2019, the County of Nevada adopted all the required Codes with local amendments in December of 2019 by Ordinance (copy attached). Historically the City has contracted with the County for building permitting and inspection services since 1962, making it desirable to have essentially the same standards and amendments apply to both jurisdictions. The proposed City ordinance for adoption of the 2019 Building Standards has been reviewed by City of Nevada City Engineering and Fire departments and is recommended for approval.

Adoption of the proposed ordinance is exempt from CEQA review pursuant to CEQA Guidelines including Section 15378(b)(5) as an organizational or administrative governmental activity that will not result in direct or indirect physical changes to the environment, and Section 15060(c)(2) as an activity covered by the general rule that CEQA applies only to projects that have the potential for a direct or reasonably foreseeable indirect physical change in the environment.

The City Council held a first reading of the proposed Ordinance at the regular City Council Meeting of January 22, 2020 and found the ordinance exempt for environmental review under CEQA pursuant to §§15378(b)(5) and 15060(c)(2) as recited in proposed ordinance.

**FISCAL IMPACT:** No direct fiscal impact to the City as County and City can adopt fees to cover costs of permit processing.

**ATTACHMENTS:**

1. County Ordinance, with attached Chapter V of the Land Use and Development Code (Exhibit "A")
2. Proposed City Ordinance No. 2020-XX with attached Building Standards Title 15 (Exhibit "A" to Ordinance No. 2020-XX)



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

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

### **AN ORDINANCE AMENDING CHAPTER V OF THE LAND USE AND DEVELOPMENT CODE OF THE COUNTY OF NEVADA, ADOPTING THE 2019 CALIFORNIA BUILDING STANDARDS, AND LOCAL AMENDMENTS THERETO; AND ADOPTION OF EXPRESS FINDINGS OF REASONABLE NECESSITY FOR CHANGES AND MODIFICATIONS TO THE CALIFORNIA BUILDING STANDARDS CODE BASED ON LOCAL CLIMATIC, GEOLOGICAL, OR TOPOGRAPHICAL CONDITIONS**

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

#### SECTION I: Legislative Purpose

The State of California revises its building standards on a triennial basis. The building standards are intended to regulate and govern the conditions and maintenance of all property, buildings, and structures by providing standards for supplied utilities, facilities, and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupancy and use.

It is the purpose and the intent of this Ordinance to make substantive revisions to Chapter V (Building) of the Land Use and Development Code to ensure Nevada County's conformity to the 2019 edition of the California Building Standards, to wit, the California Building Code, the California Residential Code, the California Green Building Standards Code, the California Plumbing Code, the California Electrical Code, the California Fire Code, the California Mechanical Code, the California Energy Code, the California Referenced Standards Code, the California Historical Building Code, the California Existing Building Code, the 1997 Uniform Housing Code, the 1997 Uniform Code for the Abatement of Dangerous Buildings, the 2018 International Swimming Pool and Spa Code and the 2018 International Property Maintenance Code.

Pursuant to Health and Safety Code Section 17958.5, *et seq.*, a county may make such changes or modifications in the requirements contained in the provisions of the California Building Standards Codes, as are reasonably necessary because of local climatic, geological, or topographical conditions. Nevada County's amendments to the 2019 California Building Standards, which have been made in response to unique climatic, geological, or topographical conditions in Nevada County, are codified in Chapter V of the Land Use and Development Code. Local amendments to the California Building Standards Code shall not become effective until the modifications and findings have been filed with the Building Standards Commission.

## SECTION II:

Chapter V of the Land Use and Development Code of the County of Nevada is hereby amended to read as set forth in Exhibit A attached hereto and incorporated herein by reference.

## SECTION III:

- A. The Board hereby finds and declares that the amendments to the 2019 California Building Standards, as codified in Chapter V of the Nevada County Land Use and Development Code, are reasonably necessary because of local climatic, geological, and topographical conditions, including average snowfalls ranging from .8 inches per year in the Western County to 202 inches per year in the Eastern County; and the high risk of forest fires within the County. Said amendments are deemed more restrictive than the published 2019 California Building Standards.
- B. The Board hereby finds and declares that this Ordinance is exempt from CEQA review pursuant to the CEQA guidelines, including Section 15378(b)(5) as an adoption and incorporation by reference of the 2019 California Building Standards Codes is an organizational or administrative governmental activity that will not result in direct or indirect physical changes to the environment, and Section 15060(c)(2) as it is an update to existing laws applicable to building construction and occupancy and will not create a potential for direct, indirect, or reasonably foreseeable physical change in the environment.

## SECTION IV:

If any provision of this Ordinance is held unconstitutional or otherwise invalid, the remainder of the Ordinance shall not be affected hereby and shall remain in full force and effect.

This Ordinance shall take effect and be in force at the expiration of thirty (30) days from and after its passage, and it shall become operative on the \_\_\_ day of \_\_\_\_\_, \_\_\_\_, 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 \_\_\_\_\_, a newspaper of general circulation printed and published in the County of Nevada.

# EXHIBIT A

## CHAPTER V: BUILDINGS

<b>Article 1</b>	<b>General</b>
<b>Article 2</b>	<b>Division II Administration Amendments</b>
<b>Article 3</b>	<b>California Building Code Amendments</b>
<b>Article 4</b>	<b>California Residential Code Amendments</b>
<b>Article 5</b>	<b>Fire Safety Standards and California Fire Code Amendments</b>
<b>Article 6</b>	<b>Permit Fees</b>
<b>Article 7</b>	<b>California Plumbing Code Amendments</b>
<b>Article 8</b>	<b>California Mechanical Code Amendments</b>
<b>Article 9</b>	<b>International Swimming Pool and Spa Code Amendments</b>
<b>Article 10</b>	<b>Repealed</b>
<b>Article 11</b>	<b>Landform Grading for Agriculture</b>
<b>Article 12</b>	<b>California Electrical Code</b>
<b>Article 13</b>	<b>Grading</b>
<b>Article 14</b>	<b>Systems Electric Vehicle Charging Station Permitting Process</b>
<b>Article 20</b>	<b>Small Residential Rooftop Solar</b>

# EXHIBIT A

## ARTICLE 1 GENERAL

### Sections:

<b>Sec. L-V 1.1</b>	<b>Purpose</b>
<b>Sec. L-V 1.2</b>	<b>Applicability</b>
<b>Sec. L-V 1.3</b>	<b>Definitions</b>
<b>Sec. L-V 1.4</b>	<b>Codes and Regulations Adopted</b>
<b>Sec. L-V 1.5</b>	<b>Filing of Copies of Codes</b>
<b>Sec. L-V 1.6</b>	<b>Code Adoption Procedure</b>
<b>Sec. L-V 1.7</b>	<b>Compliance with Environmental Health, Zoning, Encroachment Requirements and other Regulations Prerequisite to a Building Permit</b>
<b>Sec. L-V 1.8</b>	<b>Compliance with Encroachment Requirements and Other Regulations Prerequisite to a Grading Permit</b>
<b>Sec. L-V 1.9</b>	<b>Location of Property Lines</b>
<b>Sec. L-V 1.10</b>	<b>Transfer of Permit</b>

### **Sec. L-V 1.1 Purpose**

This Chapter is enacted for the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures, regulated equipment, grading and construction activities that result in a land disturbance on private property within this jurisdiction.

Nothing in the codes hereinafter adopted shall be construed to prevent any person from performing his own building, mechanical, plumbing or electrical work, when performed with permits in compliance with this Chapter.

### **Sec. L-V 1.2 Applicability**

This Chapter shall apply, to the extent permitted by law, to all construction in the unincorporated Nevada County.

### **Sec. L-V 1.3 Definitions**

Whenever any of the following names or terms are used herein or in any of the codes adopted by reference by this Chapter, unless the context directs otherwise, such names or terms so used shall have the meaning ascribed hereto by this Section, to wit:

- A. BUILDING OFFICIAL, ADMINISTRATIVE AUTHORITY, RESPONSIBLE OFFICIAL, and similar references to a chief administrative position shall mean the Building Official of the County of Nevada; provided, however, that where such terms are used in connection with those duties imposed by statute or ordinance upon the County Environmental Health Officer, said terms shall include the County Environmental Health Director; where such terms are used in connection with those duties imposed by statute or ordinance upon the Chief of a Fire Department or the County Fire Marshal, said terms shall include the Chief of the Fire Department or County Fire Marshal; and where such terms are used in connection with those duties imposed by ordinance upon the County Code Compliance Officer, said terms shall include the County Code Compliance Officer.
- B. BUILDING DEPARTMENT, OFFICE OF ADMINISTRATIVE AUTHORITY, or HOUSING DEPARTMENT shall mean the Building Department of the County of Nevada.
- C. CITY or JURISDICTION shall mean the County of Nevada when referring to a political entity, or an unincorporated area of said County when referring to area.
- D. CLERK OF THIS JURISDICTION means Clerk of the Board of Supervisors.

## EXHIBIT A

- E. GOVERNING BODY, LEGISLATIVE BODY or APPOINTING AUTHORITY means the Board of Supervisors of the County of Nevada.
- F. BOARD OF APPEALS, HOUSING ADVISORY and APPEALS BOARD and any other reference to an appellate body in any of the uniform codes adopted by reference in this Chapter shall mean the Building and Accessibility Standards Board of Appeals provided for in Section L-V 2.1 of the Nevada County Land Use and Development Code.  
EXCEPTION: The appellate body for fire and panic safety regulations is within the jurisdiction of the County Fire Marshal/District Fire Chief.
- G. TECHNICAL CODES refer to those codes and publications adopted by the County of Nevada containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance, of buildings and structures and building service equipment as enumerated in Section L-V 1.4 of the Nevada County Land Use and Development Code.

### **Sec. L-V 1.4 Codes and Regulations Adopted**

Subject to the modifications and amendments contained in this Chapter, the following codes and standards are hereby adopted and incorporated into the Land Use and Development Code of Nevada County by reference and having the legal effect as if their respective contents were set forth herein:

- A. Division II, Scope and Administration, 2019 California Building Code.
- B. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 12 (California Referenced Standards Code), in whole thereof.
- C. The 2019 edition of the California Building Code, known as the California Code of Regulations, Title 24, Part 2 (California Building Code), incorporating the International Building Code, 2018 Edition, of the International Code Council, the whole thereof with State amendments, including appendixes "C", "H", "I" and "J" and amendments set forth in Article 3 of this Chapter.
- D. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 9 (California Fire Code), incorporating the International Fire Code, 2018 Edition, of the International Code Council, the whole thereof with State amendments, save and except article 86 thereof, including appendix chapters and amendments set forth in Article 5 of this Chapter.
- E. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 5 (California Plumbing Code), incorporating the Uniform Plumbing Code, 2018 Edition, of the International Association of Plumbing and Mechanical Officials, the whole thereof with State amendments, including appendix chapters and amendments set forth in Article 7 of this Chapter.
- F. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 4 (California Mechanical Code), incorporating the Uniform Mechanical Code, 2018 Edition, of the International Association of Plumbing and Mechanical Officials, the whole thereof with State amendments, including appendix chapters and amendments set forth in Article 8 of this Chapter.
- G. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 3 (California Electrical Code), incorporating the National Electrical Code, 2017 Edition, of the National Fire Protection Association, the whole thereof with State amendments, including annex chapters and amendments set forth in Article 11 of this Chapter
- H. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 2.5 (California Residential Code) incorporating the International Residential Code, 2018 Edition, of the International Code Council, the whole thereof with State Amendments, including appendixes "H", "J", "K", "Q", and "S" and amendments as set forth in Article 4 of this chapter.
- I. The 2019 edition of the California Building Standards Code, known as the California Code of Regulation, Title 24, Part 11 (California Green Building Standards Code) in whole thereof, with State Amendments.

## EXHIBIT A

- J. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 6 (California Energy Code) in whole thereof, with State Amendments.
- K. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 8 (California Historical Building Code) in whole thereof, with State Amendments.
- L. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 10 (California Existing Building Code), incorporating the International Existing Building Code, 2018 Edition, of the International Code Council, the whole thereof with State Amendments.
- M. The 2018 International Property Maintenance Code, of the International Code Council.
- N. The 1997 Uniform Code for the Abatement of Dangerous Buildings, of the International Conference of Building Officials.
- O. The 1997 Uniform Housing Code, of the International Conference of Building Officials.
- P. International Swimming Pool and Spa Code, 2018 Edition with the amendments set forth in Article 9 of this Chapter.

### **Sec. L-V 1.5 Filing of Copies of Codes**

The Building Department of the County of Nevada shall maintain on file copies of the Codes and Standards referred to in Section L-V 1.4 of this Chapter.

### **Sec. L-V 1.6 Code Adoption Procedure**

- A. The Building Official shall provide the Board of Appeals with copies of all statutes newly adopted by the State, pursuant to the State Housing Law and State Building Standards Law (Health and Safety Code sections 17910 and 18901, *et seq.*).
- B. The Building Official and Board of Appeals shall:
  - 1. Provide technical review of the newly adopted codes.
  - 2. Report such newly adopted codes to the Board of Supervisors and provide a draft recommendation for consideration by the Board to amend, add to, or repeal ordinances or regulations, to impose the same requirements as are contained in the new State laws, or to make changes or modifications in such requirements upon express findings because of local conditions or factors.
  - 3. Request the Board of Supervisors to schedule a hearing not less than thirty days (30) from the date of their report and place one (1) copy of the codes to be considered by the Board in the office of the Building Department for review by the general public.
- C. The Board of Supervisors shall, upon the request of the Building Official and Board of Appeals, schedule such public hearing to receive public testimony on the codes and any modifications thereto to be adopted by the Board.
- D. The Clerk of the Board of Supervisors shall give notice of the time, place and subject matter of the public hearing scheduled on the matter before the Board. Notification shall be by publication in a newspaper of general circulation published and circulated within the County 10 days prior to the public hearing.
- E. The Board of Supervisors shall hold such public hearing at the date and time scheduled and shall then act on the recommendation of the Board of Appeals.

### **Sec. L-V 1.7 Compliance with Environmental Health, Zoning, Encroachment Requirements and Other Regulations Prerequisite to a Building Permit**

- A. No building permit shall be issued for any building for which an individual sewage disposal and/or an approved water supply system must be installed, altered or added to, unless and until the Building Official is satisfied that adequate potable water and sewer disposal are available and that a permit is issued therefore.

## EXHIBIT A

- B. No building permit shall be issued for which an encroachment or grading permit is required, unless and until the requirements prerequisite to said encroachment or grading permit has been met.
- C. No building permit shall be issued unless and until the Building Official is satisfied that the construction authorized by the permit will not violate any existing law or ordinance.
- D. No building permit shall be issued unless the Building Official is satisfied that adequate electrical power is supplied.

### **Sec. L-V 1.8 Compliance With Encroachment Requirements and Other Regulations Prerequisite to a Grading Permit**

- A. No grading permit shall be issued for which encroachment approval is required until an encroachment permit has been obtained from the appropriate enforcement agency.
- B. No grading permit shall be issued until the Building Official is satisfied that the work authorized by the permit will not violate any existing law or ordinance, including the Nevada County Zoning Ordinance.
- C. No grading permit shall be issued until a land use permit pursuant to Chapter II of the Nevada County Land Use and Development Code has been granted by the Nevada County Planning Agency.

EXCEPTION: Single family residential development and dams.

### **Sec. L-V 1.9 Location of Property Lines**

Whenever the location of a property line or easement, or the title thereto, is disputed during the building or grading permit application process or during a grading or construction operation, a survey by a registered Land Surveyor or appropriately registered Civil Engineer may be required by the Building Official, at the expense of the applicant, prior to the application being approved or the grading or construction operation resuming.

### **Sec. L-V 1.10 Transfer of Permit**

Whenever a parcel of real property is conveyed and a building permit and/or a grading permit has been issued for work on the property which has been started but not completed, the new owner of the property shall request a transfer of the permit(s) to his/her name and shall assume full responsibility for the work authorized by the permit(s). The new owners upon application shall pay a transfer fee as specified by the latest fee Resolution of the Board of Supervisors for a permit transfer.

# EXHIBIT A

## ARTICLE 2 DIVISION II ADMINISTRATION AMENDMENTS

### Sections:

<b>Sec. L-V 2.0</b>	<b>Amendments Adopted</b>
<b>Sec. L-V 2.1</b>	<b>Section 113: Board of Appeals (change to read): 113.1: Building and Accessibility Standards Board of Appeals</b>
<b>Sec. L-V 2.2</b>	<b>Section 114: Violations (add the following)</b>
<b>Sec. L-V 2.3</b>	<b>Section 105.2: Work Exempt From Permit; Building Permits (change paragraph 1 to read)</b>
<b>Sec. L-V 2.4</b>	<b>Section 105.2: Work Exempt From Permit; Building Permits (add the following)</b>
<b>Sec. L-V 2.5</b>	<b>Section 105.2: Work Exempt From Permit; Building Permits (add paragraph to read)</b>
<b>Sec. L-V 2.6</b>	<b>Section 105.3.2: Time Limitation of Application</b>
<b>Sec. L-V 2.7</b>	<b>Section 105.5: Expiration (change to read)</b>
<b>Sec. L-V 2.8</b>	<b>Section 109.2: Schedule of Permit Fees (change to read)</b>
<b>Sec. L-V 2.9</b>	<b>Section 109.4: Work Commencing Before Permit Issuance (change to read)</b>
<b>Sec. L-V 2.10</b>	<b>Section 109.6: Fee Refunds (change to read)</b>

### **Sec. L-V 2.0 Amendments Adopted**

The Administrative Division II 2019 California Building Code as adopted by Section L-V 1.4 is adopted with the following amendments:

### **Sec. L-V 2.1 Section 113: Board of Appeals (change to read): 113.1: Building and Accessibility Standards Board of Appeals**

#### 113.1 Building and Accessibility Standards Board of Appeals

- A. In order to hear and decide appeals of discretionary orders, decisions or determinations made by the Building Official relative to the application and interpretation of the provisions of the technical codes, there shall be, and is hereby, created a Building and Accessibility Standards Board of Appeals for Nevada County.
- B. The Board may also rule on appeals of discretionary orders, decisions or determinations made by the Building Official relative to the application and interpretation of State mandated energy regulations contained in Title 24, California Code of Regulations and requirements of the Historical Building Code.
- C. The Board may also rule on appeals of discretionary orders, decisions or determinations made by the Building Official relative to the enforcement of the California Access to Public Accommodations by Physically Disabled Persons regulations (Health and Safety Code Sec. 19955, et seq.).
- D. The Board shall consist of seven (7) members who are qualified by experience and training to pass on matters pertaining to building construction, building service equipment and grading. Two (2) of the seven (7) members shall be physically disabled persons who are qualified by experience and training to pass on matters pertaining to California Disabled Access Regulations. Said Board members may not be employees of the County of Nevada. Each member of the County Board of Supervisors is entitled to appoint one member who will serve at the pleasure of that Supervisor. The remaining two (2) Board members may be appointed by any member of the Board of the Supervisors. The members may be selected from the County at large without regard for Supervisorial District.

## EXHIBIT A

- E. The Building Official shall be an ex officio member and serve as secretary to the Board but shall have no vote upon any matter before the Board.
- F. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant. The Board may recommend new legislation or comment on proposed legislation relating to building construction to the Board of Supervisors.
- G. The Board shall have no authority relative to interpretation of the administrative provisions of this code nor shall it be empowered to waive any requirements of this code or the technical codes. The written decision from the Board is final and conclusive.
- H. Notwithstanding limitations in paragraph "G", the Board may consider and authorize substitutions of materials, alternate methods, and types of construction to those specified in Chapter V of the Nevada County Land Use and Development Code, provided that the material, method or work offered is, for the purpose intended, at least the equivalent of that specified in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation. The Board shall require sufficient evidence or proof be submitted to substantiate claims of equivalency and may require tests as proof of compliance at appellant's expense.

### **Sec. L-V 2.2                    Section 114: Violations (add the following)**

- A. Maintenance of any building, structure or building service equipment, which was unlawful at the time it was constructed or installed, if constructed or installed after January 1, 1962, shall constitute a continuing violation of this Code and the technical codes.
- B. Violations of any provisions of this Code and the technical codes shall constitute a public nuisance and said conditions may be abated in accordance with existing laws and ordinances.
- C. The issuance of a building permit, septic system, water well, or other permit may be withheld for property on which a violation of the provisions of this code and the technical codes exists, including work performed not in accordance with approved grading plans, until such violation has been corrected or mitigated. There shall be a connection between the violation and permit applied for.
- D. The processing of a tentative tract map, parcel map, zoning change, lot line adjustment, or discretionary use permit may be withheld for property on which a violation of the provisions of this Code exists, including work performed not in accordance with approved grading plans, unless conditioned to require such violation to be corrected or mitigated.
- E. **CRIMINAL ENFORCEMENT.** Any person who violates any provision of this Chapter shall be guilty of an infraction and, upon conviction thereof, shall be subject to mandatory fines of one hundred dollars (\$100) for a first violation; five hundred dollars (\$500) for a second violation of the same Section within a twelve month period; and one thousand dollars (\$1,000) for a third or subsequent violation within a twelve month period. Every day any violation continues shall constitute a separate offense punishable by a separate fine.
- F. In addition to the provisions of the Subsections above, a notice of violation of this Code or the technical codes may be recorded in the office of the County Recorder. A notice of expungement of the notice of violation shall be recorded with the County Recorder when it is determined that a permit is not required or all remedial work has been completed and approved.
- G. **NONEXCLUSIVE REMEDIES.** The remedies provided herein are not exclusive, and are in addition to any other remedy or penalty provided by law.

### **Sec. L-V 2.3                    Section 105.2: Work Exempt From Permit; Building Permits (amend paragraph 1 to read)**

- 1. One-story detached accessory buildings without electrical, mechanical or plumbing not intended for habitation, provided the projected roof area does not exceed 200 square feet. One structure per parcel.

### **Sec. L-V 2.4                    Section 105.2: Work Exempt From Permit; Building Permits (add the following)**

- 14. Detached trellis or arbor accessory to single family residential property, provided the projected roof area does not exceed 200 square feet.

## EXHIBIT A

15. Agricultural structures, not intended for habitation, accessory to residential property in zoning districts "AG", "AE", "RA", "FR" and "TPZ" that meet all of the following conditions:
- a. Not a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public. High and low tunnel greenhouses may be used by employees only related to cultivation of crops.
  - b. Of simple construction using conventional construction methods (concrete, steel frame, masonry and other technologies that generally require engineering are not exempt) or specifically approved manufactured structures.
  - c. No plumbing, electrical, or mechanical utilities installed.
  - d. Structures must meet the following limits:
    - 1) Pole Barns. Limited in size to 1,000 square feet maximum. One pole barn per parcel or 20 acres. Open from ground to eave on all sides. Distance to other structures must be equal to its height, minimum of 20 feet. Minimum of 100 feet from property line.
    - 2) Shade Structures. Cover limited to woven shade fabric.
    - 3) Animal Husbandry. Limited in size to 400 square feet maximum. One per 5 acres. Single wall construction. Dirt floor or gravel. Distance to other structures minimum of 10 feet. Minimum of 40 feet from property line.
    - 4) Pump Houses. Limited in size to 100 square feet.
    - 5) Greenhouses. Limited in size to 400 square feet. One structure per parcel or 10 acres. Wood or PVC construction with rigid plastic or fiberglass cover. Dirt or gravel floor.
    - 6) Storage Containers. Limited in size to 320 square feet. One container per parcel or 5 acres. Container is used for light nonhazardous agricultural storage and shall not be structurally modified or have any electrical, mechanical or plumbing utilities.
    - 7) High and low tunnel greenhouses meeting the following criterion:
      - Easily moveable
      - Constructed of metal or plastic tubing and covered with agricultural cloth, plastic film, or shade screening.
      - Exits are in compliance with the most recently adopted editions of the California Building and Fire Codes.
      - Structures meet vegetation management clearance requirements in accordance with the most recently adopted edition of the California Fire Code and Public Resource Code Section 4291.
      - Setbacks and height limitations in accordance with Chapter II of the Nevada County Land Use and Development Code.
    - i) Parcels 3 acres or greater in size shall meet the following size and setback standards:
      - 3,600sqft per acre maximum
      - 35ft in width maximum
      - One story
      - 10ft separation between structures minimum
      - Clustering of structures is allowed
    - ii) Parcels less than 3 acres in size shall meet the following size and setback standards:
      - 3,600sqft maximum
      - 35ft in width maximum
      - One story

## EXHIBIT A

- 10ft separation between structures minimum if multiple are proposed

All structures require site plan review and approval and a letter of exemption issued by the Building Official and Planning Director.

### **Sec. L-V 2.5            Section 105.2: Work Exempt From Permit; Building Permits (add paragraph to read)**

Exemption from the permit requirements of this Section shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the technical codes adopted by this jurisdiction or any other laws or ordinances of this jurisdiction including zoning setback requirements.

### **Sec. L V 2.6            Time Limitation of Application (change to read)**

Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend time for action by the applicant for a period not exceeding 90 days upon request by the applicant in writing showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than twice. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

### **Sec. L-V 2.7            Section 105.5: Expiration (change to read)**

Every permit issued by the Building Official under the provisions of the technical codes shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one year from the date of such permit or if the building or work authorized by such permit is suspended or abandoned for a period of one year at any time after the work is commenced. Before such work can be recommenced, the permit shall be renewed. The fee for renewal shall be a minimum of one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after the building or work has been suspended or abandoned or the permit has been expired for a period exceeding one year, the permittee shall pay a new full permit fee, submit plans meeting minimum standards per the most recent adopted versions of the California Building Standards Codes and obtain a new building permit. Permits deemed to have expired shall be subject to all permit related fee increases and new fees in effect at the time of permit renewal as applicable subject to the discretion of the Building Official. The Building Official shall have discretion to adjust permit renewal fees when extenuating circumstances exist.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than twice. Upon written request by the applicant, the Building Official may authorize an extension of up to an additional 180 days from the date the permit expiration date.

All building permits shall expire two years after the issuance date. The permit may be extended beyond this period if the work authorized by the permit is being diligently pursued but only upon written request by the permittee. Review of the request and granting of an approved time extension beyond two years shall be made by the Building Official. A maximum one year extension of time may be granted in 180 day intervals when approved by the Building Official based on extenuating circumstances.

Permits may be issued with a limited time when necessary to abate dangerous, substandard or illegal conditions. The Building Official may establish the expiration date depending on the health/safety hazard.

### **Sec. L-V 2.8            Section 109.2: Schedule of Permit Fees (change to read)**

Permit fees shall be as set forth in the fee schedule adopted by Resolution of the Nevada County Board of Supervisors.

Plan review fees shall be as set forth in the fee schedule adopted by Resolution of the Nevada County Board of Supervisors.

## EXHIBIT A

### **Sec. L-V 2.9                    Section 109.4: Work Commencing Before Permit Issuance (change to read)**

If work is done in violation of this Chapter or such work is not done in accordance with an approved permit, a fee covering investigation of any violation, inspection and plan checking of work required to correct such violation shall be charged to the violator to cover all actual costs. This fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The payment of such fee shall not exempt an applicant from compliance with all other provisions of either this Code or the technical codes nor from the penalty prescribed by law. The applicant may appeal the assessment of a penalty to the Building and Accessibility Standards Board of Appeals.

Where work for which a permit is required by this Chapter is started or proceeded with prior to the obtaining of such permit, the fees set forth in the fee schedule adopted by the Board of Supervisors may be increased by the Building Official but shall not be more than double the fees specified for obtaining the permit for the first violation and not more than fourfold the fees specified for obtaining the permit for a second or subsequent violation by the same individual. The payment of such fee shall not exempt an applicant from compliance with all other provisions of either this code or the technical codes in the execution of the work nor from penalties prescribed in Sections L-I 1.7 and L-V 2.2 of the Land Use and Development Code.

### **Sec. L-V 2.10                    Section 109.6: Fee Refunds (change to read)**

Upon request of the Applicant prior to the expiration of the building permit, the Building Official may authorize refunding the permit fee, less an administration fee established by Resolution of the Board of Supervisors, when no work has been performed under a permit issued in accordance with this Code.

The Building Official may authorize refunding the plan review fee paid, less a refund processing fee and the administration fee established by Resolution of the Board of Supervisors, when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended. The refund of these separate and independent fees shall not exceed 80% of the individual plan review or building permit fee.

The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 90 days after the date of fee payment. Refund amounts of less than \$25.00, calculated after appropriate deductions, shall not be refunded.

# EXHIBIT A

## ARTICLE 3 CALIFORNIA BUILDING CODE AMENDMENTS

### Sections:

<b>Sec. L-V 3.0</b>	<b>Amendments Adopted</b>
<b>Sec. L-V 3.1</b>	<b>Division II, Section 113: Board of Appeals, General (change to read)</b>
<b>Sec. L-V 3.2</b>	<b>Division II, Section 105.2: Work Exempt from Permit (change to read)</b>
<b>Sec. L-V 3.2.1</b>	<b>Division II, Section 105.3.2: Time Limitation of Application (change to read)</b>
<b>Sec. L-V 3.3</b>	<b>Division II, Section 105.5: Permit Expiration (change to read)</b>
<b>Sec. L-V 3.4</b>	<b>Division II, Section 109.2: Schedule of Permit Fees (change to read)</b>
<b>Sec. L-V 3.5</b>	<b>Section 202: R (add the following definition)</b>
<b>Sec. L-V 3.6</b>	<b>Section 1505.1: Fire Classification (change to read as follows)</b>
<b>Sec. L-V 3.7</b>	<b>Section 1507.1.2: Ice Barriers (add the following)</b>
<b>Sec. L-V 3.8</b>	<b>Section 1507.2.8.2: Valleys and Section 1507.2.8.2 #4 Valleys: Flashing (add the following text)</b>
<b>Sec. L-V 3.9</b>	<b>Section 1507.2.3: Underlayment (add the following)</b>
<b>Sec. L-V 3.10</b>	<b>Section 1608.2: Ground Snow Loads (change to read as follows)</b>
<b>Sec. L-V 3.11</b>	<b>Section 1608.2.1: Snow Loads (add a subsection to read as follows): 1608.2.1: Ramadas</b>
<b>Sec. L-V 3.12</b>	<b>Added Section 1608.4</b>
<b>Sec. L-V 3.13</b>	<b>Section 7.6.1: Unbalanced Snow Loads for Hip and Gable Roofs, ASCE 7-10 (add a new subsection to read) 7.6.1.1: Unbalanced Snow Loads for Ground Snow Loads Over 100 PSF</b>
<b>Sec. L-V 3.13.1</b>	<b>Section 7.7.1: Lower Roof of a Structure, ASCE 7-10 (change equation 7.7-1 to read as follows)</b>
<b>Sec. L-V 3.13.2</b>	<b>Table 7-2 Exposure Factor, Ce, ASCE 7-10 (change foot note 'a' to read as follows)</b>
<b>Sec. L-V 3.13.3</b>	<b>Table 7-3 Thermal Factor, Ct, ASCE 7-10 (replace Table 7-3 Thermal Factor, Ct, with the following table)</b>
<b>Sec. L-V 3.14</b>	<b>Section 1809.5 Frost Protection (change to read)</b>
<b>Sec. L-V 3.15</b>	<b>Section 3109.2.1: Barrier Height and Clearances (change to read)</b>

### **Sec. L-V 3.0**      **Amendments Adopted**

The California Building Code as adopted by Section L-V 1.4 is adopted with the following amendments:

#### **Sec. L-V 3.1**      **Division II Section 113: Board of Appeals, General (change to read)**

Appeals resulting from decisions or determinations made by the Building Official relative to the application and interpretation of this Code shall be heard by the Building and Accessibility Standards Board of Appeals as set forth in Section L-V 2.2 of the Nevada County Land Use and Development Code.

#### **Sec. L-V 3.2**      **Division II, Section 105.2: Work Exempt from Permit (change to read)**

Work exempt from permit requirements shall be as set forth in the 2016 California Building Code, Section 105.2, as adopted by Nevada County, with County amendments.

#### **Sec. L-V 3.2.1**      **Division II, Section 105.3.2: Time Limitation of Application (change to ready)**

The time limitation of permit applications shall be as set forth in the California Building Code, Section 105.3.2, as adopted by Nevada County, with County amendments.

# EXHIBIT A

## **Sec. L-V 3.3 Division II Section 105.5: Permit Expiration (change to read)**

Permit expiration for every permit issued by the Building Official shall be as set forth in the California Building Code, Section 105.5, as adopted by Nevada County, with County amendments.

## **Sec. L-V 3.4 Division Section 109.2 Schedule of permit fees (change to read)**

Permit fees shall be as set forth in the fee schedule adopted by Resolution of the Nevada County Board of Supervisors.

Plan review fees shall be as set forth in the fee schedule adopted by Resolution of the Nevada County Board of Supervisors.

## **Sec. L-V 3.5 Section 202: R (add the following definition)**

RAMADA is any freestanding roof, or shade structure, installed or erected above a mobile home, manufactured home, commercial coach, or any portion thereof.

## **Sec. L-V 3.6 Section 1505.1: Fire Classification (change to read as follows)**

The roof covering or roofing assembly on any structure regulated by this Code, unless specifically exempted, shall be listed Class A, as classified in Section 1505.1.

The roof covering assembly includes the roof deck, underlayment, interlayment, insulation and covering, which is assigned a roof covering classification.

## **Sec. L-V 3.7 Section 1507.1.2: Ice Barriers (add the following): 1507.2.8.3: Underlayment Ice Dams**

1507.2.8.3 UNDERLAYMENT ICE DAMS. An "ice dam" or "ice guard" is required on the roofs of heated buildings constructed at elevations above 4,000 feet above sea level. All roofs, regardless of covering, with a pitch of less than 8 in 12 shall be protected against leakage (caused by ice and snow) by either: (1) a base sheet of felt solid cemented to the roof sheathing with an approved cementing material, or (2) an approved manufactured membrane installed per the manufacturer's specifications. Application shall extend from the roof eave edge up the roof to a line five (5) feet horizontally inside the exterior wall line of the heated building and up 30 inches along each side of a valley. Where there exists both conditioned space and unconditioned space, the required covering shall also extend horizontally to a point at least five (5) feet onto the unconditioned space. This "ice dam"/"ice guard" shall be in addition to any underlayment otherwise required.

## **Sec. L-V 3.8 Section 1507.2.9.2: Valleys (add the following text)**

Above 4,000 feet elevation above sea level, valley flashing shall be installed to the requirements for severe climate (areas subject to wind-driven snow and ice buildup).

## **Sec. L-V 3.9 Section 1507.3.3: Underlayment (add the following)**

Above 4,000 feet elevation above sea level, underlayment shall be installed to the requirements for severe climate (areas subject to wind-driven snow and ice buildup).

## **Sec. L-V 3.10 Section 1608.2: Ground Snow Loads (change to read as follows)**

- A. All of Nevada County is declared a snow area. Buildings and structures shall be designed to resist snow loads as set forth herein. Except as provided in this Section, snow load requirements shall be as shown in Tables 16-C-1 and 16-C-2.

Table 16-C-1

Snow load requirements applicable west of the west section line of Sections 5, 8, 17, 20, 29 & 32 R. 16 E., T 17 and 18 N., M.D.B. and M.

<u>Elevation</u>	<u>Snow Load</u>
0-2000 ft.	29 psf

## EXHIBIT A

2001-2500 ft.	43 psf
2501-3000 ft.	57 psf
3001-3500 ft.	71 psf
3501-4000 ft.	117 psf
4001-4500 ft.	157 psf
4501-5000 ft.	200 psf
5001-5500 ft.	257 psf
5501-6000 ft.	314 psf
6001-6500 ft.	371 psf
6501-7000 ft.	428 psf
7001-7500 ft.	485 psf
7501-8000 ft.	542 psf

Table 16-C-2

Snow load requirements applicable east of the east section line of Sections 5, 8, 17, 20, 29 & 32 R. 16 E., T 17 and 18 N., M.D.B. and M.

<u>Elevation</u>	<u>Snow Load</u>
0-5000 ft.	71 psf
5001-5500 ft.	129 psf
5501-6000 ft.	186 psf
6001-6500 ft.	243 psf
6501-7000 ft.	300 psf
7001-7500 ft.	357 psf
7501-8000 ft.	400 psf
8001-8500 ft.	443 psf

Intermediate values may be interpolated from Table 16-C-1 and Table 16-C-2 by proportion.

- B. The snow loads for within Sections 5, 8, 17, 20, 29 and 32 R., 16 E., T. 17 and 18 N., M.D.B. and M. shall be on a straight line proportion between the values shown in Table 16-C-1 and Table 16-C-2 based on the distance of the site from the boundary of the transition zone.
- C. Higher snow loading than those shown in Tables 16-C-1 and 16-C-2 may be required by the Building Official in local areas of known higher snow accumulation.
- D. Deviations from the above set forth snow loading may be permitted by the Building Official, provided the snow load and conditions in each individual case are derived and certified by a registered or licensed design professional who can show proper experience in snow load evaluation. Snow load design procedure shall be as set forth in Section 1608.
- E. In no case shall the design snow load be less than 20 psf.

**Sec. L-V 3.11            Section 1608.2.1: Snow Loads (add subsection to read as follows):  
1608.2.1: Ramadas**

1608.2.1 RAMADAS. Mobile homes or commercial coaches that do not meet the applicable snow load requirement of Title 25, California Code of Regulations, or Section L-V 3.10 of the Nevada County Land Use and Development Code for their location, shall be protected by a ramada designed for the loading. A registered or licensed design professional shall design such ramadas.

**Sec. L-V 3.12            Added Section 1608.4**

Depth of ground snow may be calculated by dividing the applicable snow load set forth in Section L-V 3.10 of the Nevada County Land Use and Development Code by 25.

**Sec. L-V 3.13            Section 7.6.1: Unbalanced Snow Loads for Hip and Gable Roofs,  
ASCE 7-16 (add a new subsection to read) 7.6.1.1: Unbalanced Snow  
Loads for Ground Snow Loads Over 100 PSF**

7.6.1.1: Unbalanced Snow Loads for Ground Snow Loads Over 100 PSF

## EXHIBIT A

The following conditions are for the leeward side of a structure. The windward loading shall be in accordance with Section 7.6.1.

- 1.) For roof pitches of less than 6/12 (26.6 degrees) where the ground snow load ( $P_g$ ) exceeds 100 psf, the unbalanced snow load need not exceed:  
0 psf at the ridge and  
 $(hr)\gamma$  psf at the eave  
(see Figure 7.6.1.1-1)

Where:  $hr$  - Vertical distance between the eave and the ridge (ft)  
 $\gamma$  - Density of snow (pcf)

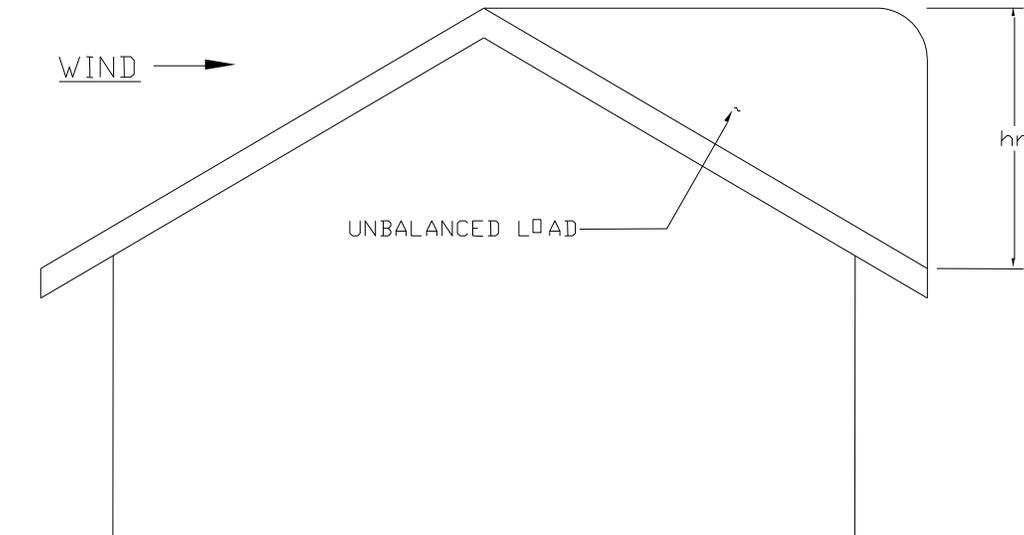


Figure 7.6.1.1-1

- 2.) For roof pitches of 6/12 (26.6 degrees) and greater where the ground snow load ( $P_g$ ) exceeds 100 psf where the roof is partially exposed or sheltered in Terrain Category B and C, or sheltered in Terrain Category D, the unbalanced snow load need not exceed the sloped roof snow load ( $P_s$ ). Terrain Categories are those defined in Table 7.3-1. For areas not meeting the terrain category and exposure as described, the unbalanced snow load need not exceed the load as defined in 1.) above.

### Sec. L-V 3.13.1 Section 7.7.1: Lower Roof of a Structure, ASCE 7-16 (change equation 7.7-1 to read as follows)

$$\gamma = 25 \text{ pcf}$$

(in SI:  $\gamma = 3.9 \text{ kN/m}^3$ )

### Sec. L-V 3.13.2 Table 7.3-1 Exposure Factor, $C_e$ , ASCE 7-16 (change footnote 'a' to read as follows)

<sup>a</sup>Definitions: Partially Exposed: all roofs except as indicated in the following text. Fully Exposed: roofs exposed on all sides with no shelter<sup>b</sup> afforded by terrain, higher structures, or trees. Roofs that contain several large pieces of mechanical equipment, parapets that extend above the height of the balanced snow load ( $h_b$ ), or other obstructions are note in this category. Sheltered: roofs located where there are very tight conifer trees in very close proximity to a structure, r if an obstruction, such as a tall hill, is located within a distance of 10 times the height of the difference in height between the top of the roof and the top of the obstruction as noted in footnote "b".

### Sec. L-V 3.13.3 Table 7.3-2 Thermal Factor, $C_t$ , ASCE 7-16 (replace Table 7.3-2 Thermal Factor, $C_t$ , with the following table)

## EXHIBIT A

TABLE 7.3-2 THERMAL FACTOR,  $C_t$

Thermal Condition <sup>a</sup>	$C_t$
All Structures except as indicated below	1.0
Structures kept just above freezing, structures with specifically designed cold roofs <sup>c</sup> and for enclosed portions of a completely unheated structure.	1.1
Structures intentionally kept below freezing	1.2
Continuously heated greenhouses <sup>b</sup> with a roof having a thermal resistance (R-value) Less than $2.0 \text{ } ^\circ\text{F}\cdot\text{h}\cdot\text{ft}^2/\text{Btu}$ ( $0.4 \text{ K}\cdot\text{m}^2/\text{W}$ )	0.85

- <sup>a</sup> These conditions shall be representative of the anticipated conditions during winters for the life of the structure.
- <sup>b</sup> Greenhouses with constantly maintained interior temperature of 50 °F (10 °C) or more at any point three (3) feet above the floor level during winters and having either a maintenance attendant on duty at all times or a temperature alarm system to provide warning in the event of a heating failure.
- <sup>c</sup> A specifically designed cold roof is defined as a well vented (exceeding code minimum) roof with an insulation system intended to mitigate icing at the eaves, which creates an air-tight or nearly air-tight envelope below the well-ventilated space.

### **Sec. L-V 3.14                      Section 1809.5 Frost Protection (change to read)**

Unless erected on solid rock, to protect against frost and freezing, the minimum foundation depth is 18 inches below grade if between 4,001-7,000-foot elevation and 24 inches below grade for 7,000-foot elevation and above.

Exception: Interior footings shall be a minimum of 12 inches below grade.

### **Sec. L-V 3.15                      Section 3109.2.1: Barrier Height and Clearances (change to read)**

The top of the barrier shall be at least 60 inches (1524mm) above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be two (2) inches (51mm) measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four (4) inches (102mm).

# EXHIBIT A

## ARTICLE 4 CALIFORNIA RESIDENTIAL CODE AMENDMENTS

### Sections:

<b>Sec. L-V 4.0</b>	<b>Amendments Adopted</b>
<b>Sec. L-V 4.1</b>	<b>Division II Administration, Section R105.2 Work Exempt from Permit</b>
<b>Sec. L-V 4.2</b>	<b>Section R105.2: Work Exempt from Permit; Building Permits</b>
<b>Sec. L-V 4.3</b>	<b>Section R105.5: Expiration</b>
<b>Sec. L-V 4.4</b>	<b>Section R108.2: Schedule of Permit Fees</b>
<b>Sec. L-V 4.5</b>	<b>Section R108.5: Refunds</b>
<b>Sec. L-V 4.6</b>	<b>Section R108.6: Work Commencing Before Permit Issuance</b>
<b>Sec. L-V 4.7</b>	<b>Section R301.2.3 Snow Loads</b>
<b>Sec. L-V 4.8</b>	<b>Section R301.2 Table R301.2(1) Climatic and Geographic Design Criteria</b>
<b>Sec. L-V 4.9</b>	<b>Section R403.1.4.1 Frost Protection (change to read)</b>

### **Sec. L-V 4.0**            **Amendments Adopted**

The California Residential Code as incorporated into the Land Use and Development Code by Section L-V 1.4 is adopted with following amendments:

### **Sec. L-V 4.1**            **Division II Administration, Section R105.2 Work Exempt from Permit (changed to read)**

Refer to L-V 2.3, Section 105.2.

### **Sec. L-V 4.2.**            **Section R105.2: Work Exempt From Permit; Building Permits (add paragraph to read)**

Refer to L-V 2.5, Section 105.2.

### **Sec. L-V 4.3**            **Section R105.5: Expiration (change to read)**

Refer to L-V 2.7, Section 105.5.

### **Sec. L-V 4.4**            **Section R108.2: Schedule of Permit Fees (change to read)**

Refer to L-V 2.8, Section 109.2.

### **Sec. L-V 4.5**            **Section R108.5: Refunds (change to read)**

Refer to L-V 2.10, Section 109.6.

### **Sec. L-V 4.6**            **Section R108.6: Work Commencing Before Permit Issuance**

Refer to L-V 2.9, Section 109.4.

### **Sec. L-V 4.7**            **R301.2.3: Snow Loads (change to read)**

Refer to L-V 3.10 – 3.13.3

## EXHIBIT A

### Sec. L-V 4.8      Section R301.2 & Table R301.2(1) Climatic and Geographic Design Criteria

Table R301.2 (1) changed to the read the following:

**TABLE R301.2(1)  
CLIMATIC AND GEOGRAPHICAL CRITERIA**

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP (c)
	Speed (mph) (e)	Topographic effects	Special wind region (d)	Windborne debris zone		Weathering (a)	Frost line depth (b)	Termite	
Per Site Elevation/ Location	110	NO	Yes	No	Specific Site Location	Specific Site Location	Per Site Elevation/L ocation	YES	Specific Site Location

ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP (f)	MANUAL J DESIGN CRITERIA (g)
Yes, Above 4,000ft elevation	PER FEMA MAPPING	2000	Specific Site Location	Specific Site Location

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s

- a. Site elevations over 4,000ft have "Severe" weathering. Elevations at or below 4,000ft have "Negligible" weathering unless determined otherwise by the Building Official based on specific site conditions.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1).
- c. Temperatures in accordance with the 2019 California Energy Code and National Climatic Center data table.
- d. The licensed California Design Professional must use local weather data to determine wind speed for projects that have site elevations over 4,000ft.
- e. Ultimate wind speed
- f. Mean annual temperature based on specific site location per the National Climatic Data Center date table "Air Freezing Index – USA Method (Base 32 degrees F)."
- g. Design criteria based on specific site location in accordance with the joint appendices of the 2019 California Energy Code

### Sec. L-V 4.9      Section R403.1.4.1 Frost Protection (change to read)

Refer to Sec. L-V 3.14

# EXHIBIT A

## ARTICLE 5 FIRE SAFETY STANDARDS AND CALIFORNIA FIRE CODE AMENDMENTS

### Sections:

Sec. L-V 5.1	Purpose
Sec. L-V 5.2	Application
Sec. L-V 5.3	Definitions
Sec. L-V 5.4	Responsibility for Enforcement and Review
Sec. L-V 5.5	Duties of County Fire Marshal
Sec. L-V 5.6	Appointment of County Fire Marshal
Sec. L-V 5.7	Fire Agency Appeals
Sec. L-V 5.8	Code Adoption Procedure
Sec. L-V 5.9	Permits for Burning Operations
Sec. L-V 5.10	Incinerators, Open Burning and Commercial Barbecue Pits, Additional Enforcement Authorized
Sec. L-V 5.11	Construction
Sec. L-V 5.12	Fire-Extinguishing Equipment; and Supervision of Incinerator Burning Operations
Sec. L-V 5.13	Open Burning
Sec. L-V 5.14	2019 California Fire Code Adopted
Sec. L-V 5.15	Section 105: Permits (add a subsection to read): 105.8: New Materials, Processes or Occupancies Which May Require Permits
Sec. L-V 5.16	California Fire Code, Section 105.6: Required Operational Permits (add subsections to read): 105.6.52 Cannabis Operations; 105.6.53 Organized Camps
Sec. L-V 5.17	California Fire Code, Section 110.4: Violation Penalties (amend section to read)
Sec. L-V 5.18	California Fire Code, Section 110.4: Violation Penalties (add subsection to read) 110.4.2 Reduction of Penalty
Sec. L-V 5.19	California Fire Code, Section 112.4: Failure to comply (amend section to read)
Sec. L-V 5.20	California Fire Code, Section 106.2: Schedule of Permit Fees (amend section to read)
Sec. L-V 5.21	California Fire Code, Section 505: Premises Identification (add a subsection to read): 505.3 Utility Identification
Sec. L-V 5.22	California Fire Code, Section 506.1: Key Box (add the following text)
Sec. L-V 5.23	California Fire Code, Section 604: Electrical Equipment, Wiring and Hazards (add a subsection to read): 604.3.2 Auxiliary Generator Power
Sec. L-V 5.24	California Fire Code, Section 903.2.8: Group R (add a subsection to read): 903.2.8.5 Manufactured Housing Fire Sprinklers
Sec. L-V 5.25	California Fire Code, Section 907: Fire Alarm and Detection Systems (add a subsection to read): 907.11 False Alarms
Sec. L-V 5.26	Section 5706.2.4.4: Location Where Above Ground Tanks are Prohibited (add exceptions)
Sec. L-V 5.27	California Fire Code Section 6103: Installation of Equipment (add a subsection to read): Section 6103.4: High Elevation Requirements

## EXHIBIT A

- Sec. L-V 5.28** California Fire Code, Section 6107: Safety Precautions and Devices (add a subsection to read): 6107.5 Protecting Appurtenances from the Elements
- Sec. L-V 5.29** California Fire Code Appendix B, Table B105.2: Required Fire-Flow for Buildings Other Than One-and-Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses (amend table to read)
- Sec. L-V 5.30** Appendix B: Fire-Flow Requirements for Buildings (add a section to read as follows): B107 Automatic Fire Alarm System
- Sec. L-V 5.31** Appendix B: Fire-Flow Requirements for Buildings (add a section to read as follows): B108 Automatic Fire Sprinkler System
- Sec. L-V 5.32** Appendix C: Fire Hydrant Location and Distribution (add a section to read as follows): C106 Location of Dry Hydrants
- Sec. L-V 5.33** Appendix C: Fire Hydrant Location and Distribution (add a section to read as follows): C107 Installation of Dry Hydrants
- Sec. L-V 5.34** Appendix C: Fire Hydrant Location and Distribution (add a section to read as follows): C108 Dry hydrant connection
- Sec. L-V 5.35** Appendix C: Fire Hydrant Location and Distribution (add a section to read as follows): C109 Freeze Protection
- Sec. L-V 5.36** Appendix C: Fire Hydrant Location and Distribution (add a section to read as follows): C110 Venting of Closed Containers
- Sec. L-V 5.37** Appendix C: Fire Hydrant Location and Distribution (add a section to read as follows): C111 Lakes, Reservoirs, and Ponds
- Sec. L-V 5.38** Appendix C: Fire Hydrant Location and Distribution (add a section to read as follows): C112 Water Supply Signage
- Sec. L-V 5.39** Appendix D, Section D101: General (add a paragraph to read as follows)

### **Sec. L-V 5.1 Purpose**

This Article prescribing regulations governing fire prevention is enacted to provide increased protection from fire to residents and property within Nevada County. It is also intended to encourage a greater degree of uniformity between the local fire districts and outside districts in the imposition of fire safety regulations on new construction and existing buildings, while respecting the autonomy of the local fire protection districts.

### **Sec. L-V 5.2 Application**

Notwithstanding any provision in the California Fire Code to the contrary, if any provisions of the California Fire Code, as amended by this Article, conflict with state law or County ordinances, the provisions of state law or County ordinances shall govern.

### **Sec. L-V 5.3 Definitions**

As used in this Article and the California Fire Code, certain words and phrases are defined and shall be deemed to have the meaning ascribed to them herein.

- A. COUNTY FIRE MARSHAL is the person appointed to said position pursuant to Section L-V 5.6, acting directly or through the County Fire Protection Planner.
- B. COUNTY FIRE PROTECTION PLANNER is the designee and authorized representative of the County Fire Marshal.
- C. FIRE BREAK shall mean a continuous strip of land upon which all rubbish, weeds, grass, or other growth that could be expected to burn when dry, has been abated or otherwise removed in order to prevent the surface extension of fire from one area to another.

## EXHIBIT A

### **Sec. L-V 5.4            Responsibility for Enforcement and Review**

Except as otherwise required by controlling State law, enforcement of fire safety laws, standards and regulations and review of projects for compliance therewith shall be as follows in the unincorporated areas of Nevada County:

- A. The California Fire Code, as amended and adopted in this Article, shall be enforced:
  - 1. By the Chief of any fire department or the authorized representative thereof within its jurisdiction, and
  - 2. By the County Fire Marshal outside the jurisdiction of a fire department providing fire protection services or within such boundaries as authorized by the Chief.
- B. The building standards relating to fire and panic safety adopted by the State Fire Marshal and published in the State Building Standards Code and other regulations formally adopted by the State Fire Marshal for prevention of fire or for protection of life and property against fire or panic shall be enforced against all buildings and uses, including those owned or operated by the State or the County only to the extent State law expressly makes the same applicable and enforceable against such governmental entities:
  - 1. By the State Fire Marshal as to State owned or operated buildings;
  - 2. By the County of Nevada, through its Building Department or its authorized representative, throughout the unincorporated areas of the County:
    - a. Those standards and regulations more stringent than the requirements published in the California Building Standards Code relating to fire and panic safety adopted pursuant to Health and Safety Code Section 13143.5 or ratified pursuant to Health and Safety Code Section 13869.7 where enforcement is not otherwise delegated upon adoption or ratification, and
    - b. Those relating to R-3 occupancies, excluding adopted building standards relating to fire and panic safety applicable to Small and Large Day Care Centers, the enforcement of which shall be as provided in subsections B.3 and B.4 hereof;
  - 3. By the Chief of any fire department or their authorized representative within its jurisdiction:
    - a. Those standards and regulations more stringent than the requirements published in the California Building Standards Code relating to fire and panic safety adopted pursuant to Health and Safety Code Section 13143.5 or ratified pursuant to Health and Safety Code Section 13869.7 where enforcement is delegated to it; and
    - b. All other standards and regulations, except as provided in subsections B.1, B.2 or B.4 hereof; and
  - 4. By the County Fire Marshal all standards and regulations applicable outside the jurisdictional boundaries of a fire department providing fire protection services or within such boundaries upon request of the Chief or governing body thereof with approval of the State Fire Marshal.
- C. Whenever any application is made to the County for issuance of any discretionary land use permit or other land use entitlement, the County Fire Marshal, after consultation with any Fire Chief or other person with enforcement responsibility pursuant to this Article, shall have the final authority and responsibility for review of such application and preparation of comments and appropriate mitigation measures and/or conditions of approval to be requested to assure compliance with all applicable fire safety laws, standards and regulations. To facilitate such review, copies of all such applications shall promptly be provided to the County Fire Marshal and to any Fire Chief or other person with enforcement responsibility.

### **Sec. L-V 5.5            Duties of County Fire Marshal**

- A. In addition to enforcement responsibilities provided for in subsections A and B and review responsibilities provided for in Subsection C of Section L-V 5.4 hereof, the duties of the County Fire Marshal shall include fire prevention, code inspection, and fire investigation for the unincorporated

## EXHIBIT A

areas of Nevada County outside the jurisdictional boundaries of a fire department or within such boundaries as authorized by the Chief.

- B. The County Fire Marshal may designate another qualified person, who shall be known as the County Fire Protection Planner, as his authorized representative to carry out all or any part of his duties under this Section. The appointment of the Fire Protection Planner is subject to ratification by the Board of Supervisors and shall not become effective until said ratification. Any fire department or fire department governing body may, by written request, delegate their authority to the County Fire Protection Planner to review and determine appropriate mitigation measures and/or conditions of approval for any project in its jurisdiction.

### **Sec. L-V 5.6 Appointment of County Fire Marshal**

The Nevada County Board of Supervisors shall appoint the County Fire Marshal. In a timely manner thereafter, the County Fire Marshal shall appoint his or her chief staff officers as Deputy Fire Marshals to operate under the authority of the Nevada County Board of Supervisors. Appointment of Deputy Fire Marshals is subject to ratification by the Board of Supervisors and shall not become effective until said ratification.

### **Sec. L-V 5.7 Fire Agency Appeals**

Appeals from decisions to approve or not to approve permits pursuant to this Article resulting from a dispute as to interpretation of any regulation between the County Fire Marshal or any Fire Chief, or authorized representatives of either, may be taken directly to the Nevada County Building and Accessibility Standards Board of Appeals. Such appeals shall be performed in accordance with Nevada County Land Use and Development Code Chapter V, Section L-V 2.1.

### **Sec. L-V 5.8 Code Adoption Procedure**

- A. The County Fire Marshal or his or her designee shall review fire and panic safety regulations adopted by the State pursuant to Health and Safety Code Secs. 13143, *et seq.* and Public Resources Code Secs. 4290, *et seq.* and shall recommend to the Board of Supervisors for consideration the adoption of amendments and additions to, or deletions from, such regulations.
- B. Upon receipt of the County Fire Marshal's report and recommendations, the Board of Supervisors shall set a public hearing to receive public testimony on the proposed changes.

### **Sec. L-V 5.9 Permits for Burning Operations**

Residential open burning, consisting of burning materials originating from one or more single or multiple family dwellings on a premises, including incinerator use, is allowed subject to the provisions of this Code as adopted by Nevada County:

- A. Without a permit only during that period when fire danger is determined to be low enough as established from year-to-year by a proclamation of the local California Department of Forestry and Fire Protection (CAL FIRE) Director that burning is not prohibited and burn permits are not needed;
- B. With a permit issued by CAL FIRE only during that period between open burn and no-burn periods when conditions are appropriate as established from year-to-year by CAL FIRE or its designated agency by a proclamation that burning is not prohibited, but is allowed subject to a permit.

Notwithstanding the foregoing, there shall be no open burning, and no permits may be issued for burning, on days or at times determined to be unsafe by CAL FIRE, or unhealthy by the Northern Sierra Air Quality Management District (NSAQMD) or for open burning in violation of Section 1102.3.

### **Sec. L-V 5.10 Incinerators, Open Burning and Commercial Barbecue Pits Additional Enforcement Authorized**

## EXHIBIT A

The Northern Sierra Air Quality Management District and its duly authorized agents are hereby declared to be code enforcement officers of this County for the purpose and with the right of enforcing the provisions of all subsections of this section, including, without limitation, the same authority as the chief to require discontinuance of burning.

### **Sec. L-V 5.11 Construction**

Freestanding incinerators shall be constructed of bricks, concrete, hollow tile, heavy gauge metal or other approved non-combustible material. Incinerators shall be equipped and maintained with a spark arrest constructed of iron, heavy wire mesh, or other non-combustible material with openings not larger than 1/4-inch.

### **Sec. L-V 5.12 Fire-Extinguishing Equipment; and Supervision of Incinerator Burning Operations**

**FIRE-EXTINGUISHING EQUIPMENT.** A garden hose connected to an adequate water supply or other approved fire extinguishing equipment shall be available for use when incinerators are in operation.

**SUPERVISION OF INCINERATOR BURNING OPERATIONS.** When burn permits are required, incinerators, while in use, shall be constantly attended by a person knowledgeable in the use of fire extinguishing equipment required by Sec. L-V 5.12 and familiar with permit limitations that restrict the use of incinerators. An attendant shall supervise the burning material until the fire has been extinguished.

### **Sec. L-V 5.13 Open Burning**

**GENERAL.** Open burning shall be conducted in accordance with Section 307. Open burning shall also be conducted in accord with requirements of other governing agencies regulating emissions

**EXCEPTION:** Recreational fires shall be in accordance with California Fire Code Section 307.4.2

**NOTIFICATION.** Prior to commencement of open burning, the resident must ensure that it is a permissive burn day.

**MATERIAL RESTRICTIONS.** Material to be burned must be properly dried and all open burning be conducted in a manner to minimize smoke and promote quick and complete combustion. Open burning of rubbish containing paper products is prohibited, as is open burning of garbage generally, cloth, plastics, petroleum products, metal, material soiled by food or fecal matter, animals or animal parts, or any similar smoke producing materials. No person shall use open outdoor fires for the purpose of disposal, processing or burning of any flammable combustible material, including, but not limited to, treated wood, tires, tar, plastics, petroleum wastes, demolition debris, garbage, offal, carcasses of dead animals or salvage of metals. All residential burning of leaves and pine needles shall utilize efficient burn management techniques and in Western Nevada County (as defined in Sec. G-IV 14.A.2 of the Nevada County General Code) shall be restricted to burning where the leaves or pine needles are dry and attached to branches or make up no more than twenty percent (20%) by volume of any burn pile.

**TIME AND ATMOSPHERIC RESTRICTIONS.** Open burning shall only be performed when time and atmospheric conditions comply with the limits set forth in the open-burning permit or on a permissive burn day as determined by the Northern Sierra Air Quality Management District.

**307.4 LOCATION:** Open burning shall not be conducted within fifty (50) feet (15.25 meters) of any structure.

**EXCEPTION:** Clearance from structures is allowed to be reduced as follows:

1. Not less than fifteen (15) feet (4.5 meters) when burning is conducted in an approved burning appliance.
2. Not less than twenty-five (25) feet (7.6 meters) when the pile size is three (3) feet (one (1) meter) or less in diameter and two (2) feet (0.6 meters) or less in height.

**FIRE-EXTINGUISHING EQUIPMENT.** A garden hose connected to a water supply or other approved fire-extinguishing equipment shall be readily available for use at open-burning sites.

## EXHIBIT A

**SUPERVISION OF OPEN BURNING OPERATIONS.** Burning material shall be constantly attended by an adult person knowledgeable in the use of fire extinguishing equipment required by Section 307.5 and familiar with permit limitations that restrict open burning. An attendant shall supervise the burning material until the fire has been extinguished.

**DISCONTINUANCE.** The chief or a duly authorized agent of the Northern Sierra Air Quality Management District is authorized to require that open burning be immediately discontinued if the chief or agent determines that smoke emissions are offensive to occupants of surrounding property or if the open burning is determined by the chief or agent to constitute a hazardous condition.

### **Sec. L-V 5.14            2019 California Code Adopted**

Adopt the 2019 California Fire Code as printed by International Code Council Inc. and amended by State Fire Marshal Office and including Appendix Chapters B, BB, C, CC, D, F and H.

### **Sec. L-V 5.15            California Fire Code, Section 105: Permits (add a subsection to read): 105.8 New Materials, Processes or Occupancies Which May Require Permits**

**105.8 NEW MATERIALS, PROCESSES, OR OCCUPANCIES THAT MAY REQUIRE PERMITS.** The Chief of each local fire protection district shall determine and specify, after giving affected persons the opportunity to be heard, any new materials, processes, or occupancies which shall require permits, in addition to those enumerated in said code.

### **Sec. L-V 5.16            California Fire Code, Section 105.6: Required Operational Permits (add subsections to read): 105.6.52 Cannabis Operations; 105.6.53 Organized Camps**

**105.6.52 CANNABIS OPERATIONS.** An operational permit is required to operate a commercial cannabis facility or cannabis operation listed below when allowed by State law and the Nevada County Land Use and Development Code:

- a) Cultivation
- b) Distribution
- c) Manufacturing
- d) Testing/Laboratories

**105.6.53 ORGANIZED CAMPS.** An operational permit is required to operate an organized camp.

### **Sec. L-V 5.17            California Fire Code, Section 110.4: Violation Penalties (amend section to read)**

- A. **110.4 Violation Penalties.** Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of approved construction documents or directive of the fire code official, or of a permit or certificate used under provision of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars or imprisonment not exceeding 90 days in the County Jail, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The application of the above penalty shall not be the exclusive remedy nor shall the penalty be held to prevent the enforced removal of prohibited conditions.
- B. Any person who violates or fails to comply with a notice or order of the County Fire Marshal shall be guilty of a misdemeanor.

### **Sec. L-V 5.18            California Fire Code, Section 110.4: Violation Penalties (add subsection to read) 110.4.2 Reduction of Penalty**

## EXHIBIT A

110.4.2 REDUCTION OF PENALTY. The Fire Chief, in their sole discretion, may reduce any violation from a misdemeanor set forth above to an infraction, punishable by a fine or not more than \$500.00.

**Sec. L-V 5.19 California Fire Code, Section 112.4: Failure to comply (amend section to read)**

112.4 FAILURE TO COMPLY. Any person who shall continue work after having been served with the stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of an infraction and be liable to a fine of not less than five hundred dollars or more than one thousand dollars for each day the violation continues unabated.

**Sec. L-V 5.20 California Fire Code, Section 106.2: Schedule of Permit Fees (amend section to read)**

106.2 SCHEDULE OF PERMIT FEES. The Chief of each local fire protection district may charge and receive such fees and charges for services and permits relating to activities of fire prevention pursuant to the Fire Code. Said fees and charges may be set by Resolution of each local fire protection district.

**Sec. L-V 5.21 California Fire Code, Section 505: Premises Identification (add a subsection to read): 505.3 Utility Identification**

505.3 UTILITY IDENTIFICATION. Gas and electrical meters, services, switches, and shut-off valves in multi-unit commercial and residential buildings shall be clearly and legibly marked to identify the unit or space that it serves.

**Sec. L-V 5.22 California Fire Code, Section 506.1: Key Box (add the following text)**

A key box, approved by the responsible fire agency, shall be installed in buildings with automatic fire sprinkler and/or fire alarm systems.

The owner or person in charge of the premises shall notify the responsible fire agency without delay when the required keys providing access to the facility have been changed. Proper keys shall be made immediately available.

**Sec. L-V 5.23 California Fire Code, Section 604: Electrical Equipment, Wiring and Hazards (add a subsection to read): 604.3.2 Auxiliary Generator Power**

604.3.2 AUXILIARY GENERATOR POWER. Any new structure or remodel that has electrical power supplied by a secondary or auxiliary power unit with automatic startup and/or automatic power transfer capabilities shall have an auxiliary power disconnect accessible to fire department personnel. The auxiliary power disconnect switch shall be located within three (3) feet of the main power disconnect switch and identified with a permanently mounted, weatherproof label marked "AUXILIARY POWER DISCONNECT".

**Sec. L-V 5.24 California Fire Code, Section 903.2.8: Group R (add a subsection to read): 903.2.8.5 Manufactured Housing Fire Sprinklers**

Fire Sprinklers are required for all manufactured housing or mobile homes as defined by California Health and Safety Code Sections 18007 and 18009 and multifamily homes with two dwelling units defined by California Health and Safety Code Section 18008.7, with a building permit application submittal date on or after January 1, 2020. Fire Sprinklers shall be designed by a licensed professional and installed in accordance with Title 25 of the California Code of Regulations and subject to California Department of Housing and Community Development approval.

**EXHIBIT A**

**Sec. L-V 5.25 California Fire Code, Section 907: Fire Alarm and Detection Systems (add a subsection to read): 907.11 False Alarms**

907.11 FALSE ALARMS. When any fire alarm system sounds an audible alarm or transmits an alarm to a remote location causing an emergency response by a fire district, when no emergency exists, for three or more times in any six month period, the owner, tenant, or lessee of the premises may be billed for the cost of the response in accordance with a fee that may be established by Resolution of said Fire District.

**Sec. L-V 5.26 California Fire Code, Section 5706.2.4.4: Location Where Above-Ground Tanks are Prohibited (add exceptions)**

**EXCEPTIONS:**

1. Storage in conjunction with construction projects complying with Section 5706.2 of this article for which the Chief has issued a permit.
2. Tanks used for agricultural purposes complying with Section 5706.2. where the need for on-site fuel is necessary for continued operations, and for which a permit has been issued by the Chief.
3. Existing installations where the Chief has issued a permit for continued use.
4. Service stations, repair garages, oil change facilities and commercial operations which accept the return of used crankcase oil, may be permitted to have one aboveground storage tank of up to a five hundred (500) gallon capacity for the purpose of storing used crankcase oil. Section 2311.2

**Sec. L-V 5.27 California Fire Code, Section 6103: Installation of Equipment (add a subsection to read): 6103.4 High Elevation Requirements**

6103.4 HIGH ELEVATION REQUIREMENTS. Above 4,000 feet elevation above sea level, a site plan that includes a liquefied petroleum gas tank shall be approved by the Fire Marshal of the affected Fire District or Fire Authority before issuance of any building permit therefore.

**Sec. L-V 5.28 California Fire Code, Section 6107: Safety Precautions and Devices (add a subsection to read): 6107.5 Protecting Appurtenances from the Elements**

6107.5 PROTECTING APPURTENANCES FROM THE ELEMENTS. At above 4,000 feet elevation above sea level, a protective cover shall be installed over all gas meters, regulators, valves, and equipment so to provide protection against sliding, drifting, and impacts of snow and ice. The minimum design for the protective cover shall be equal to, or greater than the Building Design Load determined by the Building Department and shall be securely supported to the ground or diagonally to the building wall.

**Sec. L-V 5.29 California Fire Code Appendix B, Table B105.2: Required Fire-Flow for Buildings Other Than One-and-Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses (amend table to read)**

**Table B105.2  
Required Fire-Flow for Buildings Other Than One-and-Two-Family Dwellings, Group R-3 and R-4  
Buildings and Townhouses**

AUTOMATIC SPRINKLER SYSTEM (DESIGN STANDARD)	MINIMUM FIRE-FLOW (GALLONS PER MINUTE)	FLOW DURATION (HOURS)
Not automatic sprinkler system	Value to Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the California Fire Code	50% of the value in Table B105.1(2) a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the California Fire Code	50% of the value in Table B105.1(2) b	Duration in Table B105.1(2) at the reduced flow rate

## EXHIBIT A

For SI: 1 gallon per minute = 3.785 L/m

- a. The reduced fire-flow shall not be less than 1,000 gallons per minute.
- b. The reduced fire-flow shall be not less than 1,500 gallons per minute.

### **Sec. L-V 5.30            Appendix B: Fire-Flow Requirements for Buildings (add a section to read as follows): B107 Automatic Fire Alarm System**

B107 AUTOMATIC FIRE ALARM SYSTEM. Any structure with a required fire flow of 1,500 to 1,749 gallons per minute, shall have installed throughout an approved fully-supervised automatic smoke and/or heat detection fire alarm system in the following categories:

1. New buildings;
2. Existing buildings with new construction exceeding 50% of the gross floor area.

EXCEPTIONS:

1. Single-family dwellings and related accessory outbuildings.
2. Buildings that have an automatic fire sprinkler system installed throughout the building.

### **Sec. L-V 5.31            Appendix B: Fire-Flow Requirements for Buildings (add a section to read as follows): B108 Automatic Fire Sprinkler System**

B108 AUTOMATIC FIRE SPRINKLER SYSTEM. Any structure with a required fire flow of 1,750 gallons per minute or more shall have installed throughout, an approved fully-supervised automatic fire sprinkler system in the following categories:

1. New buildings;
2. Existing buildings with new construction exceeding 50% of the gross floor area.

EXCEPTIONS:

1. Single-family dwellings and related accessory outbuildings.

### **Sec. L-V 5.32            Appendix C: Fire Hydrant Location and Distribution (add a section to read as follows): C106 Location of Dry Hydrants**

C106 LOCATION OF DRY HYDRANTS

C106.1 DRY HYDRANT LOCATION. The dry hydrant shall be readily accessible by fire apparatus and shall be located not more than 1,000 feet from the parcel to be served and not less than fifty (50) feet from any structure to be served by the system.

C106.1.1 ADJACENT TO ROADWAY. The dry hydrant shall be located within ten (10) feet of the driveway or other approved access roadway.

C106.1.2 SERVING SINGLE STRUCTURE. If the dry hydrant is located along the driveway serving a single structure, or along the primary access roadway serving multiple structures, the connection shall be located in such a manner that fire apparatus can utilize the hydrant without obstructing the access roadway.

C106.2 TURNOUT CONSTRUCTION. An approved turnout, consisting of a 10-foot wide driving surface for a distance of 25 feet plus a 25-foot taper on either end (total length of 75 feet), shall be provided when the dry hydrant is placed adjacent to a single lane access roadway or where fire apparatus using the hydrant would obstruct the access roadway.

C106.3 VEGETATION CLEARANCE. All flammable vegetation within 10 feet of the dry hydrant shall be removed.

### **Sec. L-V 5.33            Appendix C: Fire Hydrant Location and Distribution (add a section to read as follows): C107 Installation of Dry Hydrants**

C107 INSTALLATION OF DRY HYDRANTS

## EXHIBIT A

C107.1 DRY HYDRANT SUPPLY PIPING. Pipe supplying the dry hydrant shall be not less than 4 inches in diameter.

C107.1.1 PVC PIPING. If PVC piping is used, the piping shall be Schedule 40, or better.

C107.2 ULTRAVIOLET PROTECTION. Exposed PVC piping shall be primed and painted with epoxy paint, or otherwise protected from damage that could be caused by exposure to sunlight, in an approved manner.

C107.3 CORROSION PROTECTION. If galvanized steel piping is used, piping that is in contact with the soil shall be wrapped with 2 layers of Mil Tape or otherwise protected from corrosion in an approved manner.

**Sec. L-V 5.34                      Appendix C: Fire Hydrant Location and Distribution (add a section to read as follows): C108 Dry hydrant connection**

### C108 DRY HYDRANT CONNECTION

C108.1 SIZE AND THREADS. The connection for the dry hydrant shall consist of a 4-1/2 inch threaded male fitting with National Standard Threads. The connection shall be provided with an approved cap to protect the threads and to protect the water supply from contamination.

C108.2 HEIGHT. The connection for the dry hydrant shall be located between 18 inches and 36 inches above the finished grade.

C108.3 SUPPORT BRACE. If PVC piping is used for the dry hydrant, an approved brace or support shall be provided to support the connection.

**Sec. L-V 5.35                      Appendix C: Fire Hydrant Location and Distribution (add a section to read as follows): C109 Freeze Protection**

### C109 FREEZE PROTECTION

C109.1 CONTROL VALVE. If the dry hydrant connection is located lower than the water source, such as a storage tank, an approved valve at the base of the dry hydrant shall be provided to control the water flow.

C109.2 DRAINAGE. Provisions shall be made to drain any standing water from the piping above the valve.

C109.3 EXPOSED PIPING. Any exposed piping that contains water shall be protected from freezing in an approved manner.

**Sec. L-V 5.36                      Appendix C: Fire Hydrant Location and Distribution (add a section to read as follows): C110 Venting of Closed Containers**

### C110 VENTING OF CLOSED CONTAINERS

C110.1 TANK VENTING. Closed storage tanks shall be vented in an approved manner.

C110.1.1 SIZE. Vent piping shall be equal to, or larger than, the size of the piping serving the dry hydrant.

C110.1.2 PROTECTION. The vent opening shall be screened with an approved material to prevent obstruction of the vent or contamination of the water supply.

**Sec. L-V 5.37                      Appendix C: Fire Hydrant Location and Distribution (add a section to read as follows): C111 Lakes, Reservoirs, and Ponds**

### C111 LAKES, RESERVOIRS, AND PONDS

C111.1 OPEN WATER SOURCES. When the water supply consists of an open water source such as a lake, reservoir, or pond, the following shall apply:

1. If the distance between the water source and the dry hydrant is greater than 100 feet, a minimum 6-inch piping shall be used to supply the dry hydrant.
2. The piping between the base of the dry hydrant and the water source shall be buried at least 3 feet below the finished grade.

## EXHIBIT A

3. The end of the piping located in the water source shall be located a minimum of 2 feet above the bottom surface of the water source and a minimum of 2 feet below the lowest recorded level of the top surface of the water source.
4. The end of the piping located in the water source shall be fitted with a commercially manufactured dry hydrant strainer, a hand-made strainer consisting of a capped section of pipe with 1000 holes that are 5/16 inch in diameter drilled along the length, or equal.
5. The distance between the lowest recorded level of the water surface and the connection for the dry hydrant shall not exceed 10 vertical feet.

**Sec. L-V 5.38                      Appendix C: Fire Hydrant Location and Distribution (add a section to read as follows): C112 Water Supply Signage**

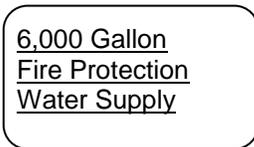
### C112 WATER SUPPLY SIGNAGE

C112.1 SIGNS. Approved signs indicating the size, location, and access travel route to a fire protection water storage facility shall be provided in such a manner that all pertinent information relating to the facility is clearly identified.

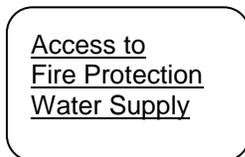
C112.1.1 MOUNTING AND SIZE. All signs shall be mounted on noncombustible posts, shall be a minimum of 18" by 24" in size, and shall be a minimum of 0.080 gauge metal.

C112.1.2 BACKGROUND AND LETTERING. The sign(s) shall have a reflective blue background with a minimum of 3" high reflective lettering that sharply contrasts with the background.

C112.2 FIXED WATER SUPPLY. If the water supply consists of a fixed amount, such as an underground or aboveground storage tank, the sign shall be located on or adjacent to the facility. The sign shall be clearly visible and legible from the access roadway serving the facility. The lettering on the sign shall be arranged as shown in the following example:



C112.3 ACCESS ROUTE. If the water storage facility consists of a reservoir, pond, or similar facility, at least one sign shall be provided at the intersection of the primary access roadway serving the area and the access roadway serving the water storage facility. This sign shall be located in such a manner that it is clearly visible and legible from the primary access roadway serving the area. Additional signs shall be provided along the access roadway serving the water storage facility if the route of travel is not easily recognized. The lettering on the sign shall be arranged as shown in the following example:



**Sec. L-V 5.39                      Appendix D, Section D101: General (add a paragraph to read as follows)**

The Jurisdiction having authority may allow alternative minimum standards as promulgated by the California Public Resources Code 4290.

# EXHIBIT A

## ARTICLE 6 PERMIT FEES

### Section:

#### Sec. L-V 6.1 Waiver of Fees; Declaration of Emergency

#### Sec. L-V 6.1 Waiver of Fees; Declaration of Emergency

- A. The provisions of this Section shall be retroactive to and effective as of August 8, 1994.
- B. Building permit fees shall be waived for the reconstruction of any building or improvement which is damaged or destroyed during a disaster for which the Board of Supervisors adopts a Resolution containing a declaration of emergency. The waiver of the building permit fees shall apply only as to the owner of any property at the time of the disaster. The waiver shall be effective for the rebuilding on the site damaged or destroyed by the disaster or, if the property owner suffering the loss so chooses, at such other site in the unincorporated territory of the County as the property owner selects for the reconstruction of his or her residence.
- C. The waiver of fees shall apply only for the original term (life) of the building permit and any renewal or transfer thereof shall be accompanied by the customary fees as established by the County.
- D. The waiver of fees shall be allowed only if (1) within one year from the date of the declaration of emergency, the property owner files for a building permit to reconstruct a home or other structure, and (2) executes a certification that the property owner qualifies for a waiver of fees under the provisions of this Section in the form as approved by the County Counsel's Office.
- E. As used in this Section, "building permit fees" or "permit fees" include all County assessed fees relating to the reconstruction of a home or other structure including all Planning, Environmental Health, Department of Transportation, Landfill and Building Department fees. "Reconstruction" means the repair or replacement of a damaged or destroyed structure which was originally lawfully erected, not exceeding the total square footage (area) of the previously existing structure and includes, but is not limited to, damage to any electrical, mechanical, sewer or septic system or any similar system. If the property owner requests permits to build a larger home or structure than previously was lawfully erected, the building permit fees and all mitigation and development fees shall be assessed based upon the net increase in gross building area.
- F. Except as otherwise provided in this Section, no road development fees, fire mitigation fees, school mitigation fees or any other mitigation fees of any type shall be assessed or collected by the County as a condition to the issuance of any building permit for the reconstruction of any property damaged or destroyed by a disaster for which there has been a declaration of emergency.
- G. Whenever a Resolution containing a declaration of emergency is presented to the Board of Supervisors, the County Executive Officer shall include an estimate of the number of structures that were damaged by the disaster. Whenever the Board of Supervisors adopts a declaration of emergency which triggers the waiver of fees in accordance with the provisions of this Section, each fee department shall keep adequate records reflecting the amount of unfunded service that is provided pursuant to the waiver of fees which deficit should be made up by a transfer from the County's contingency fund.

# EXHIBIT A

## ARTICLE 7 CALIFORNIA PLUMBING CODE AMENDMENTS

### Sections:

<b>Sec. L-V 7.0</b>	<b>Amendments Adopted</b>
<b>Sec. L-V 7.1</b>	<b>Appendix Chapters Adopted</b>
<b>Sec. L-V 7.2</b>	<b>Division II Administration, Section 104.5 Fees (change to read)</b>
<b>Sec. L-V 7.3</b>	<b>Division II Administration, Section 104.3.2 Plan Review Fees (change to read)</b>
<b>Sec. L-V 7.4</b>	<b>Division II Administration, Section 104.3.3 Time Limitation of Application (change to read)</b>
<b>Sec. L-V 7.5</b>	<b>Division II Administration, Section 104.4.3 Expiration (change to read)</b>
<b>Sec. L-V 7.6</b>	<b>Division II Administration, Section 104.5.1 Work Commencing Before Permit Issuance (change to read)</b>
<b>Sec. L-V 7.7</b>	<b>Division II Administration, Section 107.0 Board of Appeals (change to read)</b>
<b>Sec. L-V 7.8</b>	<b>Section 312.0: Protection of Piping, Materials, and Structures (add text to read)</b>
<b>Sec. L-V 7.9</b>	<b>Section 606.0: Valves (add a subsection to read): Section 606.9 Water Supply Valve Freeze Protection</b>
<b>Sec. L-V 7.10</b>	<b>Section 609.1: Installation (add text to read)</b>
<b>Sec. L-V 7.11</b>	<b>Section 721.0: Location (change to read)</b>
<b>Sec. L-V 7.12</b>	<b>Section 906.7: Vent Termination: Frost or Snow Closure (change to read)</b>
<b>Sec. L-V 7.13</b>	<b>Section 1212.11 Liquefied Petroleum Gas Facilities and Piping (add the following subsection and text)</b>

### **Sec. L-V 7.0**      **Amendments Adopted**

The California Plumbing Code as adopted by Section L-V 1.4 is adopted with the following amendments:

### **Sec. L-V 7.1**      **California Plumbing Code**

Adopt the following Appendix Chapters from the 2019 California Plumbing Code: Appendix A, B, D, G and I.

### **Sec. L-V 7.2**      **Division II Administration Section 104.5: Fees (change to read)**

Fees shall be as set forth in the fee schedule adopted by Resolution of the Nevada County Board of Supervisors.

### **Sec. L-V 7.3**      **Division II Administration Section 104.3.2: Plan Review Fees (change to read)**

Plan review fees shall be as set forth in the fee schedule adopted by Resolution of the Nevada County Board of Supervisors.

### **Sec. L-V 7.4**      **Division II Administration, Section 104.3.3 Time Limitation of Application (change to read)**

Refer to L-V 2.6, Section 105.3.2.

## EXHIBIT A

**Sec. L-V 7.5                    Division II Administration, Section 104.4.3 Expiration (change to read)**

Refer to L-V 2.7, Section 105.5.

**Sec. L-V 7.6                    Division II Administration, Section 104.5.1 Work Commencing Before Permit Issuance (change to read)**

Refer to L-V 2.9, Section 109.4.

**Sec. L-V 7.7                    Division II Administration, Section 107.0 Board of Appeals (change to read)**

Refer to L-V 2.1, Section 113.

**Sec. L-V 7.8                    Section 312.0: Protection of Piping, Materials, and Structures (add text to read)**

Above 4,000 feet elevation above sea level, when structural conditions necessitate installation of water piping in exterior walls or above ceilings of buildings, the pipes shall be installed to the inside edge of the wall or ceiling framing and insulated, on the unheated side of the pipes, with at least R-19 insulation or equivalent.

Above 4,000 feet elevation above sea level all cold water piping shall be graded back to the water service. Hot water lines shall be sloped to a bleeder valve or valves that are readily accessible. Gravity drains or other approved devices may be used to satisfy this requirement. No part of such water lines shall be trapped.

**Sec. L-V 7.9                    Section 606.0: Valves (add a subsection to read): Section 605.9 Water Supply Valve Freeze Protection**

Section 605.9 WATER SUPPLY VALVE FREEZE PROTECTION. Above 4,000 feet elevation above sea level the building water service line shall be equipped with a "stop and drain" valve located where the line daylight out of the ground within the building footprint. The drain port of the valve shall be protected from blockage by the use of a sleeve or box over the valve. The valve shall be protected from freezing with insulation material and fitted with a handle that is readily accessible.

**Sec. L-V 7.10                  Section 609.1: Installation (add text to read)**

Above 4,000 feet elevation above sea level water supply yard piping shall be protected from freezing by a minimum of 36 inches of earth covering and shall be extended to within the building footprint before daylighting out of the ground.

**Sec. L-V 7.11                  Section 721.0: Location (change to read)**

- A. No building sewer or private sewage disposal system or part thereof shall be located in any lot other than the lot which is the site of the building or structure served by such sewer or private sewage disposal system or part thereof; nor shall any building sewer or private sewage disposal system or part thereof be located at any point having less than the minimum distances indicated in Table 721.1, except as provided in subsection B and C of this Section.
- B. Nothing contained in this code shall be construed to prohibit the use of all or part of an abutting or a separate lot to:
  - 1. Provide access to connect a building sewer to an available public sewer when proper cause and legal easement not in violation of other requirements has first been established to the satisfaction of the County Environmental Health Department.

## EXHIBIT A

2. Provide additional space for a building sewer or a private sewage disposal system or part thereof, when proper cause and transfer of ownership, or change of boundary, or legal easement not in violation of other requirements has first been established to the satisfaction of the County. The instrument recording such action shall constitute an agreement with the County which shall clearly state and show that the areas so joined or used shall be maintained as a unit during the time they are so used. Such an agreement shall be recorded in the office of the County Recorder as part of the conditions of ownership and use of said properties and shall be binding on all heirs, successors, and assigns of such properties. A copy of the instrument recording such proceedings shall be filed with the County Environmental Health Department.
- C. Nothing contained herein shall be construed to prohibit a private sewer line from crossing a public street providing, however, that such use of the public street shall be authorized by an encroachment permit which shall expressly state thereon that it is subject to revocation by the County by giving five (5) days advance notice, and thereafter the encroachment shall be removed and the use of the property shall cease unless sewage disposal is authorized in some other manner as approved by law. Any such encroachment permit shall be recorded with the County Recorder as part of the agreement required hereinabove.
- D. Use of an unabutting lot for a private sewage disposal system may be allowed by the County Environmental Health Department only if all of the following conditions exist:
1. Testing and observation as required by Chapter VI of the Nevada County Land Use and Development Code clearly reveal that the lot(s) from which sewage will be generated does not meet the standards for conventional, special design or alternative/advanced wastewater disposal as defined therein; and
  2. The applicant can demonstrate to the County Environmental Health Department that said lot would be unbuildable without utilization of an unabutting lot for sewage disposal; and
  3. Only one (1) public or private street, highway or right-of-way is to be crossed by the sewer line from the subject lot; and
  4. Only one (1) unabutting lot is to be crossed by the sewer line from the subject lot; and
  5. The building or site to be served is no more than five hundred (500) feet from the unabutting lot where sewage disposal is proposed; and
  6. Compliance with Article 3, Chapter VI of the Nevada County Land Use and Development Code is ascertained, if appropriate; and
  7. The parcels under consideration were created prior to the effective date of 11/05/96.
- E. Lots where sewage is to be generated and/or where sewage disposal is proposed that abut to each other or each to another shall be exempt from the requirements in subsection C above provided the proposed sewage collection, treatment and disposal system meets all other requirements of Chapter VI of the Nevada County Land Use and Development Code and the California Plumbing Code.

### **Sec. L-V 7.12                    Section 906.7: Vent Termination: Frost or Snow Closure (change to read)**

Above 4,000 feet elevation above sea level all vent terminals shall be protected from closure and sliding snow and ice by the use of formed metal crickets. The metal crickets shall have a minimum vertical height (at the apex) at least one-half of the required vertical height of the vent extension above the roof. In no case shall the cricket measure less than 8 inches at the apex. The cricket and flashing shall be secured to the roof framing and sheathing to withstand the shear loads anticipated. Combined flashing and cricket units may be used. Vent pipes shall extend through their flashings and be tightly sealed at the point of penetration so as to prevent the return of sewer gases into the structure.

EXCEPTION: Vent terminals which are made within 36 inches of the ridge or on roofs having a pitch of 2 in 12 or flatter shall not be required to have crickets.

## EXHIBIT A

### **Sec. L-V 7.13            Section 1212.11 Liquefied Petroleum Gas Facilities and Piping (add the following subsection and text)**

The subsection shall apply to all new liquefied petroleum gas (LPG) installations and to existing installations when LPG service is reconnected after service is interrupted that are above 4,000 foot elevation.

- A. Two stage regulator/systems shall be installed on all LPG installations with approved steel or PE piping, installed in accordance with the California Plumbing Code and manufactures installation instructions and specifications.
- B. The first stage regulator shall be installed under the hinged gauge cover supplied with the tank. The atmospheric pressure aperture of the regulator shall be pointed downward. The first stage regulator shall be plumbed to the riser of the yard piping with soft copper tubing or schedule 40 steel pipe with two 90 degree elbow swing joints (one at the top and one below grade) to allow flexibility should tank shifting occur. The riser from the yard piping shall be located not more than three (3) inches (horizontally) from the walls of the tank. The propane tank shall be placed on reinforced concrete supports and securely attached thereto.
- C. The second stage regulator and riser pipe shall be installed on the gable end of the building at least 20 feet from or out of the direct line of discharge of adjacent shedding roofs. The riser shall have swing joints below grade and be 1.5 - 3.5 inches from the wall surface and securely supported/braced to the wall approximately ten inches below the regulator so as to prevent bending of the pipe by lateral snow/ice loads. Second stage regulators installed on the front of a garage shall be protected by a bollard in conformance with the California Fire Code.  

Exception 1: On round, octagon or similarly-shaped structures (without gable ends) the riser may be located under the eaves when approved by the Building Official.

Exception 2: On existing services that are reconnected after service is interrupted, where relocation of the riser is not possible due to structural or topographical constraints the riser may be located under the eave with the approval of the Building Official.
- D. A protective cover, engineered for the snow load of the area, shall be installed over the second stage regulator and securely supported to the ground or diagonally to the building wall. When supported to the ground, the footing for the supports shall be founded 18 inches below finished grade and the supporting posts shall be securely fastened to the footing and the cover to prevent dislocation of the supports. When supported diagonally to the wall, the supports shall extend from the drip edge of the cover back to the wall. The angle formed by the supports and the wall shall not exceed 45 degrees from vertical. Existing decks that are used to cover the second stage regulator shall be designed for the snow load.
- E. The riser pipes for the yard piping shall not be imbedded in concrete. Concrete placed around such riser shall be held back at least one (1) inch from all sides of the pipe.
- F. Location of the shutoff valve at the LPG tank shall be permanently marked by the use of a color-coded snow stake identifying the gas supplier. This stake shall be placed direction adjacent to the tank at the center line of the valve cover and on all sides opposite the yard piping riser. Such stake shall be sufficient height to be visible through anticipated maximum snow depth at the respective location. Installation and maintenance of this snow stake in the responsibility of the LPG user. An LPG shutoff valve shall also be installed at the house under the regulator cover. This valve shall be identified by a placard on the wall directly over the regulator cover and above the anticipated depth of snow.

# EXHIBIT A

## ARTICLE 8 CALIFORNIA MECHANICAL CODE AMENDMENTS

### Sections:

- Sec. L-V 8.0** Amendments Adopted
- Sec. L-V 8.1** Appendix Chapters Adopted
- Sec. L-V 8.2** Division II Administration, Section 107.0: Board of Appeals, General (change to read)
- Sec. L-V 8.3** Division II Administration Section 104.5: Fees (change to read)
- Sec. L-V 8.4** Division II Administration Section 104.3.2: Plan Review Fees (change to read)
- Sec. L-V 8.5** Division II Administration, Section 104.3.3 Time Limitation of Application (change to read)
- Sec. L-V 8.6** Division II Administration, Section 104.4.3 Expiration (change to read)
- Sec. L-V 8.7** Division II Administration, Section 104.5.1 Work Commencing Before Permit Issuance (change to read)
- Sec. L-V 8.8** Section 303.7: Liquefied Petroleum Gas Facilities, Section 303.7.2 Liquefied Petroleum Gas Appliances: (add the following text)
- Sec. L-V 8.9** Section 802.2.6: Direct Vent Appliances: (add the following text)
- Sec. L-V 8.10** Section 802.3.3.5 Exit Terminals (add the following)
- Sec. L-V 8.11** Section 802.6.1 Gas Vents, Termination Requirements: (add the following text)

### **Sec. L-V 8.0** Amendments Adopted

The California Mechanical Code as adopted by Section L-V 1.4 is adopted with the following amendments:

### **Sec. L-V 8.1** California Mechanical Code

Adopt the following Appendix Chapters from the 2019 California Mechanical Code): Appendix B and Appendix C.

### **Sec. L-V 8.2** Division II Administration Section: 107.0 Board of Appeals, General (change to read)

Appeals resulting from decisions or determinations made by the Building Official relative to the application and interpretation of this code shall be heard by the Building and Accessibility Standards Board of Appeals as set forth in Section L-V 2.1 of the Nevada County Land Use and Development Code.

### **Sec. L-V 8.3** Division II Administration Section 104.5: Fees (change to read)

Fees shall be as set forth in the fee schedule adopted by Resolution of the Nevada County Board of Supervisors.

### **Sec. L-V 8.4** Division II Administration Section 104.3.2: Plan Review Fees (change to read)

Plan review fees shall be as set forth in the fee schedule adopted by Resolution of the Nevada County Board of Supervisors.

### **Sec. L-V 8.5** Division II Administration, Section 104.3.3 Time Limitation of Application (change to read)

Refer to L-V 2.6, Section 105.3.2.

## EXHIBIT A

### **Sec. L-V 8.6      Division II Administration, Section 104.4.3 Expiration (change to read)**

Refer to L-V 2.7, Section 105.5.

### **Sec. L-V 8.7      Division II Administration, Section 104.5.1 Work Commencing Before Permit Issuance (change to read)**

Refer to L-V 2.9, Section 109.4.

### **Sec. L-V 8.8      Section 303.7: Liquefied Petroleum Gas Facilities (add the following text): Section 303.7.2 Liquefied Petroleum Gas Appliances**

A 3-inch gravity drain shall be provided at the low point of the space, installed so as to provide 1/4-inch per foot grade and terminate at an exterior point of the building protected from blockage. The opening shall be screened with a corrosion-resistant wire mesh with mesh openings of 1/4-inch in dimension. Lengths of the gravity drains over 10 feet in length shall be first approved by the Building Official.

### **Sec. L-V 8.9      Section 802.2.6: Direct-Vent Appliances (add the following)**

Vent terminals of direct-vent appliances shall terminate above the anticipated snow depth.

Direct vent appliance terminations shall not be located under decks which could be sealed off around the perimeter with snow accumulation.

Above 4,000 feet elevation above sea level all direct vent terminations shall be protected from closure and sliding snow and ice by the use of formed metal crickets. The metal crickets shall have a minimum vertical height (at the apex) at least one-half of the required vertical height of the vent extension above the roof. In no case shall the cricket measure less than 8 inches at the apex. The cricket and flashing shall be secured to the roof framing and sheathing to withstand the shear loads anticipated. Combined flashing and cricket units may be used. Vent pipes shall extend through their flashings and be tightly sealed at the point of penetration so as to prevent the return of sewer gases into the structure. All appliance vents, flues and chimneys shall be strapped to the cricket near its apex with a galvanized steel strap with a minimum thickness of 16 gauge.

EXCEPTION: Vent terminations which are made within 36 inches of the ridge or on roofs having a pitch of 2 in 12 or flatter shall not be required to have crickets.

### **Sec. L-V 8.10      Section 802.3.3.5 Exit Terminals (add the following)**

Exit terminals and combustion air intakes shall not be located under decks which could be sealed off around the perimeter with snow accumulation.

Above 4,000 feet elevation above sea level all vent exit terminals shall be protected from closure and sliding snow and ice by the use of formed metal crickets. The metal crickets shall have a minimum vertical height (at the apex) at least one-half of the required vertical height of the vent extension above the roof. In no case shall the cricket measure less than 8 inches at the apex. The cricket and flashing shall be secured to the roof framing and sheathing to withstand the shear loads anticipated. Combined flashing and cricket units may be used. Vent pipes shall extend through their flashings and be tightly sealed at the point of penetration so as to prevent the return of sewer gases into the structure. All appliance vents, flues and chimneys shall be strapped to the cricket near its apex with a galvanized steel strap with a minimum thickness of 16 gauge.

EXCEPTION: Exit terminals which are made within 36 inches of the ridge or on roofs having a pitch of 2 in 12 or flatter shall not be required to have crickets.

### **Sec. L-V 8.11      Section 802.6.1 Gas Vents, Termination Requirements: (add the following)**

## EXHIBIT A

Gas Vents shall terminate above the anticipated snow depth.

Gas vent terminations shall not be located under decks which could be sealed off around the perimeter with snow accumulation.

Above 4,000 feet elevation above sea level all gas vent terminations shall be protected from closure and sliding snow and ice by the use of formed metal crickets. The metal crickets shall have a minimum vertical height (at the apex) at least one-half of the required vertical height of the vent extension above the roof. In no case shall the cricket measure less than 8 inches at the apex. The cricket and flashing shall be secured to the roof framing and sheathing to withstand the shear loads anticipated. Combined flashing and cricket units may be used. Vent pipes shall extend through their flashings and be tightly sealed at the point of penetration so as to prevent the return of sewer gases into the structure. All appliance vents, flues and chimneys shall be strapped to the cricket near its apex with a galvanized steel strap with a minimum thickness of 16 gauge.

**EXCEPTION:** Gas vent terminations which are made within 36 inches of the ridge or on roofs having a pitch of 2 in 12 or flatter shall not be required to have crickets.

# EXHIBIT A

## Article 9 International Swimming Pool and Spa Code Amendments

### Sections:

- Sec. L-V 9.0** Amendments Adopted
- Sec. L-V 9.1** Division II Administration, Section 105.4 Time Limitation of Application (change to read)
- Sec. L-V 9.2** Division II Administration, Section 105.5.3 Expiration (change to read)
- Sec. L-V 9.3** Division II Administration, Section 105.6.1 Work Commencing Before Permit Issuance (change to read)
- Sec. L-V 9.4** Section 105.6 Fees & Section 105.6.2 Fee Schedule: (change to read)
- Sec. L-V 9.5** Section 108 Means of Appeal: (change to read)

### **Sec. L-V 9.0 Amendments Adopted**

The International Swimming Pool and Spa Code as adopted by Section L-V 1.4 is adopted with the following amendments:

### **Sec. L-V 9.1 Division II Administration, Section 105.4 Time Limitation of Application (change to read)**

Refer to L-V 2.6, Section 105.3.2.

### **Sec. L-V 9.2 Division II Administration, Section 105.5.3 Expiration (change to read)**

Refer to L-V 2.7, Section 105.5.

### **Sec. L-V 9.3 Division II Administration, Section 105.6.1 Work Commencing Before Permit Issuance (change to read)**

Refer to L-V 2.9, Section 109.4.

### **Sec. L-V 9.4 Section 105.6 Fees & Section 105.6.2 Fee Schedule: (change to read)**

Permit and plan review fees shall be as set forth in the fee schedule adopted by Resolution of the Nevada County Board of Supervisors.

### **Sec. L-V 9.5 Section 108 Means of Appeal: (change to read)**

Appeals resulting from decisions or determinations made by the Building Official relative to the application and interpretation of this Code shall be heard by the Building and Accessibility Standards Board of Appeals as set forth in Section L-V 2.1 of the Nevada County Land Use and Development Code.

EXHIBIT A

**ARTICLE 10  
REPEALED**

# EXHIBIT A

## Article 11 Landform Grading for Agriculture

### Sections:

<b>Sec. L-V 11.1</b>	<b>Intent</b>
<b>Sec. L-V 11.2</b>	<b>Applicability</b>
<b>Sec. L-V 11.3</b>	<b>Criteria</b>
<b>Sec. L-V 11.4</b>	<b>Procedure</b>
<b>Sec. L-V 11.5</b>	<b>Fees</b>
<b>Sec. L-V 11.6</b>	<b>Appeals</b>

### **Sec. L-V 11.1 Intent**

In adopting this Article, it is the intent of the Board of Supervisors to adopt, in addition to the exemption for cultivation of land to raise crops, a more comprehensive exemption from grading permit requirements for other clearing and grading of land for agricultural operations, subject to criteria and procedures to avoid abuse. The purpose of this Article is to promote long-term viable agricultural use of agricultural lands while protecting natural resources and to provide reasonable minimum standards that will prevent man-induced land failures while controlling erosion, drainage and sediment discharge.

### **Sec. L-V 11.2 Applicability**

Clearing and grading of land for agricultural operations may be exempted from grading permit requirements by the Building Department upon verification that a bona fide agricultural project is involved and a permit exemption has been recommended by the Agricultural Commissioner. An exemption under this section shall only be approved upon: 1) written verification by the landowner, which shall be deemed to be binding upon the landowner and any successors in interest; and 2) the permit-exempted lands shall be used for agricultural operations for a period of at least five (5) years following the granting of the exemption, provided all of the criteria established in this Article are met and there is full compliance with all of the procedures set forth in this Article 10.

### **Sec. L-V 11.3 Criteria**

To qualify as other clearing and grading of land for agricultural operations that may be exempted from grading permit requirements pursuant to this Article, all of the following criteria must be met:

1. The land to be cleared and/or graded is zoned for agricultural use as:
  - a. "AG" (General Agriculture), or
  - b. "AE" (Agricultural Exclusive), or
  - c. "RA" (Residential Agriculture) where the parcel is 3 acres or more in size and the General Plan designation is Rural;
2. The clearing and/or grading is exclusively for agricultural purposes not associated with buildings that require a building permit;
3. Any vegetation removal or soil disturbance is outside any floodplain, watercourse, wetland or riparian area and any non-disturbance buffer for those areas as defined in Section L-II 4.3;
4. The work occurs on slopes of thirty percent (30%) or less;
5. The work does not disturb cultural resources;
6. Any excavated material remains on site, without changing the natural terrain or drainage and without creating any cuts or fills, except as follows:
  - a. The work, if associated with construction or maintenance of a pond for livestock raised on site, aquaculture or irrigation, does not create a dam that exceeds two feet in height above grade, an excavation in excess of six feet or a storage capacity of more than ten acre feet

## EXHIBIT A

- and results in no adverse hydrological impacts upon surrounding properties that are not mitigated to a level of insignificance, or
- b. The work, if associated with construction of a farm or ranch road, is solely for the purpose of providing on-site access to water supplies, storage areas, grazing/crop lands or fence lines, does not service a structure requiring a building permit, and does not create a cut or fill greater than two feet in height;
7. Projects potentially impacting heritage oak groves or trees, as defined in LUDC Section L-II 4.3.15.B and verified by a field inspection conducted by the Agricultural Commissioner or his/her agent, shall provide a management plan as defined in LUDC Section L-II 4.3.3.C Resource Standards. A Management Plan to mitigate the impacts of the proposed project on landmark trees or groves shall be required." An Agricultural Grading Exemption shall be denied to parcels or sites where these resources exist, and no mitigation and/or avoidance is available through the Management Plan process.
  8. To the extent possible, all work will be conducted between April 15th and October 15th to avoid the rainy season. Any work before April 15th or after October 15th of any year shall be permitted only if disclosed in the application and approved in the Permit Exemption. To secure such approval, the applicant shall submit an erosion and sediment control plan, including an effective re-vegetation program to stabilize all disturbed areas, expressly approved in writing by a State Certified Professional Erosion and Sediment Control (CPESC). If grading occurs, or if the land is left open and unplanted during the period from October 15th to April 15th, all projects over 2,500 square feet on slopes over 15% in areas of moderate to high erosion potential as defined by the Soil Survey of Nevada County, shall have an Erosion and Sediment Control Plan expressly approved in writing by the State Certified Professional Erosion and Sediment Control (CPESC) and shall be implemented after October 15th, and maintained through April 15th.
  9. Projects shall be in compliance with the RWQCB regarding Clean Water Act requirements, and all other applicable laws.
  10. The following conditions of approval shall be applied to all projects approved through this agricultural grading exemption:
    - a. The applicant shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manner during all phases of the proposed project.
    - b. Fugitive dust emissions resulting from site clearing shall be minimized at all times, utilizing control measures including dust palliatives, regularly applied water, graveled or paved roads, etc. Control measures shall be noted on grading plans.
    - c. All land clearing, grading, earth moving, or excavation activities on a project shall be suspended to prevent excessive windblown dust when winds are expected to exceed 20 mph.
  11. Verification of NSAQMD clearance shall be filed with the Agricultural Commissioner prior to any surface disturbance (including clearing and grubbing) associated with agricultural (or other) road construction in any of the sections listed in the table. Mapping of areas of ultramafic rock/serpentine occurrence within the project area shall be on file at the Agricultural Commissioner's office. In addition, if naturally occurring ultramafic rock/serpentine is discovered once grading for a road commences, the NSAQMD must be notified no later than the next business day and requirements in CCR, Title 17, Section 93105 must be implemented within 24 hours.

## EXHIBIT A

### Sections Mapped as Containing Ultramafic Rock/Serpentine in Nevada County

Range _ East	Township _ North	Sections
6	14	23, 25, 26
7	14	1, 12, 13
8	14	4, 5, 6, 7, 8, 9, 16, 17, 18, 20, 21, 28, 29, 32
	15	29, 32, 33
	16	4, 5, 8, 9, 10, 11, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27
	17	29, 30, 31, 32
9	16	19, 30, 31
	18	13, 24
10	16	13, 24
	17	1, 2, 11, 12, 13, 14, 16, 17, 23, 24
	18	9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 25, 26, 35, 36
11	16	5, 6, 7, 8, 17, 18, 19
	17	18, 19, 32
12	17	24, 25
13	17	19, 30

### **Sec. L-V 11.4 Procedure**

- A. Exceptions pursuant to this Article must be applied for and a permit exemption may be granted hereunder only if each of the following procedures is fully complied with and completed in the order specified:
1. The applicant obtains, completes and submits to the Agriculture Commissioner:
    - a. an "Agricultural Clearing/Grading Permit Exemption Form" provided by the Building Department;
    - b. an Agricultural Project Plan acceptable in form and content to the Agricultural Commissioner; and
    - c. a binding commitment of five (5) years to continue use of the permit-exempted lands for agricultural operations acceptable in form and content to County Counsel.
  2. The Agriculture Commissioner reviews the submitted "Agricultural Clearing/Grading Permit Exemption Form and Agricultural Project Plan and, based upon field verification of the information therein, determines that the clearing or grading proposed is for a bona fide agricultural project and recommends approval of the requested exemption to the Building Department.
  3. The Agricultural Commissioner shall review applications for positive occurrence of rare or threatened species. Applications within proximity to endangered, rare or threatened species as shown on the California Natural Diversity Database (CNDDDB) shall provide biologists report to verify if occurrence or absence of resource. Applications with State or Federally listed species shall require permit through jurisdictional agency (USFWS or CDFG) prior to issuance of an exemption.
  4. To verify potential riparian resources for applicants for the agricultural grading exemption, all applications submitted to the Agricultural Commissioner shall include a mapping of the parcel or parcels for which the application is made, a map showing all Lakes, Rivers, FEMA Flood Zone on a background map of the USGS topographic maps, as provided by the County of Nevada GIS system public mapping resources. Mapping shall be verified during field inspection by staff biologist for other wetland habitats.
  5. The Building Department reviews the application and considers the recommendation of the Agriculture Commissioner, determines that the proposed project meets all of the criteria and satisfies all of the procedures required for exemption, and approves the exemption request, notifying the applicant in writing of a favorable decision.
  6. Notification of granting of the Agricultural Grading Exemption by the Building Department shall include the following statement: "Any person involved in any form of ground

## EXHIBIT A

disturbance is advised of the remote possibility of encountering subsurface cultural or historic resources. If such resources are encountered or suspected, all subsurface work within 200 feet of the potential cultural or historic discovery shall be halted immediately, and the Planning Department and a professional archaeologist shall be consulted who shall access any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are found and appear to be human, California Law requires that the Nevada County Coroner and the Native American Heritage Commission be contacted. If Native American resources are involved, Native American Organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment."

- B. Applications shall be processed by the Agriculture Commissioner within thirty (30) days of receipt of a complete application and by the Building Department within thirty (30) days of submittal to it of the approval by the Agriculture Commissioner.
- C. Any clearing or grading work done pursuant to a Permit Exemption shall be subject to a site inspection upon completion of the work or prior to October 15th of each year, whichever first occurs, by a CPESC to determine compliance with the project plan and erosion control and stabilization of the site.
- D. Permit Exemptions may be issued for up to two (2) years.
- E. If it is determined during the term of the Permit Exemption that the actual clearing or grading is not for agricultural purposes as represented to and approved by the Agriculture Commissioner, all further work shall cease, the site shall be stabilized and revegetated in accord with recommendations of a CPESC, and a grading permit shall be required for any further work, provided, however that a grading permit shall not be granted earlier than five (5) years from the date of application for the exemption.
- F. In the event that work is done on property pursuant to a Permit Exemption that is determined to be subject to the requirements of subsection E and application is made within the five (5)-year period during which no grading permit can be granted for any development or project unrelated to agricultural operations or involving construction of a structure or structures for which a building permit is required, it may be required as a condition of approval that the site be restored to its original condition prior to such clearing or grading to the extent feasible, and to the extent full restoration is not possible, mitigation measures shall be imposed to remediate any damage caused.

### **Sec. L-V 11.5 Fees**

The costs of providing the services of the Building Department, Agriculture Commissioner and CPESC required by this Article shall be paid by the applicant for an exception to the grading permit requirement. Permit and plan review fees shall be as set forth in the fee schedule adopted by Resolution of the Nevada County Board of Supervisors.

### **Sec. L-V 11.6 Appeals**

Appeals from discretionary orders, decisions or determinations pursuant to this Article shall be heard by the Building and Accessibility Standards Board of Appeals established pursuant to Section L-V 2.1 of the Nevada County Land Use and Development Code.

# EXHIBIT A

## Article 12 California Electrical Code

- Sec. L-V 12.0**      **Amendments Adopted**
- Sec. L-V 12.1**      **Annex "H" (Adopted)**
- Sec. L-V 12.2**      **Annex "H", Section 80.15, A-H: Electrical Board (changed to read)**
- Sec. L-V 12.3**      **Annex "H", Section 80.19, E: Fees (changed to read)**
- Sec. L-V 12.4**      **Annex "H", Section 80.23 (B)(3): Notice of Violations, Penalties (changed to read)**
- Sec. L-V 12.5**      **Annex "H", Section 80.27, A-D: Inspector's Qualifications (changed to read)**

### **Sec. L-V 12.0**      **Amendments Adopted**

The California Electrical Code as adopted by Section L-V 1.4 is adopted with the following amendments:

### **Sec. L-V 12.1**      **California Electrical Code Adopted**

Adopt the following Annex Chapters from the 2019 California Electrical Code): Annex "H"

### **Sec L-V 12.2**      **Annex "H", Administration Section 80.15 A-H: Electrical Board (change to read)**

Appeals resulting from decisions or determinations made by the Building Official relative to the application and interpretation of this Code shall be heard by the Building and Accessibility Standards Board of Appeals as set forth in Section L-V 2.1 of the Nevada County Land Use and Development Code.

### **Sec. L-V 12.3**      **Annex "H", Section 80.19, E: Fees (changed to read)**

Permit and plan review fees shall be as set forth in the fee schedule adopted by Resolution of the Nevada County Board of Supervisors.

### **Sec. L-V 12.4**      **Annex "H" Administration Section 80.23 (B)(3): Notice of Violation, Penalties (change to read)**

CRIMINAL ENFORCEMENT. Any person who violates any provision of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to mandatory fines of one hundred dollars (\$100) for a first violation; five hundred dollars (\$500) for a second violation within a twelve-month period; and one thousand dollars (\$1,000) for a third or subsequent violation within a twelve month period. Every day any violation continues shall constitute a separate offense punishable by a separate fine.

### **Sec. L-V 12.5**      **Annex "H", Section 80.27, A-D: Inspector's Qualifications (changed to read)**

Inspectors shall retain certifications as required in their job classification as adopted by the County of Nevada based on the job classification they are appointed.

# EXHIBIT A

## Article 13 Grading

### Sections:

Sec. L-V 13.1	Purpose
Sec. L-V 13.2	Scope
Sec. L-V 13.3	Permits Required
Sec L-V 13.4	Hazards
Sec L-V 13.5	Definitions
Sec L-V 13.6	Grading Permit Requirements
Sec L-V 13.7	Grading Fees
Sec L-V 13.8	Bonds
Sec L-V 13.9	Cuts
Sec L-V 13.10	Fills
Sec L-V 13.11	Setbacks
Sec L-V 13.12	Drainage and Terracing
Sec L-V 13.13	Road and Driveway Standards
Sec L-V 13.14	Erosion Control
Sec L-V 13.15	Grading Inspection
Sec L-V 13.16	Completion of Work

### Sec. L-V 13.1 Purpose

The purpose of this article is to safeguard life, limb, property and the public welfare by regulating grading and construction activities that result in a land disturbance on private property.

### Sec. L-V 13.2 Scope

A. This Article sets forth rules and regulations to control excavation, grading and earthwork construction, including fills and embankments; establishes standards of required performance in preventing or minimizing water quality impacts from storm water runoff; establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspection of grading construction, drainage, and erosion and sediment controls at construction sites.

Vehicular ways shall conform to the grading requirements of this Chapter.

B. The standards listed below are recognized standard:

1. Testing.
  - a. ASTM D 1557, Moisture-Density Relations of Soils and Soil Aggregate Mixtures
  - b. ASTM D 1556, In Place Density of Soils by the Sand-Cone Method
  - c. ASTM D 2167, In Place Density of Soils by the Rubber-Balloon Method
  - d. ASTM D 2937, In Place Density of Soils by the Drive-Cylinder Method
  - e. ASTM D 6938, In Place Moisture Content and Density of Soils by Nuclear Methods

### Sec. L-V 13.3 Permits Required

A. Except as specified in Sec. L-V 13.3(B) of this section, no person shall do any grading without first having obtained a grading permit from the Building Official.

1. No drainage culvert, piping, V-ditch or energy dissipater shall be installed, replaced, altered or repaired without first obtaining a permit from the Building Official.
2. No pond shall be installed, repaired or altered without first obtaining a permit from the Building Official.

## EXHIBIT A

EXCEPTION: Performance of emergency work necessary to protect life or property when an urgent necessity therefore arises. The person performing such emergency work shall notify the Building Official promptly of the problem and work required and shall apply for a permit therefore within ten (10) calendar days after commencing said work.

- B. Except in flood plains as regulated in section L-II 4.3.10 of the Land Use and Development Code, a grading permit is not required for the following, provided no unstable or erodible slopes are created and no encroachment onto sewage disposal systems, water supply systems or hazardous material sites, areas or setbacks is created.

NOTE: Owners/operators of sites may still need NPDES storm water permit coverage with the State if the construction activity is part of a larger common plan of development or sale that would result in a land disturbance of greater than or equal to one acre.

1. When approved by the Building Official, grading which does not exceed 250 cubic yards in an isolated, self-contained area, with cuts, fills and erosion control conforming to the requirements of this Article, provided there is no danger to private or public property, it does not pose a significant erosion or sediment discharge hazard and is not intended to support a building or structure on fill.
2. An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation or exempt any excavation having an unsupported height greater than 5 feet (1524, mm) after the completion of such structure.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavations for wells or tunnels or utilities.
6. Mining, quarrying, excavating, processing or stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.
7. Exploratory excavations under the direction of soil engineers, engineering geologists, or registered environmental health specialists limited to sewage disposal systems. Such work shall be backfilled and shaped to the original contour of the land after the investigation.
8. An excavation that is less than 2 feet (610 mm) in depth, does not create a cut slope greater than 5 feet (1524, mm) in height and steeper than 1 unit vertical in 1 1/2 units horizontal (66.7% slope) and does not exceed 50 cubic yards.
9. A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 mm) in depth, not intended to support structures, that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course.
10. Land disturbance by plowing under or burial of less than 10,000 square feet of vegetation on slopes ten percent or steeper or any amount of vegetation, up to one acre, on slopes flatter than ten percent.
11. Grading done by or under the supervision or construction control of a public agency that assumes full responsibility for the work to the extent required by this law.
12. Cultivation of land to raise crops, or other clearing and grading of land for agricultural operations pursuant to criteria enacted and codified in Article 11 of this chapter.
13. Maintenance of existing firebreaks and roads to keep the firebreak or road substantially in its original condition.
14. Timber harvest and management activities when approved and carried out consistent with the California Forest Practices Act. Activities that are not exempt from the local regulation pursuant to Public Resources Code Section 4516.4 are subject to these regulations. Permits are required for private roads within timber harvest areas where the proposed

## EXHIBIT A

improvements are in excess of the minimum road standards required by the California Department of Forestry for timber harvesting activities.

15. Clearing for fire protection purposes within 100 feet of a dwelling unit. Any additional clearing for fire prevention, control or suppression purposes is exempt when authorized or required in writing by a fire prevention or suppression agency.
- C. The County may prepare and adopt a more comprehensive exemption for grading for agricultural operations than the existing exemption for cultivation of land to raise crops as part of Article 11 to this Chapter, provided that the exemption does not involve construction of any building or site preparation for any development project and that the purpose of such exemption is to promote long-term viable agricultural use of agricultural lands while protecting natural resources and provide reasonable minimum standards that define desired performance in the prevention of man-induced land failures, and control erosion, drainage, and sediment discharge.

Exemption from the permit requirements of this Chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter or any other laws or ordinances of this jurisdiction.

### **Sec L-V 13.4 Hazards**

- A. Whenever the Building Official determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the Building Official, shall within the period specified therein repair or eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this code.

Adequate protection from hazards shall be provided at excavations. All pits, shafts, etc. shall be barricaded or covered. Upon completion of exploratory excavations and other similar operations, temporary trenches, wells, pits, shafts, etc. shall be backfilled.

### **Sec L-V 13.5 Definitions**

- A. For the purpose of this Article, the definitions listed hereunder shall be construed as specified in this section.
1. AGRICULTURAL OPERATION for grading purposes is any land-related activity for the purpose of cultivating or raising plants or animals or conserving or protecting lands for such purpose and is not surface mining or borrow pit operations.
  2. AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) is a membership society that is the foremost United States source of information on the specifications and testing of materials.
  3. APPROVAL shall mean that the proposed work or completed work conforms to this chapter in the opinion of the Building Official.
  4. AS-GRADED is the extent of surface conditions on completion of grading.
  5. BEDROCK is in-place solid rock.
  6. BENCH is a relatively level step excavated into earth material on which fill is to be placed.
  7. BORROW is earth material acquired from an off-site location for use in grading on a site.
  8. BEST MANAGEMENT PRACTICES (BMPs) are physical and managerial practices that, when used separately, or in combination, prevent or reduce erosion, sedimentation, or pollution of water. An example of a guide for BMPs is the State Water Resources Control Board Best Management Practices Construction Handbook.
  9. CERTIFIED EROSION CONTROL PROFESSIONAL (CPESC) is a recognized specialist in soil erosion and sediment control.

## EXHIBIT A

10. CIVIL ENGINEER is a professional engineer registered in the state to practice in the field of civil works.
11. CIVIL ENGINEERING is the application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design and construction of civil works.
12. CLEARING is the destruction or removal of vegetative surface cover by manual, mechanical, or chemical methods resulting in exposed soils that may be subject to erosion. This does not include clearing techniques that retain vegetation and natural drainage patterns.
13. COMPACTION is the densification of a fill by mechanical means.  
CONSTRUCTION ACTIVITIES include, but are not limited to: clearing, grading, demolition, excavation, construction of new structures, and reconstruction of existing facilities involving removal and replacement that results in soil disturbance. This includes construction access roads, staging areas, storage areas, stockpiles, and any off-site areas that receive run-off from the construction project such as discharge points into a receiving water. Construction activity does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility.
15. CUT. See Excavation.
16. DEPTH OF FILL is the vertical dimension from the exposed fill surface to the original ground surface.
17. DEPTH OF EXCAVATION (CUT) is the vertical dimension from the exposed cut surface to the original ground surface.
18. EARTH MATERIAL is any rock, natural soil or fill or any combination thereof.
19. EMBANKMENT. See Fill.
20. ENGINEERING GEOLOGIST is a geologist experienced and knowledgeable in engineering geology.
21. ENGINEERING GEOLOGY is the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.
22. ENGINEERED GRADING PLAN is a plan prepared by registered design professional authorized to do so by the state of California, describing the vertical and horizontal alignment and/or arrangement of grading.
23. EROSION is the wearing away of the ground surface as a result of the movement of wind, water or ice.
24. EXCAVATION is the mechanical removal of earth material.
25. EXPANSIVE SOIL is any soil which exhibits expansive properties in excess of index rating of 20 as determined by the procedures defined in the California Building Code.
26. FILL is a deposit of earth material placed by artificial means.
27. GEOLOGIC HAZARD is any condition in naturally occurring earth materials which may endanger life, health or property.
28. GEOTECHNICAL ENGINEER. See "soils engineer."
29. GRADE is the vertical location of the ground surface.
30. GRADING PLAN See engineered grading plan.
31. EXISTING GRADE is the grade prior to grading.
32. FINISH GRADE is the final grade of the site that conforms to the approved plan.
33. ROUGH GRADE is the stage at which the grade approximately conforms to the approved plan.
34. GRADING is any excavating or filling or combination thereof.

## EXHIBIT A

35. GRADING WORK is grading and related work such as, but not limited to, drainage improvements and erosion and sediment control.
36. KEY is a designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.
37. LAND DISTURBANCE is any activity that results in a change in the soil cover or the soil topography that may result in soil erosion from water or wind and the movement of sediments off site, including, but not limited to, clearing, grading, excavating, transporting, and filling of land.
38. PROFESSIONAL INSPECTION is the inspection required by this code to be performed by the civil engineer, soils engineer or engineering geologist. Such inspections include that performed by persons supervised by such engineers or geologists and shall be sufficient to form an opinion relating to the conduct of the work.
39. RAINY SEASON is the period of the year during which there is a substantial risk of rainfall. For the purpose of this Chapter, the rainy season is defined as from October 15<sup>th</sup> to April 15<sup>th</sup>, inclusive.
40. REGISTERED ENVIRONMENTAL HEALTH SPECIALIST (REHS) is an environmental health professional educated and trained within the field of environmental health who is registered with the State.
41. SEDIMENT is any material transported or deposited by water, including soil debris or other foreign matter.
42. SITE is any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.
43. SLOPE is an inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance.
44. SLOPE, DETERMINATION OF means the cross-slope of a parcel by measurement, at established intervals not crossing defined grade breaks, of the average slope perpendicular to the contour lines.
45. SOIL is naturally occurring superficial deposits overlying bedrock.
46. SOILS ENGINEER (GEOTECHNICAL ENGINEER) is an engineer experienced and knowledgeable in the practice of soils engineering (geotechnical) engineering.
47. SOILS ENGINEERING (GEOTECHNICAL ENGINEERING) is the application of the principles of soils mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection or testing of the construction thereof.
48. STORM WATER POLLUTION PREVENTION PLAN (SWPPP) is a plan required for various construction and industrial activities pursuant to the Federal Clean Water Act and related State regulations.
49. TERRACE is a relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.
50. VEHICULAR WAY is any public or private roadway or driveway designed for or used by vehicles (as defined by the California Vehicle Code).
51. WATERCOURSE is any natural or manmade channel flowing continuously or intermittently in a definite direction and course or used for the holding, delay or storage of waters, which functions at any time to convey or store storm water runoff. Natural channels shall generally be limited to those designated by a solid line or a dash and three dots as shown in blue on the most recent U.S. Geological Survey 7.5 minute series of topographic maps. At the discretion of the Building Official, the definition of natural Channel may be limited to those channels having a watershed area of 50 acres or more, and this definition will be commonly used in connection with the administration of this Chapter except for those cases in which the Building Official determines that the definition must be extended to a natural channel with a watershed smaller than 50 acres in order to prevent a condition which is a

## EXHIBIT A

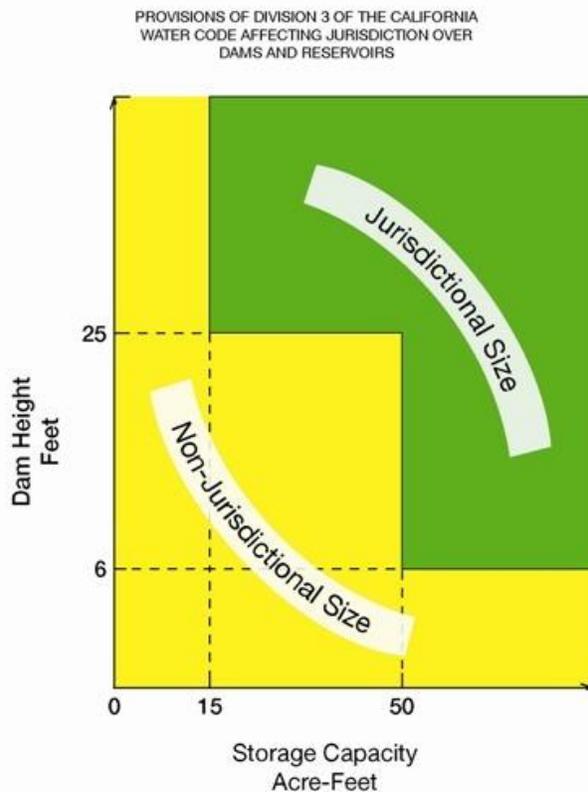
menace to life and limb, endangers property, is a hazard to public safety, adversely affects the safety, use or serviceability of adjacent property, public way or drainage channel, or could adversely affect the water quality of any water bodies or watercourses were the definition not extended to a particular natural channel with a watershed below 50 acres.

### Sec L-V 13.6 Grading Permit Requirements

- A. Except as exempted in Sec. L-V 13.3 of this Code, no person shall do any grading without first obtaining a grading permit from the Building Official. A separate permit shall be obtained for each site, and may cover both excavations and fills.
1. No person shall do or permit to be done any grading in such a manner that quantities of dirt, soil, rock, debris, or other material substantially in excess of natural levels are washed, eroded, or otherwise moved from the site, except as specifically provided for by a permit.
  2. No person shall do or permit to be done any grading which may obstruct, impede or interfere with the natural flow of storm waters, whether such waters are unconfined upon the surface of the land or confined within land depressions or natural drainage ways, unimproved channels or watercourses, or improved ditches, channels or conduits, in such manner as to cause flooding where it would not otherwise occur, aggravate any existing flooding condition or cause accelerated erosion except where said grading is in accordance with all applicable laws, including but not limited to, these permit requirements.

Dam construction of "Jurisdictional Size" are regulated and permitted by the Department of Water Resources, Division of Dam Safety. Dam construction of "Non-Jurisdictional Size" are regulated and permitted by the Building Department" (See Figure A).

Figure A



The construction of dams and reservoirs in excess of five feet in height but 25 feet or less in height from the natural bed of the stream or watercourse at the downstream toe of the

## EXHIBIT A

barrier, regardless of storage capacity, or which have a storage capacity in excess of 15 acre feet but less than 50 acre feet, regardless of height, shall be subject to County regulatory jurisdiction administered by the Building Department as part of this Chapter. Construction of all dams and reservoirs shall follow the current practices of the Department of Water Resources, Division of Safety of Dams, as dictated in the publication, "Guidelines for the Design and Construction of Small Embankment Dams" (with the exception of contact agency and application process).

3. Pond Construction and design shall be done in conformance with the most recent Conservation Practice Standard, "Pond" (Code 378) as published by the Natural Resources Conservation Service.
- B. The provisions of Section 105, Chapter 1, Division II, are applicable to grading. Additionally, the application shall state the estimated quantities of work involved.
- C. Grading shall be performed in accordance with the approved grading plan prepared by registered design professional, and shall be designated "engineered grading" The Building Official may waive this requirement if the proposed grading is minor in nature and would not endanger the public health, safety and welfare. This grading shall be designated "regular grading".
- D. Engineered Grading Requirements
1. For engineered grading requirements applications for a grading permit shall be accompanied by three set of plans and two sets of specifications and supporting data. A soils/geotechnical engineering report shall be provided in accordance with the California Building Code.
    - a. When the proposed grading includes a cut or fill exceeding ten feet in-depth at any point, or a cut or fill exceeding seven feet in depth at any point with the slope of the natural ground exceeding twenty (20) percent;
    - b. When highly expansive soils are present; or
    - c. In areas of known or suspected geological hazards, including landslide hazards and hazards of ground failure stemming from seismically induced ground shaking.An engineering geology report shall be included with the supporting data when the proposed grading is in excess of 5,000 cubic yards. (See Sec. L-V 13.6(F)).

Specifications shall contain information covering construction and material requirements.

Plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give location of the work, the name and address of the owner, and the person by whom they were prepared.
  2. The plans shall include the following information:
    - a. General vicinity of the proposed site.
    - b. Property limits and accurate contours of existing ground and details of terrain and area drainage.
    - c. Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and related construction.
    - d. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work, together with a map showing the drainage area and the estimated runoff of the area served by any drains.
    - e. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners that are within 15 feet (4572, mm) of the property or that may be affected by the proposed grading operations.

## EXHIBIT A

- f. Recommendations included in the soils engineering report and the engineering geology report shall be incorporated in the grading plans or specifications. When approved by the Building Official, specific recommendations contained in the soils engineering report and the engineering geology report, which are applicable to grading, may be included by reference.
  - g. The dates of the soils engineering and engineering geology reports together with the names, addresses and phone numbers of the firms or individuals who prepared the reports.
  - h. Cross sections (not less than two) of existing and proposed graded areas taken at intervals not exceeding 200 feet and at locations of maximum cuts and fills.
  - i. An estimate of the quantities of excavation and fill, including quantities to be moved both on and off site.
  - j. A detailed erosion and sediment control plan including specific locations, construction details and supporting calculations for temporary and permanent sediment control structures and facilities.
  - k. A landscaping plan, including temporary erosion control plantings, permanent drought-resistant slope plantings, replacement or temporary groundcover, and irrigation facilities.
  - l. The location of any borrow site or location for disposal of surplus material.
- E. The soils engineering report required by Sec. L-V 13.6(D) shall include:
- 1. An index map showing the regional setting of the site;
  - 2. A site map that shows the topographic features of the site and locations of all soil borings and test excavations accompanied with a log for each soil boring and test excavation;
  - 3. Classification of the soil types and data regarding the nature, distribution and strength of existing soils;
  - 4. A suitable scaled map and cross sections showing all identified areas of land slippage;
  - 5. A description of any encountered groundwater or excessive moisture conditions;
  - 6. Conclusions and recommendations for grading procedures and design criteria for corrective measures, including buttress fills, when necessary;
  - 7. Opinion on adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes.
- F. The engineering geology report required by Sec. L-V 13.6(D) shall include:
- 1. An adequate description of the geology of the site and geology of the adjacent areas when pertinent to the site;
  - 2. Conclusions and recommendations regarding the effect of geologic conditions on the proposed development;
  - 3. Opinion on the adequacy for the intended use of sites to be developed by the proposed grading, as affected by geologic factors; and
  - 4. Recommendations for mitigation of geologic hazards.
- G. The Building Official may require a geotechnical investigation in accordance with the California Building or Residential Code when, during the course of an investigation, any of the following conditions are discovered, the report shall address the potential for liquefaction:
- 1. Shallow ground water, 50 feet (15240, mm) or less;
  - 2. Unconsolidated sandy alluvium;
  - 3. Seismic Design Category C,D, E or F.
- H. Regular Grading Requirements

## EXHIBIT A

1. Each application for a grading permit shall be accompanied by a plan in sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the name of the owner and the name of the person who prepared the plan. The plan shall include the following information:
  - a. General vicinity of the proposed site;
  - b. Limiting dimensions and depth of cut and fill;
  - c. Location of any buildings or structures where work is to be performed, and the location of any buildings or structures with fifteen (15) feet (4572, mm) of the proposed grading;
  - d. Property limits and accurate contours of existing ground;
  - e. Typical cross section(s) of the existing and proposed graded area(s) at locations of maximum cut and fill;
  - f. An estimate of the quantities of excavation and fill, including quantities to be moved both on and off site.
- I. The provisions of those applicable sections of Division II of the California Building Code are applicable to grading permits. The Building Official may require that grading operations and project designs be modified if delays occur which incur weather-generated problems not considered at the time the permit was issued.
- J. The Building Official may require professional inspection and testing. When the Building Official has cause to believe that geologic factors may be involved, the grading will be required to conform to engineered grading.
- K. In issuing a permit, the Building Official may impose conditions as prescribed by this Chapter necessary to protect the health, safety and welfare of the public, to prevent the creation of a hazard to public or private property, and to assure proper completion of the grading, including, but not limited to:
  1. Mitigation of adverse environmental impacts as disclosed by any environmental document findings;
  2. Improvement of any existing unstable grading affected by this permit to comply with the standards of this Chapter;
  3. Protection of grading which would otherwise be hazardous;
  4. Dust, erosion and sediment control, and season of work, weather conditions, sequence of work, access roads and haul routes;
  5. Safeguard watercourses from excessive deposition of sediment or debris;
  6. Safeguard areas reserved for on-site sewage disposal, water supply and hazardous material storage;
  7. Assurance that the land area in which grading is proposed and for which habitable structures are proposed is not subject to hazards of land slippage or significant settlement or erosion;
  8. Compliance with all applicable provisions of the Nevada County Land Use and Development Code;
- L. If grading operations are commenced before first securing a proper permit, no permit will be issued until illegal grading has stopped. In the event that no grading permit, erosion control permit or land use permit can be issued for such operation, the site shall be restored to its original condition to the extent feasible, and to the extent full restoration is not possible mitigation measures may be imposed to remediate any damage caused. Restoration shall be in conformity to an approved restoration plan;
- M. Winter operations shall not be allowed if an immitigable high potential for accelerated erosion exists due to slope, rock or soil type, proximity to a stream or drainage course, magnitude or duration of

## EXHIBIT A

disturbance, or other characteristics of the project and the site. Approval shall be obtained from the Building Official prior to any grading activity during the Rainy Season.

### **Sec L-V 13.7            Grading Fees**

Permit and plan review fees shall be as set forth in the fee schedule adopted by Resolution of the Nevada County Board of Supervisors.

### **Sec L-V 13.8            Bonds**

- A. As a condition for the issuance of a permit, the Building Official may require the deposit of improvement security in sufficient amount deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions or, in the case of a subdivision, where the permittee does not proceed with preparation and obtaining the approval of a final map. Said security shall be in the form of cash, a certified or cashier's check, a letter of credit, or a faithful performance bond executed by the applicant and a corporate surety authorized to do business in this state. The form of security shall be acceptable to County Counsel. Public agencies are exempted from this provision by law.
- B. In the case of subdivisions, the improvement security shall remain in effect until final inspections have been made and the Building Official has accepted all grading work and subdivision improvements as being complete or until the subdivider has entered into an agreement to complete all unfinished work and improvements and furnished improvement security pursuant to Section L-V 13.8, whichever first occurs.
- C. For projects other than subdivisions, the improvements security shall remain in effect until final inspections have been made and the Building Official has accepted all grading work as being complete.
- D. In addition to the improvement security, the Building Official may also require the deposit of maintenance security in a sufficient amount deemed necessary by him to guarantee and maintain the grading work to assure the proper functioning of drainage systems and adequate erosion and sedimentation control. Said maintenance security shall be in the form of cash, a certified or cashier's check, a letter of credit, or a faithful performance bond executed by the applicant and a corporate surety authorized to do business in this state and shall remain in effect for a period of one (1) year after the date of expiration of the improvement security as designated in Subsection B and C above.
- E. Any bond or deposit required by the Building Official pursuant to this Section shall be payable to the Nevada County Building Department.
- F. Upon satisfaction of applicable provisions of this Chapter, the improvement and maintenance security deposits or bonds will be released. However, upon failure to complete the work, failure to comply with all of the terms of the permit, or failure of the completed site to function properly to provide proper drainage or erosion and sedimentation control, the County may do the required work, or cause it to be done, and collect from the permittee or surety all costs incurred thereto, including administrative and inspection costs. Any unused portion of a deposit or bond shall be refunded to the permittee after deduction by the County of the cost of the work.

### **Sec L-V 13.9            Cuts**

- A. Unless otherwise recommended in the approved soils engineering or engineering geology report, cuts shall conform to the provisions of this section.  

In the absence of an approved soils engineering report, these provisions may be waived for minor cuts not intended to support structures.
- B. The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no steeper than 1 unit vertical in 2 units horizontal (50% slope) unless the permittee furnishes a soils engineering or an engineering geology report, or both, stating that the site has been investigated

## EXHIBIT A

and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property.

EXCEPTION: A cut surface may be at a slope gradient of 1.5 horizontal to 1 vertical (67 percent) provided that all of the following are met:

1. It is not intended to support structures or surcharges.
2. It is adequately protected against erosion.
3. It is no more than 8 feet in height.
4. The soil is not classified as CH, CL, or MH.
5. It is approved by the Building Official

### **Sec L-V 13.10 Fills**

- A. Unless otherwise recommended in an approved soils engineering report, fills shall conform to the provisions of this Section.
1. Where fill is intended to support any permanent structure, an engineered grading plan shall be required. The placement and compaction requirements shall be as stated in the engineering report.
  2. Where fill is intended to support any paved surface, or is part of a fire access road or driveway, the requirements of Sec. L-V 13.10 shall be followed.
  3. The guidelines of Sec. L-V 13.10 shall be followed for all other fills except compaction to a minimum of 90 percent of maximum density need not be provided for minor fills not intended as a buildable area. Lots with non-engineered fills or fills not compacted in compliance with Sec. L-V 13.10(D) shall be documented. Future development on the lots shall require a qualified person to determine the proposed work is not within the fill area or can adequately be built in the fill area.
- B. Fill slopes shall not be constructed on natural slopes steeper than 1 unit vertical in 2 units horizontal (50% slope). The ground surface shall be prepared to receive fill by removing vegetation, non-complying fill, topsoil and other unsuitable materials scarifying to provide a bond with the new fill and, where slopes are steeper than 1 unit vertical in 5 units horizontal (20% slope) and the height is greater than 5 feet (1524, mm), by benching into sound bedrock or other competent material as determined by the soils engineer. The bench under the toe of a fill on a slope steeper than 1 unit vertical in 5 units horizontal (20% slope) shall be at least 10 feet (3048, mm) wide. The area beyond the toe of fill shall be sloped for sheet overflow or a paved drain shall be provided. When fill is to be placed over a cut, the bench under the toe of fill shall be at least 10 feet (3048, mm) wide but the cut shall be made before placing the fill and acceptance by the soils engineer or engineering geologist or both as a suitable foundation for fill.
- C. Detrimental amounts of organic material shall not be permitted in fills. Except as permitted by the Building Official, no rock or similar irreducible material with a maximum dimension greater than 12 inches (305 mm) shall be buried or placed in fills.
- EXCEPTION: The Building Official may permit placement of larger rock when the soils engineer properly devises a method of placement, and continuously inspects its placement and approves the fill stability. The following conditions shall also apply:
1. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan;
  2. Rock sizes greater than 12 inches (305 mm) in maximum dimension shall be 10 feet (3048, mm) or more below grade, measured vertically;
  3. Rocks shall be placed so as to assure filling of all voids with well-graded soil.
- D. All fills shall be compacted to a minimum of 90 percent of maximum density.
- E. The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes shall be no steeper than 1 unit vertical in 2 units horizontal (50% slope).

## EXHIBIT A

### Sec L-V 13.11 Setbacks

- A. Cut and fill slopes shall be set back from site boundaries in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the site boundary. Setback dimensions shall be as shown in Figure A-33-1.

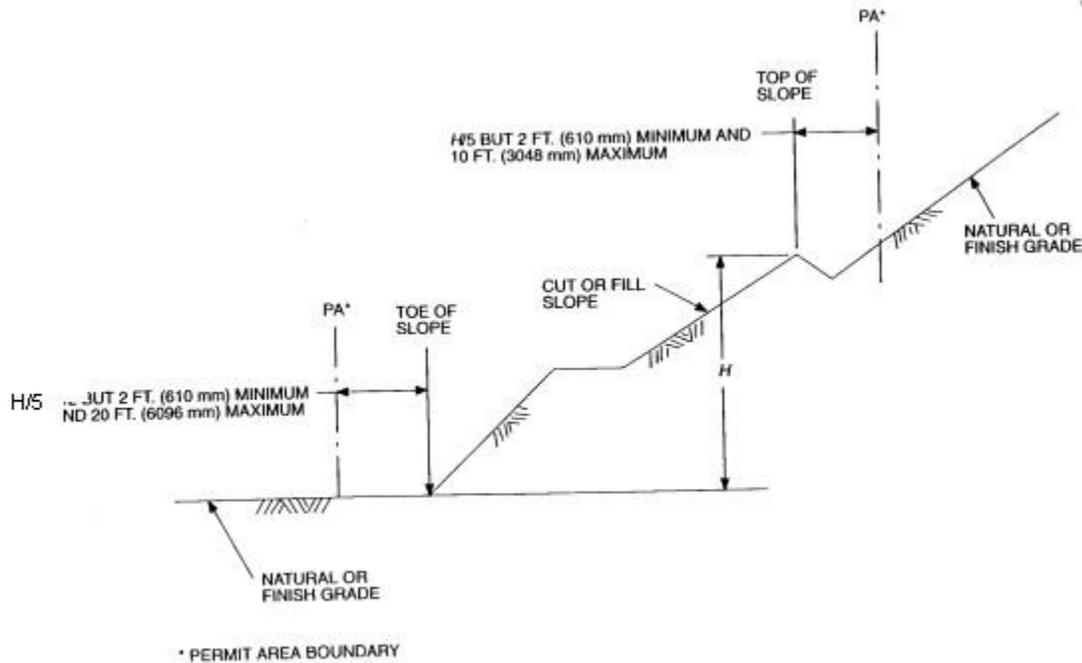


FIGURE A-33-1—SETBACK DIMENSIONS

- B. The top of cut slopes shall not be made nearer to a site boundary line than one fifth of the vertical height of cut with a minimum of 2 feet (610 mm) and a maximum of 10 feet (3048 mm). The setback may need to be increased for any required interceptor drains.
- C. The toe of fill slope shall be made not nearer to the site boundary line than one fifth the height of the slope with a minimum of 2 feet (610 mm) and a maximum of 20 feet (6096 mm). Where a fill slope is to be located near the site boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the work as the Building Official deems necessary to protect the adjoining property from damage as a result of such grading. These precautions may include but are not limited to:
1. Additional setbacks;
  2. Provision for retaining or slough walls;
  3. Mechanical or chemical treatment of the fill slope surface to minimize erosion;
  4. Provisions for the control of surface waters.
- D. The Building Official may approve alternate setbacks. The Building Official may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this section has been satisfied.

### Sec L-V 13.12 Drainage and Terracing

## EXHIBIT A

- A. Unless otherwise recommended by a registered design professional, drainage facilities and terracing shall be provided in accordance with the requirements of this section.

Exception: Drainage facilities and terracing need not be provided where the ground slope is not steeper than 3 horizontal to 1 vertical (33 percent).

All areas shall be graded and drained so that water will not pond or accumulate. Drainage shall be effected in such a manner that it will not cause erosion or endanger the stability of any cut or fill slope or any building or structure.

Storm drainage and design standards not otherwise specified herein shall comply with Article 5 "Storm Drainage", Chapter XVII, of the County of Nevada Land Use and Development Code.

- B. Terraces at least 6 feet (1829, mm) in width shall be established at not more than 30-foot (9144, mm) vertical intervals on all cut or fill slopes to control surface drainage and debris except that where only one terrace is required, it shall be at mid-height. For cut or fill slopes greater than 60 feet (18288, mm) and up to 120 feet (36576, mm) in vertical height, one terrace at approximately mid-height shall be 12 feet (3658, mm) in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet (36576, mm) in height shall be designed by the civil engineer and approved by the Building Official. Suitable access shall be provided to permit proper cleaning and maintenance.

Swales or ditches on terraces shall have a minimum gradient of 5 percent and must be paved with reinforced concrete not less than 3 inches (76 mm) in thickness or an approved equal paving. They shall have a minimum depth at the deepest point of 1 foot (305 mm) and a minimum paved width of 5 feet (1524, mm).

A single run of swale or ditch shall not collect runoff from a tributary area exceeding 13,500 square feet (1254.2, m<sup>2</sup>) (projected) without discharging into a down drain.

- C. Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.
- D. All drainage facilities shall be designed to carry waters to the nearest practicable drainage way approved by the Building Official or other appropriate jurisdiction as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of non-erosive down-drains or other devices.

Building pads shall have a drainage gradient of five (5) percent toward approved drainage facilities, unless waived by the Building Official.

EXCEPTION: The gradient from the building pad may be two (2) percent if all of the following conditions exist throughout the permit area:

1. No proposed fills are greater than 10 feet (3048, mm) in maximum depth.
2. No proposed finish cut or fill slope faces have a vertical height in excess of 10 feet (3048, mm).
3. No existing slope faces steeper than 1 unit vertical in 10 units horizontal (10% slope) have a vertical height in excess of 10 feet (3048, mm).

When surface drainage is discharged onto any property, it shall be discharged in such a manner that it will not cause erosion or endanger any cut or fill slope or any building or structure. A grading and discharge plan shall be required which includes the analysis of the effect of the discharge.

- E. Paved interceptor drains shall be installed along the top of all cut slopes where the tributary drainage area above slopes toward the cut and has a drainage path greater than 40 feet (12192, mm) measured horizontally. Interceptor drains shall be paved with a minimum of 3 inches (76 mm) of concrete or gunite and reinforced. They shall have a minimum depth of 12 inches (305 mm) and a minimum paved width of 30 inches (762 mm) measured horizontally across the drain. The slope of drain shall be approved by the Building Official.
- F. Drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of non-erosive down drains and other devices.

## EXHIBIT A

### **Sec L-V 13.13 Road and Driveway Standards**

- A. The construction and design of all roadways shall be done in conformance with Article 3, "Road Design Standards", Chapter XVII, LUDC.
- B. The construction and design of all driveways shall be done in conformance with Article 3, "Driveways", Chapter XVI, LUDC.
  - 1. At no place along the length of a driveway shall the grade be in excess of the established grades in Article 3, "Driveways" Chapter XVI, LUDC.

### **Sec L-V 13.14 Erosion Control**

- A. The following shall apply to the control of erosion and sediment from grading and construction activities resulting in land disturbance:
  - 1. Plans shall be designed with long-term erosion and sediment control as a primary consideration;
  - 2. Grading and construction activities during the rainy season shall provide erosion and sediment control measures except upon a clear demonstration to the satisfaction of the Building Official that at no stage of the work will there be any substantial risk of increased sediment discharge from the site;
  - 3. Should land disturbance be permitted during the rainy season, the smallest practicable area of erodible land shall be exposed at any one-time during grading operations and the time of exposure shall be minimized;
  - 4. Natural features, including vegetation, terrain, watercourses and similar resources shall be preserved wherever possible. Limits of land disturbance shall be clearly defined and marked to prevent damage by construction equipment;
  - 5. Permanent drought-resistant vegetation and structures for erosion and sediment control shall be installed as soon as possible;
  - 6. Provision shall be made for long-term maintenance of permanent erosion and sediment control structures and vegetation;
  - 7. No topsoil shall be removed from the site unless otherwise directed or approved by the Building Official. Topsoil overburden shall be stockpiled and redistributed within the graded area after rough grading to provide a suitable base for seeding and planting. Runoff from the stockpiled area shall be controlled to prevent erosion and resultant sedimentation of receiving water;
  - 8. Runoff shall not be discharged from the site in quantities or at velocities substantially above those that occurred before land disturbance, or channeled, concentrated or redirected except into drainage facilities whose design has been specifically approved by the Building Official;
  - 9. The permittee shall take reasonable precautions to ensure that vehicles do not track or spill earth materials into public streets and shall immediately remove such materials if this occurs.
- B. Should increased sediment discharge occur or become imminent, the permittee shall take all necessary steps to control such discharge. Such steps may include construction of additional facilities or removal or alteration of facilities required by approved erosion and sediment control plans. Facilities removed or altered shall be restored as soon as possible afterward or appropriate changes in the plan shall be immediately requested pursuant to this Chapter. Permittee shall take prompt action to resolve emergency problems; otherwise, the Building Official may take such actions as required to abate a hazardous public nuisance.
- C. Erosion and sediment control plans prepared pursuant to this Chapter shall comply with all of the following:

## EXHIBIT A

1. The erosion and sediment control plan need not be a separate sheet if all facilities and measures can be shown on the grading sheets without obscuring the clarity of either the grading plan or the erosion and sediment control plan.
2. An erosion and sediment control plan shall be required for any grading project required to have a grading permit.  
EXCEPTION: The Building Official determines that the grading and/or construction activity will not impose a significant erosion or sediment discharge hazard.
3. Erosion and sediment control plans shall include an effective re-vegetation program to stabilize all disturbed areas that will not be otherwise protected. All such areas where construction activities have been completed between April 15<sup>th</sup> and October 15<sup>th</sup> shall be planted no later than November 1<sup>st</sup>. Land disturbance areas completed at other times of the year shall be planted within 15 days. If re-vegetation is infeasible or cannot be expected to stabilize an erodible area with assurance during any part of the rainy season and the unstable area exceeds 2,500 square feet, additional erosion and sediment control measures or irrigation of planted slopes may be required as appropriate to prevent increased sediment discharge.
4. Erosion and sediment control plans shall be designed to prevent increased discharge of sediment at all stages of grading and construction activities from initial disturbance of the ground to project completion. Every feasible effort shall be made to ensure that site stabilization is permanent. Plans shall indicate the implementation period and the stage of construction where applicable.
5. Erosion and sediment control plans shall comply with the recommendations of any Civil Engineer, Geotechnical Engineer, Engineering Geologist, Architect, or Soil Erosion Control Specialist involved in preparation of the grading plans.
6. The structural and hydraulic adequacy of all storm water containment or conveyance facilities shown on the erosion and sediment control plans shall be verified by a Civil Engineer, and he shall so attest on the plans. Sufficient calculations and supporting material to demonstrate such adequacy shall accompany the plans when submitted.
7. Erosion and sediment control plans shall be designed to meet anticipated field conditions.
8. Erosion and sediment control plans shall provide for inspection and repair of all erosion and sediment control facilities at the close of each working day during the rainy season, and for specific sediment clean-out and vegetation maintenance criteria.
9. Erosion and sediment control plans shall comply with any and all standards and specifications adopted herein for the control of erosion and sedimentation on grading sites. These standards and specifications shall be in general compliance with the Erosion and Sediment Control Guidelines for Developing Areas of the Sierras published by High Sierra Resource Conservation and Development Council.
10. For projects subject to the State requirements to prepare a SWPPP (Storm Water Pollution Prevention Program) a preliminary SWPPP may be submitted in lieu of the erosion and sediment control plan required by these regulations.
11. Erosion control measures shall be installed in accordance with the issued grading and/or construction plans prior to any rain event. Any grading completed between October 15<sup>th</sup> and April 15<sup>th</sup> shall have all erosion control materials that are required be installed in accordance with the issued construction and grading plans onsite.

### **Sec L-V 13.15      Grading Inspection**

- A. Grading operations for which a permit is required shall be subject to inspection by the Building Official. Professional inspection of grading operations shall be provided by the civil engineer, soils engineer, and the engineering geologist retained to provide such services in accordance with Sec L-V 13.15(E) for engineered grading and as required by the Building Official for regular grading.

## EXHIBIT A

- B. The civil engineer shall provide professional inspection within such engineer's area of technical specialty, which shall consist of observation and review as to the establishment of line, grade and surface drainage of the development area. If revised plans are required during the course of the work, they shall be prepared by the civil engineer.
- C. The soils engineer shall provide professional inspection within such engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The soils engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this chapter. Revised recommendations relating to conditions differing from the approved soils engineering and engineering geology reports shall be submitted to the permittee, the Building Official and the civil engineer.
- D. The engineering geologist shall provide professional inspection within such engineer's area of technical specialty, which shall include professional inspection of the bedrock excavation to determine if conditions encountered are in conformance with the approved report. Revised recommendations relating to conditions differing from the approved engineering geology report shall be submitted to the soils engineer.
- E. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this code, and the permittee shall engage consultants, if required, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the consultants, the contractor and the Building Official. In the event of changed conditions, the permittee shall be responsible for informing the Building Official of such change and shall provide revised plans for approval.
- Periodic progress reports may be required to be rendered by the permittee at commencement and completion of major key grading and erosion and sediment control operations.
- No permittee shall be deemed to have complied with this Chapter until the Building Official has made a final inspection of the work and he has certified in writing that the work has been completed in accordance with all requirements and conditions of the permit.
- The permittee shall provide adequate access to the site for inspection by the Building Official during the performance of all work and for a minimum period of one year after acceptance by the Building Official of all improvements pursuant to this Chapter.
- F. The Building Official shall inspect the project at the various stages of work requiring approval to determine that adequate control is being exercised by the professional consultants.
- G. If, in the course of fulfilling their respective duties under this Chapter, the civil engineer, the soils engineer, or the engineering geologist finds that the work is not being done in conformance with this Chapter or the approved grading plans, the discrepancies shall be reported immediately in writing to the permittee and to the Building Official.
- H. If the civil engineer, the soils engineer, or the engineering geologist of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the Building Official in writing of such change prior to the recommencement of such grading.
- I. As a condition of the permit, the Building Official may require the permittee to provide, at permittee's expense, a Geotechnical Engineer or Civil Engineer to perform continuous inspection work, and upon completion of the work to provide a written statement acknowledging that he has inspected the work and that in his professional judgment the work was performed in accordance with the approved plans and specifications. The permittee shall make contractual arrangements for such services and be responsible for payment of all costs. Continuous inspection by a Geotechnical Engineer or Civil Engineer shall include, but not be limited to, the following situations:
1. During the preparation of a site for the placement of fills which exceed five (5) feet in depth on slopes which exceed ten percent (10%) and during the placing of such fills; however,

## EXHIBIT A

for vehicular pathways, fill placement shall be continuously inspected when fills exceed ten (10) feet in height.

2. During the preparation of a site for the placement of any fill and during the placement of such fill which is intended to support any building or structure.
3. During the installation of subsurface drainage facilities.

Reports filed by the Geotechnical Engineer or Civil Engineer regarding special inspection shall state in writing that from his personal knowledge the work performed during the period covered by the report has been performed in substantial accordance with the approved plans and specifications.

The use of a Geotechnical Engineer or Civil Engineer for inspections shall not preclude the Building Official from conducting inspections using his or other authorized inspectors as may be necessary.

### **Sec L-V 13.16            Completion of Work**

A. Upon completion of the rough grading work and at the final completion of the work, the following reports and drawings and supplements thereto are required for engineered grading or when professional inspection is performed for regular grading, as applicable.

1. An as-built grading plan prepared by the civil engineer retained to provide such services in accordance with Sec L-V 13.15(E) showing original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and of the outlets of subsurface drains. As-constructed locations, elevations and details of subsurface drains shall be shown as reported by the soils engineer.

Civil engineers shall state that to the best of their knowledge the work within their area of responsibility was done in accordance with the final approved grading plan.

2. A report prepared by the soils engineer retained to provide such services in accordance with Sec. L-V 13.15(C) of this Chapter, including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the approved soils engineering investigation report. Soils engineers shall submit a statement that, to the best of their knowledge, the work within their area of responsibilities is in accordance with the approved soils engineering report and applicable provisions of this chapter.
3. A report prepared by the engineering geologist retained to provide such services in accordance with Sec L-V 13.15(E), including a final description of the geology of the site and any new information disclosed during the grading and the effect of same on recommendations incorporated in the approved grading plan. Engineering geologists shall submit a statement that, to the best of their knowledge, the work within their area of responsibility is in accordance with the approved engineering geologist report and applicable provisions of this chapter.
4. The grading contractor shall submit, in a form prescribed by the Building Official, a statement of conformance to said as-built plan and the specifications.

B. The permittee shall notify the Building Official when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion-control measures have been completed in accordance with the final approved grading plan, and the required reports have been submitted.

# EXHIBIT A

## Article 14 Electric Vehicle Charging Station Permitting Process

### Sections:

Sec. L-V 14.1	Purpose
Sec. L-V 14.2	Applicability
Sec. L-V 14.3	Definitions
Sec. L-V 14.4	Electric Vehicle Charging Station Requirements
Sec. L-V 14.5	Application Standards
Sec. L-V 14.6	Expedited Permitting Process and Permit Review

### Sec. L-V 14.1 Purpose

The purpose of the Article is to adopt an expedited, streamlined permitting process that complies with AB 1236 and Government Code section 65850.7 to achieve timely cost-effective installation of electric vehicle charging stations. This Article encourages the installation and use of electric vehicle charging stations by removing obstacles to and minimizing the cost of permitting for charging stations, and by expanding the ability of residential, agricultural and commercial property owners to install electric vehicle charging stations. This Article allows the county to achieve these goals while protecting the public health and safety.

### Sec. L-V 14.2 Applicability

This Article applies to the permitting of electric vehicle charging stations in the unincorporated area of the County of Nevada. Electric vehicle charging stations legally established or permitted prior to the implementation of this expedited permitting process are not subject to the requirements of this Article unless physical modifications or alterations are undertaken that materially change the size, type or components of an electric vehicle charging station in such a way as to require new permitting.

### Sec. L-V 14.3 Definitions

- A. "Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with the California Electrical Code, as it reads on the effective date of this Article, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
- B. "Electronic submittal" means the utilization of one or more of the following:
  - 1. Email;
  - 2. The Internet; or
  - 3. Facsimile.
- C. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- D. "A feasible method to satisfactorily mitigate or avoid the specific adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the County on another similarly situated application in a prior successful application for a permit.
- E. "Building Official" means the officer or other designated authority charged with the administration and enforcement of the Nevada County Code, or a duly authorized representative.
- F. An "association" means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.

### Sec. L-V 14.4 Electric Vehicle Charging Station Requirements

## EXHIBIT A

- A. All electric vehicle charging stations shall meet applicable health and safety standards and requirements of local, state and federal law.
- B. Electric vehicle charging stations shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

### **Sec. L-V 14.5 Application Standards**

- A. No later than September 30, 2017, the Building Official of Nevada County or his/her designee shall implement an expedited permitting process, after consulting with the local fire department or district, that will allow the Building Official to administratively approve an application to install electric vehicle charging stations through the issuance of a building permit or similar nondiscretionary permit.
- B. The Building Official shall adopt a checklist of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review. The checklist and all required permitting documentation shall be published on the County of Nevada's Internet Website.
- C. In developing the expedited permitting process and checklist, the Building Official may refer to the recommendations contained in the most recent version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" and/or the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the State of California's Office of Planning and Research. The Building Official may modify the checklist and standards found in the Guidebook due to unique climatic, geological, seismological, or topographical conditions.
- D. Electronic submittal of the required permit application and supporting documents shall be made available for all electric vehicle charging station permit applications. The method of electronic submittal shall be at the County's discretion.

### **Sec. L-V 14.6 Expedited Permitting Process and Permit Review**

- A. The applicant may submit the permit application and supporting documents to the Building Department by electronic submittal. In the case of electronic submittal, the electronic signature of the applicant on all forms, applications, and other documents may be used in lieu of a wet signature.
- B. An application and supporting documents that satisfy the information requirements in the checklist, as determined by the Building Official, shall be deemed complete. Upon receipt of an incomplete application, the Building Official shall issue a written correction notice detailing all deficiencies in the application and any additional information that is required to be eligible for expedited permit issuance.
- C. Upon confirmation by the Building Official that the application is complete and meets the requirements of the checklist, and is consistent with this Chapter, the Building Official shall administratively approve the application and issue all required permits or authorizations. The Building Official may establish a process to prioritize competing applications for expedited permits.
  - 1. If the County makes a finding, based on substantial evidence, that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, the County may require the applicant to apply for a use permit.
  - 2. The County may withhold issuance of the permit or authorization if there is a violation on record for any structure associated with the application under review.
  - 3. The County shall not condition approval for any electric vehicle charging station permit on the approval of an electric vehicle charging station by an association, as that term is defined in Civil Code section 4080.
- D. The County shall not deny an application for a use permit to install an electric vehicle charging station unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific adverse impact upon the public health or safety, and

## EXHIBIT A

there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact.

- E. Any conditions imposed on an application to install an electric vehicle charging station shall be designed to mitigate the specific adverse impact upon the public health or safety at the lowest cost possible.
- F. This expedited permitting process is intended to apply only to applications for permits for electric vehicle charging stations, and will not expedite the review of any other permit applications.
- G. The Building Official's decision pursuant to Sections L-V 14.6 (C) or (D) may be appealed to the Nevada County Building and Accessibility Standards Board of Appeals in accordance with Nevada County Code Section L-V 2.1.

# EXHIBIT A

## Article 20

### Small Residential Rooftop Solar Systems

#### Sections:

<b>Sec. L-V 20.1</b>	<b>Purpose</b>
<b>Sec. L-V 20.2</b>	<b>Applicability</b>
<b>Sec. L-V 20.3</b>	<b>Definitions</b>
<b>Sec. L-V 20.4</b>	<b>Solar Energy System Requirements</b>
<b>Sec. L-V 20.5</b>	<b>Duties of the Building Department and Building Official</b>
<b>Sec. L-V 20.6</b>	<b>Permit Review and Inspection Requirements</b>

#### **Sec. L-V 20.1 Purpose**

The purpose of the Article is to adopt an expedited, streamlined solar permitting process that complies with the Solar Rights Act and AB 2188 (Chapter 521, Statutes 2014) to achieve timely and cost-effective installations of small residential rooftop solar energy systems. The Article encourages the use of solar systems by reducing costs to property owners and the County, and expanding the ability of property owners to install solar energy systems. The Article allows the County to achieve these goals while protecting public health and safety.

#### **Sec. L-V 20.2 Applicability**

This Article shall apply to the permitting of all small residential rooftop solar energy systems in the County of Nevada as defined by Section L-V 20.3(B).

Solar energy systems legally established or permitted prior to the effective date of this Article are not subject to the requirements of this Article unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small rooftop energy system in such a way as to require new permitting. Routine operation and maintenance shall not require a permit.

#### **Sec. L-V 20.3 Definitions**

- A. "Solar Energy System" means either of the following:
1. Any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating.
  2. Any structural design feature of a building, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating or cooling, or for water heating.
- B. A "small residential rooftop solar energy system" means all of the following:
1. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating, or 30 kilowatts thermal.
  2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the County and all state and County health and safety standards.
  3. A solar energy system that is installed on a single or duplex family dwelling.
  4. A solar panel or module array that does not exceed the maximum legal building height as defined by the County.
- C. "Electronic submittal" means the utilization of one or more of the following:
1. Email;
  2. The Internet;

## EXHIBIT A

3. Facsimile.
- D. An “association” means a nonprofit corporation or unincorporated association create for the purpose of managing a common interest development.
- E. A “common interest development” means any of the following:
  1. A community apartment project.
  2. A condominium project.
  3. A planned development.
  4. A stock cooperative.
- F. “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- G. “Reasonable restrictions” on a solar energy system are those restrictions that do not significantly increase the cost of the system or significantly decrease its efficiency or specified performance, or that allow for an alternative system of comparable cost, efficiency, and energy conservation benefits.
- H. “Restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance” means:
  1. For Water Heater Systems or Solar Swimming Pool Heating Systems: an amount exceeding 10 percent of the cost of the system, but in no case more than one thousand dollars (\$1,000), or decreasing the efficiency of the solar energy system by an amount exceeding 10 percent, as originally specified and proposed.
  2. For Photovoltaic Systems: an amount not to exceed one thousand dollars (\$1,000) over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding 10 percent as originally specified and proposed.

### **Sec. L-V 20.4 Solar Energy System Requirements**

- A. All solar energy systems shall meet applicable health and safety standards and requirements imposed by the California Building Standards Codes and Chapter V of the County of Nevada Land Use and Development Code.
- B. Solar energy systems for heating water in single-family residences and for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing and Mechanical Codes.
- C. Solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

### **Sec. L-V 20.5 Duties of the Building Department and Building Official**

- A. All documents required for the submission of an expedited solar energy system application shall be made available on the publicly accessible County Website.
- B. Electronic submittal of the required permit application and documents by email, the Internet, or facsimile shall be made available to all small residential rooftop solar energy system permit applicants.
- C. An applicant’s electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.
- D. The Building Department shall adopt a standard plan and checklist of all requirements with which small residential rooftop solar energy systems shall comply to be eligible for expedited review.

## EXHIBIT A

- E. The small residential rooftop solar system permit process, standard plan(s), and checklist(s) shall substantially conform to recommendations for expedited permitting, including the checklist and standard plans contained in the most current version of the California Solar Permitting Guidebook adopted by the Governor's Office of Planning and Research.

### **Sec. L-V 20.6 Permit Review and Inspection Requirements**

- A. The County Building Department shall adopt an administrative, non-discretionary review process to expedite approval of small residential rooftop solar energy systems within 30 days of the adoption on this Article. For permit applications submitted over-the-counter and electronically, the Building Department shall issue a building permit or other non-discretionary permit within five (5) business days of receipt. The time to issue a permit begins upon receipt of a complete application that meets the requirements of the approved checklist and standard plan. All fees prescribed for the permitting of small residential rooftop solar systems must comply with Government Code Section 66016 and State Health and Safety Code Section 17951.
- B. Review of the application shall be limited to the Building Official's review of whether the application meets local, state, and federal health and safety requirements.
- C. The Building Official may deny the application if the Building Official finds, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety. Such findings shall be made in writing based on substantive evidence in the record that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid, as defined, the adverse impact. Findings shall include a basis for the rejection of the potential feasible alternative for preventing the adverse impact. Such decisions may be appealed to the Building and Accessibility Standards Board of Appeals in accordance with Section L-V 2.1, which may be further appealed to the Board of Supervisors.
- D. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.
- E. "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the County on another similarly situated application in a prior successful application for a permit. The County shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of Section 714 of the Civil Code defining restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance.
- F. The County shall not condition approval of an application on the approval of an association, as defined in Section 4080 of the Civil Code.
- G. If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.
- H. Only one inspection shall be required and performed by the Building Department for small residential rooftop solar energy systems eligible for expedited review unless additional inspections are determined necessary by the Building Official based on specific climatic, geographic and/or topographical conditions.
- I. The inspection(s) shall be done in a timely manner and should include consolidated inspections. An inspection will be scheduled within two (2) business days of a request and the applicant shall be provided with a two-hour inspection window.
- J. Inspections
  1. All solar energy systems shall be inspected for compliance with the manufacturer's installation requirements and the California Electrical Code.
  2. The systems shall be ready for inspection with all electrical equipment/components accessible and in clear view.

## EXHIBIT A

3. The County's Building Inspector shall have access to all parts of the system.
  4. The permit, approved plans, and specifications shall be readily available on site at the time of inspection.
  5. Any changes to approved plans must be reviewed and approved by the Building Department prior to scheduling the inspection.
- K. If a small residential rooftop solar energy system fails inspection, a subsequent re-inspection is authorized and may include a re-inspection fee in accordance with the County's adopted fee schedule.

**ORDINANCE NO. 2020- XX**

**AN ORDINANCE OF THE CITY OF NEVADA CITY AMENDING TITLE 15 OF THE  
NEVADA CITY MUNICIPAL CODE TO ADOPT THE 2019 CALIFORNIA BUILDING  
STANDARDS,  
WITH LOCAL AMENDMENTS**

**WHEREAS**, the State of California revises its building standards on a triennial basis. The building standards are intended to regulate and govern the conditions and maintenance of all property, buildings, and structures by providing standards for supplied utilities, facilities, and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupancy and use.

**WHEREAS**, pursuant to Health and Safety Code Section 17958.5, et seq., a city may make such changes or modifications in the requirements contained in the provisions of the California Building Standards Codes, as are reasonably necessary because of local climatic, geological, or topographical conditions, and

**WHEREAS**, the City of Nevada City contracts with the County of Nevada for its building inspection services, making it desirable to have the same building standards and amendments applicable within the City of Nevada City as those applicable in the County, and

**WHEREAS**, the County of Nevada has reviewed and on November 12, 2019 has adopted by Ordinance 2019 California Building Standards, local amendments, and findings applicable to the unincorporated areas after review and report by the County Building Director; and

**WHEREAS**, the City Council of the City of Nevada City concurs with the adopted purpose, amendments and findings adopted therein and desires to adopt the same amendments to be applicable within the City boundaries upon the same findings, except as specified herein, leaving in effect those provisions of Title 15 having special application only to the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEVADA CITY  
HEREBY ORDAINS AS FOLLOWS:**

## SECTION 1: Legislative Purpose:

- A. The State of California revises its building standards on a triennial basis. The building standards are intended to regulate and govern the conditions and maintenance of all property, buildings and structures by providing standards for supplied utilities, facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use.
- B. It is the purpose and the intent of this Ordinance to make substantive revisions to Title 15 (Building and Construction) of the Nevada City Municipal Code to ensure conformity with the 2019 edition of the California Building Standards, to wit, the California Building Code and Division II Scope and Administration thereof, the California Residential Code, the California Green Building Standards Code, the California Plumbing Code, the California Electrical Code, the California Fire Code, the California Mechanical Code, the California Energy Code, the California Referenced Standards Code, the California Existing Building Code, the 2013 California Historical Building Code, the 1997 Uniform Housing Code, the 1997 Uniform Code for the Abatement of Dangerous Buildings, the 2015 International Swimming Pool and Spa Code, and the 2015 International Property Maintenance Code and modifications thereto as adopted by the County of Nevada and by the City of Nevada City herein. A copy of the 2019 edition of the California Building Standards and included Codes is on file in the Nevada County Building Department and available on-line.
- C. Pursuant to Health and Safety Code Section 17958.5, *et seq.*, local jurisdictions may make such changes or modifications in the requirements contained in the provisions of the California Building Standards Code, as are reasonably necessary because of local climatic, geological, or topographical conditions. Nevada County's amendments to the 2019 California Building Standards, which have been made in response to unique climatic, geological, or topographical conditions in Nevada County, are codified in Chapter V of the Nevada County Land Use and Development Code and by this Ordinance are adopted by the City of Nevada City with modifications applicable within the City's jurisdiction. Local amendments to the California Building Standards Code shall not become effective until the modifications and findings have been filed with the Building Standards Commission.

SECTION 2: Chapters 15.04 and 15.08 of the Nevada City Municipal Code are repealed and readopted as set forth in Exhibit "A", attached hereto and incorporated by such reference.

SECTION 3. Findings.

- A. The City Council hereby finds and declares that the amendments to the 2019 California Building Standards, as codified in Chapter L-V of the Nevada County Land Use and Development Code and as modified herein, are reasonably necessary because of local climatic, geological, and topographical conditions, topographical variations and the high risk of forest fires within the City and County.
  
- B. The City Council hereby finds and declares that this Ordinance is exempt from California Environmental Quality Act (CEQA) review pursuant to the CEQA guidelines, including §15378(b)(5) as an organizational or administrative governmental activity that will not result in direct or indirect physical changes to the environment, and §15060(c)(2) as an activity that does not create a potential for direct or reasonably foreseeable indirect physical change in the environment.

SECTION 4: Severability.

If any provision of this Ordinance is held unconstitutional or otherwise invalid, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

SECTION 5: Effective Date.

This Ordinance shall become effective thirty (30) days after the adoption date thereof and within fifteen (15) days of passage of this Ordinance, the City Clerk shall publish this Ordinance or required summary thereof in The Union, a newspaper of general circulation.

**PASSED AND ADOPTED** at the regular meeting of the City Council of the City of Nevada City on the 12<sup>th</sup> day of February, 2020 by the following vote:

**AYES:**

**NOES:**

**ABSENT**

**ABSTAIN:**

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**Reinette Senum, Mayor**

**ATTEST:**

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**Niel Locke, City Clerk**

## Chapter 15.04

### Sections:

- 15.04.005 Purpose.**
- 15.04.010 Definitions.**
- 15.04.015 California Codes adopted.**
- 15.04.020 California amendments adopted.**
- 15.04.023 Limit on discretion of building official**
- 15/04.025 Copies of Codes and County amendments**
- 15.04.030 Compliance with environmental health, zoning, encroachment requirements and other regulations.**
- 15.04.031 Special rules applicable to building permits in City and Historical District.**
- 15.04.035 Building Standards Board of Appeals.**
- 15.04.040 Building Accessibility Standards Board of Appeals.**
- 15.04.045 Work exempt from permit; building permit.**
- 15.04.050 Work exempt from permit; building permit.**
- 15.04.100 Savings clause**

### **15.04.005 Purpose.**

This Chapter is enacted for the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures, regulated equipment, grading and construction activities that result in a land disturbance on private property within this jurisdiction in conformity with the 2019 edition of the California Building Standards and consistent with and complementary to standards adopted by the County of Nevada. Nothing in the codes hereinafter adopted shall be construed to prevent any person from performing his own building, mechanical, plumbing or electrical work when performed with the permits in compliance with this Chapter.

### **15.04.010 Definitions.**

For the purpose of this Chapter, the following terms and words used herein or in any of the codes or ordinances adopted by reference therein, unless the context directs otherwise, shall have the meaning ascribed to them by this Section:

"Board of appeals", "housing advisory" and "appeals board" and any other references to an appellate body in any of the uniform codes or County amendments adopted by reference by this Chapter mean such entities as may be designated by the city council of Nevada City by resolution.

"Building official", "administrative authority", "responsible official", "chief building inspector", "plumbing official", "mechanical official", "electrical official" and similar references to a chief administrative position mean the building official for Nevada County under contract to furnish such services to Nevada City or such other entity as the city council of Nevada City may designate, subject to the limitations on their discretion provided in Section 15.04.023.

"City", "agency" or "jurisdiction" means the City of Nevada City. "Clerk of this jurisdiction" means the city clerk. "Governing body", "legislative body", "city council", "council" or "appointing authority" means the city council of Nevada City. "Technical codes" means those codes and publications adopted by Nevada City containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures and building service equipment.

"County" means the County of Nevada.

#### **15.04.015 California Codes adopted.**

Subject to the modifications and amendments contained in this Chapter, the following codes and standards are adopted and incorporated into the Municipal Code of the City of Nevada City by reference and have the same legal effect as if set forth herein:

- A. Division II, Scope and Administration, 2019 California Building Code.
- B. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 12 (California Referenced Standards Code), in whole thereof.
- C. The 2019 edition of the California Building Code, known as the California Code of Regulations, Title 24, Part 2 (California Building Code), incorporating the International Building Code, 2018 Edition, of the International Code Council, the whole thereof with State amendments, including appendixes "C", "H", "I" and "J" and amendments set forth in Article 3 of this Chapter.
- D. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 9 (California Fire Code), incorporating the International Fire Code, 2018 Edition, of the International Code Council, the whole thereof with State amendments, save and except article 86 thereof, including appendix chapters and amendments set forth in Article 5 of this Chapter.
- E. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 5 (California Plumbing Code), incorporating the Uniform Plumbing Code, 2018 Edition, of the International Association of Plumbing and Mechanical Officials, the whole thereof with State

amendments, including appendix chapters and amendments set forth in Article 7 of this Chapter.

- F. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 4 (California Mechanical Code), incorporating the Uniform Mechanical Code, 2018 Edition, of the International Association of Plumbing and Mechanical Officials, the whole thereof with State amendments, including appendix chapters and amendments set forth in Article 8 of this Chapter.
- G. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 3 (California Electrical Code), incorporating the National Electrical Code, 2017 Edition, of the National Fire Protection Association, the whole thereof with State amendments, including annex chapters and amendments set forth in Article 11 of this Chapter
- H. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 2.5 (California Residential Code) incorporating the International Residential Code, 2018 Edition, of the International Code Council, the whole thereof with State Amendments, including appendixes "H", "J", "K", "Q", and "S" and amendments as set forth in Article 4 of this chapter.
- I. The 2019 edition of the California Building Standards Code, known as the California Code of Regulation, Title 24, Part 11 (California Green Building Standards Code) in whole thereof, with State Amendments.
- J. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 6 (California Energy Code) in whole thereof, with State Amendments.
- K. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 8 (California Historical Building Code) in whole thereof, with State Amendments.
- L. The 2019 edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, Part 10 (California Existing Building Code), incorporating the International Existing Building Code, 2018 Edition, of the International Code Council, the whole thereof with State Amendments.
- M. The 2018 International Property Maintenance Code, of the International Code Council.
- N. The 1997 Uniform Code for the Abatement of Dangerous Buildings, of the International Conference of Building Officials.
- O. The 1997 Uniform Housing Code, of the International Conference of Building Officials.

- P. International Swimming Pool and Spa Code, 2018 Edition with the amendments set forth in Article 9 of this Chapter.

**15.04.020 County amendments adopted.**

Subject to the modifications and amendments contained in this Title, the Nevada County amendments to the 2019 California Building Standards adopted by Nevada County on November 12, 2019 are adopted and incorporated into the Municipal Code of the City of Nevada City by reference and have the same legal effect as if set forth herein. Excluded from this adoption shall the following provisions adopted by the County by for inclusion in the Nevada County Land Use and Development Code:

- A. The County amendment in section L-V 5.7 in Chapter V, Article 5 providing for fire agency appeals to the Board of Supervisors;
- B. The County amendments in Chapter V, Article 11 adopting more comprehensive exemptions from grading permit requirements for landform grading for agriculture; and
- C. Any regulations regarding the construction of limited density owner-built dwellings contained in the California Code of Regulations, Title 25, Chapter 1, Article 8, which has not been adopted by the City.

**15.04.023 Limit on discretion of building official.**

Whenever in the building regulations it is provided that anything must be done with the approval of or subject to the direction of the Building Official, this shall be construed to give such officer only the discretion of determining whether the rules and standards established by this Chapter have been complied with, and no such provision shall be construed as giving that officer any discretionary powers as to what such regulations or standards should be where the effect would be to increase the cost or time to complete the project or the power to require conditions not prescribed by this Chapter or to enforce such rules and standards in an arbitrary or discriminatory manner. Where the work for which the building permit is issued involves the remodel, restoration, renovation or rehabilitation of an existing building or structure, the Building Official shall not review or require changes to existing conditions outside the scope of the work for which the permit is issued or required.

**15.04.025 Copies of Codes and County and City amendments.**

Pursuant to Nevada County Land Use and Development Code Sec. L-V 1.5, the Nevada County Building Department maintains on file copies of the Codes and Standards referred to in Section 15.04.010 of this Chapter. Copies of Nevada County Ordinance adopting the County amendments referred to in the preceding section are on file with the County of Nevada and shall be maintained at City Hall as well, together with copies of this City Ordinance.

**15.04.030 Compliance with environmental health, zoning, encroachment requirements and other regulations prerequisite to a building permit.**

In addition to the applicable requirements in Sec. L-V 1.7. A-D, of the Nevada County Land Use and Development Code, a sewer backflow prevention device is required for

property located in the City. A backflow device is required upon transfer of any parcel of real property within the City limits prior to close of escrow or transfer and upon issuance of a "final" of a building permit in accordance with the City of Nevada City adopted Resolution No. 2005-12.

In addition to the applicable requirements in Sec. L-V 1.7. A-D, subsection A of Sec, L-V 1.8 and Sec. L-V 1.9 of the Nevada County Land Use and Development Code, no grading or building permit shall be issued for property located in the City until the land use is approved by the City.

#### **15.04.031 Special rules applicable to building permits in City and Historical District.**

- A. In addition to the applicable requirements in Sec. L-V 1.7. A-D, subsection A of Sec, L-V 1.8 and Sec. L-V 1.9 of the Nevada County Land Use and Development Code, no grading or building permit shall be issued for property located in the City until the land use is approved by the City.
- B. By City Ordinance Nos. 338, 344, 365, 89-5 and 92-5, the City has designated a downtown Historical District deemed to be of importance to the history, architecture and culture of Nevada City and the buildings and properties therein shall be considered to be qualified historical buildings or properties for purposes of allowing alternate standards under the Historical Building Code to be applied to any work thereon, including without limitation, remodel, restoration, renovation and rehabilitation thereof. To encourage and promote such work and assure that it is not unduly restricted or delayed, the Building Official shall provide written notice to the City whenever any building permit is requested for buildings or properties within the Historical District and shall work with the City to facilitate timely completion, inspection and approval of such work and make no changes to a City-approved permit without prior written City approval.

#### **15.04.035 Building and Accessibility Standards Board of Appeals.**

- A. In order to hear and decide appeals of discretionary orders, decisions or determinations made by the Building Official relative to the application and interpretation of the provisions of the technical codes or the Historical Building Code or relative to the enforcement of the California Access to Public Accommodations by Physically Disabled Persons regulations within the City, the city council may, on a case-by-case basis or for designated periods of time, 1) designate the Nevada County Building and Accessibility Standards Board of Appeals created pursuant to Section 113.1, as modified by Sec. L-V 2.1 of the Nevada County Land Use and Development Code, to act as the Nevada City Building and Accessibility Standards Board of Appeals; 2) create its own Building and Accessibility Standards Board of Appeals subject to the same regulations as a County Board with each council member appointing one member who is not an employee of the City and is qualified by experience and training to pass on the matters appealed, including, but not limited to building construction, building service equipment and grading, with each appointed member to serve at the pleasure of the appointing council member; or 3) proceed

as provided in subsection C hereof. The Building Official making the decision appealed from may be an ex officio member and serve as secretary to the Board of Appeals but shall have no vote in the matter.

- B. The option for the city council to create its own Building and Accessibility Standards Board of Appeals for decisions relating to property and buildings within the City as provided herein shall be available as an alternative to the provisions adopted by the County for appeals regarding all codes adopted herein where the county adopted provisions refer back to Section L-V 2.1 or 2.2 of the Nevada County Land Use and Development Code, whether or not specifically provided for in this Article.
- C. In order to hear and decide appeals of discretionary orders, decisions or determination made by the Building Official relative to the application and interpretation of the provisions of the Historical Building Code and alternative measures allowable thereunder, the city council may, on a case-by-case basis, either proceed as provided in subsection A or designate the Nevada City Planning Commission to act on such appeals.

**15.04.040 Not used.**

**15.04.045 Work exempt from permit; building permits (amend).**

The work exempted in paragraph 1 of section 105.2 is amended to read as follows rather than as amended by Sec. L-V 2.3 of the Nevada County Land Use and Development Code:

- 1. One-story detached accessory buildings without electrical, mechanical or plumbing not intended for habitation, subject to the requirements of Nevada City Municipal Code Sec. 17.80.010, provided it is less than or equal to no more than 160 square feet in area and the projected roof area does not exceed 200 square feet. One structure per parcel.

**15.04.050 Work exempt from permit; building permits (add).**

The work exempted in paragraph 14 of added to Section 105.2 by Sec. L-V 2.4 of the Nevada County Land Use and Development Code is amended to read as follows and that exempted in paragraph 15 added by Sec. L-V 2.5 of the Nevada County Land Use and Development Code is not adopted:

- 14. Detached trellis or arbor accessory to single family residential property provided it is no more than 160 square feet in area and the projected roof area does not exceed 200 square feet.

**15.04.100 Savings clause.**

The regulations set forth in this chapter are not intended to be exclusive and compliance therewith shall not excuse noncompliance with any other regulations pertaining to this chapter, set forth by the State of California or elsewhere in the City's

code.

## Chapter 15.08

### FIRESAFETY STANDARDS AND CALIFORNIA FIRE CODE AMENDMENTS

#### Sections:

<b>15.08.005</b>	<b>Purpose.</b>
<b>15.08.010</b>	<b>Definitions.</b>
<b>15.08.015</b>	<b>California Fire Code and county amendments adopted.</b>
<b>15.08.020</b>	<b>Responsibility for enforcement and review.</b>
<b>15.08.025</b>	<b>Penalties.</b>
<b>15.08.030</b>	<b>Board of Appeals.</b>
<b>15.08.100</b>	<b>Savings clause</b>

#### **15.08.005 Purpose.**

This Chapter prescribing regulations governing fire prevention is enacted to provide increased protection from fire to residents and property within the city of Nevada City in conformity with the 2019 edition of the California Building Standards and consistent with and complementary to standards adopted by the County of Nevada. It is also intended to encourage a greater degree of uniformity between the local fire department and other fire protection districts and departments in the imposition of fire safety regulations on new construction and existing buildings, while respecting the autonomy of the local fire protection districts and departments. Nothing in this Code is intended to amend the provisions regarding sprinkler systems set forth in section 8.30 of the Nevada City Municipal Code.

#### **15.08.010 Definitions.**

For the purpose of this Chapter, the following terms and words used herein or in any of the codes or ordinances adopted by reference therein, unless the context directs otherwise, shall have the meaning ascribed to them by this Section:

"Board of appeals" and any other references to an appellate body in any of the uniform codes or County amendments adopted by reference by this Chapter mean such entities as may be designated by the city council of Nevada City by resolution.

Chief', "fire chief", "city fire chief" and "chief of the fire department" mean the fire chief of the Nevada City Fire Department or his authorized designee.

"City", "agency" or "jurisdiction" means the City of Nevada City.

"Fire break" means a continuous strip of land upon which all rubbish, weeds, grass, or other growth that could be expected to burn when dry, has been abated or otherwise removed in order to prevent the surface extension of fire from one area to another.

#### **15.08.015 California Fire Code and county amendments adopted.**

Subject to the modifications and amendments contained in this Chapter, the 2019 California Fire Code and County amendments thereto were adopted by Sections 15.04.015 and 15.04.020 and incorporated into the Municipal Code of the City of Nevada City.

#### **15.08.020 Responsibility for enforcement and review.**

To clarify responsibility for enforcement and review as provided for in Nevada County Land Use and Development Coded Sec. L-V 5-4 within the City's jurisdiction:

- A. Except as otherwise required by controlling state law, enforcement of fire safety laws, standards and regulations and review of projects for compliance therewith shall be enforced within the incorporated areas of the City by the city fire chief or the authorized representative thereof.
- B. Whenever any application is made to the City for issuance of any discretionary land use permit or other land use entitlement, the City fire chief or authorized deputy, with enforcement responsibility pursuant to this Chapter, shall have the final authority and responsibility for review of such application for compliance with the requirements of this chapter. This review shall include the preparation of comments and appropriate mitigation measures and/or conditions of approval to assure compliance with all applicable fire safety laws, standards and regulations. To facilitate such review, copies of all such applications shall be promptly provided to the City fire chief or authorized deputy.

#### **15.08.025 Appointment of fire marshal.**

The amendment to the California Fire Code in sec. L-V 5.6 of Nevada County Land Use & Development Code is further amended within the City's jurisdiction to provide that the fire code official shall be appointed by the chief appointing authority of the jurisdiction and within the city's jurisdiction references to the County Fire Marshal shall refer to that appointed official.

#### **15.08.030 Penalties.**

In addition to the penalties provided for in the California Fire Code and in subsections

A and B of Sec. L-V 5.7 of the County amendments thereto are added the following:

- C. Violations of any provisions of this chapter and the 2019 California Fire Code and County and City amendments thereto shall constitute a public nuisance and said conditions may be abated in accordance with existing laws and ordinances.
- D. The remedies provided herein are not exclusive, and are in addition to any other remedy or penalty provided by law.

**15.08.035 Fire Agency Appeals.**

Provisions regarding appeals from determinations interpreting provisions of the California Fire Code made by the City fire chief shall be amended to read as follows rather than as amended by Sec. L-V 5.8 of the Nevada County Land Use and Development Code to supplement the basic requirements found in Section 108 the California Fire Code:

- A Appeals from decisions to approve or not to approve permits pursuant to this Chapter or determinations interpreting provisions of the California Fire Code, as amended and adopted, made by the City fire chief regarding permits within the city, may be taken to the city council or the city council may, on a case-by-case basis or for designated periods of time, create its own Nevada City Fire Code Board of Appeals to hear the appeal with members nominated by the city fire chief in accordance with the member composition provisions set forth in Section A 101.2, *et seq.*, of Appendix A of the California Fire Code, and as confirmed by the city council.
- B. In the event a Nevada City Fire Code Board of Appeals is created to hear and decide an appeal, the City fire chief, or his designee, shall be an ex-officio member and serve as secretary to the Board, but shall have no vote on any matter before the Board and the decision and findings shall be rendered to the City fire chief with a duplicate copy to the appellant.

**15.08.040 Open burning additional restrictions.**

In addition to restrictions on burning in the California Fire Code and county amendments as adopted by the city, open burning is further restricted by Chapter 8.08 of the Nevada City Municipal Code.

**15.08.045 Auxiliary power generator.**

In addition to the requirements of Sec. 605.3.3 of the California Fire Code and county amendments as adopted by the City, any new structure or remodel that has electrical power supplied by a secondary or auxiliary power unit with automatic startup and/or automatic power transfer capabilities shall have an auxiliary power disconnect accessible to fire department personnel. The auxiliary power disconnect switch shall be

located within three (3) feet of the main power disconnect switch and identified with a permanently mounted, weather proof label marked "AUXILIARY POWER DISCONNECT".

**15.08.100 Savings clause.**

The regulations set forth in this Chapter are not intended to be exclusive and compliance therewith shall not excuse noncompliance with any other regulations pertaining to this Chapter, set forth by the State of California or elsewhere in the City's code.

# REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

February 12, 2020

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**TITLE: Division Chief/Fire Investigator- Peace Officer Qualification**

**RECOMMENDATION:** Pass Resolution 2020-XX, a Resolution of the City of Nevada City approving the Peace Officer status for the Division Chief/Fire Investigator.

**CONTACT:** Mark Buttron, Fire Chief

**BACKGROUND / DISCUSSION:**

The Division Chief/Fire Investigator of the City of Nevada City Fire Department conducts fire investigations of incidents within the City, assists other local jurisdictions and is a member of the Arson Task Force, which may be called upon by participating agencies to investigate fires. The position conducts investigations that may proceed to criminal charges, contacts individuals whom may have a criminal intent/background and is in a position of enforcing laws related to finding of the investigation, fire prevention and suppression. The Division Chief/Fire Investigator of the City of Nevada City Fire Department has been considered a Peace Officer pursuant to California Penal Code Section 830.37, and specific conditions required by the department. Division Chief Goodspeed has completed the training necessary for Peace Officer qualification.

**ENVIRONMENTAL CONSIDERATIONS:** Not applicable.

**FISCAL IMPACT:** Not applicable.

**ATTACHMENTS:**

- ✓ Resolution 2020-XX, a Resolution of the City of Nevada City Approving the Peace Officer Status for the Division Chief/Fire Investigator
- ✓ Peace Officer Letter

**RESOLUTION NO. 2020-XX**

**RESOLUTION OF THE CITY OF NEVADA CITY  
APPROVING PEACE OFFICER STATUS FOR THE DIVISION CHIEF/FIRE INVESTIGATOR**

**WHEREAS**, within the State of California the Fire Chief (also known as the Fire Marshal) of a City, County or District, is charged with the duty and responsibility of enforcing and administering laws, codes, regulations and ordinances related to fire and life safety; and

**WHEREAS**, the City of Nevada City has adopted the Uniform Fire Code / California Fire Code (also known as the International Fire Code) and conducts inspections, investigations and enforcement as it relates to fire and life safety, arson, negligent causes of fire and fireworks; and

**WHEREAS**, the Division Chief/Fire Investigator of the City of Nevada City Fire Department has been considered a Peace Officer pursuant to California Penal Code Section 830.37, and specific conditions required by the department; and

**WHEREAS**, Division Chief Goodspeed has completed the training necessary for Peace Officer qualification.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Nevada City to approve Peace Officer status for the Division Chief/Fire Investigator.

**PASSED AND ADOPTED** at a regular scheduled meeting of the City Council held on this 12<sup>th</sup> day of February, 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

**Reinette Senum, Mayor**

**ATTEST:**

---

**Niel Locke, City Clerk**

# NEVADA CITY FIRE DEPARTMENT

(530) 265-2351 • Fax (530) 265-8640  
317 BROAD STREET  
NEVADA CITY, CALIFORNIA 95959

Within the State of California, the Fire Chief (also known as the Fire Marshal) of a City, County or District, is charged with the duty and responsibility of enforcing and administering laws, codes, regulations and ordinances related to fire and life safety. The Fire Chief is also charged with the responsibility to investigate all fires within their jurisdiction to ensure public safety. The Fire Chief is given the powers of a public peace officer under the authority of the California Fire Code / California Building Code / California Health and Safety Code and under section 830.37 of the California Penal Code to enforce, investigate, issue citations, obtain warrants and make arrests in the discharge of their general duties when their primary responsibility is the enforcement of laws related to fire and life safety. The Fire Chief may also establish and administer a fire prevention bureau within their respective jurisdiction, and appoint Deputy Fire Marshal's and Fire Prevention Officer's to aid in the discharge of these duties under the law.

The City of Nevada City has adopted the Uniform Fire Code / California Fire Code (also known as the International Fire Code) and conducts inspections, investigations and enforcement as it relates to fire and life safety, arson, negligent causes of fire and fireworks. The Fire Chief has completed the basic law enforcement training course module (§832 of the Penal Code) to satisfy the State of California requirement for designation as a peace officer, and is a qualified fire cause and origin investigator as outlined through State Fire Training, published by the Office of the State Fire Marshal. The Fire Chief is authorized to carry firearms, both on and off duty, and such related safety equipment as may be necessary, to discharge the duties of his appointed office. The Fire Chief may engage in such other law enforcement actions as necessary to best serve the public and to provide for life safety to the citizens of the State of California and the City of Nevada City. The Fire Chief shall maintain qualification and training as required by law / department policy, and shall follow department policy as it relates to arrest, use of force, and enforcement of law. The Fire Chief shall have access to and use of a department owned vehicle configured for fire and law enforcement operations.

*“For the Protection of Life and Property From Fire”*  
SINCE 1860

Currently Sam Goodspeed serves as the full time agency Fire Chief – Fire Marshal in and for the City of Nevada City. As the Fire Chief he serves as a designated public servant and sworn peace officer as allowed and delegated by state law. Chief Goodspeed is a serving designated member of the Sierra-Sacramento Arson Task Force and is trained and certified in fire investigation, cause and origin investigation, building construction, fire prevention and fire protection systems planning.

\_\_\_\_\_  
Sam Goodspeed – Fire Chief

\_\_\_\_\_  
Date

\_\_\_\_\_  
Catrina Olson - City Manager

\_\_\_\_\_  
Date

**Excerpt of Authority as designated by the California Penal Code**

*§830.37. The following persons are peace officers whose authority extends to any place in the state for the purpose of performing their primary duty or when making an arrest pursuant to Section 836 as to any public offense with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of that offense, or pursuant to Section 8597 or 8598 of the Government Code. These peace officers may carry firearms only if authorized and under terms and conditions specified by their employing agency:*

*(a) Members of an arson-investigating unit, regularly paid and employed in that capacity, of a fire department or fire protection agency of a county, city, city and county, district, or the state, if the primary duty of these peace officers is the detection and apprehension of persons who have violated any fire law or committed insurance fraud.*

*(b) Members other than members of an arson-investigating unit, regularly paid and employed in that capacity, of a fire department or fire protection agency of a county, city, city and county, district, or the state, if the primary duty of these peace officers, when acting in that capacity, is the enforcement of laws relating to fire prevention or fire suppression.*

# REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

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February 12, 2020

**TITLE: Quit-Claim Abandonment of Drainage Easement and Acceptance of an Offer of Dedication for Drainage Easement by CDS properties, Inc.**

**RECOMMENDATION:** Pass Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City authorizing the Mayor to sign easement documents for quit-claim abandonment of drainage easement and acceptance of an offer of dedication for drainage easement by CDS properties, Inc.

**CONTACT:** Bryan McAlister, City Engineer

**BACKGROUND:**

CDS Properties, Inc. recorded a subdivision map for Nevada City Cottages at Chief Kelly Drive, recorded in Book 8 of Subdivisions at Page 165, Nevada County records. The subdivision map included dedication of a drainage easement between Lots 2 and 3. Subsequent to building construction, it was determined that the drainage easement needs to be realigned to follow the as-built drainage improvements.

CDS Properties has provided documents for quit-claim abandonment of drainage easement and acceptance of an offer of dedication for drainage easement. Upon Council approval, the documents will be filed with the Nevada County Recorder's Office for recordation.

**ENVIRONMENTAL CONSIDERATIONS:** Not applicable.

**FISCAL IMPACT:**

None.

**ATTACHMENTS:**

- ✓ Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City Authorizing the Mayor to sign Easement Documents for Quit-Claim Abandonment of Drainage Easement and Acceptance of an Offer of Dedication for Drainage Easement
- ✓ Quit-Claim Easement Deed for Drainage Easement
- ✓ Offer of Dedication for Drainage Easement

**RESOLUTION 2020-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY  
AUTHORIZING THE QUIT-CLAIM ABANDONMENT OF DRAINAGE EASEMENT AND  
ACCEPTANCE OF AN OFFER OF DEDICATION FOR DRAINAGE EASEMENT BY CDS  
PROPERTIES, INC**

**WHEREAS**, pursuant to Section 27281 of the Government Code, deeds or grants conveying any interest in or easement upon real estate to a political corporation or governmental agency for public purposes shall not be accepted for recordation without the consent of the grantee evidenced by its certificate or resolution of acceptance attached to or printed on the deed or grant; and

**WHEREAS**, CDS Properties, Inc. recorded a subdivision map for Nevada City Cottages at Chief Kelly Drive, recorded in Book 8 of Subdivisions at Page 165, Nevada County records. The subdivision map included dedication of a drainage easement; and

**WHEREAS**, CDS Properties has provided documents for quit-claim abandonment of drainage easement and acceptance of an offer of dedication for drainage easement to match the as-built location of drainage improvements.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City Nevada City authorizes the Mayor to sign easement documents for quit-claim abandonment of drainage easement in the form attached hereto and incorporated by referenced as Exhibit "A" and the acceptance of an offer of dedication for drainage easement by CDS properties, Inc. in the form attached hereto and incorporated by reference as Exhibit "B."

**ADOPTED** at the regular meeting of the City Council of the City of Nevada City on the 12<sup>th</sup> day of February 2020 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

**Reinette Senum, Mayor**

**ATTEST:**

---

**Niel Locke, City Clerk**

**Recording requested by**

CDS properties

**And when Recorded Mail to:**

**and mail tax statements to:**

CDS Properties

16447 You Bet Road

Grass Valley, CA 95945

**Space above this line for Recorder's use**

APN 005-060-054 & 005-060-055

**QUIT-CLAIM EASEMENT DEED**

The undersigned Grantor(s) Declare(s):

Documentary transfer tax is \$ None [ x ] City of Nevada City

[ ] computed on the full value of property conveyed; or

[ ] computed on full value less value of liens and encumbrances remaining at time of sale.

**FOR VALUABLE CONSIDERATION, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED,**

The City of Nevada City

**hereby remise, remits and forever quit-claims all right and title to:**

**CDS Properties, Inc., a California Corporation**

the following described easement situated in the State of California, County of Nevada, City of Nevada City, and is described as follows:

(See Exhibit "A" attached hereto and made a part hereof)

date: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Printed Name/Title

See following page for Acknowledgment

Exhibit A

That certain drainage easement, shown and described on sheet 2 of the Subdivision map for Nevada City Cottages, recorded in Book 8 of Subdivisions at Page 165, Nevada County records, designated as "10' D.E., and centered on the course having a bearing of S 74°00'00"E and a distance of 75.94', said course being between Lots 2 and 3 of said Subdivision.



**Recording requested by and Return to:**

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
Phone: 530.265.2496  
Attention:

THIS SPACE IS RESERVED  
FOR THE RECORDER'S USE

Exempt from Recording Fees – Govt Code 27383

**CITY OF NEVADA CITY**  
**OFFER OF DEDICATION**  
**DRAINAGE EASEMENT**

For the receipt of one dollar (\$1.00) or other good and valuable consideration,

**the undersigned GRANTOR(S), hereby irrevocably offers for dedication to the City of Nevada City, State of California:**

**DRAINAGE EASEMENT**

Easements for Drainage Purposes and uses appurtenant thereto, including but not limited to the construction and maintenance of gravity flow or pressure pipe, or open drainage channel, and for protection and maintenance of storm drainage water quality enhancement facilities upon, over, under and across that certain real property situated in the City of Nevada City, State of California, bounded and described in the attached Exhibits "A" and "B".

*(Any and all interest in the property conveyed by grantor to the City of Nevada City pursuant to this instrument runs with the land and is binding on the heirs, assigns and successors of the grantor.)*

**(See Attached Exhibits "A" & "B")**

GRANTOR agrees for itself, its successors and assigns, not to erect, place or maintain any buildings, structures, wells and/or other similar improvements that would unreasonably interfere with the ability of CITY to obtain access to the easement for the purposes of repair, replacement, or installation of facilities.

Dated this 20 Day of January, 2020,

GRANTOR(S)



Sign name

Sandy Knight, CEO for CDS Properties, Inc.

Print name and title

Recording Reference Number

See following page for Acknowledgment

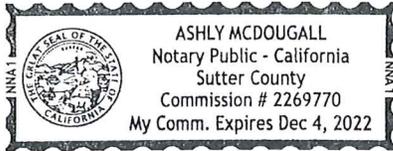
ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Nevada } SS.

On 1-20-2020, before me, Ashly McDougall, Notary Public, personally appeared Sandy Knight, who proved to me on the

basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Ashly McDougall
NOTARY'S SIGNATURE

PLACE NOTARY SEAL IN ABOVE SPACE

OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- INDIVIDUAL (checked)
CORPORATE OFFICER
PARTNER(S)
ATTORNEY-IN-FACT
GUARDIAN/CONSERVATOR
SUBSCRIBING WITNESS
OTHER:

DESCRIPTION OF ATTACHED DOCUMENT

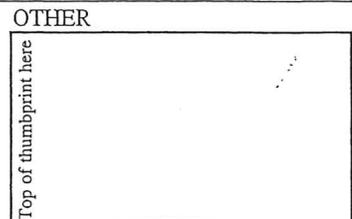
Drainage Easement
TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

1-20-2020
DATE OF DOCUMENT

SIGNER (PRINCIPAL) IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY (IES)

RIGHT THUMBPRINT OF SIGNER



ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }  
County of Nevada } SS.

On 1-20-2020, before me, Ashley M. Dougall, Notary Public,  
DATE personally appeared Sandy Knight, who proved to me on the

basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.  
*Ashley M. Dougall*  
NOTARY'S SIGNATURE

PLACE NOTARY SEAL IN ABOVE SPACE

OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- INDIVIDUAL
- CORPORATE OFFICER \_\_\_\_\_ TITLE(S)
- PARTNER(S)
- ATTORNEY-IN-FACT
- GUARDIAN/CONSERVATOR
- SUBSCRIBING WITNESS
- OTHER: \_\_\_\_\_

DESCRIPTION OF ATTACHED DOCUMENT

Drainage Easment  
TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

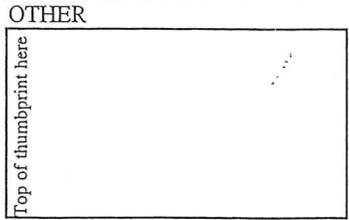
1-20-2020

DATE OF DOCUMENT

SIGNER (PRINCIPAL) IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)  
\_\_\_\_\_  
\_\_\_\_\_

RIGHT THUMBPRINT OF SIGNER



**ACCEPTANCE:**

This is to certify that the interests in real property offered for dedication in this **Grant of Easement** dated \_\_\_\_\_, 20\_\_\_\_, from \_\_\_\_\_, to **the City of Nevada City, a government agency** are hereby accepted

DATE

SIGN NAME

PRINT NAME AND TITLE

**ACKNOWLEDGEMENT**

State of California

County of Nevada



On \_\_\_\_\_ before me,

\_\_\_\_\_ (name, title),

personally appeared \_\_\_\_\_ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under the PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

Signature

**CAPACITY CLAIMED BY SIGNER**

INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES

CORPORATE OFFICER(S)

TITLE(S)

COMPANY

PARTNER(S)

PARTNERSHIP

ATTORNEY-IN-FACT

PRINCIPAL(S)

TRUSTEE(S)

TRUST

OTHER

TITLE(S)

ENTITY(IES) REPRESENTATIVE

Exhibit A

A drainage easement, on, under and across portions of Lots 2 and 3, as shown on the Subdivision map for Nevada City Cottages, recorded in Book 8 of Subdivisions at Page 165, Nevada County records, being 10 feet in width, and the centerline of which is more particularly described as follows:

Beginning at a point on the east line of said Lot 3, from which the most northerly corner of said Lot 3 bears North  $05^{\circ}13'35''$  West for a distance of 97.57 feet; THENCE FROM SAID POINT OF BEGINNING, along said centerline, South  $72^{\circ}46'31''$  West for a distance of 53.72 feet; THENCE North  $76^{\circ}56'24''$  West for a distance of 52.29 feet; THENCE North  $71^{\circ}13'16''$  West for a distance of 51.85 feet.

The sidelines of said easement are lengthened, or shortened, as the case may be, to terminate at the bounds of the Grantor.



# Exhibit B

for

## CDS Properties

A portion of  
Lots 2 and 3 of  
8 Subs 165 in

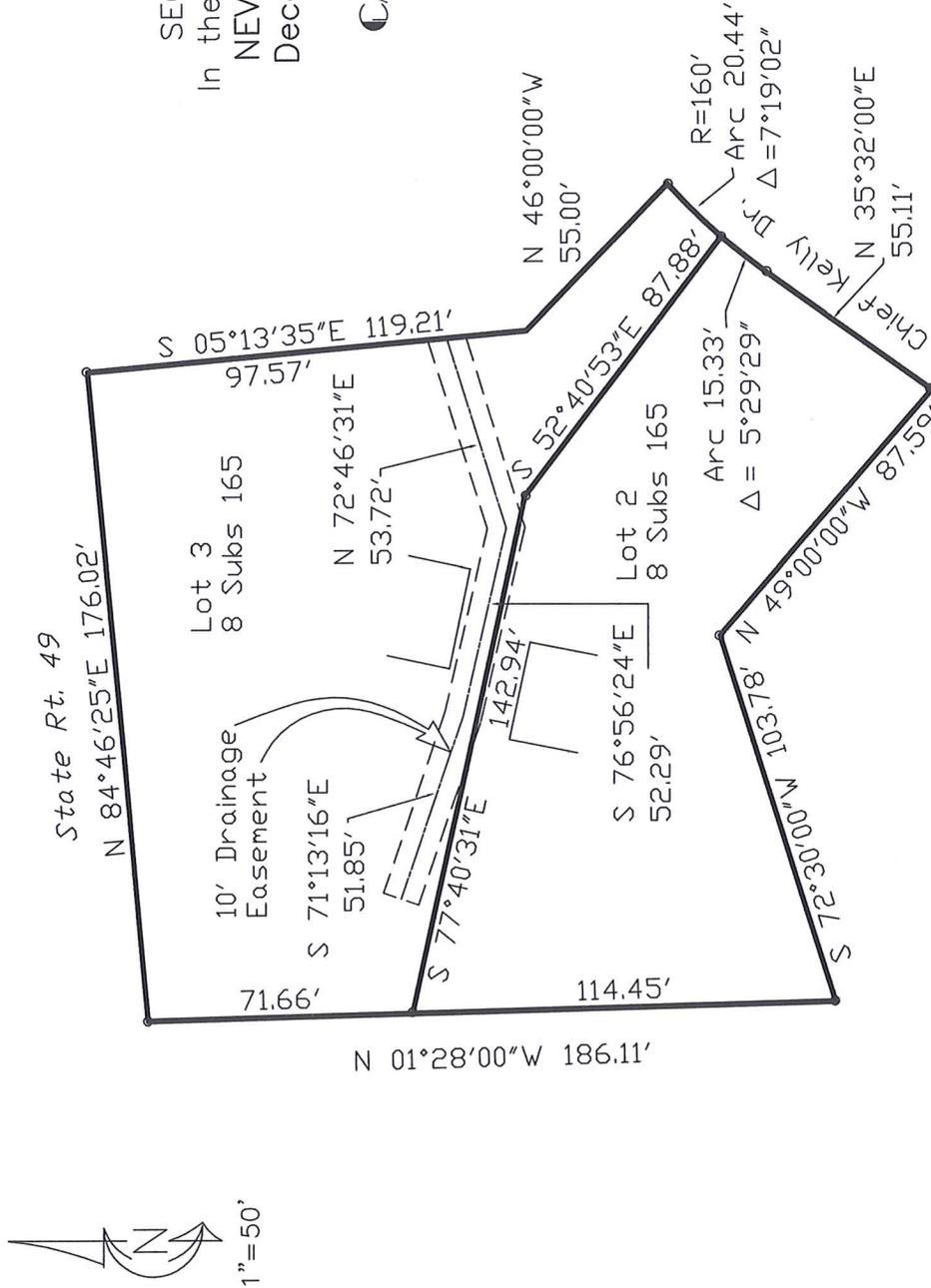
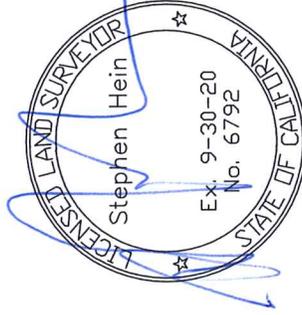
SEC. 12 T.16N R8E MDM

In the incorporated territory of  
NEVADA CITY, CALIFORNIA  
December, 2019 Scale  
1"=50'

CALIFORNIA SURVEY COMPANY

(530) 273-6651

Job#6474



# REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

February 12, 2020

---

**TITLE: Consulting Services Agreement with Jacobson James & Associates for Wastewater Discharge Permitting Assistance**

**RECOMMENDATION:** Pass Resolution 2020-XX, a Resolution of the City of Nevada City to Authorize a Professional Consulting Services Master Agreement with Jacobson James & Associates, Inc. and contract work order for environmental services in the amount of \$10,000 to assist with Wastewater Treatment Plant Permit Compliance and authorize the Mayor to sign.

**CONTACT:** Bryan K. McAlister, City Engineer

**BACKGROUND/DISCUSSION:**

The City of Nevada City is required to have current records and reporting, for compliance with the Regional Water Board Waste Discharge Permit for the City's Wastewater Treatment Plant. Jacobson James & Associates, Inc. will assist City staff in reviewing Wastewater Treatment documentation, compliance with Waste Discharge requirements and renewal of the permit.

The Consulting Services Master Agreement ("Agreement") with Jacobson James & Associates, Inc. includes professional services, which will be assigned on as needed project task basis for assistance with compliance with State permit requirements for waste discharge. The Agreement will establish the Consultant's hourly rates, insurance and indemnification requirements, and other legal obligations between the parties, but not specifically authorize the Consultant to perform specific work, nor does it obligate City to make specific payments. Instead, the specific scope of work, cost estimate, and City's payment obligations under the Agreement will be submitted to the City Council for approval as work orders. Together with the Agreement, staff is seeking your approval of Work Order No. 1, for the specified Consultant services to be billed at hourly rates not to exceed a total budgeted amount of \$10,000. Should the City desire to use Jacobson James & Associates, Inc. for further services under the Agreement, staff will submit subsequent work orders with detailed scopes of work for specified do not exceed amounts for City Council approval.

**FISCAL CONSIDERATIONS:** The City's Fiscal Year 2019/20 Wastewater Fund budget includes funding for outside consulting services.

**ATTACHMENT:**

- ✓ Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City to Authorize a Professional Consulting Services Master Agreement and Contract Work Order with Jacobson James & Associates, Inc. and Authorize Mayor to Sign
- ✓ Professional Consulting Services Master Agreement and Contract Work Order with Jacobson James & Associates, Inc.

**RESOLUTION NO. 2020- XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY TO AUTHORIZE A PROFESSIONAL CONSULTING SERVICES MASTER AGREEMENT AND CONTRACT WORK ORDER WITH JACOBSON JAMES & ASSOCIATES, INC. AND AUTHORIZE THE CITY MANAGER TO SIGN**

**WHEREAS**, the City of Nevada City has a waste discharge permit (Order R5-2017-0060) for the wastewater treatment plant with California Regional Water Quality Control Board; and

**WHEREAS**, the provisions and requirements of the waste discharge permit includes monitoring, reporting and effluent limitations for discharge of treated wastewater to Little Deer Creek; and

**WHEREAS**, Jacobson James & Associates, Inc is a qualified consulting firm specializing in wastewater treatment who will assist City staff in documentation, compliance with Waste Discharge requirements and renewal of the permit; and

**WHEREAS**, the City's Fiscal Year 2019/20 Wastewater Fund budget includes funding for outside consulting services.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Nevada City to approve a Professional Consulting Services Master Agreement with Jacobson James & Associates, Inc., in the form attached hereto and incorporated by reference as "Exhibit A," for environmental services to assist with Wastewater Treatment Plant Permit Compliance and to approve and contract work order No. 1, attached hereto and incorporated by reference as "Exhibit B," authorizing the Consultant to perform specified services to be billed at hourly rates not to exceed \$10,000, and authorize the Mayor to sign both documents.

**PASSED AND ADOPTED** at the regular meeting of the City Council of the City of Nevada City on the 12<sup>th</sup> day of February, 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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**Reinette Senum, Mayor**

**ATTEST:**

---

**Niel Locke, City Clerk**

## CONSULTING MASTER SERVICES AGREEMENT

This Agreement is by and between THE CITY OF NEVADA CITY ("CLIENT"), located at 317 Broad Street, Nevada City, California, and JACOBSON JAMES & ASSOCIATES, INC. ("CONSULTANT") whose mailing address is 9083 Foothills Blvd, Suite 370, Roseville, California 95747.

CONSULTANT is an independent contractor engaged in the field of technical project consulting. CLIENT, from time to time, finds it necessary to supplement its services with qualified outside consultants; and CLIENT and CONSULTANT wish to establish a contractual arrangement whereby CONSULTANT can provide certain services for CLIENT.

Therefore, CLIENT and CONSULTANT agree that CONSULTANT shall perform the Subcontracted Services as requested by CLIENT subject to the following terms and conditions:

### 1 TERM OF THE AGREEMENT

- 1.1 This Agreement shall have an effective date of February 12, 2020, and shall remain in effect until rescinded in writing by either party with 30 days notice.

### 2 SCOPE OF SERVICES

- 2.1 The services to be performed by CONSULTANT under this Subcontract ("Subcontracted Services") shall be set forth in individual work authorizations using the general format set forth in Attachment A ("Work Authorization"), attached hereto and incorporated herein by reference.

### 3 WORK AUTHORIZATION PROCESS

- 3.1 Upon request CONSULTANT shall prepare a proposal containing an identification of the project ("Project"), description of the Subcontracted Services and compensation to be paid to CONSULTANT for the performance of the Subcontracted Services. A work authorization will be issued to CONSULTANT. An example Work Authorization is provided as Attachment A. The CONSULTANT'S Rate Table is provided as Attachment B.
- 3.2 Amendments shall be in writing and executed by the parties.

### 4 PAYMENT

- 4.1 Payment for the Services rendered and reimbursement for expenses will be made by CLIENT within 30 days of receipt of invoice. CONSULTANT shall submit monthly invoices to the attention of the identified CLIENT Project Manager. The monthly invoices shall make reference to this Agreement, identify authorized billable hours expended and other authorized expenses incurred during the month, and shall include dates and hours worked with a brief description of work performed, and such other details or supporting documents as CLIENT may reasonably require. Additionally, the monthly invoices shall include the authorized budget, the invoice amount, the amount invoiced to date (as of the date of the invoice), and the remaining balance. CLIENT's payments for the services provided under this Agreement shall not exceed the total amount authorized by the Work Authorization.

**5 LICENSE**

- 5.1 CONSULTANT agrees to remain in Compliance with all applicable business and professional requirements.

**6 REPRESENTATIONS**

- 6.1 CONSULTANT agrees to maintain all security reasonably necessary to protect any privileged and confidential information provided by CLIENT and/or related to the project.

**7 INDEPENDENT CONTRACTOR**

- 7.1 CONSULTANT is at all times during the performance of the Subcontracted Services acting as an Independent Contractor and neither as an employee of CLIENT nor as a joint venture with CLIENT. CONSULTANT agrees to pay as applicable all personnel taxes, Workers' Compensation premiums, life, health, and automobile insurance premiums, and understands that no personal benefits, such as vacation, sick leave, unemployment benefits, or retirement pay, shall accrue to CONSULTANT as a result of this Subcontract.

**8 STANDARD OF PERFORMANCE**

- 8.1 CONSULTANT's services will be performed in accordance with generally accepted engineering and scientific principles and practices prevailing at the time that services are performed, for the environmental consulting profession. All work shall be performed in a professional and workmanlike manner by CONSULTANT with a level of skill in the area commensurate with the requirements of the work to be performed and the applicable professional standards currently recognized by such profession. Except as provided herein, there are no other warranties or representations, either express or implied, provided by CONSULTANT for any of the services described in this AGREEMENT.

**9 INSURANCE**

- 9.1 CONSULTANT shall maintain during the performance of the MSA the following minimum insurance to the extent applicable to the Scope of Services as described in Articles 2 and 3.

<b>Coverage</b>	<b>Limits</b>
Worker's Compensation	Statutory
Employer's Liability	\$1 Million combined single limit
Commercial General Liability	\$1 Million per occurrence, \$1 Million general aggregate
Automobile Liability (All)	\$1 Million combined single limit
Pollution Liability	\$1 Million per occurrence, \$1 Million general aggregate

Coverage	Limits
Professional Liability, including Errors & Omissions	\$1 Million per claim, \$2 Million annual aggregate

Prior to the performance of any services hereunder, CONSULTANT shall provide CLIENT with certificates evidencing the insurance provided above, and naming CLIENT as an additional insured on all such policies of insurance except workers' compensation and professional liability policies.

## 10 INDEMNIFICATION

- 10.1 CLIENT and CONSULTANT agree, to the fullest extent permitted by law, to indemnify and hold each other harmless for damages to the extent caused by the indemnitor's negligent acts, errors or omissions or intentional misconduct during the performance of services under this AGREEMENT. CLIENT and CONSULTANT's liability shall be limited to their current insurance coverage limits in effect on the effective date of this AGREEMENT. When such claim is the result of the negligence or intentional misconduct of both CONSULTANT and CLIENT, each shall be entitled to contribution from the other in proportion to their allocable share as determined by agreement or by dispute resolution.

## 11 TERMINATION

- 11.1 Either party may terminate this Subcontract at any time by giving the other party written notice thereof. Upon said termination, CONSULTANT will be reimbursed for that portion of the Subcontracted Services completed prior to termination.

## 12 CONFIDENTIAL INFORMATION

- 12.1 CONSULTANT acknowledges and agrees that information concerning or related to the services to be performed for CLIENT hereunder including, without limitation, the general business operation of CLIENT as well as all discoveries, findings, reports, research and test results and results of any services performed hereunder and any information disclosed to CONSULTANT by CLIENT hereunder, is of a confidential nature. Accordingly, CONSULTANT does hereby agree not to divulge to anyone, either during or after the performance of services hereunder, any such information obtained or developed by CONSULTANT unless expressly agreed to by CLIENT in writing.
- 12.2 CONSULTANT's obligations under this Article shall not apply to Confidential Information that is: (i) in the public domain; (ii) developed independently by CONSULTANT; (iii) received by CONSULTANT on a non-confidential basis from others who had a right to disclosure of such Confidential Information; or (v) required to be disclosed by Law, but only after actual prior written notice has been received by CLIENT.

## 13 GOVERNING LAW

- 13.1 The validity, construction and performance of this Subcontract and all disputes between the parties arising out of this Subcontract or as to any matters related to but not covered by this Subcontract

shall be governed by the laws, without regard to the laws as to choice or conflict of laws, of the State of California.

**14 ASSIGNMENT**

14.1 Neither this Subcontract nor any rights under this Subcontract may be assigned by either party without the prior written consent of the other party.

**THE CITY OF NEVADA CITY**

**JACOBSON JAMES & ASSOCIATES, INC.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Printed or Typed)

\_\_\_\_\_  
Name (Printed or Typed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**ATTACHMENT A  
CONTRACT WORK AUTHORIZATION EXAMPLE**

**CONTRACT WORK AUTHORIZATION NO.** Click or tap here to enter text. **TO  
MASTER SERVICES AGREEMENT NO.** Click or tap here to enter text.

JACOBSON JAMES & ASSOCIATES, INC. ("CONSULTANT") agrees to perform for Click or tap here to enter text. ("CLIENT") the Services described below for the Project identified below. The Services shall be performed in accordance with the provisions of the Master Services Agreement for Environmental Services ("MSA") dated Click or tap to enter a date., between CONSULTANT and CLIENT.

1. Project: Click or tap here to enter text.
2. Property Owner / Mailing Address: Click or tap here to enter text.
3. Services (reference and attach scope of work, if applicable): Click or tap here to enter text.
4. Fees (reference and attach scope of work from proposal and budget): Click or tap here to enter text.
5. Period of Performance (attach schedule if applicable):  

Start Date: Click or tap to enter a date. End Date: Click or tap to enter a date.
6. Special Terms and Conditions: Click or tap here to enter text.

CLIENT and CONSULTANT have executed this Contract Work Authorization and CONSULTANT is directed to proceed.

**JACOBSON JAMES & ASSOCIATES, INC.**

**CLIENT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Printed or Typed)

\_\_\_\_\_  
Name (Printed or Typed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

# JACOBSON JAMES & ASSOCIATES, INC.

## Nevada City Rate Schedule

Position Title	2020 Discounted Rates
Admin/Clerk	\$ 70.00
Administrator/ Project Controller	\$ 90.00
Construction Manager I	\$ 80.00
Construction Manager II	\$ 115.00
Construction Manager III	\$ 145.00
Drafting/CADD I	\$ 100.00
Drafting/CADD II	\$ 130.00
Engineer I	\$ 115.00
Engineer II	\$ 130.00
Engineer III	\$ 165.00
Engineer IV	\$ 190.00
Field Technician I	\$ 90.00
Field Technician II	\$ 110.00
Field Technician III (Field Manager)	\$ 130.00
GIS/Database I	\$ 110.00
GIS/Database II	\$ 130.00
Senior Technical Specialist	\$ 230.00
Principal	\$ 200.00
Program Manager	\$ 210.00
Project Manager I	\$ 135.00
Project Manager II	\$ 165.00
Project Manager III	\$ 185.00
Regulatory Specialist	\$ 130.00
Senior Regulatory Specialist	\$ 230.00
Scientist I	\$ 100.00
Scientist II	\$ 120.00
Scientist III	\$ 145.00
Scientist IV	\$ 175.00
Technical Writer/Editor	\$ 110.00

Professional staff rates for legal proceedings or as expert witnesses will be at rates one and one-half times the rates specified above.

Markup is 10% on Subcontractor Subconsultant and Rebillable Direct Expenses

Markup on travel expenses is 0%

Reimbursement for vehicles used in connection with the work will be at the federally approved mileage rates or at an approved daily-weekly-monthly rate.



EXHIBIT B

**CONTRACT WORK AUTHORIZATION NO. 001 TO  
CONSULTING MASTER SERVICES AGREEMENT NO. 2020NEV**

JACOBSON JAMES & ASSOCIATES, INC. ("CONSULTANT") agrees to perform services for CITY OF NEVADA CITY ("CLIENT") for the Scope of work and Project described below. The Services shall be performed in accordance with the provisions of the Consulting Master Services Agreement 2020NEV ("MSA") dated February 12, 2020, between CONSULTANT and CLIENT.

1. Project: Wastewater NPDES Compliance Services and Support
2. Property Owner/Mailing Address: N/A
3. Services: Provide support to the City with compliance tasks as further described in JJ&A's Proposal dated January 15, 2020 included herein as Attachment A.
4. Fees: Time and Materials basis, in accordance with the attached JJ&A 2020 rate Schedule included in Attachment A, in an amount not to exceed \$10,000.00.
5. Period of Performance:

Start Date: February 12, 2020	End Date: January 31, 2021
-------------------------------	----------------------------

6. Special Terms and Conditions: None

CLIENT and CONSULTANT have executed this Contract Work Authorization and CONSULTANT is directed to proceed.

**CITY OF NEVADA CITY**

**JACOBSON JAMES & ASSOCIATES, INC.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Printed or Typed)

\_\_\_\_\_  
Name (Printed or Typed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



January 15, 2020

Mr. Bryan McAllister, P.E.  
City Engineer  
City of Nevada City  
317 Broad Street  
Nevada City, California 95959

**Re: Proposal for Wastewater NPDES Compliance Services and Support  
Nevada City, California**

Dear Bryan:

In response to your request, Jacobson James & Associates, Inc. (JJ&A) is pleased to provide this proposal to support the City of Nevada City (City) in maintaining compliance with Waste Discharge Requirements for the City of Nevada City Wastewater Treatment Plant (WWTP), Order R5-2017-0060, National Pollutant Discharge Elimination System (NPDES) No. CA0079901 (Order).

**BACKGROUND**

The City’s WWTP operates under an Order that was adopted by the Central Valley Regional Water Quality Control Board (Regional Water Board) June 4, 2015. The Order contains ongoing monitoring and reporting requirements, along with limitations on effluent discharges to Deer Creek.

The Order contains effluent discharge limitations on dichlorobromomethane (DCBM) that are based on a dilution ratio of 7.28:1 (7.28 parts receiving water for every 1 part effluent). The WWTP is not able to consistently comply with the DCBM limitations in the Order. The dilution ratio was determined based on a mixing zone/dilution study conducted in 2010 and 2011. At the time of the study, accurate flow data upstream of the WWTP effluent outfall in Deer Creek were not available. Thus, a conservative harmonic mean creek flow value of 5.02 MGD was estimated based on available data from gaging stations that are not in close proximity to the outfall. This harmonic mean flow value of 5.02 MGD was used to calculate available dilution credits, which were used in the current Order to calculate effluent limitations on DCBM. Recently, the City has installed equipment and begun efforts to collect accurate flow data in Deer Creek immediately upstream of the WWTP effluent outfall. It is the City’s hope that these more accurate flow data

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environmental consultants

9083 Foothills Blvd., Suite 370, Roseville, California 95747

Ph. 916.367.5111 Fax 916.367.5110

can be used to demonstrate to the Regional Water Board that the actual dilution ratio in the Deer Creek is greater than 7.28:1, and request that the Order be amended to include appropriate effluent limitations on DCBM, based in this new information.

## **APPROACH**

JJ&A will provide support to the City on an as-directed basis to assist the City with compliance tasks related to the WWTP Order. Such tasks might include, but not be limited to, the following:

- Dilution ratio – Correspond with Regional Water Board staff and advise City regarding data collection methods and frequency
- Compliance Monitoring – Consult regarding effluent monitoring and compliance
- Regional Water Board requests/notices – Advise City on responses to any such requests
- Meetings – Communication via telephone, email, or in-person meeting at City offices

## **COST ESTIMATE**

As-directed services will be provided to the City on a time and materials basis, in accordance with the attached JJ&A 2020 Rate Schedule, in an amount not to exceed **\$10,000**. This equates to approximately 50 labor hours at the Principal billing rate.

If additional services are identified that require hours beyond this authorization, such as preparation of Order renewal materials, JJ&A will submit a change order request to increase the budget to provide those services under separate authorization.

## **PERIOD OF SERVICE**

The estimated period for services is anticipated to be approximately 12 months, beginning upon authorization of this proposal (assumed to be late January 2020) and ending January 31, 2021.

## **CLOSURE**

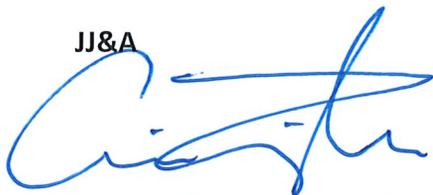
JJ&A appreciates the opportunity to provide this proposal for the subject project. We have included a Master Services Agreement (MSA) for your review. If you are in agreement with the MSA, please return a signed copy to JJ&A. If you have questions or comments, please let me know and I will facilitate coordination with our contracting group.



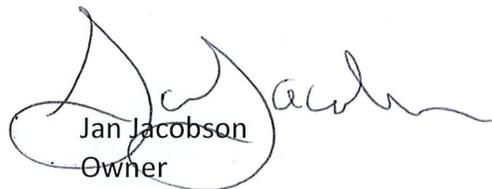
Feel free to contact Eric Zeigler at 916-367-5111 x-157.

Sincerely,

JJ&A



Eric Zeigler  
Principal Scientist



Jan Jacobson  
Owner

Attachments:

- Jacobson James & Associates 2020 Rate Schedule
- Master Services Agreement

# JACOBSON JAMES & ASSOCIATES, INC.

## Nevada City Rate Schedule

Position Title	2020 Discounted Rates
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Construction Manager I	\$ 80.00
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Construction Manager III	\$ 145.00
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Engineer IV	\$ 190.00
Field Technician I	\$ 90.00
Field Technician II	\$ 110.00
Field Technician III (Field Manager)	\$ 130.00
GIS/Database I	\$ 110.00
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Senior Technical Specialist	\$ 230.00
Principal	\$ 200.00
Program Manager	\$ 210.00
Project Manager I	\$ 135.00
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Project Manager III	\$ 185.00
Regulatory Specialist	\$ 130.00
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Scientist III	\$ 145.00
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Professional staff rates for legal proceedings or as expert witnesses will be at rates one and one-half times the rates specified above.

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Markup on travel expenses is 0%

Reimbursement for vehicles used in connection with the work will be at the federally approved mileage rates or at an approved daily-weekly-monthly rate.



## REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

February 12, 2020

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**TITLE:** Action Minutes January 22, 2020 City Council Meeting

**RECOMMENDATION:** Review and approve City Council Meeting Action Minutes of January 22, 2020.

**CONTACT:** Catrina Olson, City Manager

**BACKGROUND / DISCUSSION:**

The action minutes for the January 22, 2020 are attached for review.

**ENVIRONMENTAL CONSIDERATIONS:** Not applicable.

**FISCAL IMPACT:** Not applicable.

**ATTACHMENTS:**

- ✓ City Council Meeting Action Minutes January 22, 2020

**CITY OF NEVADA CITY  
ACTION MINUTES  
REGULAR CITY COUNCIL MEETING OF JANUARY 22, 2020**

**NOTE:** This meeting is available to view on the City's website [www.nevadacityca.gov](http://www.nevadacityca.gov) – Go to **Quick Links** and Click on **Agendas & Minutes** and find the Archived Videos in the middle of the screen. Select the meeting date and Click on **Video** to watch the meeting. For website assistance, please contact Loree' McCay, Deputy City Clerk at (530) 265-2496, ext 134.

- City Council Meetings are available on DVD. To order, contact City Hall - cost is \$15.00 per DVD.
- Closed Session Meetings are not recorded.

**CLOSED SESSION – 6:00 PM**

1. Pursuant to Government Code Section 54957 a closed session is requested with City Manager, Catrina Olson, to discuss a personnel matter relating to the appointment of the contract City Attorney.

**REGULAR MEETING – 6:30 PM - Call to Order**

**Roll Call:** Present: Mayor Senum, Vice Mayor Minett, Council Members Parker, Moberg and Strawser

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS:** “Celebrating 50 Years in Business”

**PRESENTATIONS:**

**BUSINESS FROM THE FLOOR:**

**1. PUBLIC COMMENT** (Per Government Code Section 54954.3)  
Please refer to the meeting video on the City's website at [www.nevadacityca.gov](http://www.nevadacityca.gov).

**2. COUNCIL MEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:**

**3. CONSENT ITEMS:**

- A. Subject:** Fire Activity Report – December 2019  
**Recommendation:** Receive and file.
- B. Subject:** Side Letter No. 2 to The Nevada City Police Supervisor's Association Memorandum of Understanding (MOU) dated July 1, 2018 through June 30, 2021 – Rescinding and Replacing the Section HOLIDAYS Policy  
**Recommendation:** Review and approve Side Letter No. 2 to The Nevada City Police Supervisor's Association Memorandum of Understanding (MOU) dated July 1, 2018 through June 30, 2021 – rescinding and replacing the Section HOLIDAYS Policy.

- C. Subject:** Agreement Between City of Nevada City, Sierra Academy of Expeditionary Learning and Bear Yuba Land Trust for Educational Activities at Hirschman Trail and Property  
**Recommendation:** Authorize the City Manager to sign the agreement.
- D. Subject:** Second Reading - Ordinance for the Regulation of Accessory Dwelling Units (updated to reflect Ordinance 2020-01)  
**Recommendation:** Adopt Ordinance 2020-01; An Ordinance adopting amendments to Section 17.72.020 through Section 17.72.038 of the City Municipal Code in order to update the City's Ordinance pertaining to Accessory Dwelling Units in compliance with adopted State legislation.
- E. Subject:** Letter Addressing Critical Matters Related to the PG&E Bankruptcy  
**Recommendation:** Review the draft letter, approve content and authorize the Mayor to sign.
- F. Subject:** Award of Contract for Water Improvements on Boulder Street  
**Recommendation:** Pass Resolution 2020-03, a Resolution of the City Council of the City of Nevada City to award a contract to PSCE in the amount of \$82,605 plus \$8,000 in contingencies for Water Improvements on Boulder Street in Nevada City and authorize the Mayor to sign.
- G. Subject:** Nevada Street Bridge Utility Agreements for Water and Sewer  
**Recommendation:** Approve Utility Agreements for relocation or adjustment of water and sewer facilities for the Nevada Street Bridge replacement project and authorize the Mayor to sign on behalf of the City.
- H. Subject:** Action Minutes January 8, 2020 City Council Meeting  
**Recommendation:** Review and approve City Council Meeting action minutes of January 8, 2020.

**Action:** Motion by Parker, seconded by Minett to approve consent item 3A through 3H as presented.

**(Approved 5 – 0)**

#### **4. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:**

- A. Subject:** California Resilience Program, Request for Proposals, 2020 Grant Program  
**Recommendation:** The City Council to review the attached California Resilience 2020 Grant Program and determine if the City of Nevada City desires to submit a request for proposal and authorize the Sierra Fund to write the grant.

**Action:** Motion by Strawser, seconded by Minett authorize the Sierra Fund to write a City grant for the California Resilience 2020 Grant Program.

**(Approved 5 – 0)**

- B. Subject:** A Resolution of the City Council of the City of Nevada City Adopting the First Amendment to the Professional Services Agreement for Legal Services (Jones and Mayer) Appointing Crystal Hodgson as the Contract City Attorney for Nevada City  
**Recommendation:** Pass Resolution 2020-04, a Resolution of the City Council of the Nevada City adopting the first amendment to the Professional Services Agreement for Legal Services (Jones and Mayer) appointing Crystal Hodgson as the contract City Attorney for Nevada City.

**Action:** Motion by Moberg, seconded by Minett to pass Resolution 2020-04, a Resolution of the City Council of Nevada City adopting the first amendment to the Professional Services Agreement for Legal Services (Jones and Mayer) appointing Crystal Hodgson as the contract City Attorney for Nevada City.

**(Approved 4 – 0, Abstention 1)**

**C. Subject:** Funding Opportunities for Undergrounding Overhead Utilities

**Recommendation:** Provide staff direction to request Rule 20A funds from Nevada County to augment the City's allocation of Rule 20A work credits for conversion of overhead electric distribution lines and facilities to underground.

**Action:** Council provided staff direction to work with Nevada County to augment the City's allocation of Rule 20A work credits to undertake project undergrounding electric distribution lines underground within the City.

**D. Subject:** Bollard Options for the City's Historic District

**Recommendation:** Provide the Police Department with direction to move forward with looking into different funding options and equipment options for installing bollards in the Historic District of the City.

**Action:** The Police Department received Council direction to move forward with looking into funding options to install bollards in various locations of the Historic District of the City.

**E. Subject:** Draft Request for Proposals (RFP) for Solar Photovoltaic Projects, including a Potential Project at the Old Airport property

**Recommendation:** Review the draft RFP, make modifications if necessary and approve for distribution to qualified solar photovoltaic system developers.

**Action:** Motion by Strawser, seconded by Parker to make a modification to the RFP that includes an objective that the City desires that any sound and light pollution from the solar system be minimized and approve for distribution an RFP to qualified solar photovoltaic system developers

**(Approved 4 – 0, Absent 1)**

## 5. PUBLIC HEARINGS:

## 6. OLD BUSINESS:

## 7. NEW BUSINESS:

**A. Subject:** Schematic of Parking Structure at Spring Street Parking Lot

**Recommendation:** Provide staff direction to proceed with design of a Parking Structure at Spring Street parking lot.

**Action:** Staff was directed to proceed with working on funding options, design and holding a public presentation on a parking structure at the Spring Street parking lot with parking committee input.

**B. Subject:** Collaborative Homelessness Program with the Hospitality House and Behavioral Health

**Recommendation:** Provide the Police Department with the support and approval to continue the partnership with the Hospitality House, Behavioral Health and Turning Point in finding ways that are more effective in dealing with the homelessness and mental health epidemic in our region.

**Action:** The City Council provided the Police Department the support and approval to continue the partnership with the Hospitality House, Behavioral Health and Turning Point in finding ways of dealing with the homelessness and mental health epidemic in our region.

**C. Subject:** An Ordinance of the City of Nevada City Amending Title 15 of the Nevada City Municipal Code to Adopt the 2019 California Building Standards with Local Amendments

**Recommendation:** Approve finding that CEQA exemptions apply as described herein, finding this action reflects the independent judgment of the City Council of Nevada City; approve for introduction and first reading of Ordinance by title only, waiving further reading of the entire Ordinance.

**Action:** Motion by Strawser seconded by Parker to approve the finding that CEQA exemptions apply as described herein.

**(Approved 4 – 0, Absent 1)**

**Action:** Motion by Strawser seconded by Parker to approve for introduction a first reading of the Ordinance by title only, and waive further reading of the entire Ordinance.

**(Approved 4 – 0, Absent 1)**

**D. Subject:** Funding Plan for Nevada City’s Identified Technological Hardware and Software Needs

**Recommendation:** Seeking Council approval of Nevada City’s Funding Plan for Nevada City’s identified technological hardware and software needs.

**Action:** Motion by Strawser, seconded by Moberg to approve the proposed funding plan for Nevada City’s identified technological hardware and software needs.

**(Approved 4 – 0, Absent 1)**

**8. CORRESPONDENCE:**

**9. ANNOUNCEMENTS:**

**10. CITY MANAGER’S REPORT:** The City Manager provided a verbal report, see the video for detail.

**11. ADJOURNMENT:** - 10:15PM

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**ATTEST:**

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**Reinette Senum, Mayor**

---

**Niel Locke, City Clerk**

# REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

February 12, 2020

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## **TITLE: Pay Scale for Temporary Parks & Recreation Employees**

**RECOMMENDATION:** Pass Resolution 2020-XX, a Resolution for the City Council of the City of Nevada City to adopt the Parks & Recreation part-time employee pay scale.

**CONTACT:** Dawn Zydonis, Parks & Recreation Manager

## **BACKGROUND / DISCUSSION:**

Minimum wage increased from \$12.00 per hour to \$13.00 per hour effective January 1, 2020. This will affect the pay of the temporary employees who work during the summer months in the Parks & Recreation Department.

All new employees will start at Step 1. Returning Employees may earn a step increase. To earn a step increase a returning employee needs to meet the following criteria:

1. The employee cannot request more than seven days off during the summer season.
2. The employee cannot receive any "1's" (needs improvement) on their end of season evaluation.
3. The employee cannot have excessive tardiness or sick days.
4. Other factors are evaluated as well, such as, swim lesson evaluations completed by participants, overall attitude and initiative and timely, accurate completion of paperwork.

The Parks & Recreation Manager serves as the Pool Manager, although this position is included on the pay scale, this position is not generally filled during the summer.

**ENVIRONMENTAL CONSIDERATIONS:** None

**FISCAL IMPACT:** The average pay for swimming pool staff during the 2019 season was \$12.65 per hour. The average pay for the 2020 season is estimated to be \$13.73 per hour.

## **ATTACHMENTS:**

- ✓ Resolution 2020-XX, a Resolution for the City Council of the City of Nevada City to adopt the Parks and Recreation Part-Time Employee Pay Scale
- ✓ Exhibit A: Proposed Pay Scale for Parks & Recreation 2020

**RESOLUTION NO. 2020-XX**

**RESOLUTION FOR THE CITY COUNCIL OF THE CITY OF NEVADA CITY TO  
ADOPT THE PARKS & RECREATION PART-TIME EMPLOYEE PAY SCALE**

**WHEREAS**, the State of California Minimum Wage increased from \$12.00 to \$13.00 per hour effective January 1, 2020; and

**WHEREAS**, this will affect the pay of the temporary part-time employees who work during the summer months in the Parks & Recreation Department;

**NOW THEREFORE, BE IT RESOLVED**, the City Council of Nevada City hereby approves the 2020 Part-time Employee Pay Scale, attached hereto as Exhibit A.

**PASSED AND ADOPTED** at the regularly scheduled meeting of the Nevada City, City Council held on the 12<sup>th</sup> day of February, 2020 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
**Reinette Senum, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Niel Locke, City Clerk**

Nevada City Parks & Recreation  
Part-time Employee Pay Scale

**Proposed 2020 Pay Scale**

State Minimum Wage is \$13/hr effective January 1, 2020

<b>Job Title</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>
Cashier	\$13.00	\$13.25	\$13.50
Lifeguard	\$13.00	\$13.50	\$13.75
Head Lifeguard	\$13.75	\$14.00	\$14.50
Assistant Pool Manager	\$15.00	\$15.50	\$15.75
Pool Manager	\$20.25	\$20.75	\$21.00
Recreation Assistant	\$13.00	\$13.50	\$14.00
Facility & Park Maintenance	\$15.50	\$16.00	\$16.50

# REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

February 12, 2020

---

**TITLE:** Street Closure Request Application for the City of Nevada City Birthday Party

**RECOMMENDATION:** Review and authorize the street closure request application for the City of Nevada City Birthday Party.

**CONTACT:** Loree' McCay, Administrative Services Manager

**BACKGROUND / DISCUSSION:**

Council Member David Parker met with Administrative Services Manager, Loree' McCay December 10, 2019 regarding a request for a street closure. The Nevada City Birthday Party will be held April 16, 2020. The event will include music, a silent auction, cake and other festivities with the possibility of the local businesses participation. The City is suggesting that the streets be closed for the event.

The street closure for the event would be on April 16, 2020 from 4:00 p.m. to 9:00 p.m. on Broad Street between York Street and Pine Street. This closure is supported by all departments.

City staff is suggesting that the City Council consider waiving the street closure fee of \$175 since this is a City sponsored event to benefit residents and businesses in the community.

A summary of the specific event characteristics and recommended staff conditions are included in the application packet.

**ENVIRONMENTAL CONSIDERATIONS:** Not applicable.

**FISCAL IMPACT:** \$175 application fee.

**ATTACHMENTS:**

- ✓ Street Closure/Special Event Application with recommended staff conditions.



**CITY OF NEVADA CITY  
SPECIAL EVENT APPLICATION / CONTRACT**

**EVENT NAME:** Nevada City Birthday

**EVENT INFORMATION.** Please attach a detailed description of your event to this application (e.g. Overall summary, open to the public? How being publicized? Kid/family friendly? Rain or shine? Etc.)

**Type of Event** (Check all that apply)

- Parade/Procession                       Concert/Show/Public Dance  
 Street Festival/Block Party             Fundraiser  
 Run/Walk/Bicycle                          Other: \_\_\_\_\_

Has this event been produced before?    Yes  No  
 Is this an annual event?                      Yes  No  
 Will there be an admission or entry fee?    Yes  No  
 If yes, fee per adult: \$ \_\_\_\_\_            Fee per child: \$ \_\_\_\_\_

**Event Date(s)** 4/16/20

**Expected number of:**  
 Attendees 150-200    Participants 40                      Volunteers \_\_\_\_\_  
 Units and floats for parade: \_\_\_\_\_

**Event Hours**                      Start 5:00 pm                      End 8:00 pm Time  
**Set-up**                                      Date 4/16/20                      4:00 pm Time  
**Break Down**                              Date 4/16/20                      9:00 pm

**Names of street(s), sidewalk(s), alley(s) proposed to be closed** (Attach additional pages or a map if necessary). Note that it may be necessary to consult with a Police Lieutenant (265-2626) and/or the Public Works Superintendent (265-2496) to accurately identify requested street closures.

Broad St. between York & Pine  
 \_\_\_\_\_ between \_\_\_\_\_ & \_\_\_\_\_

**Additional Facilities Requested**

Event organizers may be asked to complete a Facility Rental Contract with details about use of these additional facilities. Rental fees & cleaning deposits may apply.

Robinson Plaza                       Calanan Park                       Other: \_\_\_\_\_

Please note whether your event includes any of the following. If any apply, attach details.

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Amplified sound  | <input type="checkbox"/> Concessions             | <input type="checkbox"/> Food Vendors       |
| <input checked="" type="checkbox"/> Stages/Platforms | <input type="checkbox"/> Food Cooking            | <input type="checkbox"/> Alcohol sales      |
| <input type="checkbox"/> Tents/Temporary Structures  | <input type="checkbox"/> Animals will be present | <input type="checkbox"/> Temporary Lighting |

**APPLICANT INFORMATION**

Sponsoring Organization/Company City of Nevada City  
Name of Applicant/Responsible Party City of Nevada City  
Street Address 317 Broad St Apt/Unit/Suite \_\_\_\_\_  
City Nevada City State CA Zip Code 95959  
Email loree.mccay@nevadacityca.gov  
Daytime Phone 530-265-2496 x134 Cell Phone \_\_\_\_\_

Does the sponsoring organization have experience producing similar events? Yes / No (Circle One)

**Event Contact for Public Information**

Name Loree McCay Contact Phone 530-265-2496 x134  
Email loree.mccay@nevadacityca.gov  
Website N/A

**Day of Event Contact Information**

On-site Contact Name Same  
On-site Contact Cell Number \_\_\_\_\_

**Day of Event ALTERNATE Contact Information**

On-site Contact Name Same  
On-site Contact Cell Number \_\_\_\_\_

**APPLICATION FEES**

The City requires the payment of a non-refundable application fee upon submission of your completed application. Late fees apply to applications filed less than 90 days in advance of an event. The City does not guarantee any application submitted less than 45 days in advance will be able to be submitted to the City Council for consideration prior to the planned event. Please select from the following table the fee(s) that apply to your application:

- \_\_\_\_\_ \$100 Timely application for single new event OR old event with new sponsor
- \_\_\_\_\_ \$50 Timely application for repeat of event with same sponsor
- \_\_\_\_\_ \$25 For each additional application for new event by the same sponsor
- \_\_\_\_\_ \$10 For each additional application for repeat of event with same sponsor
- \_\_\_\_\_ \$75 Additional fee for applications filed less than 90 days in advance of an event
- \_\_\_\_\_ \$100 Rental Fee for Robinson Plaza or Calanan Park
- \_\_\_\_\_ \$100 Cleaning Deposit for use of Robinson Plaza or Calanan Park
- \_\_\_\_\_ \$500 Additional refundable security deposit, (if applicable), payable to the City of Nevada City, is to be paid to the cashier by cash, personal/business check, money order or cashier’s check, for costs associated with city staff and/or extraordinary police services and/or costs of damages to public facilities that may be associated and reasonably foreseen with such event.

\$ \_\_\_\_\_ **Total Fees**

**APPLICANT AUTHORIZATION AND INDEMNITY**

To the extent allowed by law, Applicant agrees to defend, indemnify, and hold harmless the City of Nevada City, its agents, officials, and employees from and against all claims, damages, losses, injuries, illness, accidents relating to, arising out of, or resulting from, the use of this Special Event Application and the information contained therein, and any resulting Contract.

Applicant acknowledges that the information provided in this Application is true and accurate to the best of Applicant’s knowledge and belief.

I have read, understand and agree to comply with all the information provided in the Special Event Application (attached) and any resulting permits and Special Event Contract if approved by the City Council.

\_\_\_\_\_  
*Signature of Applicant/Responsible Party*

\_\_\_\_\_  
*Date*

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## CITY OF NEVADA CITY SPECIAL EVENT GUIDELINES

### OVERVIEW

Thank you for choosing the City of Nevada City as the location for your event. Special events such as fairs, carnivals, rallies/races, festivals, public dances, shows, concerts are an important role in the life of a healthy and vibrant community. However, such events may have a negative effect on surrounding residents and businesses if they are not planned appropriately. The purpose of the special event permitting process is to ensure that there are adequate measures for security, traffic control, crowd control, parking and other health and safety impacts related to a special event. "Special Event" means, for the purposes of this requirement, any activity on public or private property that, due to the anticipated amount of attendees or the nature of the event, is not compatible with the generally intended use of the property for which it is proposed and is characterized by any of the following:

1. Requires city services to ensure compliance with state or local laws; for example, temporary licenses issued by the California Department of Alcoholic Beverage Control, or temporary structure permits;
2. Involves use of city owned or managed property such as public streets, sidewalks, alley, parking lots, plazas or other city owned or managed open spaces;
3. Involves closure, or partial closure, of any public right-of-way, or requires traffic control procedures necessitating the involvement of police or street maintenance personnel;
4. Impairs emergency vehicle access;
5. Requires extraordinary police services in order to protect public safety, health, and/or welfare;
6. Results in impacts to adjacent public or private property because of, for example, the use of live or amplified entertainment or the anticipated impacts on parking.

Exclusions. The following activities shall not be considered a "special event" within the meaning of this chapter and therefore they do not require a special event permit:

- A. An event sponsored by the city.
- B. An event held at a city facility pursuant to a facility rental agreement and it is reasonably foreseeable in the opinion of the chief of police that no extraordinary police services are required;
- C. An event held in a private residence where no admission is charged, the event is not open or advertised to the public, and it is reasonably foreseeable in the opinion of the chief of police that no extraordinary police services are required;
- D. An event held in a members-only facility at which the only participants are the members (and their invited nonpaying guests) and it is reasonably foreseeable in the opinion of the chief of police that no extraordinary police services are required;

- E. Events sponsored by religious entities held in the religious entity's facility that only members by permission attend and it is reasonably foreseeable in the opinion of the chief of police that no extraordinary police services are required;
- F. Events that are authorized by and consistent with existing use permits and licenses governing the establishment, unless that person, entity, or business holds an event that, in the opinion of the chief of police, will foreseeably result in impacts on public safety, health, welfare, and police resources; and
- G. Any entertainment for which other special permits have been obtained, such as, but not limited to, parade permits, dance permits, use permits, and short-term encroachment permits and it is reasonably foreseeable that no extraordinary police services will be required.

The City requires the submittal of a Special Event Application as a pre-condition of considering whether to enter into an agreement to grant a permit for the event or to allow temporary use of all or any portion of a public street, sidewalk, alley, parking lot, plaza or other city owned or managed open space.

Application materials must be completed in full and submitted to the City at least 90 days prior to your event date, and no more than one year in advance of the event date. Applications are accepted on a first-come, first-served basis. A non-refundable application fee must be paid upon submission of your completed application. Use "NA" for "not applicable" to questions or sections that do not apply to your event. Incomplete applications will not be accepted and will delay processing which could affect the availability of your preferred event date or location. Please note the information you provide becomes public information.

City staff will review the Application/Contract. Notes from Police, Fire, Public Works and Parks & Recreation will be presented to City Council for consideration. City Council approves or disapproves your Application/Contract at a formal noticed public meeting. Applicants are strongly encouraged to attend the designated City Council meeting in order to discuss their proposed event and answer related questions. Please ensure you have City Council approval before marketing or advertising your event.

## EVENT REQUIREMENTS

**Alcohol.** If alcohol is sold at your event, an Alcohol Permit from California Alcohol Beverage Control (ABC) is required. Please contact ABC at (916) 419-1319.

**Amplified Sound.** If the event will have amplified sound, applicant is required to have an event staff member responsible for monitoring sound levels to assure compliance with City noise standards when sound/music/noise may be audible beyond the event venue.

**Business License.** All vendors participating in an event held in Nevada City must obtain a current business license. For information about business license requirements, call City Hall at (530) 265-2496 x100.

**Form of Payment.** The City accepts payment in the form of cash, personal/business check, money order or cashier's check. Please note there will be a \$25 service charge for all returned checks.

**Insurance.** The applicant and/or the sponsoring organization is required to provide proof of insurance. A current or valid Certificate of General Liability Insurance in the amount of \$1,000,000 and an

endorsement (CG2026 or equivalent) naming the City of Nevada City as additional insured will be required at least 30 days prior to the event.

**Event Notification.** An event can change the normal flow of residential and business activity potentially causing a negative impact on the community. As the event organizer, you are responsible for notifying those residents and businesses that are adjacent to the planned closure prior to submission of your Application. Applicants must meet the Event Notification requirements unless the event is sponsored by the Nevada City Chamber of Commerce or has been approved and held annually in the same manner for three or more years. The preferred method of notification is the Requested Special Event Notification Form (Addendum A). Unless otherwise exempt, your application materials must include a signed Notification Certification (Addendum B) confirming adjacent residents and businesses were notified of the planned event.

**Parking.** Applicants will be required to work with the Nevada City Police Department to facilitate ingress/egress requirements for event participants.

**Restrooms.** Public restrooms are limited to two for downtown events, one at Robinson Plaza and one in the Commercial Street parking lot. If your event is planned for more than 50 people or in an area away from either public restroom, you may be required to provide restroom accommodations and hand washing facilities for event attendees in the quantity prescribed by the City.

**Waste Management/Recycling.** You are responsible for properly disposing of all waste and garbage throughout the term of your event, and immediately upon conclusion of the event the area must be returned to a clean condition. Therefore, the City may require the applicant to provide trash and recycling containers if the event involves food or drink vendors. Should cleanup be inadequate or damage to City property occurs, you will be billed at full recovery rates, plus overhead for cleanup and repair.

**Runs/Walks/Bicycle.** If you put chalk, stickers or other directional markings on streets, sidewalks or trails, these markings must all be removed at the end of your event.

## CHECKLIST

Before you submit your application to the City of Nevada City, please make sure you have completed the following steps:

- Sign AND date your Application/Contract.
- Attach a detailed event description and additional information as needed
- Secure required insurance for the event.
- Include a Notification Certification (Addendum B) confirming businesses and residents have been notified of the planned event.
- Calculate and include the applicable fee.

**Submit your completed application to:**

City of Nevada City, Attn. Special Event Applications, 317 Broad Street, Nevada City, CA 95959

## Addendum A – Requested Street Closure/Special Event Notification Form

*PLEASE NOTE. You have received this notification because your property/business is located adjacent to a requested temporary street, sidewalk or alley closure that is subject to City Council approval at a future City Council meeting. Please monitor future City Council agendas for consideration of the following request.*

### STREET CLOSURE/SPECIAL EVENT INFORMATION

**Type of Event** (Check all that apply)

Parade/Procession

Concert/Show/Public Dance

Run/Walk/Bicycle

Other: \_\_\_\_\_

Street Festival/Block Party

Fundraiser

**Event Name/Description** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Event Date(s)** \_\_\_\_\_ **Expected Attendance** \_\_\_\_\_

**Event Hours** Start \_\_\_\_\_ End \_\_\_\_\_

**Set-up** Date \_\_\_\_\_ Time \_\_\_\_\_

**Break Down** Date \_\_\_\_\_ Time \_\_\_\_\_

**Names of street(s), sidewalk(s), alley(s) proposed to be closed:**

\_\_\_\_\_ between \_\_\_\_\_ & \_\_\_\_\_

**Sponsoring Organization** \_\_\_\_\_

**Event Contact** \_\_\_\_\_ **Phone Number** \_\_\_\_\_

**Event Website** \_\_\_\_\_

**Addendum B – Notification Certification**

**EVENT INFORMATION**

Sponsoring Organization \_\_\_\_\_

Event Name \_\_\_\_\_

Event Date(s) \_\_\_\_\_

Event Location \_\_\_\_\_

**Signature of Sponsor or Authorized Representative**

I acknowledge I am responsible for providing notice of my requested event to all adjacent residents and businesses and certify that the entities listed below have been notified of the requested event.

Name (printed) \_\_\_\_\_

Signature \_\_\_\_\_

Name/Business	Address	Method of Notification		
		<input type="checkbox"/>	Email	<input type="checkbox"/>
		<input type="checkbox"/>	Hand Delivered	<input type="checkbox"/>
		<input type="checkbox"/>	Mail	
		<input type="checkbox"/>	Email	<input type="checkbox"/>
		<input type="checkbox"/>	Hand Delivered	<input type="checkbox"/>
		<input type="checkbox"/>	Mail	
		<input type="checkbox"/>	Email	<input type="checkbox"/>
		<input type="checkbox"/>	Hand Delivered	<input type="checkbox"/>
		<input type="checkbox"/>	Mail	

*[Attach additional pages as needed]*

**From:** [Sam Goodspeed](#)  
**To:** [Tanya Horton](#); [Bubba Highsmith](#); [Paul Rohde](#)  
**Subject:** RE: Nevada City Birthday  
**Date:** Tuesday, January 07, 2020 12:32:31 PM

---

Tanya,

The Nevada City Fire Department has the following conditions for the proposed Nevada City Birthday event to be held on April 16, 2020.

1. Must maintain 14 ft. FIRE LANES.
2. No parking in RED ZONES.
3. No blocking of FIRE HYDRANTS.

Sincerely,

Sam Goodspeed  
Division Chief  
Grass Valley / Nevada City Fire Department  
Office: (530) 265-2351 ext. 11  
Mobile: (530) 957-9892  
[sam.goodspeed@nevadacityca.gov](mailto:sam.goodspeed@nevadacityca.gov)

**Confidentiality Notice:** The information contained in this e-mail may be confidential and legally privileged. It is intended **only** for use of the individual(s) named. If you are not the intended recipient, you are hereby notified that the disclosure, copying, distribution, or taking of any action in regards to the contents of this e-mail – except its direct delivery to the intended recipient – is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately and destroy this e-mail and any attachments, and delete from your system, if applicable.

---

**From:** Tanya Horton  
**Sent:** Monday, January 6, 2020 3:19 PM  
**To:** Bubba Highsmith <[bubba.highsmith@nevadacityca.gov](mailto:bubba.highsmith@nevadacityca.gov)>; Paul Rohde <[Paul.Rohde@nevadacityca.gov](mailto:Paul.Rohde@nevadacityca.gov)>; Sam Goodspeed <[Sam.Goodspeed@nevadacityca.gov](mailto:Sam.Goodspeed@nevadacityca.gov)>  
**Subject:** Nevada City Birthday

Hello,

Please see the above attachment and advise. Thanks

Thank You,

Tanya Horton

City of Nevada City  
Customer Service Representative  
530-265-2496 x100  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

**From:** [Paul Rohde](#)  
**To:** [Tanya Horton](#)  
**Subject:** Re: Nevada City Birthday  
**Date:** Tuesday, January 07, 2020 1:16:35 PM

---

PD has no objections; if towing is required 72hr notice must be posted

Paul

On Jan 6, 2020, at 15:19, Tanya Horton <[Tanya.Horton@nevadacityca.gov](mailto:Tanya.Horton@nevadacityca.gov)> wrote:

Hello,

Please see the above attachment and advise. Thanks

Thank You,

Tanya Horton  
City of Nevada City  
Customer Service Representative  
530-265-2496 x100  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

<NEVADA CITY BIRTHDAY.pdf>

**From:** [Bubba Highsmith](#)  
**To:** [Sam Goodspeed](#); [Tanya Horton](#); [Paul Rohde](#)  
**Subject:** RE: Nevada City Birthday  
**Date:** Wednesday, January 08, 2020 10:35:40 AM  
**Attachments:** [image002.jpg](#)

---

Public Works is good with the closure. With the following conditions.  
PW will place out Street closed Signs to be placed at appropriate time of closure  
72 HR signs will need to be placed



**Bubba Highsmith**  
**City Of Nevada City**  
**Superintendent of Public Works**  
[bubba.highsmith@nevadacityca.gov](mailto:bubba.highsmith@nevadacityca.gov)  
office: (530) 265-2496 ext. 148  
Cell: (530) 277-0278

**CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.**

---

**From:** Sam Goodspeed <Sam.Goodspeed@nevadacityca.gov>  
**Sent:** Tuesday, January 7, 2020 12:32 PM  
**To:** Tanya Horton <Tanya.Horton@nevadacityca.gov>; Bubba Highsmith <bubba.highsmith@nevadacityca.gov>; Paul Rohde <Paul.Rohde@nevadacityca.gov>  
**Subject:** RE: Nevada City Birthday

Tanya,

The Nevada City Fire Department has the following conditions for the proposed Nevada City Birthday event to be held on April 16, 2020.

1. Must maintain 14 ft. FIRE LANES.
2. No parking in RED ZONES.
3. No blocking of FIRE HYDRANTS.

Sincerely,

Sam Goodspeed  
Division Chief  
Grass Valley / Nevada City Fire Department  
Office: (530) 265-2351 ext. 11  
Mobile: (530) 957-9892  
[sam.goodspeed@nevadacityca.gov](mailto:sam.goodspeed@nevadacityca.gov)

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---

**From:** Tanya Horton  
**Sent:** Monday, January 6, 2020 3:19 PM  
**To:** Bubba Highsmith <[bubba.highsmith@nevadacityca.gov](mailto:bubba.highsmith@nevadacityca.gov)>; Paul Rohde <[Paul.Rohde@nevadacityca.gov](mailto:Paul.Rohde@nevadacityca.gov)>; Sam Goodspeed <[Sam.Goodspeed@nevadacityca.gov](mailto:Sam.Goodspeed@nevadacityca.gov)>  
**Subject:** Nevada City Birthday

Hello,

Please see the above attachment and advise. Thanks

Thank You,

Tanya Horton  
City of Nevada City  
Customer Service Representative  
530-265-2496 x100  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

# REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

February 12, 2020

---

**TITLE: Nevada City Fat Tire Festival Street Closure Request**

**RECOMMENDATION:** Review and authorize the Nevada City Fat Tire Festival street closure request per application.

**CONTACT:** Catrina Olson, City Manager

**BACKGROUND / DISCUSSION:**

On December 5, 2019, the City received an application for a street closure request for the Nevada City Fat Tire Festival sponsored by the Nevada City Fat Tire Festival (NCFTF) and Bicyclists of Nevada County (BONC). The event offers the opportunity for mountain bike enthusiasts, local shops, vendors and businesses to come together in an event to support local mountain bike trails and restoration. The mountain bike festival is planned for June 13, 2020. The following street closure is proposed:

- Pine Street between Spring Street and Commercial Street
- York Street between Broad and Commercial Street
- Broad Street between Union Street and Mill Street

A summary of the specific event characteristics and recommended staff conditions are included in the application packet along with a calendar of existing planned street closures.

**ENVIRONMENTAL CONSIDERATIONS:** Not applicable.

**FISCAL IMPACT:** Not applicable.

**ATTACHMENTS:**

- ✓ Street Closure/Special Event Application
- ✓ Nevada City Fat Tire Festival Presentation



CITY OF NEVADA CITY
SPECIAL EVENT APPLICATION / CONTRACT

RECEIVED

DEC 05 2019

CITY OF NEVADA CITY

EVENT NAME: NEVADA CITY FAT TIRE FESTIVAL

EVENT INFORMATION. Please attach a detailed description of your event to this application (e.g. Overall summary, open to the public? How being publicized? Kid/family friendly? Rain or shine? Etc.)

Type of Event (Check all that apply)

- Parade/Procession, Concert/Show/Public Dance, Street Festival/Block Party, Fundraiser, Run/Walk/Bicycle, Other:

Has this event been produced before? Yes No
Is this an annual event? Yes No
Will there be an admission or entry fee? Yes No
If yes, fee per adult: \$ Fee per child: \$

Event Date(s) JUNE 13TH 2020

Expected number of:

Attendees 2000 Participants Volunteers
Units and floats for parade:

Event Hours Start 5 PM End 10 PM
Set-up Date 4 PM Time 5 PM
Break Down Date 10 PM Time 11 PM

Names of street(s), sidewalk(s), alley(s) proposed to be closed (Attach additional pages or a map if necessary). Note that it may be necessary to consult with a Police Lieutenant (265-2626) and/or the Public Works Superintendent (265-2496) to accurately identify requested street closures.

INCLUDED ON AGENDUM A between &
between &

Additional Facilities Requested

Event organizers may be asked to complete a Facility Rental Contract with details about use of these additional facilities. Rental fees & cleaning deposits may apply.

Robinson Plaza Calanan Park Other:

Please note whether your event includes any of the following. If any apply, attach details.

- Amplified sound, Concessions, Food Vendors, Stages/Platforms, Food Cooking, Alcohol sales, Tents/Temporary Structures, Animals will be present, Temporary Lighting

**APPLICATION FEES**

The City requires the payment of a non-refundable application fee upon submission of your completed application. Late fees apply to applications filed less than 90 days in advance of an event. The City does not guarantee any application submitted less than 45 days in advance will be able to be submitted to the City Council for consideration prior to the planned event. Please select from the following table the fee(s) that apply to your application:

- \$100 Timely application for single new event OR old event with new sponsor
- \$50 Timely application for repeat of event with same sponsor
- \$25 For each additional application for new event by the same sponsor
- \$10 For each additional application for repeat of event with same sponsor
- \$75 Additional fee for applications filed less than 90 days in advance of an event
- \$100 Rental Fee for Robinson Plaza or Calanan Park
- \$100 Cleaning Deposit for use of Robinson Plaza or Calanan Park
- \$500 Additional refundable security deposit, (if applicable), payable to the City of Nevada City, is to be paid to the cashier by cash, personal/business check, money order or cashier's check, for costs associated with city staff and/or extraordinary police services and/or costs of damages to public facilities that may be associated and reasonably foreseen with such event.

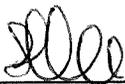
\$ 50 Total Fees

**APPLICANT AUTHORIZATION AND INDEMNITY**

To the extent allowed by law, Applicant agrees to defend, indemnify, and hold harmless the City of Nevada City, its agents, officials, and employees from and against all claims, damages, losses, injuries, illness, accidents relating to, arising out of, or resulting from, the use of this Special Event Application and the information contained therein, and any resulting Contract.

Applicant acknowledges that the information provided in this Application is true and accurate to the best of Applicant's knowledge and belief.

I have read, understand and agree to comply with all the information provided in the Special Event Application (attached) and any resulting permits and Special Event Contract if approved by the City Council.



\_\_\_\_\_  
*Signature of Applicant/Responsible Party*

9/23/19

\_\_\_\_\_  
*Date*

- F. Events that are authorized by and consistent with existing use permits and licenses governing the establishment, unless that person, entity, or business holds an event that, in the opinion of the chief of police, will foreseeably result in impacts on public safety, health, welfare, and police resources; and
- G. Any entertainment for which other special permits have been obtained, such as, but not limited to, parade permits, dance permits, use permits, and short-term encroachment permits and it is reasonably foreseeable that no extraordinary police services will be required.

The City requires the submittal of a Special Event Application as a pre-condition of considering whether to enter into an agreement to grant a permit for the event or to allow temporary use of all or any portion of a public street, sidewalk, alley, parking lot, plaza or other city owned or managed open space.

Application materials must be completed in full and submitted to the City at least 90 days prior to your event date, and no more than one year in advance of the event date. Applications are accepted on a first-come, first-served basis. A non-refundable application fee must be paid upon submission of your completed application. Use "NA" for "not applicable" to questions or sections that do not apply to your event. Incomplete applications will not be accepted and will delay processing which could affect the availability of your preferred event date or location. Please note the information you provide becomes public information.

City staff will review the Application/Contract. Notes from Police, Fire, Public Works and Parks & Recreation will be presented to City Council for consideration. City Council approves or disapproves your Application/Contract at a formal noticed public meeting. Applicants are strongly encouraged to attend the designated City Council meeting in order to discuss their proposed event and answer related questions. Please ensure you have City Council approval before marketing or advertising your event.

## **EVENT REQUIREMENTS**

**Alcohol.** If alcohol is sold at your event, an Alcohol Permit from California Alcohol Beverage Control (ABC) is required. Please contact ABC at (916) 419-1319.

**Amplified Sound.** If the event will have amplified sound, applicant is required to have an event staff member responsible for monitoring sound levels to assure compliance with City noise standards when sound/music/noise may be audible beyond the event venue.

**Business License.** All vendors participating in an event held in Nevada City must obtain a current business license. For information about business license requirements, call City Hall at (530) 265-2496 x100.

**Form of Payment.** The City accepts payment in the form of cash, personal/business check, money order or cashier's check. Please note there will be a \$25 service charge for all returned checks.

**Insurance.** The applicant and/or the sponsoring organization is required to provide proof of insurance. A current or valid Certificate of General Liability Insurance in the amount of \$1,000,000 and an endorsement (CG2026 or equivalent) naming the City of Nevada City as additional insured will be required at least 30 days prior to the event.

# Addendum A – Requested Street Closure/Special Event Notification Form

PLEASE NOTE. You have received this notification because your property/business is located adjacent to a requested temporary street, sidewalk or alley closure that is subject to City Council approval at a future City Council meeting. Please monitor future City Council agendas for consideration of the following request.

## STREET CLOSURE/SPECIAL EVENT INFORMATION

Type of Event (Check all that apply)

- Parade/Procession
- Concert/Show/Public Dance
- Run/Walk/Bicycle
- Fundraiser
- Street Festival/Block Party
- Other: \_\_\_\_\_

Event Name/Description NEVADA CITY FAT TIRE FESTIVAL / GET READY TO <sup>CELEBRATE</sup> ~~IMMERSE YOURSELF~~ WITH NEVADA CITY'S OUTDOOR LIFESTYLE & MOUNTAIN BIKE CULTURE! MTB COMPANIES, LOCAL BUSINESS, LOCAL BREWERIES, KIDS AREA, OUTDOOR FEATURE FILM, LOCAL RESTAURANTS SERVING THE AREA'S FINEST EATS AND AN AFTER PARTY! COME KICK BACK & HAVE FUN!

Event Date(s) JUNE 13TH 2020 Expected Attendance 2000

Event Hours Start 5 PM End 10 PM

Set-up Date 4 PM - Time 5 PM

Break Down Date 10 PM Time 11 PM

Names of street(s), sidewalk(s), alley(s) proposed to be closed:

- BROAD ST between NATIONAL AVE & MILL ST
- N & S PINE ST between SPRING & COMMERCIAL
- YORK ST between BROAD & COMMERCIAL
- \_\_\_\_\_ between \_\_\_\_\_ & \_\_\_\_\_
- \_\_\_\_\_ between \_\_\_\_\_ & \_\_\_\_\_

Sponsoring Organization BIKERS OF NEVADA COUNTY

Event Contact SHANE SCHEMMEGER Phone Number (805) 252-8909

Event Website WWW.NCFATTIREFESTIVAL.COM



Mark your calendars! Get ready to celebrate Nevada City's outdoor and mountain bike lifestyle! Saturday, June 13th 2020 from 5pm to 10pm Nevada City will transform into a mountain bike festival! MTB companies, local business, local breweries, kids' area, outdoor feature mountain bike film and an after party. Our local restaurants will be open serving up the area's finest eats; local shops and friendly businesses will all be open! Come kick back and hang out! You don't want to miss the 2nd annual Nevada City Fat Tire Festival, we'll see you there!!!

Nevada City Fat Tire Festival will be joining the Nevada City Dirt Classic Cross Country Race series, Rotary Century Ride / Big Brothers and Big Sisters Gravel Grind, Brewfest and the Nevada City Classic for a weekend of bicycling and family fun! All 4 events will be scheduled back to back over Saturday and Sunday and promoted under the Nevada City Chamber of Commerce.

Our goal again, bring the community together and celebrate the beautiful, plentiful and amazing outdoor lifestyle Nevada City has to offer.

All proceeds go to Bicyclists of Nevada County and fund trail maintenance and restoration.

We also have reserved 6 spaces for local companies who would like a presence at the festival.

Nevada City Fat Tire Festival promotes a healthy lifestyle and all-inclusive experience for bicycle riders and outdoor enthusiasts. We have selected vendors that represent our goal and with bicycle companies, bicycle components, local beer, personal training, local business promoting healthy lifestyle, injury prevention and recovery, bicycle repair, bicycle travel, bicycle camping and outdoor lifestyle.

Our focus will be family oriented and geared to include the younger generation. Diabetes awareness will be a focus this year with on site testing. There was a lot of positive feedback regarding a hometown, family oriented, youth inspiring festival last year. We'd like to continue to support our community and be a positive presence in families and an active lifestyle option for our community.

Street closure notices will be distributed by hand and mail to all residence and business in the closure area closer to the event. They were handed out 6 months in advance last year, I believe many people / businesses had forgotten. Insurance is provided by Event Helper covering 2000 events goers, the City of Nevada City is undersigned in the insurance coverage. Public Works and Nevada City Police department will both receive a detailed street closure map along with event set up and tear down times.

Nevada City Fat Tire Festival  
Celebrating Outdoor Lifestyle & Mountain Bike Culture

Shane Scrimager  
Event Coordinator  
(805) 252-8909  
[Ncfattirefestival@gmail.com](mailto:Ncfattirefestival@gmail.com)



Google

Map

## Catrina Olson

---

**From:** Bubba Highsmith  
**Sent:** Wednesday, December 11, 2019 9:55 AM  
**To:** Tanya Horton; Paul Rohde; Sam Goodspeed  
**Subject:** RE: Street Closure Request -Fat Tire Festival

72 hr. signs will need to placed  
Otherwise DPW is ok with closure

Bubba Highsmith  
City Of Nevada City  
Superintendent of Public Works  
bubba.highsmith@nevadacityca.gov  
office: (530) 265-2496 ext. 148  
Cell: (530) 277-0278

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

-----Original Message-----

From: Tanya Horton <Tanya.Horton@nevadacityca.gov>  
Sent: Monday, December 9, 2019 10:46 AM  
To: Paul Rohde <Paul.Rohde@nevadacityca.gov>; Sam Goodspeed <Sam.Goodspeed@nevadacityca.gov>; Bubba Highsmith <bubba.highsmith@nevadacityca.gov>  
Subject: Street Closure Request -Fat Tire Festival

Hello,

Please see the attached street closure and respond with comments. Thanks

Thank You,

Tanya Horton  
City of Nevada City  
Customer Service Representative  
530-265-2496 x100

## Catrina Olson

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**From:** Sam Goodspeed  
**Sent:** Wednesday, December 11, 2019 9:33 AM  
**To:** Tanya Horton; Paul Rohde; Bubba Highsmith  
**Subject:** RE: Street Closure Request -Fat Tire Festival

Tanya,

The Nevada City Fire Department has the following conditions for the proposed Fat Tire Festival event to be held on June 13, 2020.

1. Must maintain 14 ft. FIRE LANES.
2. No parking in RED ZONES.
3. No blocking of FIRE HYDRANTS.

Sincerely,

Sam Goodspeed  
Division Chief  
Grass Valley / Nevada City Fire Department  
Office: (530) 265-2351 ext. 11  
Mobile: (530) 957-9892  
sam.goodspeed@nevadacityca.gov

Confidentiality Notice: The information contained in this e-mail may be confidential and legally privileged. It is intended only for use of the individual(s) named. If you are not the intended recipient, you are hereby notified that the disclosure, copying, distribution, or taking of any action in regards to the contents of this e-mail – except its direct delivery to the intended recipient – is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately and destroy this e-mail and any attachments, and delete from your system, if applicable.

-----Original Message-----

From: Tanya Horton  
Sent: Monday, December 9, 2019 10:46 AM  
To: Paul Rohde <Paul.Rohde@nevadacityca.gov>; Sam Goodspeed <Sam.Goodspeed@nevadacityca.gov>; Bubba Highsmith <bubba.highsmith@nevadacityca.gov>  
Subject: Street Closure Request -Fat Tire Festival

Hello,

Please see the attached street closure and respond with comments. Thanks

Thank You,

Tanya Horton  
City of Nevada City  
Customer Service Representative  
530-265-2496 x100

## Catrina Olson

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**From:** Paul Rohde  
**Sent:** Monday, December 9, 2019 1:13 PM  
**To:** Tanya Horton  
**Subject:** RE: Street Closure Request -Fat Tire Festival

Streets must be marked 72 Hour in advance for towing

-----Original Message-----

From: Tanya Horton  
Sent: Monday, December 9, 2019 10:46 AM  
To: Paul Rohde <Paul.Rohde@nevadacityca.gov>; Sam Goodspeed <Sam.Goodspeed@nevadacityca.gov>; Bubba Highsmith <bubba.highsmith@nevadacityca.gov>  
Subject: Street Closure Request -Fat Tire Festival

Hello,

Please see the attached street closure and respond with comments. Thanks

Thank You,

Tanya Horton  
City of Nevada City  
Customer Service Representative  
530-265-2496 x100



## EVENT OVERVIEW

The event offers an opportunity for outdoor enthusiasts, bicyclists, local business and select vendors to come together in an event to support the areas mountain bike trails and bike parks. All support goes directly to local trail building and restoration!



**JUNE 13TH 2020 5PM-10PM**

### **OUTDOOR AND MOUNTAIN BIKE FESTIVAL!**

Come join us to celebrate mountain biking culture! Located in the historic downtown Nevada City and minutes away from some of the area's best trails. The event offers an opportunity for outdoor enthusiasts, bicyclists, local business and select vendors to come together in an event to support the areas mountain bike trails and bike parks. Come, kick back, hang out and know your support goes directly to local trail building and restoration!

NEVADA  
**CYCLING FESTIVAL**  
COUNTY

Nevada City Fat Tire Festival's will be one part of an amazing weekend! We have joined the Rotary Gold Country Century Challenge / Big Brothers and Big Sisters Gravel Grinder, the California Dirt Classic MTB Race #4, the Nevada City Brewfest and the 60th Nevada City Classic Bicycle Race for a weekend of bicycling and family fun!

Our goal is to bring the community together and celebrate the beautiful and amazing outdoor lifestyle Nevada City has to offer.

Our focus will be family oriented and geared to include all ages. We'd like to continue to support our community and be a positive presence in families and healthy lifestyles.



**FIVE EVENTS FOR ONE FAMILY FUN WEEKEND!**



# LOGISTICS



22 VENDORS

OUTDOOR MOUNTAIN BIKE FILM

KIDS FUN AREA

OUTDOOR GAMES & ACTIVITIES

BREWFEST IN THE THREE FORKS LOT

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## LOGISTICS

With local business in mind, store fronts remain clear allowing event patrons to visit, eat, shop, imbibe at all local businesses.

Event notifications to be mailed / hand delivered 2 months prior to event.

Festival insurance secured with the City of Nevada City undersigned

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**Nevada City Fat Tire Festival promotes a healthy lifestyle and experience for bicycle riders and outdoor enthusiasts. We have selected vendors that represent our goal with bicycle companies, bicycle components, local beer, personal training, injury prevention and recovery, bicycle repair, bicycle travel, bicycle camping and outdoor lifestyle.**

- Local breweries to provide select draft beer and will be donating all sales to BONC.
- Event staff will be selling beer tickets in order to I.D. patrons over 21 years of age. (One day ABC license)
- Outdoor screening of Anthill Films "Return to Earth" on North Pine Street.
- Local businesses have been offered to participate but are not required to donate. A mention regarding local restaurants being open and serving NC's finest eats.
- Insurance obtained for 3000 patrons and the City of Nevada City undersigned and within coverage.
- NCPD will be notified of street closure. Public Works will be notified of street closure requirements and barricades.
- Event staff will be checking and directing vendors to assigned spaces.

## Bicyclists of Nevada County

Founded in 1992 BONC is a 501(c)(3) nonprofit organization formed to benefit mountain biking in Nevada County.



BONC is committed to responsible mountain biking, preservation and improvement of riding opportunities, in cooperation with other interest groups and the education of cyclists and non-cyclists alike. BONC regularly holds group rides and trail volunteer days.



## REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

February 12, 2020

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**TITLE:** Ordinance No. 2020-XX Amending Nevada City Municipal Code Section 13.04050 Entitled “Water Rates-Delinquency-Penalties” and Resolution Adopting Water Shut-Off Policy Pursuant to SB 998

**RECOMMENDATION:**

1. Waive reading of Ordinance, read by title only and introduce for first reading Ordinance No. 2020-XX An Ordinance of the City of Nevada City Amending Title 13, Article II, Section 13.04.050 of the Nevada City Municipal Code Entitled “Water Rates—Delinquency—Penalties”.
2. Adopt Resolution No. 2020-XX, a Resolution of the City Council of the City of Nevada City, State of California adopting a Policy on Residential Water Shut-Off for Nonpayment.

**CONTACT:** Crystal V. Hodgson, City Attorney  
Catrina Olson, City Manager

**BACKGROUND/DISCUSSION:**

SUMMARY of SB 998

Senate Bill 998 requires public water providers to follow specified timelines and procedures before discontinuing water service for nonpayment of charges, and it requires all public water systems to have a written policy on water service discontinuation for nonpayment. Specifically, the provisions of the bill would require amendment to the City’s Municipal Code Section related to water billing and the adoption of a written policy. The policy would be applicable to all residential water customers and result in expanded notification procedures prior to service shut off for nonpayment. As an urban and community water system not regulated by the Public Utilities Commission, the City is required to comply with Senate Bill 998 by April 1, 2020.

It is recommended that the City Council introduce Ordinance No. 2020-XX amending Nevada City Municipal Code Section 13.04.050 pertaining to residential water service for nonpayment and adopt Resolution No. 2020-XX adopting a Policy on Residential Water Service Shut-Off for Nonpayment to be effective April 1, 2020.

BACKGROUND

Adopted in 2018, Senate Bill 998 – Water Shutoff Protection Act (“SB 998”) is codified in the California Health and Safety Code to provide additional procedural protections and expand upon the existing safeguards related to utility service disconnections in the Public Utilities Code and Government Code. Under SB 998, public water systems with more than 200 connections are required to adopt a written policy on residential water service shut off for nonpayment, applicable

to all residential water customers. SB 998 includes a number of similar and redundant provisions that are already in existence and codified in the Public Utilities Code and Government Code. Nevertheless, the City must comply with SB 998.

Through the adoption of SB 998, the California Legislature intends to protect Californians from losing access to water service due to inability to pay without proper notice and sufficient time to cure. Specifically, the bill requires an adopted policy by the City, which must fulfill the following key requirements:

- Prohibit discontinuation of residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days; while the delinquent payment is under investigation by the utility or under review for appeal; and while the customer is enrolled in an alternative payment arrangement.
- Provide written or telephone notice at least seven days before discontinuation. The notice must contain information on the delinquent amount, a deadline to contact the utility to arrange for alternative payment arrangements, procedures to avoid discontinuation, and a description of the bill review and appeals process.
- Provide the customer with information on how to restore service and include the utility's contact information to discuss options for averting service discontinuation.
- For residential customers who demonstrate a household income below 200% of the federal poverty line, waive interest charges on delinquent bills and limit the reconnection service fee to \$50 during business hours and \$150 after hours.
- Prohibit discontinuation under certain medical and financial circumstances if the customer agrees to an alternative payment arrangement and provides certification.
- Require the utility to make good faith effort to inform by written notice both the customer of record and residential tenants that water service will be discontinued if payment or payment arrangements are not arranged.

In an effort to ensure transparency and accessibility, SB 998 requires translations of the adopted policy in the following languages: English, Spanish, Chinese, Vietnamese, Tagalog, Korean and any other language spoken by 10% of the service area. The policy in the languages above must be posted on the agency's website and made available upon request.

## DISCUSSION

SB 998 prohibits a City water provider from disconnecting service for nonpayment of service charges until a bill has been delinquent for at least sixty (60) days, and then City must give notices in the time periods and manner set forth in the new law. Nevada City Municipal Code Section 13.04.050 (A)(1) dictates that a water bill is delinquent when it remains unpaid for thirty (30) days, and may be shut-off after a ten-day notice is given. Therefore, the City's current billing procedure operates in exceedance of the 60-day minimum provision contained in SB 998.

The City's billing procedure is as follows:

1. The City bills on a bimonthly cycle and customers receive a water bill approximately 60 days from the close of the billing cycle. Language on the City's water bill specifies that charges shall become delinquent if not paid within the date specified which is approximately 30 days (but no less than 30 days) from the date of mailing indicated on the bill.
2. A first past due notice is mailed to the customer the first day after the due date, indicating that the bill is then delinquent.
3. A second past due reminder is posted on the property on the 8<sup>th</sup> day after the first past due notice. The final notice includes language stating that the account is subject to service shut off if the balance is not paid within twenty-four (24) hours.

In order to comply with provisions under SB 998, staff recommends amending Section 13.04.050 of the Municipal Code to revise the timing for determination of water bill delinquency and to provide for the required sixty (60) days before water service may be disconnected. Staff also recommends the City Council adopt a residential water shut-off policy which would change the billing procedure to conform to the requires of SB 998, as follows:

1. The City will continue billing water service on a bimonthly basis. Language on the City's water bill would be changed to specify that water charges are due fifteen (15) days from the bill's mailing date.
2. AT least seven business days before discontinuation of residential service for nonpayment, the City will mail to the customer of record, and the Occupant, if the customer is not also the occupant, the first past due notice, containing the customer's name and address; the amount of the delinquency; the date by which the payment or payment arrangements must be made to avoid discontinuation of service; the procedure by which the customer may initiate a complaint or request an investigation or appeal concerning service or charges; the descriptions of the procedure by which the customer may request an alternative payment arrangement, which may include an extension, amortization, alternative payment schedule, or payment reduction; the procedure for the customer to obtain information on financial assistance, if applicable; and the telephone number for customer service at the City.
3. At least twenty-four (24) hours before the disconnection date, the City will notify the customer of record or the occupant by telephone that the bill is still delinquent and water service will be shut-off if charges are not paid, and if the City is not able to reach the customer or occupant by telephone, the City will post the notice on the property address of the delinquent account.

The proposed residential water shut-off policy also contains the following changes:

- Incorporates written notification prior to service discontinuation, as required, based on the applicable customer circumstances described in the policy.
- Implements third party notification service to seniors and dependent adults, where the City will attempt to notify a person designated by the customer to receive notification when the customer's account is past-due and subject to service termination. For residences where the

landlord is the customer of service, notify the occupants or tenants of their right to become customers of the City.

- Implements a procedure for delinquent customers, who meet statutory criteria demonstrating their inability to pay or under special medical circumstances, to request alternative payment options including payment extensions, amortizations, alternative payment schedules, or payment reductions. The City Manager has the discretion to select the most appropriate alternative payment options.

Further, SB 998 specifically requires the agency to allow a residential customer to contest or appeal their bill for the City Council's final determination. This would only occur after the City Manager has reviewed the customer's complaint and offered an alternative payment arrangement. If the customer requests to appeal to the City Council for a final determination, the customer will need to file written appeal with the Deputy City Clerk and schedule to be heard at a City Council meeting. The City Manager will work with the customer to resolve a disputed bill. The appeal to City Council would be the last step added to the Department's existing procedure for such instances.

Lastly, the City will be required to report the number of annual discontinuations of residential service for nonpayment on its agency website and to the State Water Resources Control Board. SB 998 would require the City to comply by April 1, 2020, subject to fines for noncompliance.

Given Nevada City's local demographics, translation of the new policies into Spanish, Chinese, Vietnamese, Tagalog, and Korean will sufficiently meet the 10% service area requirement identified in SB 998.

**ENVIRONMENTAL CONSIDERATIONS:**

The proposed action does not constitute a project under the California Environmental Quality Act ("CEQA"), and it can be seen with certainty that it will have no impact on the environment. Thus, this matter is exempt under CEQA.

**FINANCIAL CONSIDERATIONS:**

The financial impact is not clear at this time. Costs associated with printing notices and translation will be absorbed in the City's operating budget. Additional staff time will be required to implement the policy; however, the impact would be minimal.

**ATTACHMENTS:**

- ✓ Ordinance No. 2020-XX, an Ordinance of the City of Nevada City Amending Title 13, Article II, Section 13.04.050 of the Nevada City Municipal Code Entitled "Water Rates – Delinquency – Penalties"
- ✓ Resolution No. 2020-xx, a Resolution of the City council of the City of Nevada City, State of California Adopting a Policy on Residential Water Service Shut-Off for Nonpayment

**ORDINANCE NO. 2020-XX**

**AN ORDINANCE OF THE CITY OF NEVADA CITY AMENDING TITLE 13, ARTICLE II, SECTION 13.04.050 OF THE NEVADA CITY MUNICIPAL CODE ENTITLED “WATER RATES—DELINQUENCY—PENALTIES”**

**WHEREAS**, the City of Nevada City, California ("City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

**WHEREAS**, the City owns and operates a public water system that supplies water to residential, commercial, and industrial customers throughout the City’s jurisdiction; and

**WHEREAS**, in 2018, the California State Legislature adopted Senate Bill 998 (“SB 998”) which adopted new and expanded protections regarding discontinuation of water service for nonpayment and related matters; and

**WHEREAS**, the City desires to amend Title 13 (Public Services), Article II (Service), Section 13.04.050 (Water rates—Delinquency—Penalties) to ensure consistency with the requirements of SB 998 and other laws.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF NEVADA CITY DOES ORDAIN AS FOLLOWS:**

SECTION 1. Section 13.04.050 of the Nevada City Municipal Code entitled “Water rates—Delinquency--Penalties” is hereby amended to read as follows:

“13.04.050 - Water rates—Delinquency—Penalties.

A. Delinquency.

1. Each water bill shall be due and payable upon presentation, and shall become delinquent fifteen (15) days after the date of mailing. If the bill is not paid within sixty (60) days of the delinquency date, service may be discontinued. Service discontinued because of non-payment shall not be resumed until all bills, plus reconnection fees have been paid. Any charge or expense required by any provision of this Title 13 to be borne or paid by the consumer may be billed with any bill for service and if not paid when due the entire bill shall be deemed delinquent for the purpose of this Chapter.

2. Where water has been shut off from any premises for nonpayment of a water bill, it shall not be turned on again until payment has been made in full, or a promissory note and agreement for payment has been signed by the responsible person, or upon authorization by the city manager. The City Council may, by resolution or motion, adopt a policy for discontinuation of residential water service. Such policy may include, but may not be limited to, additional procedures concerning billing, discontinuation of service, notifications,

restoration of service, contesting or appealing a bill, extensions and alternative payment arrangements, protections available to qualified low-income customers, and related matters. To the extent a policy adopted pursuant to this section conflicts with any provisions of this Chapter, the policy shall control.

3. The chief of police, or his representative, upon request, shall accompany the superintendent of public works, or his authorized representative, for the purpose of shutting off the water from the premises of anyone who has violated any of the provisions of this chapter, or who has become delinquent in the payment of his water bill.

4. In all cases the owner of the property to which water is supplied shall be responsible for the payment of the water bill. All charges for water shall be a charge upon the property to which such water is supplied, and shall constitute a lien upon such property.

5. The lien created shall be recorded with the county recorder. The lien shall continue until the charge and all penalties thereon are fully paid or the property sold therefor.

B. Penalties.

1. The basic penalty shall be a charge of ten percent of each month's charges for the first month delinquent.

2. In addition to the basic, there shall be due and payable a penalty of one-half of one percent per month for nonpayment of the basic charges and basic penalty.

3. On the first day of the calendar month following the date of payment specified in the bill the charge shall become delinquent if the bill or that portion thereof which is not in bona fide dispute remains unpaid.

4. All such charges and penalties may be collected as provided in the Revenue Bond Law of 1941 (Government Code § 54300 et seq.).”

SECTION 2. CEQA. The City Council has determined that the proposed Ordinance is not a “project” as defined by the California Environmental Quality Act (“CEQA”) Guidelines Section 15378.

SECTION 3. Severability. If any portion of this ordinance is found to be unenforceable, each such provision shall be severed, and all remaining portions of this ordinance shall be enforced to the maximum extent legally permissible.

SECTION 4. Effective Date. The City Clerk shall certify to the adoption of this Ordinance and shall cause a copy of the same to be published at least once in the official newspaper of the City within fifteen (15) days after its adoption. This Ordinance shall become effective on the 31st day after adoption.

[SIGNATURES ON THE NEXT PAGE]

**PASSED AND ADOPTED** at the regular meeting of the City Council of the City of Nevada City on the 12<sup>th</sup> day of February, 2020 by the following vote:

**AYES:**

**NOES:**

**ABSENT**

**ABSTAIN:**

---

**Reinette Senum, Mayor**

**ATTEST:**

---

**Niel Locke, City Clerk**

**APPROVED AS TO FORM**

---

**Crystal V. Hodgson, City Attorney**

**RESOLUTION NO. 2020-XX**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF NEVADA CITY, STATE OF CALIFORNIA,  
ADOPTING A POLICY ON RESIDENTIAL WATER SERVICE SHUT-OFF FOR  
NONPAYMENT**

**WHEREAS**, California Health and Safety Code Section 116906 requires each urban and community water system, including the City of Nevada City ("City"), to have a written policy on discontinuation of residential service for nonpayment, and such written policy must address specified subjects required by law; and

**WHEREAS**, pursuant to Section 13.04.050 of the Nevada City Municipal Code, the City Council may, by resolution or motion, adopt a policy for discontinuation of residential water service, and such policy may include, but may not be limited to, provisions concerning billing procedures, discontinuation of service, notification procedures, restoration of service, procedures to contest or appeal a water bill, extensions or other alternative payment arrangements, protections available to qualified low-income customers, procedures for becoming a customer of the City under specified circumstances, and related matters; and

**WHEREAS**, the City Council desires to adopt the Policy for Discontinuation of Residential Water Service attached to this Resolution.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEVADA CITY,  
CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:**

**SECTION 1.** The City Council hereby adopts the attached Policy for Discontinuation of Residential Water Service (the "Policy"). As provided in Section 13.04.050 of the Nevada City Municipal Code, to the extent any provision of the Policy conflicts with any provisions of Title 13, Article II of the Municipal Code, the Policy shall control.

**SECTION 2.** If any section, subsection, clause or phrase in the Policy or the application thereof to any person or circumstances is for any reason held invalid, the validity of the remainder of the Policy or the application of such provisions to other persons or circumstances shall not be affected thereby. The City Council hereby declares that it would have adopted the Policy and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof to any person or circumstance be held invalid.

**SECTION 3.** This Resolution shall become effective April 1, 2020.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Nevada City at a public meeting held on the 12<sup>th</sup> day of February, 2020 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

**Reinette Senum, Mayor**

**ATTEST:**

By: \_\_\_\_\_  
**Niel Locke, City Clerk**

## **POLICY ON RESIDENTIAL WATER SERVICE SHUT-OFF FOR NONPAYMENT**

1. **Application of Policy.** This Policy on Residential Water Service Shut-Off for Nonpayment ("Policy") shall apply to all City accounts for residential water service, but shall not apply to any accounts for non-residential service. To the extent this Policy conflicts with any other rules, regulations, or policies of the City, this Policy shall control.
2. **Contact Information.** For questions or assistance regarding your water bill, the City's Customer Service staff can be reached at (530) 265-2496. Customers may also visit the City Hall Service Center in person Monday through Friday from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m., except on City holidays.
3. **Billing Procedures.** Water service charges are payable to the City once every two months or at such other frequency as determined by the City Council from time to time. All bills for water service are due and payable upon presentation and shall become delinquent fifteen (15) calendar days after date of mailing.
4. **Discontinuation of Water Service for Nonpayment.** If a bill is delinquent for at least sixty (60) calendar days, the City may discontinue water service to the service address.

4.1 Written Notice to Customer. The City will provide a mailed notice to the customer of record at least seven (7) business days before discontinuation of water service. The notice will contain:

- (a) the name and address of the customer;
- (b) the amount of the delinquency;
- (c) the date by which payment or payment arrangements must be made to avoid discontinuation of service;
- (d) the procedure by which the customer may initiate a complaint or request an investigation or appeal concerning service or charges;
- (e) a description of the procedure by which the customer may request an alternative payment arrangement, which may include an extension, amortization, alternative payment schedule, or payment reduction;
- (f) the procedure for the customer to obtain information on financial assistance, if applicable; and
- (g) the telephone number where the customer may request a payment arrangement or receive additional information from the City.

## 4.2 Written Notice to Occupants or Tenants.

(a) If the City furnishes individually metered service to a single-family dwelling, multi-unit residential structure, mobile home park, or farm labor camp and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, or if the customer of record's mailing address is not the same as the service address, the City will also send a notice to the occupants living at the service address at least ten (10) days before discontinuation of water service. The notice will be addressed to "Occupant," will contain the information required in Section 4.1 above, and will inform the residential occupants that they have the right to become customers of the City without being required to pay the amount due on the delinquent account. Terms and conditions for occupants to become customers of the City are provided in Section 8 below.

(b) If the City furnishes water through a master meter in a multi-unit residential structure, mobile home park, or permanent residential structures in a labor camp and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the City will make a good faith effort to inform the occupants, by means of written notice posted on the door of each residential unit at least ten (10) calendar days prior to termination, that the account is in arrears and the service will be terminated on a date specified in the notice. If it is not reasonable or practicable to post the notice on the door of each unit, the City will post two (2) copies of the notice in each accessible common area and at each point of access to the structure or structures. The notice will inform the residential occupants that they have the right to become customers of the City without being required to pay the amount due on the delinquent account. The notice will also specify what the occupants are required to do in order to prevent termination of, or to reestablish service; the estimated monthly cost of service; the title, address, and telephone number of a representative of the Public Works Department who can assist the occupants in continuing service. Terms and conditions for occupants to become customers of the City are provided in Section 8 below.

4.3 Posting of Notice at Service Address. If the City is unable to make contact with the customer or an adult person living at the service address in person or by telephone, the City will make a good faith effort to leave a notice of imminent discontinuation of residential service and a copy of this Policy in a conspicuous place at the service address. The notice and copy of this Policy will be left at the residence at least twenty-four (24) hours before discontinuation of service. The notice will include:

- (a) the name and address of the customer;
- (b) the amount of the delinquency;
- (c) the date by which payment or payment arrangements must be made to avoid discontinuation of service;

- (d) the procedure for the customer to obtain information on financial assistance, if applicable; and
- (e) the telephone number where the customer may request a payment arrangement or receive additional information from the Public Works Department.

4.4 Circumstances Under Which Service Will Not Be Discontinued. The City will not discontinue residential water service for nonpayment under the following circumstances:

- (a) During an investigation by the Public Works Department of a customer dispute or complaint under Section 5.1 below;
- (b) During the pendency of an appeal to the City Council under Section 5.3 below; or
- (c) During the period of time in which a customer's payment is subject to a Public Works Department-approved extension, amortization, alternative payment schedule, or reduction under Section 6 below, and the customer remains in compliance with the approved payment arrangement.

4.5 Circumstances Under Which Service Through a Master Meter Will Not Be Discontinued. If the Public Works Department furnishes water through a master meter in a multi-unit residential structure, mobile home park, or permanent residential structures in a labor camp and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the Public Works Department will not discontinue residential water service for nonpayment under the following circumstances:

- (a) If a delinquent account relates to another property owned, managed, or operated by the customer;
- (b) If a public health or building officer certifies that termination would result in a significant threat to the health or safety of the residential occupants or the public.

4.6 Special Medical and Financial Circumstances Under Which Services Will Not Be Discontinued.

- (a) The Public Works Department will not discontinue water service if all of the following conditions are met:
  - (i) The customer, or a tenant of the customer, submits to the City the certification of a licensed primary care provider that discontinuation of water service will be life threatening to, or pose a serious threat to the health and safety of, a resident of

the premises where residential service is provided;

(ii) The customer demonstrates that he or she is financially unable to pay for residential service within the City's normal billing cycle. The customer is deemed financially unable to pay during the normal billing cycle if: (a) any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or (b) the customer declares under penalty of perjury that the household's annual income is less than 200 percent of the federal poverty level; and

(iii) The customer is willing to enter into an alternative payment arrangement, including an extension, amortization, alternative payment schedule, or payment reduction with respect to the delinquent charges.

(b) For any customers who meet all of the above conditions, the City shall offer the customer one of the following options, to be selected by the City in its discretion: (1) an extension of the payment period; (2) amortization of the unpaid balance; (3) an alternative payment schedule; or (4) a reduced payment. The Public Works Director will select the most appropriate payment arrangement, taking into consideration the information and documentation provided by the customer, as well as the City's payment needs. Any payment arrangement entered into pursuant to this Section will be subject to the terms, conditions, and remedies, in Section 6.

(c) The customer is responsible for demonstrating that the conditions in subsection (a) have been met. Upon receipt of documentation from the customer, the City will review the documentation within seven (7) calendar days and: (1) notify the customer of the alternative payment arrangement selected by the City and request the customer's signed assent to participate in that alternative arrangement; (2) request additional information from the customer; or (3) notify the customer that he or she does not meet the conditions in subsection (a).

(d) The City may discontinue water service if a customer who has been granted an alternative payment arrangement under this section fails to do any of the following for sixty (60) days or more: (a) to pay his or her unpaid charges by the extended payment date; (b) to pay any amortized amount due under the amortization schedule; (c) to pay any amount due under an alternative payment schedule; (d) to pay the reduced payment amount by its due date; or (e) to pay his or her current charges for water service. The City will post a final notice of

intent to disconnect service in a prominent and conspicuous location at the service address at least five (5) business days before discontinuation of service. The final notice will not entitle the customer to any investigation or review by the City.

4.7 Time of Discontinuation of Service. The City will not discontinue water service due to nonpayment on a Saturday, Sunday, legal holiday, or at any time during which the City's office is not open to the public.

4.8 Restoration of Service. Customers whose water service has been discontinued may contact the City by telephone or in person regarding restoration of service. Restoration shall be subject to payment of: (a) any past-due amounts, including applicable interest or penalties; (b) any reconnection fees, subject to the limitations in Section 7.1, if applicable; (c) and a security deposit, if required by the City.

## 5. **Procedures to Contest or Appeal a Bill.**

5.1 Time to Initiate Complaint or Request an Investigation. A customer may initiate a complaint or request an investigation regarding the amount of a bill within ten (10) calendar days of receiving a disputed bill. For purposes of this Section 5.1 only, a bill shall be deemed received by a customer five (5) calendar days after mailing.

5.2 Review by City. A timely complaint or request for investigation shall be reviewed by the City Manager, who shall provide a written determination to the customer. The review will include consideration of whether the customer may receive an extension, amortization, alternative payment schedule, or payment reduction under Section 6.

5.3 Appeal to City Council. Any customer whose timely complaint or request for an investigation pursuant to this Section 5 has resulted in an adverse determination may appeal the determination to the City Council by filing a written notice of appeal with the City Clerk within ten (10) business days of the City's mailing of its determination. Upon receiving the notice of appeal, the City Clerk will set the matter to be heard at an upcoming City Council meeting and mail the customer written notice of the time and place of the hearing at least ten (10) calendar days before the meeting. The decision of the City Council shall be final.

## 6. **Extensions and Other Alternative Payment Arrangements.**

6.1 Time to Request an Extension or Other Alternative Payment Arrangement. Customers who met the criteria of Section 4.3 (a) above may request an extension or other alternative payment arrangement described in this Section 6. If a customer submits his or her request within thirteen (13) calendar days after mailing a written notice

of discontinuation of service by the City, the request will be reviewed by the City Manager. City decisions regarding extensions and other alternative payment arrangements are final and are not subject to appeal to the City Council.

6.2 Extension. If approved by the City, a customer's payment of his or her unpaid balance may be temporarily extended for a period not to exceed six (6) months after the balance was originally due. The City Manager shall determine, in his or her discretion, how long an extension shall be provided to the customer. The customer shall pay the full unpaid balance by the date set by the City and must remain current on all water service charges accruing during any subsequent billing periods. The extended payment date will be set forth in writing and provided to the customer.

6.3 Amortization. If approved by the City, a customer's payment of his or her unpaid balance may be amortized over a period not to exceed twelve (12) months, as determined by the City Manager, in his or her discretion. If amortization is approved, the unpaid balance will be divided by the number of months in the amortization period, and that amount will be added to the customer's monthly bills for water service until fully paid. During the amortization period, the customer must remain current on all water service charges accruing during any subsequent billing periods. The amortization schedule and amounts due will be set forth in writing and provided to the customer.

6.4 Alternative Payment Schedule. If approved by the City, a customer may pay his or her unpaid balance pursuant to an alternative payment schedule that will not exceed twelve (12) months, as determined by the City Manager in his or her discretion. If approved, the alternative payment schedule may allow periodic lump-sum payments that do not coincide with the City's established payment date or may provide for payments made more or less frequently than the City's regular payment date. During the period of the alternative payment schedule, the customer must remain current on all water service charges accruing during any subsequent billing periods. The alternative payment schedule and amounts due will be set forth in writing and provided to the customer.

6.5 Payment Reduction. At the discretion of the Public Works Director, a customer may receive a reduction of the unpaid balance owed by the customer for water service. The City Manager shall determine, in his or her discretion, whether to grant a reduced payment. The amount of the reduced payment and the due date will be set forth in writing and provided to the customer.

6.6 Failure to Comply. If a customer fails to comply with a payment arrangement approved by the City under this section, or fails to pay his or her current charges for water service, and the original amount due is more than 60 days delinquent, the District may discontinue water service. The City will post a final notice of intent to disconnect service in a prominent and conspicuous location at the service address at least five (5) business days before discontinuation of service. The final notice will not entitle the customer to any investigation or review by the City.

**7. Specific Programs for Low-Income Customers.**

7.1 Reconnection Fee Limits and Waiver of Interest. For residential customers who demonstrate to the City a household income below 200 percent of the federal poverty line, the City will:

- (a) Limit any reconnection fees during normal operating hours to fifty dollars (\$50), and during non-operational hours to one hundred fifty dollars (\$150). The limits will only apply if the City's reconnection fees actually exceed these amounts. These limits are subject to an annual adjustment for changes in the Bureau of Labor Statistics' Consumer Price Index for All Urban Consumers (CPI-U) beginning January 1, 2021.
- (b) Waive interest charges on delinquent bills once every 12 months. The City will apply the waiver to any interest charges that are unpaid at the time of the customer's request.

7.2 Qualifications. The City will deem a residential customer to have a household income below 200 percent of the federal poverty line if: (a) any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or (b) the customer declares under penalty of perjury that the household's annual income is less than 200 percent of the federal poverty level.

**8. Procedures for Occupants or Tenants to Become Customers of the City.**

8.1 Agreement to City Terms and Conditions of Service. The City will make service available to the actual residential occupants if each occupant agrees to the terms and conditions of service and meets the requirements of the City's rules and regulations. Notwithstanding, if one or more of the occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the City, or if there is a physical means, legally available to the City, of selectively discontinuing service to those occupants who have not met the requirements of the City's rules and regulations, the City shall make service available to the occupants who have met those requirements.

8.2 Verification of Tenancy. In the case of a detached single-family dwelling, in order for the amount due on the delinquent account to be waived, an occupant who becomes a customer shall verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code, at the discretion of the City.

8.3 Deductions from Rental Payment. Pursuant to Government Code Section 60371(d), any occupant who becomes a customer of the City pursuant to this Section 8 and whose periodic payments, such as rental payments, include charges for residential water service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the City for those services during the preceding payment period.

9. **Third Party Notification Service for Seniors and Dependent Adults.** The City will make available, to residential customers who are 65 years or older, or who are dependent adults (as defined in Welfare and Institutions Code Section 15610(b)(1)), a third-party notification service whereby the City will attempt to notify a person designated by the customer to receive notification when the customer's account is past-due and subject to termination. The notification will include information on what is required to prevent termination of service. The City will mail the notification to the designated third party at least ten (10) calendar days before termination of service. To participate, the customer must submit a request for third-party notification on a form provided by the City, and must include the written consent of the designated third party. The notification service does not obligate the third party to pay any overdue charges, nor shall it prevent or delay termination of service.

10. **Language for Certain Written Notices.** All written notices under Section 4 and Section 6.6 of this Policy shall be provided in English, Spanish, Chinese, Tagalog, Vietnamese, Korean, and any other language spoken by ten percent (10%) or more people within the City's service area.

11. **Other Remedies.** In addition to discontinuation of water service, the City may pursue any other remedies available in law or equity for nonpayment of water service charges, including, but not limited to: securing delinquent amounts by filing liens on real property, filing a claim or legal action, or referring the unpaid amount to collections. In the event a legal action is decided in favor of the City, the City shall be entitled to the payment of all costs and expenses, including attorneys' fees and accumulated interest.

12. **Discontinuation of Water Service for Other Customer Violations.** The City reserves the right to discontinue water service for any violations of City ordinances, rules, or regulations other than nonpayment.

# REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

February 12, 2020

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## **TITLE: Adjustment to Downtown Employee Parking Permit Fee**

**RECOMMENDATION:** Pass Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City establishing revised fee for Nevada City Downtown Employee Parking Permit.

**CONTACT:** Catrina Olson, City Manager  
Bubba Highsmith, DPW Superintendent

## **BACKGROUND:**

The City has a Downtown Employee Parking Permit Program in place. This program allows downtown employees and business owners to purchase a parking permit so that they are exempt from parking time zones. Three lots allow the permit to be used, Lower Spring Street Lot, Nevada Street Lot and the back half of the Commercial Street Lot (only beyond the bathrooms.) There are 100 permits available to purchase, as there are 118 parking spaces to use the permits. For more information on the current program, please refer to the attachment Downtown Parking Permit Program. The current price for a parking permit is \$15.00 a month or \$90.00 for six months. At the January 30, 2020 Parking Committee meeting, the Committee unanimously agreed that an increase to \$40.00 a month or \$240.00 for six months is justified as it reflects the increase in hourly parking rates. It was determined in the assessment of the current permit fee that the old price was far too low and the proposed increase more accurately reflects the cost of the new adjusted hourly rate increase to the meters in town, but incorporates a significant savings over paying at the meter. The Committee also added two vehicles could be associated to a permit. Staff has prepared a Resolution for City Council consideration.

**ENVIRONMENTAL CONSIDERATIONS:** Not applicable.

## **FISCAL IMPACT:**

With the adjustment and all 100 permits being sold this would increase the Downtown Employee Permit revenue by \$25,000.00 annually.

## **ATTACHMENTS:**

- ✓ Resolution 2020-XX- a Resolution of the City Council of the City of Nevada City establishing revised fee for Nevada City Downtown Employee Parking Permit.
- ✓ Downtown Parking Permit Program (old)
- ✓ Downtown Parking Permit Application (old)
- ✓ Price Sheet Break Down
- ✓ Downtown Parking Permit Program (updated)
- ✓ Downtown Parking Permit Application (updated)

## RESOLUTION 2020-XX

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY ESTABLISHING AJUSTMENT TO THE DOWNTOWN EMPLOYEE PARKING PERMIT FEE

**WHEREAS**, the City has a Downtown Employee Parking Permit Program in place. This program allows downtown employees and business owners to purchase a parking permit so that they are exempt from parking time zones. Three lots allow the permit to be used, Lower Spring Street Lot, Nevada Street Lot and the back half of the Commercial Street Lot (only beyond the bathrooms.) There are 100 permits available to purchase, as there are 118 parking spaces to use the permits; and

**WHEREAS**, City Council directed staff to create a committee to evaluate and come up with solutions for parking and parking rates in Nevada City and bring recommendations back to City Council for consideration; and

**WHEREAS**, the Parking Committee had a meeting on January 30, 2020 at 4 p.m. and unanimously agreed that an adjustment was needed to be made to Downtown Employee Parking Permit fee to \$40.00 a month or \$240.00 semiannually; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City Nevada City that the adjusted fee for the Downtown Employee Parking Permit change from \$15.00 a month or \$90.00 semiannually to \$40.00 an month or \$240.00 semiannually.

**ADOPTED** at the regular meeting of the City Council of the City of Nevada City on the 12<sup>th</sup> day of February, 2020 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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**Reinette Senum, Mayor**

**ATTEST:**

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**Niel Locke, City Clerk**



# City of Nevada City

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## Downtown Employee Parking Permit Program

### *How it Works:*

- ✓ Purchase of Parking Permit will exempt a vehicle from the time zone parking limitation in specified areas, if the parking is part of a commute to work.
- ✓ To be eligible, you must be an owner or employee in the downtown historical district
- ✓ Employee Parking Permits will be good for the hours of 7:00 a.m. to 6:00 p.m., Mon-Sat.
- ✓ The cost is \$15 per month. Permits are sold in 6-month increments at \$90.00 each. The permit(s) expire December 31 and June 30. (Note: The cost of a permit is prorated during the 6-month period. You only pay for the months remaining during the cycle).

### *How to Participate:*

- ✓ Bring: Proof of employment; vehicle registration(s) of vehicles participating in program.
- ✓ Payment for the permit may be either from the business or the employee.
- ✓ Permits will be valid on a 6-month calendar bases, January–June; July–December.
- ✓ To apply for your Parking Permits, arrive in person and please contact City Hall, 317 Broad Street, Mon-Fri 8AM-12; 1PM-5PM.
- ✓ Permits are only issued to the registered owner of the vehicle. A permit cannot be passed on to another person.

### *Remember:*

- ✓ We will waive 1 parking ticket in lieu of purchase of a parking permit.
- ✓ There will be a POC fee of \$10.00, for any tickets after parking permit purchase, if you fail to place your pass on the window as instructed, only in the designated parking lots, only with a proof of photo.
- ✓ Permit Parking Zones are only valid in the designated all-day parking lots of: Commercial St. Lot (only in the back half beyond the bathrooms), Nevada St. lot and lower lot of Spring St. Lot.
- ✓ Permit Parking EXEMPTS business owners and employees from the parking time zones.
- ✓ Without a Parking Permit, other drivers can park in that zone at any time, but they must adhere to the parking time limit or pay the meter.
- ✓ Permit Parking will eliminate the need for owners/employees to move their vehicles and will increase available prime parking for customers in the downtown.
- ✓ Lost or Stolen permits may be replaced for \$15.00
- ✓ A parking permit shall not guarantee or reserve a parking space nor shall it excuse the observance of any traffic or parking regulation, (red zones, not in designated spot, etc). The parking permit does not excuse the holder from moving their vehicles from public streets during a declared snow emergency, special event or other temporary use due to emergency repairs, etc. In most cases temporary signs will be posted with 24 hour notice.



# City of Nevada City

## Downtown Employee Parking Permit Application

LAST NAME \_\_\_\_\_ FIRST NAME \_\_\_\_\_ M.I. \_\_\_\_\_

(Please Print)

ADDRESS \_\_\_\_\_ APT# \_\_\_\_\_ ZIP \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_ PHONE: \_\_\_\_\_ VEHICLE PLATE # \_\_\_\_\_

VEHICLE MAKE: \_\_\_\_\_ VEHICLE MODEL: \_\_\_\_\_ VEHICLE COLOR: \_\_\_\_\_ YEAR \_\_\_\_\_

PLACE OF EMPLOYMENT \_\_\_\_\_

BUSINESS ADDRESS \_\_\_\_\_

Street #, Street Name

Business Telephone

When applying for an Employee parking permit you must include the following

- INCLUDE:
1. The completed signed application.
  2. A copy of current vehicle registration.
  3. Proof of Employment: pay stub or letter from employer
  4. Employee Paid Permit Fee- (\$90.00 semi-annually)
  5. Issuance of checks payable to the "CITY OF NEVADA CITY"

A Downtown Employee paid parking permit is only valid in the designated all-day parking lots of the Commercial Lot, Lower Spring Street Lot and Nevada Street Lot.

I HEREBY SWEAR, UNDER PENALTY OF PERJURY, THAT I HAVE NO OUTSTANDING TICKETS IN THE CITY OF NEVADA CITY, THAT THE ABOVE INFORMATION IS CORRECT, THAT I AM THE RESIDENT OF THE ADDRESS ABOVE AND THAT THE ABOVE REFERENCED VEHICLE IS REGISTERED AND PRINCIPALLY GARAGED AT THE ABOVE ADDRESS.

X \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Signature of applicant month day year

### THIS SECTION FOR OFFICE USE ONLY

DOCUMENTS PROVIDED-COPY OF VEHICLE REGISTRATION \_\_\_\_

UTILITY BILL \_\_ LEASE \_\_ DRIVER'S LICENSE \_\_ OTHER \_\_

PERMIT # ISSUED \_\_\_\_\_ DATE \_\_\_\_/\_\_\_\_/\_\_\_\_ Check # \_\_\_\_\_ Cash Amount \$ \_\_\_\_\_

# Nevada City Employee Parking Permits

	<b>Current Price</b>	<b>Suggested Price</b>	<b>Price with equal parking meters</b>	
6 Month	\$90.00	\$240.00	\$520.00	
Per Month	\$15.00	\$40.00	\$86.67	
Per Week	\$3.46	\$9.20	\$20.00	
Per Day	\$0.69	\$1.84	\$4.00	
Per Hour.	<b>\$0.08</b>	<b>\$0.23</b>	<b>\$0.50</b>	

Based on a 40 hour a week employee



# City of Nevada City

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## Downtown Employee Parking Permit Program

### *How it Works:*

- ✓ Purchase of Parking Permit will exempt a vehicle from the time zone parking limitation in specified areas, if the parking is part of a commute to work.
- ✓ To be eligible, you must be an owner or employee in the downtown historical district
- ✓ Employee Parking Permits will be good for the hours of 7:00 a.m. to 6:00 p.m., Mon-Sat.
- ✓ The cost is \$40 per month. Permits are sold in 6-month increments at \$240.00 each. The permit(s) expire December 31 and June 30. (Note: The cost of a permit is prorated during the 6-month period. You only pay for the months remaining during the cycle).

### *How to Participate:*

- ✓ Bring: Proof of employment; vehicle registration(s) of vehicles participating in program.
- ✓ Payment for the permit may be either from the business or the employee.
- ✓ Permits will be valid on a 6-month calendar bases, January–June; July–December.
- ✓ To apply for your Parking Permits, arrive in person and please contact City Hall, 317 Broad Street, Mon-Fri 8AM-12; 1PM-5PM.
- ✓ Permits are only issued to the registered owner of the vehicle or vehicles. A permit cannot be passed on to another person.

### *Remember:*

- ✓ We will waive 1 parking ticket in lieu of purchase of a parking permit.
- ✓ There will be a POC fee of \$10.00, for any tickets after parking permit purchase, if you fail to place your pass on the window as instructed, only in the designated parking lots, only with a proof of photo.
- ✓ Permit Parking Zones are only valid in the designated all-day parking lots of: Commercial St. Lot (only in the back half beyond the bathrooms), Nevada St. lot and lower lot of Spring St. Lot.
- ✓ Permit Parking EXEMPTS business owners and employees from the parking time zones.
- ✓ Without a Parking Permit, other drivers can park in that zone at any time, but they must adhere to the parking time limit or pay the meter.
- ✓ Permit Parking will eliminate the need for owners/employees to move their vehicles and will increase available prime parking for customers in the downtown.
- ✓ Lost or Stolen permits may be replaced for \$20.00
- ✓ A parking permit shall not guarantee or reserve a parking space nor shall it excuse the observance of any traffic or parking regulation, (red zones, not in designated spot, etc). The parking permit does not excuse the holder from moving their vehicles from public streets during a declared snow emergency, special event or other temporary use due to emergency repairs, etc. In most cases temporary signs will be posted with 24 hour notice.



# City of Nevada City

## Downtown Employee Parking Permit Application

LAST NAME \_\_\_\_\_ FIRST NAME \_\_\_\_\_ M.I. \_\_\_\_\_  
(Please Print)

ADDRESS \_\_\_\_\_ APT# \_\_\_\_\_ ZIP \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_ PHONE: \_\_\_\_\_

VEHICLE 1 PLATE # \_\_\_\_\_ VEHICLE 1 MAKE: \_\_\_\_\_ VEHICLE 1 MODEL: \_\_\_\_\_

VEHICLE 1 COLOR: \_\_\_\_\_ YEAR \_\_\_\_\_

VEHICLE 2 PLATE # \_\_\_\_\_ VEHICLE 2 MAKE: \_\_\_\_\_ VEHICLE 2 MODEL: \_\_\_\_\_

VEHICLE 2 COLOR: \_\_\_\_\_ YEAR \_\_\_\_\_

PLACE OF EMPLOYMENT \_\_\_\_\_

BUSINESS ADDRESS \_\_\_\_\_  
Street #, Street Name Business Telephone

When applying for an Employee parking permit you must include the following

- INCLUDE:
1. The completed signed application.
  2. A copy of current vehicle registration.
  3. Proof of Employment: pay stub or letter from employer
  4. Employee Paid Permit Fee- (\$240.00 semi-annually)
  5. Issuance of checks payable to the "CITY OF NEVADA CITY"

A Downtown Employee paid parking permit is only valid in the designated all-day parking lots of the Commercial Lot, Lower Spring Street Lot and Nevada Street Lot.

I HEREBY SWEAR, UNDER PENALTY OF PERJURY, THAT I HAVE NO OUTSTANDING TICKETS IN THE CITY OF NEVADA CITY, THAT THE ABOVE INFORMATION IS CORRECT, THAT I AM THE RESIDENT OF THE ADDRESS ABOVE AND THAT THE ABOVE REFERENCED VEHICLE IS REGISTERED AND PRINCIPALLY GARAGED AT THE ABOVE ADDRESS.

X \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Signature of applicant month day year

### THIS SECTION FOR OFFICE USE ONLY

DOCUMENTS PROVIDED-COPY OF VEHICLE REGISTRATION \_\_\_\_  
UTILITY BILL \_\_ LEASE \_\_\_\_ DRIVER'S LICENSE \_\_\_\_ OTHER \_\_\_\_

PERMIT # ISSUED \_\_\_\_\_ DATE \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Check # \_\_\_\_\_ Cash Amount \$ \_\_\_\_\_

# REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

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February 12, 2020

## **TITLE: Swimming Pool Program Fees Update**

**RECOMMENDATION:** Conduct a Public Hearing and upon conclusion pass Resolution 2020-XX, a Resolution of the City of Nevada City adopting updated fee schedule for swimming pool programs.

**CONTACT:** Dawn Zydonis, Parks & Recreation Manager

## **BACKGROUND / DISCUSSION:**

Due to the ~10% increase in minimum wage between the 2019 summer season and 2020 summer season, staff recommends that a few program fees be adjusted.

For the 2019 season, most program fees were raised 10% to accommodate the increase in wages for swimming pool employees. Two programs were only increased 5%; Junior Lifeguard Camp and Swim Lessons.

The attached Proposed Fee Schedule shows that staff is recommending that those 2 programs that only had a 5% increase, be increased another 5% this season to meet the increase made in other program fees.

A new fee is being recommended for a period of time during the summer, July 1-7, 2020, a reduced admission fee for active military and veterans. The recommended admission fee is \$1.00.

As noted on the Proposed Fee Schedule, swim lessons and Junior Lifeguard Camp pay an additional 6.1% fee. This fee is charged by our registration program, ActiveNet. The City does not receive any portion of that 6.1%.

Additional program fees to consider are the Lifeguard Training Class and Summer Day Camp fees. The Lifeguard Training fee is shared with Northern Sierra Swimming (NSS). Typically, NSS provides the facility for the class and Nevada City processes registration and the Parks & Recreation Manager teaches and organizes the class. Summer Camps are provided by outside vendors. The vendor provides the program materials and staffing, Nevada City processes registration and provides the facility. The Camp Vendor decides on the rate of the class based on their costs and the City receives approximately 30% of the registration fee. Registration for summer camps are also charged the 6.1% fee for the registration program.

**ENVIRONMENTAL CONSIDERATIONS:** None

**FISCAL IMPACT:** The increases in program fees are designed to cover the increase in costs for employee salaries, facilities and overhead.

## **ATTACHMENTS:**

- ✓ Resolution 2020-XX, a Resolution of the City of Nevada City Adopting Updated Fee Schedule for Swimming Pool Programs
- ✓ Exhibit A: Proposed 2020 Swimming Pool Program Fee Schedule

**RESOLUTION NO. 2020-XX**

**RESOLUTION OF THE CITY OF NEVADA CITY  
ADOPTING UPDATED FEE SCHEDULE FOR SWIMMING POOL PROGRAMS**

**WHEREAS**, the City operates a community swimming pool in Pioneer Park; and

**WHEREAS**, last summer the City's pool had an average daily attendance of 151 patrons, 397 children participated in swim lessons and approximately 62 adults participated in water exercise on a regular basis; and

**WHEREAS**, pool fees provide partial reimbursement for the cost of providing pool services.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Nevada City to adopt Exhibit A: 2020 Fee Schedule for Swimming Pool Programs.

**PASSED AND ADOPTED** at a regular scheduled meeting of the City Council held on this 12<sup>th</sup> day of February, 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
**Reinette Senum, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Niel Locke, City Clerk**

NEVADA CITY PARKS & RECREATION - FEE SCHEDULE FOR THE SWIMMING POOL PROGRAMS

Exhibit A

2020 PROPOSED FEES

Public Swim

	<u>2018</u>	<u>2019</u>	<u>2020 Proposed Fee</u>
Child 1yr - 17 yr	\$2.75	\$3.00	\$3.00
Adult 18 -64 yr	\$3.75	\$4.00	\$4.00
Seniors (65 and older)	\$2.00	\$2.00	\$2.00
0-12 months & 18+ who are not swimming		\$2.00	\$2.00
July 1-7: military discount			\$1.00

5% increase from 2018 fees
10% increase from 2018 fees
Proposed 5% increase from 2019 fees
New fee for 2020

Adult Programs

	<u>2018</u>	<u>2019</u>	<u>2020 Proposed Fee</u>
Drop In	\$5.00	\$5.50	\$5.50
Punch Card (11 entries)	\$45.00 (10 entries)	\$49.50 (10 entries)	\$49.50 (10 entries)

\*Swim Lessons and Junior Lifeguard Camp registration are processed through our online system, ActiveNet, the program registration fee is 6.10%

Birthday Parties - "Splash Bash"

	<u>2018</u>	<u>2019</u>	<u>2020 Proposed Fee</u>
During Public Swim Times (20 people)	\$80.00	\$88.00	\$88.00

10% fee for any approved refunds

Private Rentals

	<u>2018</u>	<u>2019</u>	<u>2020 Proposed Fee</u>
1-50 People	\$155.00	\$170.50	\$170.50
51-100 People	\$200.00	\$220.00	\$220.00
101-150 People	\$250.00	\$275.00	\$275.00

Junior Lifeguard

	<u>2018</u>	<u>2019</u>	<u>2020 Proposed Fee*</u>
Junior Lifeguard Program	\$180.00	\$189.00	\$198.00

Swimming Lessons

	<u>2018</u>	<u>2019</u>	<u>2020 Proposed Fee*</u>
Mini Session	\$25.00	\$26.25	\$27.50
Group	\$65.00	\$68.25	\$71.50
Private 1 Person	\$130.00	\$136.50	\$143.00
Private 2 Person	\$160.00	\$168.00	\$176.00
Private 3 Person	\$190.00	\$199.50	\$209.00

Season Passes

	<u>2018</u>	<u>2019</u>	<u>2020 Proposed Fee</u>
Family Passes	\$240.00	\$264.00	\$264.00
Individual Season Passes - Adults	\$120.00	\$132.00	\$132.00
Individual Season Passes - Child	\$80.00	\$84.00	\$84.00

Lifeguard Training

Full Lifeguard Class	\$185.00	\$195.00	\$195.00
Recertification Class	\$75.00	\$75.00	\$75.00

## REPORT TO CITY COUNCIL

February 12, 2020

**City of Nevada City**  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

---

**TITLE: Consideration of Ordinance Amendments for the Regulation of Wireless Telecommunication Facilities in the City**

**RECOMMENDATION:** Provide staff direction on whether or not to have the Consulting Attorney incorporate requested Ordinance amendments.

**CONTACT:** Amy Wolfson, City Planner  
Catrina Olson, City Manager

**BACKGROUND / DISCUSSION:**

At a second reading on September 25, 2019, the City Council, by a vote of 4 in favor and 1 abstention, approved Ordinance No. 2019-06, an Ordinance for the Regulation of Wireless Telecommunication Facilities in the City amending Chapter 17.150 and renaming it “Wireless Telecommunication Facilities in the City.”

At the City Council meeting on November 13, 2019, Council discussed a table outlining results of a privately sponsored public workshop along with a “tracked-changes” version of the Ordinance provided by Mayor Senum. Councilmember Strawser advised that he had met with members of the public regarding the requested changes and they had come to a consensus over amendments to send to the Baron Bettenhausen Consulting Attorney and Robert Ross of CMS for consideration, which were provided to each of them following the meeting.

Baron Bettenhausen and Bob Ross both responded with their comments on the amendments. This information was forwarded to the working group on February 4, 2020 for review with a follow-up meeting (date to be determined) with Council Member, Strawser and finally Baron Bettenhausen. The working group has not had ample time to review Bettenhausen’s and Ross’s comments and hold the follow-up meetings, and therefore a request of continuance of this item to a future meeting is in order to avoid the expense of re-noticing this item. Staff recommends continuing this item to a date certain.

**ENVIRONMENTAL CONSIDERATIONS:** Not applicable at this time.

**FINANCIAL CONSIDERATIONS:** Protracted involvement of the Attorneys in drafting and changing the Wireless Facilities Ordinance is resulting in higher than average Attorney billings. It has been guesstimated by Bettenhausen that additions of amendments to the Ordinance could result in an additional 4 – 6 hours at \$175 per hour. Noting again this is a guesstimate.

# REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

February 12, 2020

**TITLE: Freeway Visible Sign Amendment – Chevron Price Signage at 301 Sacramento Street**

**RECOMMENDATION:** Review the “as-installed” modified signage and make a recommendation.

**CONTACT:** Amy Wolfson, City Planner

**BACKGROUND:**

The subject property is depicted on the 1898 Sanborn Maps, though at that time it was developed with a residential dwelling unit. The property is not within the Historic District. It is currently developed with a Chevron gas station and a convenience market. Staff has received several complaints about the brightness of the gas price displays that replaced the prior signage several months ago. Staff sent a letter to the property owner on January 24, 2020 informing them of the requirement to submit an application for any alteration of freeway-visible signage. Applicant Carl Cook of United Signs timely filed an application with the City on February 3, 2020.

The prior gas pricing sign was approved by the City Council at their meeting on January 2008, which included replacing a previously approved 1992 pole sign. The approved 2008 signage included LED downwash lighting. Section 12.08.010 of the Nevada City Municipal Code provides standards for advertising along freeways, and requires such signage obtain approval from the City Council.

**AS-INSTALLED SIGN PROPSAL:** The installed signage features electronic pricing displays that can be electronically modified. Pricing digits are illuminated with LED pixels on a black module. According to the manufacturer, the brightness of the LED pixels can be regulated between 10% and 100%. Lights are programmed to be at 10% brightness at night and 100% brightness during the day. The overall dimensions of the sign remain the same as was previously approved in 2008.



2008 approved sign



As-installed replacement signage (currently unpermitted)

## **REGULATORY CONSIDERATIONS:**

***Freeway Visible Signage:*** The City Council, as a part of their review and determination for sign permits under [Chapter 12.08], shall have design review authority and may require that any proposed sign be modified prior to construction. Design review shall obtain a reasonable balance between the advertising needs of the applicant, the aesthetic scenic corridor goals of the City's General Plan, and the architecture of the neighborhood such that the sign will not be detrimental to the public welfare, and will enhance the architecture of the neighborhood and protect the scenic corridor in Nevada City." It also states: "The Council may consider the location, the nature and visibility of the business, the types of existing signs in the area, the level of development in the sign location, the likelihood of light spill from the sign, and other site specific facts. The Council may require modification of the sign's size, materials, colors, illumination, pole height, and other design elements as a condition of approval. "

Section 12.08.010 of the Nevada City Municipal Code provides standards for advertising along freeways, and states that "it is unlawful for any person, firm or corporation to place, alter or relocate within the territorial limits of the city any advertising structure or sign which is visible from a freeway, without first obtaining a permit to do so from the city council, and no such permit shall be issued except in compliance with the provisions of this chapter."

***Outdoor Lighting Ordinance:*** Section 17.80.215 of the City Municipal Code includes the following provisions:

- All such lighting shall be limited to the minimum necessary for safety and security
- Lighting fixtures shall be shielded or recessed to minimize light spill to adjoining properties by:
  - Ensuring that the light source (e.g., bulb) is shielded and directed downward with no more than a 30-degree horizontal deflection from the light source. 2.
  - Confining glare and reflections within the boundaries of the site to the maximum extent feasible.
- No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness.

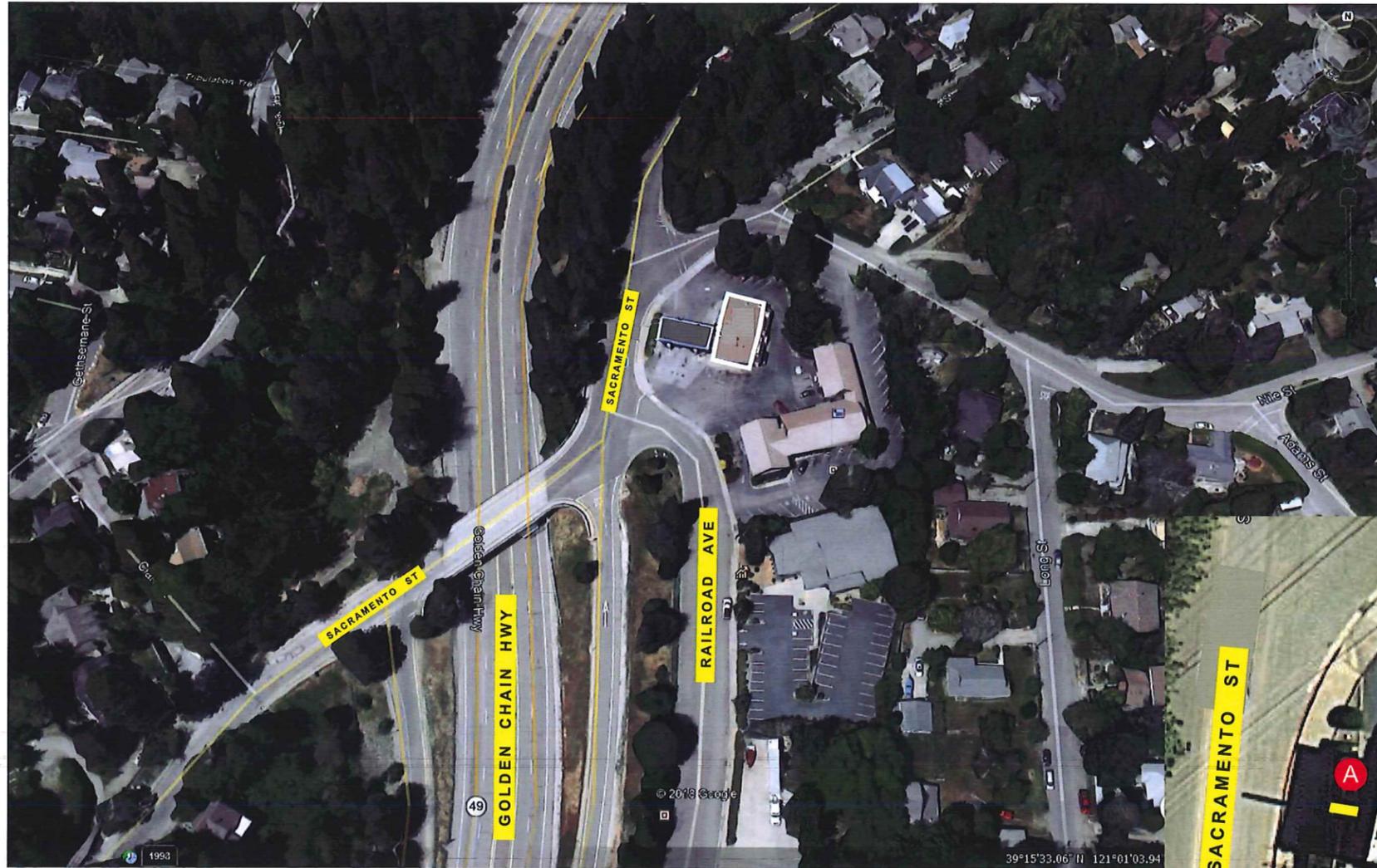
***Scenic Corridor:*** The subject property is designated with a scenic corridor (SC) combining district. This designation is applied to land areas which are adjacent to roads and highways which are indicated on the General Plan with the symbol for scenic corridors, and as may be designated by the city council from time to time. These roadways are generally entryways to Nevada City which were recognized in the General Plan as being particularly important to protect the existing essential character of Nevada City, namely that of a small, compact historical town surrounded by green, wooded hills, by hiding development from view from the highways and preserving the existing tree cover to the greatest extent possible, and assuring visually pleasing corridors. As discussed above, the planning commission may require the incorporation of special conditions of approval or design features, prior to approval.

***Environmental Review:*** Staff has determined that the project is exempt from environmental review pursuant to §15303 (Class 3) of the California Environmental Quality Act (CEQA) guidelines. The CEQA Guidelines for Categorical Exemption §15303, allows for the construction and location of limited numbers of new, small facilities or structures, the installation of small new equipment and facilities in small structures, and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The proposed sign alteration is considered a small accessory facility to the fueling station, and therefore meets the criteria for a Class 3 exemption.

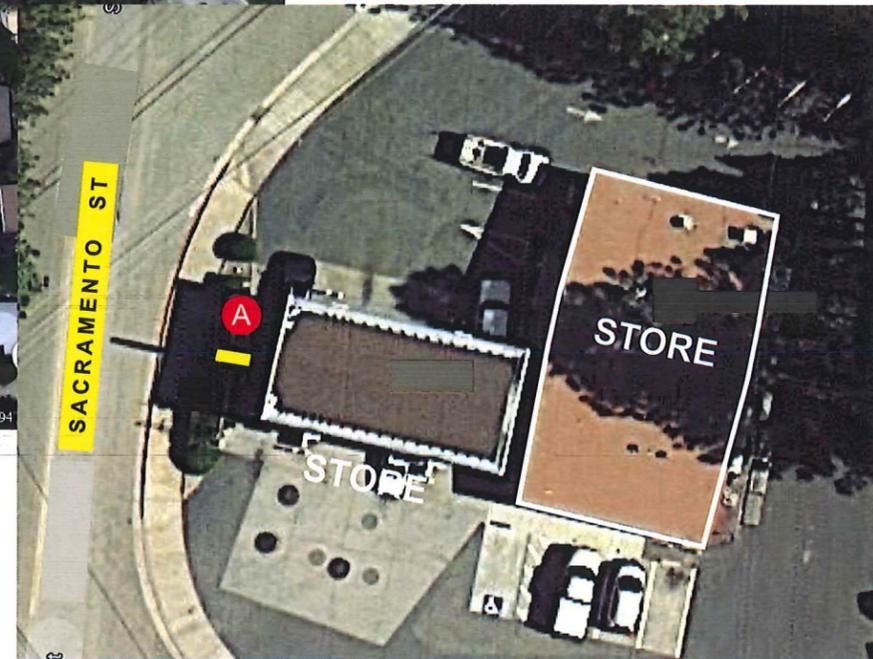
**FINANCIAL CONSIDERATIONS:** None

## **ATTACHMENTS:**

- ✓ Freeway Visible Sign Application



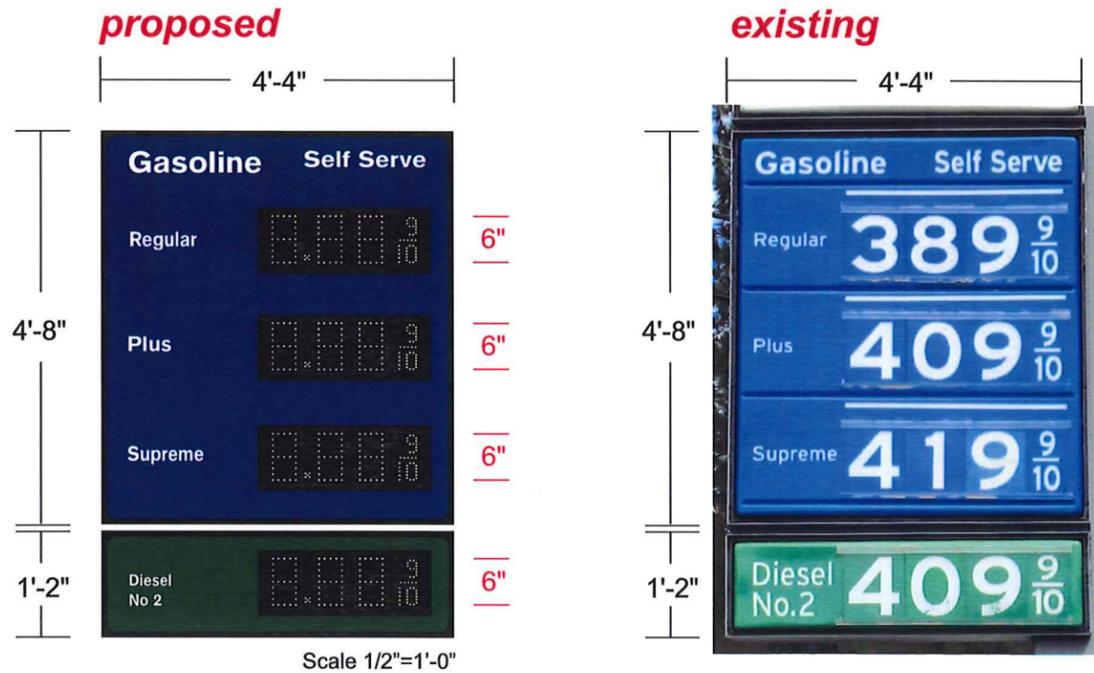
Vicinity Map



Site plan

- 1) This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.
- 2) The location of the disconnect switch after installation shall comply with the Srtical 600.6 (A)(1) of the National Electrical Code

		JOB INFO		FILE	ELECT.	SPECIFICATIONS
 C.S.C.L. # 718965 DESIGN MANUFACTURING INSTALLATION MAINTENANCE	5201 Pentecost Drive Modesto, Calif. 95356 1-800-481-SIGN FAX (209) 543-1326	<b>JOB #:</b> 000 <b>CLIENT:</b> CHEVRON <b>CONTACT:</b> <b>DATE:</b> 1-31-20 <b>PROJECT LOCATION:</b> 301 SACRAMENTO ST NEVADA CITY, CA	<b>SALESPERSON:</b> BRIAN CAMPBELL <b>DRAWN BY:</b> BAM PAGE 3 OF 3  CLIENT APPROVAL _____ DATE _____ LANDLORD APPROVAL _____ DATE _____	<b>REVISIONS:</b> 00-00-00  <b>SCALE:</b> NOTED  <b>FILE NAME:</b> CHEVRON nevada city pylon reface	120 Volt <input type="checkbox"/> 277 Volt <input type="checkbox"/> Other <input type="checkbox"/>  one box above <b>MUST</b> be checked prior to any mfg.	See Drawing for Specifications   <small>This Design layout is specific to 120 volt electrical power for approved illuminated signage. Any other voltage at job site that requires additional install trips will be an extra charge. Copyright 2000 USS United Sign Systems This artwork/design is sole property of USS United Sign Systems and cannot be reproduced without written permission of Johnson Sign Systems</small>



Scale 1/2"=1'-0"

**Sign A: (partial reface)  
Existing D/F Illum. C-45 Fuel Sign**

**Scope of Work:**

- 1) remove & junk existing changeable fuel faces
- 2) order, receive & install new PWM LED fuel faces
- 3) retro-fit electrical as needed



Photo Elevation (fuel pylon sign)



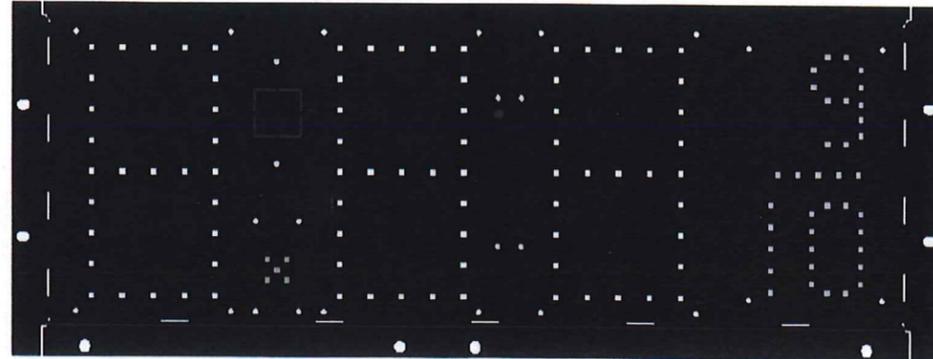
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<p>5201 Pentecost Drive Modesto, Calif. 95356 1-800-481-SIGN FAX (209) 543-1326 C.S.C.L. # 718965</p> <p>DESIGN MANUFACTURING INSTALLATION MAINTENANCE</p>	<p><b>JOB #:</b> 000 <b>CLIENT:</b> CHEVRON <b>CONTACT:</b> <b>DATE:</b> 1-31-20 <b>PROJECT LOCATION:</b> 301 SACRAMENTO ST NEVADA CITY, CA</p>	<p><b>SALESPERSON:</b> BRIAN CAMPBELL <b>DRAWN BY:</b> BAM PAGE 1 OF 3</p> <p>CLIENT APPROVAL _____ DATE _____ LANDLORD APPROVAL _____ DATE _____</p>	<p><b>REVISIONS:</b> 00-00-00</p> <p><b>SCALE:</b> NOTED</p> <p><b>FILE NAME:</b> CHEVRON nevada city pylon reface</p>	<p><b>ELECT.</b></p> <p>120 Volt <input type="checkbox"/> 277 Volt <input type="checkbox"/> Other <input type="checkbox"/></p> <p>one box above MUST be checked prior to any mfg.</p>	<p><b>SPECIFICATIONS</b></p> <p>See Drawing for Specifications</p>

Technical Data



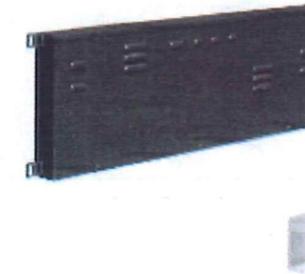
**PWM PSDU-21-06W**



- PWM-PSDU-21-06W; consist of three digits and a 9/10 from type ILD-06W-NN installed behind an acrylic cover inside a sign with following technical data:
  - Input voltage from the E-Box is **15V DC**
  - Maximum current per PSDU-21-06W is **1.8 A** (all digits 888 9/10 and 100% brightness)
  - Maximum power consumption is **27W** (all digits 88.88 and 100% brightness)
  - Average power consumption per day is **11.1 Wh** (at a normal price displayed just 75% of the LED's are ON and the brightness during the night time is 10% and during the day time 100%)
  - Brightness regulation between 10% and 100% over the sensor
  - Automatic light control over the sensor for additional lights inside the sign.
- The used LED inside the digits and 9/10 from type ILD-06W-NN are surface mounted with the parameters:
  - Forward Voltage 3.2V DC at  $I_f = 20\text{mA}$
  - Luminous Intensity 1,900Mcd to 2,300Mcd at  $I_f = 20\text{mA}$
  - Color correlated Temperature 2,600K up to 7,000K
  - Viewing Angle 115°

- The 6" LED digit type ILD-06W-NN is working with following maximal parameters:
  - Voltage: **15V DC**
  - Current max: **0.50A**
  - Consumption: **7.5W**
  - Candela/m<sup>2</sup>: **17,193.6 cd/m<sup>2</sup>**

**E-Box**



- E-Box is the power and control system for the PWM-PSDU-21-06W inside the sign:
  - Efficiency of used Power Supply SP-320-15 is 86% at input voltage 100V – 240V AC
  - Sign controller LCSSL-05 could control maximum 8 PWM-PSDU-21-06W for 4 lines double sided.

Product data PWM-PSDU-21-06W.docx

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<p>5201 Pentecost Drive Modesto, Calif. 95356 1-800-481-SIGN FAX (209) 543-1326</p> <p>C.S.C.L. # 718965</p> <p>DESIGN MANUFACTURING INSTALLATION MAINTENANCE</p>		JOB INFO		FILE		ELECT.		SPECIFICATIONS	
		<p>JOB #: 000                  CLIENT: CHEVRON                  CONTACT:                  DATE: 1-31-20                  PROJECT LOCATION:                  301 SACRAMENTO ST                  NEVADA CITY, CA</p>		<p>SALESPERSON: BRIAN CAMPBELL                  DRAWN BY: BAM                  PAGE 2 OF 3</p> <p>CLIENT APPROVAL _____ DATE _____                  LANDLORD APPROVAL _____ DATE _____</p>		<p>REVISIONS:                  00-00-00 _____</p> <p>SCALE:                  NOTED</p> <p>FILE NAME:                  CHEVRON                  nevada city                  pylon reface</p>		<p>120 Volt <input type="checkbox"/>                  277 Volt <input type="checkbox"/>                  Other <input type="checkbox"/></p> <p>one box above                  MUST be checked                  prior to any mfg.</p>	

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*The City of Nevada City is working hard on a variety of projects and activities to serve the community. This correspondence provides the City Council and citizens with a periodic update on citywide activities and events.*

*~ Catrina Olson, City Manager*

### KUDOS

➤ **2019 W. Lon Cooper New Construction Award**

The City received a construction award plaque at the Chamber installation dinner in honor of the Tennis Court Bathrooms at Pioneer Park. Thanks for all the hard work of Architect, Greg Wolters, Barsotti Contracting, City Engineer, Bryan McAlister, Consulting Engineer, Bill Falconi, Public Works Superintendent, Bubba Highsmith and Parks and Recreation Manager, Dawn Zydonis.

➤ **Chamber Installation Dinner**

The Chamber Installation Dinner was held on February 1, 2020 at the Miners Foundry. The Dinner was well attended. Thanks to Vice Mayor, Minett, Council Member, Strawser, Council Member Moberg, and Council Member, Parker (and me) for representing the City at the dinner. It was also nice to see a couple of the candidates running for City Council in attendance (Doug Flemming and Rick Ewald).

### COMPLETED AND ONGOING CITY PROJECTS

➤ **Residential Chipping Program**

The program has slowed down but is still available. Take advantage of this program. Just because fire season is at a close, doesn't mean that the vegetation clean up shouldn't continue throughout the year.

➤ **New Fire Engine**

The new Nevada City Fire Engine left Pennsylvania January 31, 2020. Anticipated delivery February 2020. The new engine will be on display at the Nevada City Birthday Party.

➤ **Fire Department Activity**

Beginning January 13, 2020 the Fire Department added 3 new Interns starting on each of the 3 shifts. The planning of the 2020 Wildland Urban Interface Drills have been initiated. Division Chief Goodspeed will be attending a Social Media seminar for two days of training to assist in community engagement through the use of Facebook and other social media platforms. Division Chief Goodspeed along with the Washington Ridge Crew to burn 18 brush piles at the Old Airport property. Lots more to do.

- **PG&E Power Line Project**

Division Chief Goodspeed is working with PG&E regarding a power line that runs through the Deer Creek Canyon west of Nevada City that is lacking fire clearance and creating a hazard. Nevada City Fire Department has a working group consisting of PG&E, immediate property owners, City and County elected officials, local fire districts and Firewise Communities. They are currently working with affected property owners to get permission to do the clearing under the lines. This project is a work in progress.
- **Providence Mine Vegetation Clean-Up**

Division Chief Goodspeed will be worked with the Washington Ridge Crew on vegetation clearing for a fuel break at Providence Mine past the gate to the creek.
- **Unenforced Smoking Areas Pilot Project**

Signs and receptacles are in...the unenforced smoking area pilot project is in full swing. Contact the City Manager with feedback on the program.
- **Commercial Street and York Street One-Way Pilot Project**

At the January 8, 2020 meeting Council voted to permanently make Commercial Street and York Street one way. The RFP for the underground utility work will go out next week and will go to Council for bid award at the March 11, 2020 meeting.
- **Wastewater Treatment Plant and Water Treatment Plant Activity**

The automatic switch gear project was completed at the Water Plant. Wastewater staff are currently working with Stantec to update required policies. Waste Management will now be considering the wastewater bio-solids that are hauled off as garbage increasing the cost of wastewater operations significantly, so staff will be reviewing the contract with Robinson for leachate hauling for an increase in what they pay the City to process the leachate they haul to the Wastewater plant.
- **South Pine Street Railing, Sidewalks and Wall Rebuild**

The sidewalk replacement portion of the project is complete. The top railing has been installed, the panels are currently being welded together at the vendors location to be installed within approximately the next two weeks.
- **Solar at the Old Airport**

Staff, with City Council input has added the final City desired solar objectives to the RFP. The City is continuing to working with SEED and Sustainable Committee members to finalize the RFP for distribution to potentially find developers interested in a solar project at the Old Airport.
- **Planning**

Building permits are ramping up keeping the City Planner, Amy Wolfson busy. City Engineer, Bryan McAlister will be going to Planning Commission with plans for a table-top crosswalk at Railroad Avenue.
- **SB2 Grant**

City Planner, Amy Wolfson has submitted the SB-2 grant application for projects totaling \$160k. The projects are to prepare a CEQA document for the Cottage Dwelling Ordinance, General Plan Safety Element update, Zoning Ordinance update to address ADU standard, reimbursement request for the Housing element update and permit processing software. The City is currently waiting to hear if it will receive funding.
- **Governor and OES Grant Funding**

Police Chief, Chad Ellis submitted an OES grant application to fund several projects in relation to mitigating the PSPS events that the City and surrounding communities have

faced. The City is seeking funding for a generator to operate all of City Hall (part of the project was started back in preparation for Y2K); a generator to run the pump station that provides water to Lost Hill and Chief Kelly residents. It was noted during the outages that the pump station went down and the residents were not getting water served to their homes. Finally a generator for the Wastewater Treatment Plant Facility. Currently the WWTP has all of the necessary equipment to operate during power outages; however, that equipment is extremely aged so the City is seeking funding from OES for backup/replacement. The City is still waiting to hear if it will be receiving funding.

➤ **Proposition 68 Per Capita Grant Program**

The City submitted a questionnaire in June 2019 to receive determination if the City is eligible for funding through this program. The City is eligible to receive recreational funds in the ratio of the City's population as to the combined total of the State's population with the minimum allocation of \$200,000. The City continues to wait to hear about the funding.

➤ **FEMA Firefighter Assistance Grant**

Division Chief Goodspeed is submitting a grant application to assist the Fire Department in replacing Self Contained Breathing Apparatus (SCBA).

➤ **Picnic Area Bathroom Remodel**

This project has been started and a portion of the demolition has occurred.

➤ **Old Airport**

At the January 8, 2019 City Council Meeting a schematic of a master plan for the Old Airport was presented. Staff was directed by Council to focus on the Solar project 1<sup>st</sup> and then the master plan would be designed around that project.

➤ **Community Development Block Grant (CDBG) Curb Cuts for American Disabilities Act (ADA)**

The bid for the curb cut work will be awarded at the February 12, 2020 meeting.

➤ **Department of Public Works**

The new LED lights have been installed at all of the City facilities. The project is complete.

➤ **Clampers Square**

The Nevada County Narrow Gauge Railroad Museum has done a lot of work installing the Rail Exhibit at Clampers Square. This project is still in progress.

➤ **Boulder Street Sidewalk Replacement and Waterline**

Replacement of the Boulder Street sidewalk continues. This project will be complete in approximately 1 month. Continued detours around Boulder Street during the project work is still underway. One lane is being left open whenever possible. The installation of the Boulder St. waterline replacement is also underway.

➤ **Parking Meter Rates and Employee Parking Permits**

DPW has completed the programming increase the fees at the meters. All meters are now \$.50/hr. At the February 12, 2020 Council will hear an item recommending that the Employee Parking Permit fee be increased from \$15/mo. to \$40/mo.

➤ **Sugarloaf**

BYLT has continued clearing the way for the new trail at Sugarloaf. There have been volunteers working with BYLT chipping the cleared brush. The Recreational Trail Program (RTP) grant for funding to be used toward the installation of the trail has been submitted. The City hear if funding will be awarded sometime this summer. Staff is currently working with Nevada City Engineering for easement permits.

➤ **Clark Street**

At the January 8, 2020 meeting staff asked for Council direction to move forward with a one-way feasibility study at Clark Street. Clark Street residents, during public comment, asked that Council direct staff to do a safety study and they weren't in favor of one way but had other options. Staff is currently working on what best to do to make Clark Street a safer place. Staff is also working on a site plan for the City owned parking area off Clark Street. Staff is planning a meeting with neighborhood residents on both matters for input.

## UPCOMING CITY PROJECTS

➤ **Sign Committee**

Council Members, Valerie Moberg and Duane Strawser met with City Manager, Catrina Olson, to discuss "sprucing" up and adding new signage in Nevada City. Staff is working on reviewing intersections on Commercial Street to begin updating signage. Currently the Department of Public Works Superintendent, Bubba Highsmith is working on a phased plan to begin replacing City street signs and adding directional signage. This is scheduled to be presented to Council at the February 26, 2020 or March 11, 2020 meeting. Stay tuned.

➤ **Tabletop Crosswalks**

Staff will be reviewing the best solutions for slowing traffic on Zion Street and Sacramento Street. The focus will be on the crosswalk near the Tour of Nevada City Bike Shop, the crosswalk at Zion Street and Sacramento Street and the crosswalk at Forest Hill Charter School. Staff will be looking into tabletop crosswalks and flashing signage.

➤ **Water Bottle Station**

Coming before summer staff is working towards changing out the water fountain at the swimming pool with a water bottle filling station.

➤ **Parking Structure at Spring Street**

The City Council and the Parking Committee have reviewed a very initial design schematic for a parking structure at Spring Street. There was great support from Council and the Committee for this project. City Engineer, Bryan McAlister, City Manager, Catrina Olson worked with Bruce Boyd on the schematic. Staff will move forward with having a Town Hall meeting to present the structure, funding options and further review of design.

➤ **Bicycle Parking – Spring 2020**

➤ **Nevada Street Bridge Rehabilitation – Postponed**

## ADMINISTRATION

➤ **Personnel**

The City has hired two new Water/Wastewater plant operators JW Hunts and Michael Faudoa. The Water/Wastewater department is now fully staffed.

➤ **Police Department**

Chief Ellis attended a meeting at the Hospitality House with Governor Newsom. The topic of discussion about raising taxes for the purpose of assisting with the homelessness epidemic.

➤ **Finance**

Administrative Services Manager, Loree' McCay is working on grant closeouts for CABY and Little Deer Creek so that the City receives the last of its available funding and retention.

- **Extreme Weather Shelter**  
The extreme weather shelter agreement became active November 1, 2019. The agreement runs through March 31, 2019. The Extreme Weather Shelter was open at the Veteran's Building January 28-29, 2020 for the Point in Time Count. It also opened again on February 2-3, 2020 for extreme weather conditions at the Veteran's Building.
- **Audited Financials FY 18/19**  
The audited financials for FY 18/19 will be presented at the February 26, 2020 by the audit Firm R.J. Ricciardi, Inc.
- **Campaign Season has Begun**  
Candidates in the running....David "Sparky" Parker – Incumbent, Reinetta Senum – Incumbent, Daniela Fernandez, Rick Ewald, Douglass Fleming, Lorraine Reich and Niel Locke for City Clerk – Incumbent. Some members of staff have met with a couple of the candidates running for Council.
- **City Attorney**  
At the January 22, 2020 meeting Jones and Mayer Attorney, Crystal (Crissy) Hodgson was appointed. Welcome Crissy to the Nevada City team.

#### COMING SOON....

- **Website Refresh...coming soon**  
City Manager, Catrina Olson, Administrative Services Manager, Loree' McCay, and Parks & Recreation Manager, Dawn Zydonis, will be working with MunicipalCMS, LLC. on an update and "refresh" to the Nevada City website.
- **Pre-Treatment Discharge Ordinance for Wastewater – March 2020**  
The City will be looking to setting regulations for discharge related to business/industry that have significant impacts on the Wastewater Treatment Plant. This will help create processing efficiencies for the City's plant facility. The City has sent letters to heavy commercial dischargers to begin the discussion about mitigating impacts on the Wastewater Treatment Plant. Currently the City is in sampling mode collecting data throughout Nevada City to help better inform.
- **Ordinance for No Camping in Certain in City Locations – April 2020**  
Police Chief Ellis is looking into creating an Ordinance similar to an Ordinance Yuba County put into place implementing camping in certain areas of the City where there is potential for public safety health risks such as contaminated waterways and fire.
- **Soap Box Derby**  
Look for the Soap Box Derby to return July 2020 at Pioneer Park, possibly the 11<sup>th</sup> of the month and being sponsored by KNCO. (unknown at this time if this event is still happening)

## **DON'T FORGET AND MISCELLANEOUS INFO**

➤ **New Bathroom at the Pioneer Park**

The Tennis Court bathrooms were the only bathrooms being left open during the day. The rest have been closed for the winter. The brand new bathrooms were vandalized. There were fires made in the toilets, which will need to be replaced, the vents were kicked in and the locks were broken. DPW staff will now be closing the bathrooms at 3PM and the PD will be locking them before dusk on the weekends.

➤ **City Birthday**

Currently staff with Council Member Parker are working on the details to throw another awesome City Birthday Party. There is going to be a silent auction during the birthday party for old Parks and Recreation playground equipment. Tentative date Thursday April 16, 2020. Mark your Calendars!!

➤ **Newsletter**

The January/February newsletter is underway. Please have any items for the newsletter to Dawn by February 24, 2020.