

MEMORANDUM
OFFICE OF THE
COUNTY EXECUTIVE
COUNTY OF PLACER

TO: Honorable Board of Supervisors
FROM: Thomas M. Miller, County Executive Officer
DATE: August 24, 2010
SUBJECT: Adoption of new policies, introduction of ordinances and deletion of specified Administrative Rules and ordinance

ACTIONS REQUESTED

1. Approve a resolution adopting the Placer County Vehicle Policy (Attachment A).
2. Approve a resolution adopting the Placer County Volunteer Policy (Attachment B).
3. Introduction of an ordinance adding Part 4, Article 17.64 Williamson Act Lands Program to Placer County Code (Attachment C).
4. Introduction of an ordinance adding Article 2.82 Veterans Memorial Hall Governing Boards to Placer County Code (Attachment D).
5. Introduction of an ordinance deleting Article 2.100, County Vehicles of the Placer County Code (Attachment E).
6. Adopt a resolution deleting specified Administrative Rules (Attachment F).

BACKGROUND

As outlined in the previous County Executive Office item on your Board's agenda, early work program tasks of the Placer Administration Manual Committee ("Committee") included review of Administrative Rules to determine if the content of each Administrative Rule is best placed into the Placer Administrative Manual ("PAM") and/or County Code ("Code").

Upon review of the Administrative Rules, the recommendation of the Committee is that ultimately, all of the Administrative Rules should be deleted with replacement of important elements in new or updated policy and code provisions placed in the new PAM and Code respectively. It was initially preferable to have all Administrative Rules addressed at one meeting with your Board. However, the complexity of the process and the interest to proceed with implementation of new and amended policies dictates that we take this in two steps now and later in the fall. It is staff's intention to work diligently to ensure there is no deletion of existing policy, Code or rule prior to the enactment of replacement provisions.

Today, the Committee is requesting first step board actions with approval of two new policies, two amendments to Code, deletion of one article in Code and deletion of specified Administrative Rules. Attachment F summarizes how replacement provisions are occurring with the deletion of Administrative Rules.

Adoption of new policies

Vehicle Policy

In February 2009, your Board directed staff to return with a formal policy for fleet utilization and management. The proposed new Vehicle Policy in Attachment A satisfies that directive, and also will formally replace the Administrative Rules, Chapter 10: Charges for County Vehicle Use and Automotive Fund Services. The new Vehicle Policy consolidates and updates numerous policies, procedures and rules, and incorporates provisions from Chapter 2 of County Code, recommendations from the travel and transportation cost saving subcommittee and internal audit reports.

The policy includes enhanced fleet utilization and management addressing assigned vehicles, take-home vehicles, operator requirements, pool vehicles, restrictions/allowed use of vehicles, vehicle accidents/breakdowns and recordkeeping and reporting requirements. It should be noted that additional policies not contained in the new policy presented today regarding smoking in vehicles, commuter reimbursement and overnight take home vehicles outside County boundaries may be met and confer items which may need to be negotiated with labor unions prior to including in policy.

Volunteer Policy

The Volunteer Policy in Attachment B is proposed to replace the existing Administrative Rule, Chapter 14: Volunteer Services, and is re-titled Volunteer Policy. This revised policy is largely based on the California State Association of Counties-Excess Insurance Authority Volunteer Policy and more clearly and comprehensively delineates the policy, rules, and procedures for the use of volunteers. Accompanying the policy are seven new forms to standardize paperwork utilized by staff.

As a point of information, in addition to these policies, a new Charge Out Rate Policy has also been developed to provide guidance to departments for uniform calculation of rates and charges and is intended to ensure fully loaded costs are included as part of rate calculation methodology.

Amendments to Code

1. Introduction of an ordinance adding Part 4, Article 17.64 Williamson Act Lands Program to Code. Counsel determined that Administrative Rule, Chapter 6 would be incorporated, as amended, into County Code, Chapter 17, Zoning Ordinance, Article 17.64. This action makes no substantive changes to the provisions of the Williamson Act, but merely moves it from the Administrative Rules to County Code.
2. Introduction of an ordinance adding Article 2.82 Veterans Memorial Hall Governing Boards to Code. Counsel recommends moving Chapter 11 from the Administrative Rules to County Code and changing the title. No substantive changes to the Chapter were made.

3. Introduction of an ordinance deleting Article 2.100 of Code related to updated vehicle language contained in the new Vehicle Policy.

Specific Administrative Rules deletion by resolution

The following Administrative Rules can be deleted in that the rule is otherwise provided for as described in Attachment F. The effective date for the deletion will be immediate with the exception of Chapters 6, 10, and 11 which will coincide with the effective date of the above ordinances.

1. Chapter 1, Zoning Maps and Publications (superseded by 1995 Zoning Ordinance)
2. Chapter 6, Agriculture and Open Space Preserves (transferred to Code without substantive change)
3. Chapter 8, Capital Assets (replaced by existing Auditor-Controller's 2009 Policies and Procedures Guide for Capital Assets)
4. Chapter 9, Accounts Receivable; Billing and Relief from Accountability (replaced by existing Auditor-Controller's 2008 Accounting Policies and Procedures Manual)
5. Chapter 10, Charges for County Vehicle Use and Automotive Fund Services (replaced by August 24, 2010 adopted Vehicle Policy).
6. Chapter 11, Memorial Halls Governing Boards (transferred to Code without substantive change)
7. Chapter 14, Volunteers (replaced by August 24, 2010 adopted Volunteer Policy)

FISCAL IMPACT

There is no adverse fiscal impact anticipated with these actions. An unquantified measure of savings may be achieved through update of these policies and codes.

Attachments

- A. Resolution, Vehicle Policy and Summary of Vehicle Policy Derivation
- B. Resolution and Volunteer Policy
- C. Ordinance amending Placer County Code, Part 4, Article 17.84 Williamson Act Land Program
- D. Ordinance amending Placer County Code Article 2.82 Veterans Memorial Hall Governing Board
- E. Ordinance deleting Placer County Code Article 2.100, County Vehicles
- F. Resolution deleting specific Administrative Rules and Summary of Changes/Deletions

Copies of all Administration Rules proposed to be deleted are on file with Clerk of the Board

Before the Board of Supervisors County of Placer, State of California

In the matter of:

Resol. No: _____

Approve a resolution adopting the Placer County
Vehicle Policy

The following Resolution was duly passed by the Board of Supervisors of the County
of Placer at a regular meeting held on _____ .

by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:
Clerk of said Board

WHEREAS, the Placer County Board of Supervisors authorized the County Executive
Officer to develop and implement the Placer County Placer Administrative Manual
("PAM") by resolution dated August, 24, 2010;

WHEREAS, it is necessary to provide rules for the proper acquisition and use of
County vehicles as well as personal vehicles used on County business;

WHEREAS, existing rules, policies and ordinances provide for the proper use of County vehicles as well as personal vehicles used on County business;

AND WHEREAS, the County Executive Officer, through consultation with the PAM Committee, made up of representatives of different departments, has developed a comprehensive Placer County Vehicle Policy incorporating many existing vehicle related rules, policies and ordinances as well as new provisions for inclusion in the PAM.

NOW, THEREFORE, BE IT RESOLVED, that the attached Placer County Vehicle Policy is hereby adopted effective date to coincide with the effective date of the ordinance described in Part B, "Action Requested" subsection 5 of this Board memo.

COUNTY OF PLACER

Vehicle Policy



COUNTY OF PLACER VEHICLE POLICY
TABLE OF CONTENTS

SECTION	PAGE(S)
1.0 Purpose	1
2.0 Definitions.....	1
3.0 Administration of County Vehicles.....	4
4.0 Use of County Vehicles	8
5.0 County Vehicle Forms	12

1.0 PURPOSE

- 1.1 The purpose of this policy is to provide comprehensive guidance on the procurement, disposal, maintenance, and operation of Placer County owned and leased vehicles, and operation of personal vehicles used for County business. It is the goal of this policy to promote efficiency in the use of vehicles necessary to conduct the business of the County. This policy shall apply to all County employees, and others as defined in Section 4.1.5.
- 1.2 This policy authorizes the County Executive Officer, or designee, to issue and enforce policies promoting cost effective fleet management through efficient vehicle acquisition and disposal, vehicle operation, and vehicle maintenance.
- 1.3 This policy establishes that the Public Works Department shall be responsible for managing fleet in accordance with accepted best fleet management practices.
- 1.4 This policy establishes that the Public Works Department- Fleet Services Division shall be responsible for planning, directing, managing, coordinating and supervising procedures for the acquisition, maintenance and repair, replacement and disposal of County vehicles.
- 1.5 This policy establishes that department heads are responsible for the usage of vehicles by their employees as set forth in this policy.

2.0 DEFINITIONS

Assigned Take Home Vehicle (Overnight Vehicle Assignment) – A county vehicle which is used overnight on a daily basis by a county employee for county business and for regular commute to and from the employee's home and work location.

Assigned Vehicles

Department Assigned Vehicle – A county vehicle assigned to a department for county business but not for employee commuting to and from an employee's home and work location.

Employee Assigned Vehicle – A county vehicle assigned to a county employee for county business but not for employee commuting to and from the employee's home and work location.

County Pool Vehicle – A vehicle issued from the central motor pool.

County Vehicle – Any vehicle owned or leased by the County.

Designated Parking Area – A county parking facility or lot which has been identified by the County as an acceptable overnight location for parking the assigned county vehicle.

Mini Pool – Sharing of one or more vehicles by multiple users within one or more departments.

Personal Vehicle – Any vehicle owned privately by an employee.

Primary Responder – An employee that has primary responsibility for immediate response, to protect life, health, safety, and property, and to maintain and enforce law and order.

Take Home Vehicle Assignee – Employee assigned a Take Home Vehicle.

Work Location – The office or site a county employee reports to perform normally scheduled work.

3.0 ADMINISTRATION OF COUNTY VEHICLES

3.1 Responsibility for Vehicles

The Department of Public Works, Fleet Services Division shall be responsible for County Pool Vehicles and Assigned Vehicles.

Departments who purchase, procure, or lease their own or other vehicles separately from Fleet Services are responsible for the maintenance and replacement of their vehicles.

All County vehicles shall be under the supervision of the Board of Supervisors as to the time and replacement necessary and type of vehicle to be acquired.

3.2 Maintenance of Vehicles

All County vehicles shall be properly maintained, serviced, and kept in proper condition. Proper maintenance records in accordance with applicable laws and industry standards shall be kept for review and inspection by regulatory agencies. County, State, and Federal regulations and standards may include but not be limited to: CHP Biannual Terminal Inspections, Air Resources Board, Waste Management Board, Water Resources Board, Federal Motor Carrier Safety Board, and Federal Transit Administration.

Fleet Services shall be responsible for maintenance and records of its vehicles as noted in section 3.1 of this policy. Departments shall be

responsible for ensuring vehicles are brought to Fleet Services for appropriate maintenance.

All other Departments shall be responsible for vehicle maintenance and records for their own vehicles as noted in section 3.1 of this policy.

3.3 Storing of Vehicles

Fleet Services shall designate appropriate parking and storage locations for its vehicles. Departments with Assigned Vehicles shall work with Fleet Services Division to designate parking areas that are appropriate for Department Assigned Vehicles. Department heads for departments who own their vehicles shall be responsible to designate appropriate areas for storing and parking of vehicles.

3.4 Vehicle Marking/Identification

All County Vehicles shall have a prominent County vehicle identification decal affixed. Exceptions may be granted by the County Executive Officer on a case-by-case basis for services, such as law enforcement and public health and safety activities. Requests may be submitted by the department head on the prescribed *Decal Exemption Form*.

3.5 Purchasing and Disposal of Vehicles

The purchase and disposal of vehicles will be determined by fleet needs, usage, and availability of funds.

As part of the annual budget process, Fleet Services will provide a recommended list of vehicles for replacement to the County Executive Officer.

Annually, all departments will provide a recommended list of their vehicles for disposal to Fleet Services and shall work with the Administrative Services Department to determine the most cost-effective method of disposal.

3.6 Vehicle Fuel Efficiency

All departments that are authorized to acquire vehicles will acquire fuel efficient vehicles for each specified application or use, to the extent possible. This shall include but not be limited to; gasoline-hybrid, electric or other alternative fuel vehicles currently available.

Guidelines shall be developed and implemented by the director of public works to minimize or reduce carbon emissions. Alternative forms of

transportation for short inter-department commute or travel shall be considered in the program.

3.7 Specialized Vehicles – Sport Utility & Four-Wheel Drive Vehicles

Acquisition of Sport Utility Vehicles (SUVs) and four-wheel drive vehicles shall be limited to specific off road uses and at elevations regularly receiving snowfall (generally above 5,000 foot elevation), or as otherwise deemed critical by the County Executive Officer for conducting the business of the county.

3.8 Assigned Vehicles - Department and/or Employees Assigned Vehicles

3.8.1 All departmental requests for Assigned Vehicles must be submitted to Fleet Services by the department head on the *New Vehicle Request* form along with supporting materials.

3.8.2 Departments with Assigned Vehicles must maintain a usage log showing dates, times, users, destination and purpose. This requirement does not apply to employee-assigned vehicles.

3.8.3 A minimum mileage standard of 7,000 miles per-fiscal year shall be applied as the minimum threshold in evaluating the need for an assigned vehicle. Exceptions can be made by the County Executive Officer based upon the recommendations of the department head and the director of public works.

3.8.4 Employees receiving a County vehicle allowance shall not be eligible to use County vehicles for their sole occupancy nor claim personal mileage reimbursement, except in extraordinary circumstances, without prior approval by the CEO, or designee, or when travel is within the County east of Baxter or outside the boundaries of Placer County.

3.8.5 Departments are encouraged to maximize the sharing of assigned vehicles between employees where it is efficient.

3.9 Assigned Take-Home Vehicles (Overnight Assignment of Vehicles)

3.9.1 Assigned Take-Home Vehicles requested by appointed department heads may be authorized upon recommendation of the director of public works and prior written approval by the County Executive Officer. Requests are to be submitted by the department head on the prescribed *Take Home Vehicle Assignment Request* form along with supporting materials. Elected officials shall submit Assigned Take-Home Vehicle information annually, consistent with provisions below.

Department heads shall report all overnight assignment of County vehicles to the Director of Public Works on January 1 of each year.

Annually, Assigned Take-Home Vehicle assignments shall be reviewed by the department, Public Works, and reauthorized for appointed department heads by the County Executive Officer.

- 3.9.1.1** County officers and department heads shall confirm that the employee to be Assigned Take Home Vehicle meets criteria set forth in this policy in order to be eligible for a take-home vehicle.
- 3.9.1.2** The Take-Home Vehicle Assignee shall be a primary responder required to deploy immediately and directly to the incident or emergency from their home.
- 3.9.1.3** The Take-Home Vehicle Assignee does not have the ability to access a County vehicle at designated sites without adversely impacting the employee's ability to arrive at the incident or emergency to protect life or property.
- 3.9.1.4** The Take-Home Vehicle Assignee cannot fulfill primary responder duties by using their personal vehicle with mileage reimbursement.
- 3.9.1.5** Upon assignment, Take-Home Vehicle Assignees and their department head shall complete and sign the Overnight Vehicle Assignment Taxation Determination form and submit it to the Payroll Division of the Auditor-Controller's Office. This form shall be completed annually.
- 3.9.2** Departments shall maintain a list of all permanently assigned take-home vehicles and provide the list to Fleet Services annually or as required.
- 3.9.3** Temporary overnight use (1-7 days) of county vehicles shall be allowed only upon authorization by the department head of the employee requesting such use.

3.10 Vehicle Pool Sharing

All County officials and department heads are encouraged to continue and expand the use of Mini Pools, based upon proximity of departments to one another. Fleet Services shall work cooperatively with each department to implement the consolidated vehicle pools.

3.10.1 Departments using Mini Pools must maintain a usage log showing dates, times, users, destination and purpose. This requirement does not apply to employee-assigned vehicles. (New)

3.11 Fleet Rates and Charges (New)

Through the annual budget process, Fleet Services will recommend to the County Executive Officer vehicle-use charges at a rate per mile, a fixed rate, as well as daily and monthly rates varying according to vehicle classification.

Monthly, departments will be charged by Fleet Services, the approved vehicle-use rates for the use of vehicles by departments in the County Vehicle Pool and/or vehicles assigned on a permanent basis.

4.0 USE OF COUNTY VEHICLES

4.1 Operator Requirements

4.1.1 Each employee shall be responsible for proper use, care, and operation of the County vehicle which is assigned to them, including completion of the vehicle trip log. Employees operating county vehicles shall operate such vehicles at a reasonable and safe speed and in a safe, courteous, and legal manner.

County officials and department heads shall be responsible for the proper use of vehicles by departmental personnel.

4.1.2 No person shall operate any county vehicle who does not have issued to them and in possession, a valid California driver's license, or other license as may be necessary to perform their job, which must be on file with the department prior to operating a vehicle.

4.1.3 All persons operating vehicles on County business must be insured and properly licensed. Departments may require a record of automobile insurance coverage for each employee using a private vehicle for County business. When an employee uses a private vehicle for County business, the employee's insurance coverage will be the primary coverage.

4.1.4 Fines and penalties imposed by a court for violations while on County business are the personal responsibility of the driver in accordance with California Vehicle Code 40200(a).

- 4.1.5** All persons operating County vehicles shall be County employees or such other persons acting for and on behalf of the county as the Board of Supervisors may designate.
- 4.1.6** When using County vehicles, passengers must be limited to County employees or travelers engaged in County business except when the County-authorized travel includes prior department head approval for spouses, companions, or other family members, citizen ride-alongs, or when providing emergency assistance to the public.
- 4.1.7** Employees are to operate County vehicles:
- 4.1.7.1** In an ordinary, reasonable manner with the intended use of the vehicle and not use in activities that may damage the vehicle.
 - 4.1.7.2** Consistent with all safety and legal requirements of the county, state or jurisdiction in which they are located.
- 4.1.8** When cargo, materials, or tools are being transported in County vehicles, operators are responsible for ensuring that all items are properly secured.
- 4.1.9** Employees transporting children as part of their job responsibilities shall comply with state regulations regarding the use of child safety restraint systems.
- 4.1.10** Employees shall operate County vehicles and personal vehicles used for County business in accordance with the California Vehicle Code.
- 4.1.11** No employee shall ever operate a vehicle when under the influence or impaired by illegal substances, prescription drugs, or alcohol. Possession of alcohol, illegal substances, or other intoxicating substances in the vehicle is prohibited, with the exception of law enforcement and probation officers, and staff authorized to transport items as part of their duties. All fines and penalties related to this policy are solely the responsibility of the driver.
- 4.1.12** Carrying of firearms and other weapons held to be a per se deadly weapon under Penal Code section 245 is prohibited with the exception of law enforcement and probation officers, and staff authorized to use firearms to euthanize injured and/or nuisance wildlife.
- 4.1.13** All County employees shall review and sign the *Vehicle Use Agreement* prior to operating any County vehicle.

4.1.14 No employee under the age of eighteen (18) shall use a wireless telephone while driving on county business. Employees eighteen (18) years and older shall minimize the use of wireless telephones while driving on county business whenever possible. Wireless telephone use while driving county vehicles, or while driving personal vehicles on county business is strictly prohibited unless the wireless telephone is equipped with a hands free device and is used in compliance with California Vehicle Code Sections 23123 and 23124. This provision applies to the use of both employer issued and personally owned cellular phones. As provided for in Vehicle Code Section 23123, exempt from this clause are emergency service professionals using wireless telephones while operating an authorized emergency vehicle during the course/scope of their duties.

4.2 Personal Use of County Vehicles Prohibited

All County vehicles are to be used solely for County business.

4.3 Use of Personal Vehicles for County Business

4.3.1 Department heads shall be responsible for authorizing use of privately owned vehicles on County business.

4.3.2 Mileage reimbursement is limited to the non-taxable rate permitted by the Internal Revenue Service (IRS).

4.3.3 Reimbursement at the IRS rates will be considered complete payment of expenses for the employee's use of their own vehicle, including insurance, repairs, fuel, and other related costs except that employees will be reimbursed for the actual cost of toll fares, installing and removing tire chains in inclement weather, and non-recoverable insurance deductibles in case of an accident that is not the fault of the employee.

4.3.4 When an employee uses a personal vehicle to travel between home and training or meeting site at a location other than a designated work location, the mileage reimbursement is calculated upon the distance measured from the employee's home or designated work location, whichever is less.

4.3.5 Employees who use their own vehicle for County business are required to maintain liability insurance on their vehicles as set forth in the financial responsibility section (16020) of the California Vehicle Code (\$15,000/\$30,000 public liability and \$5,000 property damage). Annually, departments shall submit proof of insurance for any

employee driving a personal vehicle on County business to the Risk Management Division.

4.4 Reservation of County Pool Vehicles

- 4.4.1** Department heads, or their designee, shall request and Public Works may approve the use of County pool vehicles.
- 4.4.2** Departments shall request County pool vehicles utilizing the *Vehicle Pool Reservations* form located on the countywide "V:\County Vehicles" folder. This form will be printed out, filled out completely, including signature of the department head or their designee confirming that the employee will use the vehicle to conduct County business. The form will be delivered to Fleet Services in person, or scanned and emailed to "Placer County Pool Cars" <poolcars@placer.ca.gov>. Fleet Services will confirm the reservation.
- 4.4.3** Employees shall pick up vehicle keys and fuel cards at the County Fleet Service Station, inspect the vehicle, and note any damages or faulty equipment to Fleet Services prior to leaving with the vehicle.
- 4.4.4** All County pool vehicles are to be returned to the County Fleet Service Station by the end of the business day, unless approved for temporary overnight use. A drop box for the keys and fuel card is available if the County Service Station is closed for the day.

4.5 Fueling Fleet Vehicles

- 4.5.1** Whenever possible, County vehicles shall obtain their fuel from County service stations. County fuel cards may be used at non-county stations if driving to a county station is not practical. County credit cards may be used when they have been properly issued by authorized personnel.
- 4.5.2** Employees must ensure the vehicle has at least a $\frac{3}{4}$ tank of gas after use, and is full before leaving the County so as to minimize fueling outside the County.
- 4.5.3** When purchasing fuel, drivers of gasoline powered vehicles are required to purchase regular grade (unleaded) fuel only at self-service pumps.
- 4.5.4** Employees must report lost keys and/or fuel cards to Fleet Services immediately.
- 4.5.5** Fuel cards cannot be used for any personal use.

4.6 Vehicle Accidents or Vehicle Breakdowns

- 4.6.1** Each County vehicle shall possess an *Accident Information Packet* which includes instructions that the employee shall follow in the event of an emergency.
- 4.6.2** In the event of an accident involving a County vehicle, employees are to make notifications consistent with the *Accident Information Packet*, located in the vehicle.
- 4.6.3** Each County employee and their department head is responsible for ensuring the employee reports all accidents, occurring in County vehicles and personal vehicles when on county business, on forms the prescribed by Risk Management. The forms shall be provided to Risk Management within 24 hours of the accident. The Vehicle Accident report form is located on the V drive, under Risk Management/Forms.
- 4.6.4** Each county employee shall notify their department head of every citation issued to him or her for a moving violation involving the use of a County vehicle or their own vehicle when engaged in County business.
- 4.6.5** In the event of a County vehicle breakdown, employees are to refer to the Accident Information Packet which contains contact information in the event of an emergency. Employees are to contact Fleet Services in the event of a vehicle breakdown.

If Fleet Services is not available, employees are to contact Sheriff's Dispatch, their immediate supervisor, and inform Fleet Services of the vehicle's location at the earliest opportunity.

5.0 COUNTY VEHICLE FORMS

The following forms are available on the County Network Shared Drive (V:\)

- a) New Vehicle Request form
- b) Permanent Overnight Vehicle Assignment Request form
- c) Overnight Vehicle Assignment Taxation Determination form
- d) Decal Exemption form
- e) Vehicle Pool Reservations form
- f) Vehicle Use Agreement
- g) Trip Log

**Placer Administrative Manual
Summary of Derivations - Vehicle Policy
August 2010**

POLICY : VEHICLE POLICY (Proposed New)

Description: Policy, rules and regulations for use of vehicles. Guidelines, duties and responsibilities of departments and employees.

Modifications: New Policy written by PAM Committee; incorporates provisions from County Code, Article 2.100; Admin. Rule Chpt. 2 Meals, Lodging, Travel and Transportation, and new provisions from the Board, Cost Savings Task Force, PAM Committee and CEO

Derivations**Provisions inserted from County Code as amended**

- 1.5 Department Head Responsibility
- 3.1 Responsibility for Vehicles, portions
- 3.2 Maintenance of Vehicles
- 3.3 Storing of Vehicles
- 3.5 Purchasing and Disposal of Vehicles, portion
- 3.9.1 Assigned take-home vehicles, overnight assignments, reporting requirements, annual review
- 3.92 Assigned take-home vehicles; Departments maintain list
- 3.93 Temporary overnight use; authorized by department head
- 4.1.1 Operator Requirements, proper use, care and operation of vehicles
- 4.1.2 Operator Requirements, possess valid license
- 4.1.4 Operator requirements, fines and penalties responsibility
- 4.1.5 Operator requirements, persons eligible to operate vehicles
- 4.1.6 Operator requirements, eligible passengers
- 4.1.7 Operator Requirements, safely operate vehicles
- 4.1.14 Operator Requirements, restrictions on use of cellular phones in vehicles
- 4.2 Personal Use of County Vehicles Prohibited
- 4.3 Use of Personal Vehicles for County Business
- 4.5.1 Fueling Fleet Vehicles, obtain fuel from County service stations, use of fuel cards at non-county stations; fuel cards use allowed when authorized
- 4.6 Vehicle Accidents or Vehicle Breakdowns, portions

Provisions inserted by the Board, Cost Savings Task Force, PAM Committee and CEO

- 1.0 - Purpose, provides comprehensive guidance on County vehicles, goals, CEO authority, Public Works,
- 1.5 Fleet Services responsibilities, Department Head responsibility
- 2.0 Definitions
- 3.1 Responsibility for Vehicles, portions
- 3.2 Maintenance of Vehicles, portions
- 3.4 Vehicle Marking/Identification and Exemptions
- 3.5 Purchasing and Disposal of Vehicles, portions
- 3.6 Vehicle Fuel Efficiency, acquiring vehicles
- 3.7 Specialized Vehicles - Sport Utility & Four-Wheel Drive Vehicles
- 3.8.1 Vehicles Assigned to Specific Departments and/or Employees (Assigned Vehicles); new vehicle request form

- 3.8.2 Vehicles Assigned to Specific Departments and/or Employees (Assigned Vehicles); maintain usage log
- 3.8.3 Vehicles Assigned to Specific Departments and/or Employees (Assigned Vehicles), minimum mileage standard of 8,000 miles per fiscal year-exceptions allowable by CEO
- 3.8.4 Vehicles Assigned to Specific Departments and/or Employees (Assigned Vehicles), if receive a County vehicle allowance shall not be eligible for use of County vehicles, except as approved by CEO or use within County east of Baxter and outside county boundaries
- 3.8.5 Vehicles Assigned to Specific Departments and/or Employees (Assigned Vehicles), maximize sharing of assigned vehicles
- 3.9.1.1 Permanent Overnight Use of Assigned Vehicles (Take-Home Vehicles), employee assigned to take home vehicle meets set criteria as noted below:
- 3.9.1.2 Permanent Overnight Use of Assigned Vehicles (Take-Home Vehicles), primary responder
- 3.9.1.3 Permanent Overnight Use of Assigned Vehicles (Take-Home Vehicles), ability to arrive at incident criteria
- 3.9.1.4 Permanent Overnight Use of Assigned Vehicles (Take-Home Vehicles), can't use personal vehicle
- 3.9.1.5 Permanent Overnight Use of Assigned Vehicles (Take-Home Vehicles); complete Overnight Vehicle Taxation Form
- 3.10 Vehicle Pool Consolidation, use of mini pools; maintain usage log
- 3.11 Fleet Rates and Charges, vehicle -use charges from DPW to CEO, issued during annual budget process
- 4.1.3 Operator Requirements, employee insurance coverage
- 4.1.8 Operator Requirements, properly secure cargo, etc.
- 4.1.9 Operator Requirements, transporting children -comply with state regulations
- 4.1.10 Operator Requirements, comply with CA Vehicle Code
- 4.1.11 Operator Requirements, no illegal substances, drugs, or alcohol, etc
- 4.1.12 Operator Requirements, Firearms & other weapons prohibited w/ exceptions
- 4.1.13 Operator Requirements, employees sign Vehicle Use Agreement
- 4.3.1 Use of Personal Vehicles for County Business, Department Head authorization
- 4.3.2-3 Use of Personal Vehicles for County Business, mileage reimbursement
- 4.3.4 Use of Personal Vehicles for County Business, new mileage reimbursement calculation
- 4.3.5 Use of Personal Vehicles for County Business, liability insurance requirement, annual reporting
- 4.4.1 Reservation of County Pool Vehicles, process for requesting vehicle
- 4.4.2 Reservation of County Pool Vehicles, use form: Vehicle Pool Reservations, process
- 4.4.3 Reservation of County Pool Vehicles, employee pick up items and process
- 4.4.4 Reservation of County Pool Vehicles, pool vehicles return to Fleet at end of business day, unless approved for temporary overnight use
- 4.5.2 Fueling Fleet Vehicles, ensure tank is 3/4 full after use
- 4.5.3 Fueling Fleet Vehicles, purchase regular grade fuel
- 4.5.4 Fueling Fleet Vehicles, report lost keys/fuel cards
- 4.5.5 Fueling Fleet Vehicles, no personal use of fuel cards
- 4.6.1 Vehicle Accidents or Vehicle Breakdowns, Accident Information Packet in vehicle
- 4.6.5 Vehicle Accidents or Vehicle Breakdowns

Before the Board of Supervisors County of Placer, State of California

In the matter of:

Resol. No: _____

Approving a resolution adopting the Placer
County Volunteer Policy (Non-Disaster Service
Model).

The following Resolution was duly passed by the Board of Supervisors of the County
of Placer at a regular meeting held on _____ .

by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:
Clerk of said Board

WHEREAS, the Placer County Board of Supervisors authorized the County Executive
Officer to develop and implement the Placer County Placer Administrative Manual
("PAM") by resolution dated August, 24, 2010;

WHEREAS, it is necessary to provide rules for the proper use and management of
individuals wishing to serve as Placer County volunteers;

WHEREAS, existing rules, policies and ordinances provide for the proper use and
management of individuals wishing to serve as Placer County volunteers;

AND WHEREAS, the County Executive Officer, through consultation with the PAM Committee, made up of representatives of different departments, has developed a comprehensive Placer County Volunteer Policy incorporating many existing volunteer related rules and policies as well as new provisions for inclusion in the PAM.

NOW, THEREFORE, BE IT RESOLVED, that the attached Placer County Volunteer Policy is hereby adopted.



PLACER COUNTY VOLUNTEER POLICY

(NON-DISASTER SERVICE WORKER)

1.0 Purpose

The Placer County's volunteer program is designed to coordinate and manage all volunteer efforts which support Placer County services provided to the community. The program addresses community service needs, while placing special emphasis on Placer County's priorities. Placer County's volunteer program is designed to effectively match individuals interested in volunteering to assist the existing workforce to the appropriate Placer County Department providing services to the community.

2.0 Scope

This policy applies to all Placer County volunteers as defined in section 3.

3.0 Definition of Volunteer

3.1 Volunteers in General

The Board of Supervisors of Placer County for the purpose of Worker's Compensation has passed a resolution defining a volunteer as an unpaid employee when that person renders services to Placer County where:

Placer County has control and supervisory responsibility over the manner and the result of the services rendered AND;

- a) The volunteer receives no remuneration for such services other than meals, transportation, lodging, or reimbursement for incidental expenses AND;
- b) The volunteer does not belong to any of the following categories:
 - 1) The individual receives remuneration for services rendered from a non-*Placer County* payroll.
 - Example: visitors or guests on a per diem travel allowance
 - 2) The individual is sponsored by an outside agency and provides services through that sponsoring agency.
 - Example: Red Cross volunteers
 - 3) Guests of Placer County.
 - Example: casual visitors
 - 4) The individual is acting as a registered Disaster Service Worker Volunteer (DSW).
 - Example: Registered DSW filling sandbags in preparation for a flood
 - For information on DSW Volunteer Policies, please follow this [LINK](#) to the California OES DSWVP Guidance Document

3.2 Short-term Volunteers

This classification of volunteers includes individuals who may provide occasional day labor. For example; a volunteer work-day to repair trails in a park. Short-term volunteers are exempted from the following specific requirements of these Sections:

- Section 4.2 Application: The Volunteer Application (Appendix G) shall be modified so that the volunteer need not provide a copy of Driver's License and Work Permit, explain interest in the assignment, provide three references, nor indicate time of availability. Volunteer will sign modified Volunteer Application.
- Section 4.3 Screening: The Department shall not pursue reference checks, fingerprinting, nor background checks.
- Section 4.5 Selection and Appointment: The Department shall not pursue interviews, reference checks, or background checks.
- Section 4.6 Fingerprinting (Live Scan) and Background Checks: The Department shall not pursue reference checks, or background checks.
- Section 4.7 Volunteers Driving: Short-term volunteers are prohibited from driving County vehicles.
- Appendix F - Oath of Confidentiality: This is not required for short-term volunteers.

4.0 Volunteer Program Procedures

4.1 Recruitment

Volunteers shall be recruited by Placer County on a pro-active basis, with the intent of broadening and expanding the volunteer involvement in the community. Volunteers shall be recruited without regard to sex (including gender), race, religion, color, national origin, ancestry, medical condition, age, marital status, pregnancy, sexual orientation, and/or disability. Volunteers may be recruited either through an interest in specific functions or through a general interest in volunteering which Placer County will try to match with a specific function.

4.2 Application

- a) All potential volunteers are to complete a Volunteer Application (Appendix D). Volunteer Application forms can be obtained from Placer County Risk Management or from individual departments.
- b) The original application is to be forwarded to Risk Management for processing.

4.3 Screening

- a) Department shall check references for all volunteers. Volunteer positions may require additional methods of screening such as fingerprinting and background checks. Additional screening shall be carried out in accordance with existing Placer County practices and laws.
- b) Volunteers shall be subject to Placer County Drug and Alcohol Policy.
- c) The cost of screening shall be borne by individual departments.

4.4 Assignment Description and Risk Assessment

- a) Each department is to complete a Volunteer Assignment Description (Appendix A) for each position.
- b) A Volunteer Risk Assessment (Appendix B) is to be completed and attached to the Volunteer Assignment Description.
- c) Once a volunteer has been accepted, he/she will receive a copy of the Volunteer Assignment Description and the Volunteer Risk Assessment. Both of these original signature forms are to be forwarded to the Risk Management Division upon completion.

4.5 Selection and Appointment

- a) Each potential volunteer will have an interview with the department in which he/she is considering volunteering. In addition to the interview, the department may conduct reference checks with the names given by the potential volunteer at the time of application (Appendix D).
- b) Once a potential volunteer has been interviewed and reference checks have been completed, a department may choose to accept or decline a potential volunteer's services. A volunteer may not commence his/her assignment until all signed forms are received and background checks and training have been completed.
- c) If a department chooses to decline the service of a potential volunteer, the department is to notify the Risk Management Division. The Department will notify the potential volunteer that a department is unable to use their services. If it is appropriate, the potential volunteer may be referred to another department for volunteer services.
- d) If a volunteer wishes to work in a different department, the volunteer must first have an interview with the new department. The new department is to contact the volunteer's current supervisor for the purpose of a reference check. It is the responsibility of the department to note the date of the interview and results of the reference check. Employees will be trained on any new risks, policies, and/or procedures associated with the new position.

4.6 Fingerprinting (Live Scan) and Background Checks

Placer County requires some volunteers to be fingerprinted. These potential volunteers have the right to refuse to be fingerprinted. However, those potential volunteers who exercise this right will not be allowed to volunteer for Placer County service.

- a) Department representatives are to give a Fingerprint Scan Request (Live Scan Request) to volunteers for which fingerprinting is mandatory and have him/her set an appointment with the Placer County Sheriff's Office or an approved DOJ provider to have their fingerprints completed. The Sheriff's Office and HHS may use their own Live Scan process. The volunteer may not begin his/her assignment until the result from the Department of Justice and/or FBI has been received and Risk Management has given the individual clearance to begin.

4.7 Volunteers Driving

- a) Volunteer duties that require driving should be limited to only essential volunteer duties. Volunteers who drive either personal or Placer County owned vehicles during the course of their volunteering are required to provide a valid driver's license, current proof of insurance, and a signed Authorization for Release of Driver Record Information. No volunteer may operate a Placer County owned vehicle or perform volunteer services with their private vehicle with a revoked or suspended driver license. Any damages to the volunteer's personal vehicle or damages caused by the volunteer while in their personal vehicle are the responsibility of the volunteer. If an incident occurs in a Placer County owned vehicle, Placer County will be the responsible party.
- b) The ideal personal automobile policy liability coverage limits for volunteers is \$100,000/\$300,000 (\$100,000 bodily injury limit per person, \$300,000 total bodily injury limit per accident). However, due to Placer County's desire to maintain a productive volunteer workforce, the minimum acceptable liability coverage limits for volunteers shall be no less than the current statutory requirement. The coverage mandated for a volunteer position may be increased above the statutory requirement based upon the risk assessment carried out for that position.
- c) The volunteer's supervisor is to obtain a copy of the volunteer's valid driver's license, current proof of insurance, and a signed Authorization for Release of Driver Record Information. These documents are to be forwarded to the Risk Management Division. Volunteers will be included in the Placer County DMV Pull Notice Program. Through this program, Placer County will receive annual print out of the volunteer's driver license status. Additionally, Placer County will be notified of any activity regarding the volunteer's driving record.
- d) If a volunteer's driver license has been revoked or suspended, or if there is activity that warrants concern, the volunteer's supervisor and the volunteer will be notified immediately by the Risk Management Division that the volunteer is no longer able to drive in the course of volunteering. Volunteers shall be added to the Placer County Employee Pull Notice (EPN) program through the California DMV or the CSAC-EIA Loss Prevention Services Program Platform.
- e) The State Of California Authorization for Release of Driver Record Information form will be utilized for all County volunteers in the EPN program and can be found at the following location: <http://www.dmv.ca.gov/forms/epn/inf1101.pdf>.
- f) Management reserves the right to cancel a volunteer's driving privilege at any time without prior notification.
- g) The employee shall possess a driver license with a classification consistent with the vehicle(s) to be driven.

4.8 Supervision of Volunteers

Each volunteer must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor shall be responsible for day-to-day management and guidance of the work of the volunteer, and shall be available to the

volunteer for consultation and assistance. An adult must supervise volunteers under the age of eighteen (18).

4.9 Orientation and Training

- a) Once a volunteer has been selected and approved or cleared with a Placer County department or program, they will participate in an orientation program designed to inform volunteers about Placer County as an organization, its policies, procedures, programs, and regulations. This informative session is designed to assist the volunteer in their new role as a volunteer with Placer County. Upon start date, the volunteer will be provided on-the-job orientation and training by his/her supervisor specific to the assignment and safety concerns. This shall be documented in a manner consistent with existing Placer County policies and procedures. Orientation/training will be scheduled at various times, as the need arises.
- b) County policies including Discrimination, Harassment, and Retaliation Policy; Policy Against Workplace Violence; Alcohol and Drug Policy; and Voicemail, E-mail, and Internet Policy will be reviewed with the expectation that volunteers sign an acknowledgment form and adhere to all County Policies.

4.10 Work Schedules

Work schedules of volunteers are diverse and varied depending on the Department. Work schedules are flexible and may vary depending on the job that is being done. Volunteers should work with their supervisor to set a schedule that is mutually acceptable. If a volunteer cannot make it to his/her assignment on a scheduled day, the volunteer should notify his/her supervisor as soon as possible prior to the start of the work day.

4.11 Reports

- a) Each Department, on a bi-annual basis (i.e. 12/31 and 6/30 of each fiscal year), shall make a written report for the preceding month showing the total number of volunteer workers who performed services in that time period, the total number of hours of such services, the number of new volunteer workers enrolled during the month and the number of volunteers terminated (Appendix C). The report shall be filed with Risk Management, who may inspect the roster at any time, and shall do so at least annually to see that inactive volunteers have been removed from the roster of available volunteers and that other information on the roster reflects current conditions.

4.12 Safety

- a) Each volunteer is included in Placer County's Risk Management and Safety program. This means that before volunteers begin their service, the direct supervisor is responsible for informing the volunteer of safe work practices as required for employees. This process shall be documented consistent with Placer County policies and procedures.
- b) Any injury to the volunteer or losses to any third party must be reported and processed in accordance with existing Placer County policies.

- c) Volunteers and supervisors must advise staff of any equipment or situation that may pose a safety hazard.
- d) Every volunteer shall be capable of safely and capably completing the work assigned. This shall be determined through the application/interview process.

4.13 Injury of a Volunteer

- a) *Placer County* provides for treatment of injuries incurred by volunteers (as defined in Section 3 of this policy) under Placer County's Worker's Compensation program. If an injury occurs:
 - 1) During Normal Business Hours: ensure the volunteer is out of immediate danger and notify the volunteer's immediate supervisor. If the immediate supervisor is not available, contact the next level manager or the Risk Management Administrator.
 - 2) After Normal Business Hours: if the immediate supervisor is not available, a message should be left advising them of the injury as well as notifying Placer County Risk Management. If medical treatment is needed, the volunteer should be directed to the closest emergency room. If a minor is injured, the same protocol should be followed. In addition, the minor's guardian should be contacted immediately. See Appendix D for contact information.
 - 3) It is the responsibility of the department to complete the worker's compensation injury packet and forward it to Risk Management.

4.14 Recordkeeping

All records regarding volunteer service shall be maintained for a duration that is in accordance with existing Placer County recordkeeping policies.

4.15 Recognition

Recognition is not just a way of saying thank you, but a response to individual interest and reasons for being involved. Recognition of volunteers takes many different forms. Placer County feels that volunteers are invaluable resources. Various awards, activities and just plain thank you's are part of Placer County's efforts to recognize volunteers for helping make our community a better place to live.

4.16 Gifts

As a general rule, volunteers are discouraged from accepting gifts from the public.

4.17 Release of Volunteers from Service

Volunteers who do not adhere to the rules, policies and regulations of Placer County, fail to perform their assignments satisfactorily, or are participating in activities that are no longer required are subject to the ending of the volunteer assignment at any time. Placer County reserves the right to request that a volunteer leave immediately. No prior notification is necessary to release a volunteer of their services. If a department believes that a volunteer's behavior warrants immediate release, it has that right.

**Appendix A
Placer County Volunteer Assignment Description
(Non Disaster Service Worker)**

Department/Division/Program: _____

Assignment Title: _____ **Reports to:** _____

This position requires: Driver License Fingerprinting Valid Certification/License
(if applicable)
 Use of Placer County vehicles to perform task Use of private vehicle to perform task

Purpose/Goal of Assignment: _____

Qualifications/Skills/Certifications Needed:

- 1.
- 2.
- 3.
- 4.

Duties/Responsibilities:

- 1.
- 2.
- 3.
- 4.

Time Commitment:

Length (months): _____ # Hours per day: _____
Days per week: _____ Or month: _____

Training Provided: _____

Worksite Name/Location: _____

Phone: _____

Contact for More Information: _____ **Phone:** _____

(Volunteer Signature) (Date)

(Supervisor Signature) (Date)

**Appendix B
Placer County Volunteer Risk Assessment
(Non-Disaster Service Worker)**

Volunteer Assignment: _____ **Department:** _____

Work Location: _____ **Assessment Date:** _____ **Min. Age (specify):** _____

Driver License Required? Yes No **Ability to Lift 25 lbs Repeatedly?** Yes No

Check left column to show potential hazards of this volunteer position

Hazard Source	Protective Measures Required	Necessary Training
Bites: snakes, dogs, insects	Protective clothing, footwear, gloves	Hazard specific training
Heat Stress: heat stroke, exhaustion, or dehydration	Ventilation, heat resistant clothing, water to replenish lost fluids	Recognition of heat stress signs
Sun Exposure: skin cancer or vision damage	Sunscreen, brimmed hat, ultraviolet eye protection and protective clothing	Sun hazard awareness
Driving: injury to vehicle occupants from collision	Seat belts	Defensive driving
Traffic: injury to workers from motor vehicle traffic or heavy equipment	Proper footwear, hard hat or eye protection, orange safety vest, traffic cones, signs and flares	Traffic control, working around heavy equipment
Office Equipment: paper cutters, shredders, file cabinets, computer screens or keyboards	Proper footwear and clothing for office	Safe operations specific to equipment, RMI prevention
Hand Tools: powered or unpowered	Proper footwear, clothing and eye protection	Safe hand tool use, RMI prevention
Footing Traction: slippery, uneven or unstable walking surfaces/terrain	Proper footwear	Slips, trips and falls protection
Ladders: freestanding or fixed	Proper footwear, safety tie offs, bracing	Ladder safety
Elevated work surfaces: falls from height	Fall protection, proper footwear	Slips, trips and falls
Noise: noise from machinery/equipment	Hearing protection	Hearing conservation
Body Position/Leverage: strenuous or repetitive lifting, carrying or pulling	Back brace, lifting and carrying aids such as hand trucks, dollies or slings	Safe lifting and carrying, back safety awareness
Chemicals: gases, vapors or liquids which when inhaled, ingested or touched can cause injury of illness	Protective clothing, gloves, glasses/goggles, if indicated, appropriate respirator	MSDS, fire extinguisher, chemical specific handling, hazardous materials training
Biowaste: bodily fluids or OPIM	Gloves, face and eye protection	Bloodborne pathogen training

Additional Hazards: _____

Volunteer Signature

Date

Supervisor Signature

Date

Appendix D
Placer County Volunteer Application
(Non-Disaster Service Worker)

PLEASE PRINT

Applicant Name:

(Last)

(First)

(MI)

Volunteer Position:

Address:

(Street)

(City)

(State)

(Zip Code)

Phone Number:

(Home)

(Work)

(Mobile)

Email Address:

For volunteers under the age of 18, please provide:

Guardian Name:

(Last)

(First)

(MI)

Address:

(Street)

(City)

(State)

(Zip Code)

Phone Number:

(Home)

(Work)

(Mobile)

Email Address:

Please attach photocopy of Driver's License and Work Permit (if applicable).

Explain why you are interested in this assignment:

List all experience and/or skills you have in relation to the volunteer assignment you are applying for:

Please provide three non-related personal references:

Name	Title/Relationship	Address	Phone Number

What times of the day are you most available to volunteer?

Monday: a.m. _____ p.m. _____ Wednesday: a.m. _____ p.m. _____ Friday: a.m. _____
p.m. _____

Tuesday: a.m. _____ p.m. _____ Thursday: a.m. _____ p.m. _____ Saturday: a.m. _____
p.m. _____

Do you have any health limitations that may restrict your performance of assigned duties? Yes

No

If yes, please provide the specific limitations (i.e. pushing, pulling, lifting, etc.):

I am physically able to perform above services and am not aware of any physical limitations that would preclude me from performing such services. I have read and signed the liability release located in Appendix F of this packet.

(Volunteer Applicant Signature)

(Date)

(Guardian Signature if applicant under 18 years old)

(Date)

**Appendix E
Placer County Agreement and Release Regarding Voluntary Services
(Non Disaster Service Worker)**

I, _____, hereby acknowledge that I have voluntarily applied to participate in performing certain services for the Department of _____, County of Placer. I am voluntarily participating in these activities with the knowledge that there is some risk that I may be injured in the course of performing these services. I have been advised that, by Resolution of the Board of Supervisors, it is the policy of the County of Placer to cover volunteers as employees of the County for purposes of Workers Compensation benefits. I also understand that, under Workers Compensation laws, Workers Compensation benefits will be the sole and exclusive remedy in the event I am injured while performing these volunteer activities and services.

With the exception of Workers Compensation benefits as set out above, I hereby agree that I, my heirs, guardians, legal representatives and assigns will not make a claim against or file an action against the County of Placer or any of its agents, officers, or employees, for injury or damage resulting from negligence, howsoever caused, by any employee, agent, or officer of the County of Placer as a result of my participation in this volunteer activity or services. In addition, I hereby release and discharge the County of Placer, its agents, officers, and employees from all actions, claims, and demands that I, my heirs, guardians, legal representatives or assigns now have or may hereafter have for injury or damage resulting from my participation in these volunteer activities or services.

I HAVE CAREFULLY READ THIS AGREEMENT AND FULLY UNDERSTAND ITS CONTENTS. I AM AWARE THAT THIS IS A PARTIAL RELEASE OF LIABILITY AND A CONTRACT BETWEEN MYSELF AND THE COUNTY OF PLACER AND SIGN IT OF MY OWN FREE WILL.

Date: _____ Signature: _____
Volunteer

Date: _____ Signature: _____
Parent or Guardian

Date: _____ Signature: _____
Witness

Date: _____ Signature: _____
Division Head

Date: _____ Signature: _____
Department Head

493

Appendix F
Placer County Volunteer – Oath of Confidentiality
(Non Disaster Service Worker)

I, the undersigned, hereby agree not to divulge or distribute any information or records I may encounter during the performance of my duties with Placer County.

I agree that any discussions, records and information that I have access to in connection with these activities will not be disclosed to any unauthorized person.

I recognize that unauthorized release of confidential information may expose me to civil/criminal liabilities and fines under Federal, State and local governmental regulations.

Executed this _____ day of _____, at _____, California

SIGNATURE: _____

NAME (Print): _____

494

Appendix G
Placer County Short-Term Volunteer
Application, Agreement, and Release Regarding Voluntary Services
(Non-Disaster Service Worker)

PLEASE PRINT

Applicant Name: _____ **Volunteer Position:** _____
 (Last, First, MI)

Address: _____
 (Street) (City) (State) (Zip Code)

Phone Number: _____ **Email address:** _____
 (Circle - Home/Work/Mobile)

VOLUNTEERS UNDER THE AGE OF 18, PLEASE PROVIDE:

Guardian Name: _____ **Phone Number:** _____
 (Last, First, MI) (Circle - Home/Work/Mobile)

Address: _____
 (Street) (City) (State) (Zip Code)

Do you have any health limitations that may restrict your performance of assigned duties? **Yes** **No**

I, _____, hereby acknowledge that I have voluntarily applied to participate in performing certain services for the Department of _____, County of Placer. I am voluntarily participating in these activities with the knowledge that there is some risk that I may be injured in the course of performing these services. I have been advised that, by Resolution of the Board of Supervisors, it is the policy of the County of Placer to cover volunteers as employees of the County for purposes of Workers Compensation benefits. I also understand that, under Workers Compensation laws, Workers Compensation benefits will be the sole and exclusive remedy in the event I am injured while performing these volunteer activities and services.

With the exception of Workers Compensation benefits as set out above, I hereby agree that I, my heirs, guardians, legal representatives and assigns will not make a claim against or file an action against the County of Placer or any of its agents, officers, or employees, for injury or damage resulting from negligence, howsoever caused, by any employee, agent, or officer of the County of Placer as a result of my participation in this volunteer activity or services. In addition, I hereby release and discharge the County of Placer, its agents, officers, and employees from all actions, claims, and demands that I, my heirs, guardians, legal representatives or assigns now have or may hereafter have for injury or damage resulting from my participation in these volunteer activities or services.

I HAVE CAREFULLY READ THIS AGREEMENT AND FULLY UNDERSTAND ITS CONTENTS. I AM AWARE THAT THIS IS A PARTIAL RELEASE OF LIABILITY AND A CONTRACT BETWEEN MYSELF AND THE COUNTY OF PLACER AND SIGN IT OF MY OWN FREE WILL.

Date: _____ **Signature:** _____
 Volunteer

Date: _____ **Signature:** _____
 Parent or Guardian

Date: _____ **Signature:** _____
 Division Head

Date: _____ **Signature:** _____
 Department Head

495

Before the Board of Supervisors County of Placer, State of California

In the matter of: AN ORDINANCE ADDING
PART 4 TO THE PLACER COUNTY ZONING
ORDINANCE PERTAINING TO THE PLACER COUNTY
WILLIAMSON ACT LANDS PROGRAM

Ord. No. _____

First Reading: _____

The following ordinance was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held on _____, 2010, by the following vote:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Board of Supervisors

Attest:

Kirk Uhler, Chair

Ann Holman
Clerk of said Board

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER:

Section 1: Part 4 is hereby added to Chapter 17 of the Placer County Code and shall read as follows:

PART 4 – PLACER COUNTY WILLIAMSON ACT LANDS PROGRAM

Article 17.64 - WILLIAMSON ACT LANDS PROGRAM

- 17.64.010 Establishment of Williamson Act Lands Program
- 17.64.020 Definitions
- 17.64.030 Purpose and Applicability of Ordinance
- 17.64.040 Fees
- 17.64.050 Administration of Ordinance for Agricultural and Open Space Preserves, or Farmland Security Zones
- 17.64.060 Agricultural Preserve and Contract Eligibility Requirements
- 17.64.070 Application Filing and Review

496

- 17.64.080 Land Contract Provisions
- 17.64.090 Limitations on Land Uses in Agricultural Preserves, Open Space Preserves, or Farmland Security Zones.
- 17.64.100 Divisions and Transfers of Property
- 17.64.110 Transfers of Williams Act Lands
- 17.64.120 Limitation on Development Proposals of Lands in Preserve
- 17.64.130 Termination of Land Contracts
- 17.64.140 Nonrenewal by Landowner
- 17.64.150 Cancellation
- 17.64.160 Termination by Rescission in Favor of a New Contract or Public Acquisition
- 17.64.170 Enforcement of Agricultural Preserve Regulations and Contract Provisions
- 17.64.180 County Initiated Notice of Non Renewal
- 17.64.190 Non-Exclusive Legal Remedy
- 17.64.200 Challenges to County Action
- 17.64.210 Farmland Security Zones

17.64.010 Establishment of Williamson Act Lands Program

The Placer County Williamson Act Lands Program is established in compliance with Chapter 7, Part 1, Division 1 of Title 5 of the Government Code (Section 51200 et seq.), otherwise known as the California Land Conservation Act of 1965 and referred to in this Article as the "Williamson Act" or as the "Act". The purposes of the Program are to protect agricultural lands for the continued production of agricultural commodities, and to protect certain other lands devoted to open-space uses, in compliance with the Williamson Act. The County does not intend for the placement of a Williamson Act Contract on land within the County to preclude the placement of conservation easements on that same land, as long as such easements recognize the agricultural nature of the property and do not preclude such activity.

17.64.020 Definitions

The following terms and phrases are hereby defined for the purposes of this Article:

Agricultural Commodity Production. Any type of commercial agricultural operation that produces any of the following products, including but not limited to all types of: irrigated field crop production (vegetables, fruits, grains, seed crops, flowers, ornamental plants, etc.), dry farming operations (grain, etc.), orchards and vineyards, berries, etc., and animal raising operations such as the raising of cattle, fowl or poultry, goats, sheep, swine, llamas, or other livestock.

Agricultural Preserve Contract. The standard ten-year term contract entered into between the County and a property owner that applies to land in agricultural production.

Farmland Security Zone Contract. A twenty-year term contract entered into between the County and a property owner that applies to land in agricultural production controlled by Section 17.64.210 of this Article.

Open Space Williamson Act Contract. A contract entered into between the County and a property owner that allows for open space lands to be a part of the Williamson Act program in compliance with this Article and state law.

Open-Space Use (as defined by Subsection (o) of Section 51201 of the Act). The use or maintenance of land in such a manner as to preserve its natural characteristics, beauty, or openness for the benefit and enjoyment of the public, to provide essential habitat for wildlife, or for the protection of significant ecological resources, if the land is within one of the following defined areas:

1. A "scenic highway corridor" which is an area adjacent to, and within view of, the right-of-way of:
 - A. An existing or proposed state scenic highway in the state scenic highway system established by the State Legislature in compliance with Streets and Highways Code Sections 260 et seq. and which has been officially designated by the State Department of Transportation as an official state scenic highway; or
 - B. A County scenic highway established in compliance with Streets and Highways Code Sections 260 et seq., or a County scenic highway referenced in the General Plan, Community Plan, or applicable Specific Plan.
2. A "wildlife habitat area" is a land or water area that would be designated by the Placer County Board of Supervisors, after consulting with and considering the recommendation of the Department of Fish and Game, as an area of great importance for the protection or enhancement of the wildlife resources of the state.
3. A "managed wetland area" is an area, which may be an area diked off from the ocean or any bay, river or stream to which water is occasionally admitted, and which, for at least three consecutive years immediately prior to being placed within the Williamson Act program was used and maintained as a waterfowl hunting preserve or game refuge or for agricultural purposes.
4. Open space land need not be open to public use in order to be considered for entry into this program.

Non-Prime Agricultural Land. Non-prime agricultural land consists of any land that cannot be considered Prime Agricultural Land.

Prime Agricultural Land. Means any of the following, in compliance with Section 51201 of the Act:

- A. All land which qualifies for rating as class I or class II in the Soil Conservation Service land capability classifications.
- B. Land that qualifies for a rating of 80 through 100 in the Storie Index Rating.
- C. Land that supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.

- D. Land planted with fruit or nut-bearing trees, vines, bushes, or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than \$200 per acre.
- E. Land that has returned from the production of unprocessed agricultural plant products and annual gross value of not less than \$200 per acre for three of the previous five years.

Recreational Use. The use of land in its agricultural or natural state by the public, with or without charge, for walking, hiking, picnicking, camping, swimming, boating, fishing, hunting, or other outdoor games or sports for which facilities are provided for public participation. Any ancillary structures necessary for a recreational use shall comply with Section 51238.1 of the Act and this Article.

Williamson Act. The term "Williamson Act" or "Act" means Government Code Sections 51200 et seq., as amended from time to time.

Williamson Act Contract. Any contract entered into under this Article including Agricultural Preserve Contracts, Open Space Williamson Act Contracts or Farmland Security Zone Contracts.

17.64.030 Purpose and Applicability of Ordinance

- A. **Purpose.** The purpose of this Article is to implement the provisions of the Williamson Act in Placer County. This ordinance is not intended to replace the Williamson Act; rather it is to be used in conjunction with applicable provisions of the Williamson Act.
- B. **Applicability.** The provisions of this Article provide standards and procedures for:
1. Application by landowners for the inclusion of land within agricultural or open space preserves, or Farmland Security Zones;
 2. The review of applications and Williamson Act Contracts by the County, including determination of the eligibility of property;
 3. Limitations on the land uses allowed on properties subject to contracts under the Act and this Article, and requirements for landowners to maintain land pursuant to such contracts;
 4. The termination of Williamson Act Contracts by either the landowner or the County; and
 5. The monitoring of lands encumbered by the Act and enforcement of this Article.

17.64.040 Fees

In compliance with Section 51287 of the Act, the Board of Supervisors shall establish fees for: the filing and processing of Applications; the modification of Williamson Act Contracts upon the subdivision or transfer of land subject to contract; modifications of boundaries between contracts; the review and approval of Joint Management Agreements; the termination of a Williamson Act Contract through the

filing of a Notice of Nonrenewal or the cancellation process; and the filing of a notice of rescission of nonrenewal. These fees shall be shown in the Planning Department Fee Schedule.

17.64.050 Administration of Ordinance for Agricultural and Open Space Preserves, and Farmland Security Zones

- A. This ordinance shall be administered by the Placer County Planning Director, the Agricultural Commissioner, and the Assessor, as described in this Article.
- B. The Placer County Agricultural Commission is hereby appointed as the advisory board on agricultural preserves and contracts in compliance with Section 51239 of the Act.
- C. The Placer County Planning Commission shall review the cancellation of contracts and may also act as an Advisory Board on any other matter when the Planning Director deems it necessary.
- D. Determinations of the Planning Director required by this Article may be appealed in compliance with the County Zoning Ordinance.

17.64.060 Agricultural Preserve and Contract Eligibility Requirements

To enter into the Williamson Act Land Program in Placer County, land must qualify as an agricultural preserve and meet minimum requirements for entrance into a contract. An application for Agricultural Preserve and contract may be approved only if the Agricultural Commission and the Board of Supervisors determine that the site proposed for preserve and contract complies with all of the requirements of this Article and can, therefore, accommodate commercial agricultural operations.

- A. **Zoning.** The site shall be designated in one of the following zoning districts as established by this Chapter 17.

Agriculture, Resource and Open Space Districts:

Agriculture Exclusive (AE)
 Farm (F)
 Forestry (FOR)
 Open Space (O)

Residential Districts:

Residential Agricultural (RA)
 Residential Forest (RF)

- B. **Minimum Site Area.** The site shall include the following minimum areas required by this Subsection.
 - 1. **Minimum Area For Preserve.** Section 51230 of the Act establishes the minimum area for an agricultural preserve. A site proposed for preserve and contract shall:
 - a. Include parcels with a total area of 100 acres; or

- b. Be adjacent to other parcels subject to Williamson Act Contracts, so that the total area of contiguous parcels subject to contract is 100 acres or more; or
 - c. Be located in an area with unique agricultural enterprises, where the establishment of an agricultural preserve with a total area of less than 100 acres is in the public interest and consistent with the General Plan.
2. **Minimum Lot Area For Contract.** Individual parcels proposed for preserve and contract shall comply with the minimum lot area requirements shown in Table 1, based on whether land qualifies as Prime or Non-Prime Agricultural Land as defined in Section 17.57.020, above.

TABLE 1
MINIMUM LOT AREA TO QUALIFY FOR PRESERVE AND CONTRACT

Land Type or Agricultural Operation	Minimum Lot Area to Qualify for Preserve and Contract
Prime agricultural lands	10 acres
Non-prime agricultural lands	40 acres

3. **Established Agricultural Uses Required.** The site shall be developed with an existing commercial agricultural operation as described in the definitions of Prime and Non-Prime Agricultural Land as defined in Section 17.57.020, above.
4. **Sites Planted But Without Commercial Production.** Property without existing agricultural production may be considered for preserve and contract only where the applicant demonstrates that the site has installed irrigation and has been planted with trees or vines for orchard or vineyard operations, and that the site could eventually produce a gross income of at least \$4,500.00.
- C. **Minimum Agricultural Income.** The applicant shall provide documentation demonstrating that existing, on-site agricultural operations have produced a minimum gross income of \$4,500.00 during the year prior to the filing of the application for preserve and contract, or \$4,500.00 average annual gross income over the previous three years; except in the case where a site is occupied by a planted, but as yet non-producing orchard or vineyard, as described in Subsection (B)(4) above.
- D. **Ordinance Compliance.** No contract shall be approved for any land where an existing land use or parcel is being maintained in violation of any applicable provision of the Subdivision Map Act, the Placer County Code, or any condition of approval of a land use permit where the violation is identified prior to the filing of a preserve application.

17.64.070 Application Filing and Review

Applications shall be processed in compliance with this Section, and the Act, including, but not limited to Sections 51234 et seq., and 51247. An Agricultural Preserve must be established at the same time that a contract is entered into between the County and a landowner (or multiple land owners).

- A. Application Preparation and Filing.** Applications shall include the forms provided by the Planning Department, all information specified in the *Instructions for Agricultural Preserve Contract Applications*, provided by the Planning Department, and the non-refundable filing fee required by the most current Planning Department fee schedule. Applications shall be filed with the Planning Department.
- B. Annual Application Deadline.** In order for a contract to take effect before January 1 of any given year, contracts must be filed with the Planning Department on or before September 1 of that year. Applications filed after September 1 may not be approved before the end of the year and the contract will not take effect until the following calendar year.
- C. Application Review and Staff Report.** A properly completed application shall be processed as follows.
- 1. Referral of Application.** The Planning Department shall refer applications for preserve and land contracts to the following agencies and individuals:
 - a. Agricultural Commission;
 - b. Farm Advisor;
 - c. County Assessor;
 - d. Local Agency Formation Commission;
 - e. The Planning Commission, at the discretion of the Planning Director; and
 - f. Every City within one (1) mile of the exterior boundary of the property proposed for preserve and contract.
 - 2. Scheduling of Hearing by Agricultural Commission.** After receiving the referral of an application for preserve and contract, the Agricultural Commission shall schedule a hearing on the application within sixty (60) days from the date the application was received.
 - 3. Evaluation of Application.** Upon receiving a notice of hearing in compliance with Subsection (C)(2) above, the Planning Department, Agricultural Commissioner, and Assessor shall review the application and provide written comments to the Agricultural Commission. The Planning Department shall determine and report to the Agricultural Commission whether the preserve is consistent or inconsistent with the General Plan and if the preserve under consideration is less than 100 acres, the report shall also contain a

description of the unique characteristics that justify the establishment of such a preserve as described above in Section 17.57.060(B)(1)(c).

D. Agricultural Commission Hearing and Recommendation. The Agricultural Commission shall conduct a public hearing where the Commission shall consider all oral and written comments received on the application for preserve and contract.

1. **Notice of Hearing.** The Agricultural Commission shall give notice of the hearing to the applicant, the Planning Department, and all other agencies and individuals listed in Subsection (C)(1) above.
2. **Continuance of Hearing.** The hearing may be continued for not more than one regularly scheduled Commission meeting.
3. **Report and Recommendation.** At the conclusion of the hearing, the Commission shall prepare a report that recommends approval or disapproval of the preserve and contract, and if approved, the size and location of the preserve and parcels that should be subject to a contract.
4. **Distribution of Recommendation.** Copies of the Agricultural Commission recommendation, along with the completed application shall be sent to the applicant, the Board of Supervisors, the Planning Department, and all other agencies and individuals listed in Subsection (C)(1) above by the Agricultural Commissioner.

E. Board of Supervisors Hearing and Decision. Upon receipt of the information provided by the Agricultural Commission, the Clerk of the Board of Supervisors shall schedule a hearing on the application within sixty (60) days of receiving the packet of information from the Agricultural Commission.

1. **Notice of Hearing.** The Clerk of the Board of Supervisors shall:
 - a. Publish notice in a newspaper of general circulation one time; and
 - b. Give notice of the hearing to the applicant, the Planning Department, and all other agencies and individuals listed in Subsection (C)(1) above at least fifteen (15) calendar days before the Board of Supervisors shall hear the item.
 - c. The Contents of the Notice shall include a legal description and the Assessor's Parcel Number of the property being considered.
2. **Conduct of Hearing.** At the hearing, the Board shall consider the recommendations and comments of the Agricultural Commission and other County departments, and all oral and written comments received on the application for preserve and contract.
3. **Continuation of Hearing.** The hearing may be continued from time to time, but not more than thirty (30) days.

4. **Planning Department Report.** The Planning Department shall prepare a report for the Board of Supervisors that advises whether the agricultural preserve is consistent with the County General Plan and if the preserve at issue is less than 100 acres, the basis for the Board to find that the preserve has unique characteristics that justify the establishment of such a preserve as described above in Section 17.64.060(B)(1)(c).
5. **Board Decision.** At the conclusion of the hearing, the Board shall determine:
- a. Whether the proposed agricultural preserve is consistent with the County General Plan and make a finding regarding its determination on that matter.
 - b. If the preserve is less than 100 acres the Board must also determine if the preserve has unique characteristics that justify the establishment of such a preserve as described above in Section 17.64.060(B)(1)(c) and make a finding regarding its determination on that matter
 - c. If there is a specific compatibility provision in the contract being approved, the Board shall make the following findings when approving a contract under this subsection:
 1. The list of compatible uses within the contract will not compromise the long-term productive agricultural capability of agricultural lands within the County.
 2. The compatible uses approved will not significantly displace or impair current or reasonably foreseeable agricultural operations on land in Placer County.
 3. The compatible uses approved do not negatively impact property located near agricultural lands that are outside of the Williamson Act program.
 - d. Then the Board shall determine if the contract shall be approved.
- F. **Execution of Contract.** After the approval of an agricultural preserve and contract by the Board of Supervisors, the Chair of the Board and the Landowner shall sign the contract. After contract execution, the contract shall be recorded in compliance with Section 51248 of the Act no later than twenty (20) days after a City or County enters into a contract with a landowner pursuant to this Article, the Clerk of the Board, shall record with the County Recorder a copy of the contract, which shall describe the land subject thereto, together with a reference to the map showing the location of the agricultural preserve in which the property lies. From and after the time of such recordation such contract shall impart such notice thereof to all persons as is afforded by the recording laws of this state.
- G. **Distribution of Copies of Recorded Contracts.** After recording the document, the County Clerk-Recorder shall distribute copies of recorded Williamson Act Land Contracts to the Agricultural Commissioner, the Assessor and the Planning Department.

17.64.080 Land Contract Provisions

Williamson Act Contracts approved by the Board of Supervisors in compliance with this Article shall contain the following provisions, in addition to any other unique provisions deemed necessary by staff, which shall be reviewed by County Counsel, to comply with applicable provisions of this Article or the Williamson Act.

- A. **Term of Contract.** The term of a Williamson Act Contract shall be ten (10) years, in compliance with Section 51244 of the Act. Beginning with the first year after the execution of a contract, one (1) year is automatically added to the term of the contract for each year that elapses, to maintain an ongoing 10-year term, unless a notice of nonrenewal is served in compliance with Section 17.64.140.
- B. **Allowable Land Uses.** As required by Section 51243(a) of the Act, the contract shall limit the uses allowed on the site to agricultural uses, and general as well as specifically tailored compatible uses in compliance with Section 17.64.090. In addition, the agricultural uses that qualified the property for preserve and contract in compliance with Section 17.64.060 shall be described.
- C. **Proposed Development.** The contract shall include the language found in Section 17.64.150 pertaining to any development proposals on land under contract.
- D. **Transferability.** A Williamson Act Contract shall state that it runs with the land until terminated through non-renewal (Section 17.64.140) or cancellation (Section 17.64.150). It shall also state that in compliance with Williamson Act Section 51243(b), the terms of the contract shall be binding upon all successors in interest whether the property subject to contract is sold or otherwise transferred to a new owner as described in Section 17.64.110, or if the property is subdivided in compliance with this Article. All contract provisions shall apply equally to all successors in interest.
- E. As stated in Section 51283(b)(2) of the Act, only those uses stated in the contract shall be permitted activities.

17.64.090 Limitations on Land Uses in Agricultural Preserves, Open Space Preserves, or Farmland Security Zones

The Planning Department shall consult with the Agricultural Commissioner when making determinations under this Section.

- A. **Compatible Uses Only.** Sections 51238 et seq. of the Act require that the County limit the uses of land allowed on contracted lands to those that are compatible with continuing agricultural operations. After the execution of a contract, no land use shall be established on property subject to a contract except for the uses shown in Table 2. Compliance with the land use permit requirements and development standards of this Chapter 17 is also required. Definitions of each of the land uses in Table 2 may be found in Article 17.04 of this Zoning Ordinance. For convenience, Table 2 shows the land use permit required by this Zoning Ordinance for each compatible use in the applicable zone district. However, in the event of any conflict between

Table 2 and the requirements of the other provisions of Chapter 17, the other provisions shall control.

B. Specific Compatibility Provisions. An approved contract shall contain the information in Subsection (A) above, and any tailored provisions that limit the compatible uses allowed under any specific Contract. The specific compatible uses authorized under a contract shall be based on the type of agricultural operation that qualifies the site for the contract, and the type of agricultural operations on surrounding properties, that may be affected by the establishment of compatible uses on the subject site. The specific compatible uses authorized under a Contract shall also consider the principles of compatibility provided by Section 51238 et seq. of the Act.

C. Relationship to Primary Agricultural Uses. Compatible uses allowed on property subject to a Williamson Act Contract shall be clearly incidental or accessory to the primary use of agricultural commodities.

**TABLE 2
ALLOWABLE COMPATIBLE USES**

TYPE OF LAND USE	PERMIT REQUIREMENT BY ZONE					
	RA	RF	AE	F	FOR	O
Agricultural, Resource and Open Space Uses						
Agricultural accessory structures	C	C	C	C	C	C
Agricultural processing	MUP	MUP	MUP	MUP	MUP	
Animal raising and keeping	(2)	(2)	(2)	(2)	(2)	(2)
Animal sales yards, feed lots, stockyards			CUP	CUP		
Chicken, turkey, and hog ranches			CUP	CUP		
Crop production	A	A	A	A	A	A
Fertilizer plants				CUP		
Fisheries and game preserves	A	A	A	A	A	A
Forestry	A	A	A	A	A	A
Grazing	A	A	A	A	A	A
Mining, surface and subsurface (1)	CUP	CUP	CUP	CUP	CUP	CUP
Oil and gas wells			CUP	CUP	CUP	CUP
Plant nurseries, retail			MUP	MUP	MUP	
Plant production nurseries	(2)	(2)	(2)	(2)	(2)	(2)
Water extraction and storage (commercial)	CUP	CUP	(2)	(2)	(2)	(2)
Manufacturing and Processing Uses						
Food Products			CUP	CUP		
Recreation, Education and Public Assembly Uses						
Campgrounds		MUP			MUP	MUP
Camping, incidental	A	A			A	A
Rural recreation		MUP	MUP	MUP	MUP	MUP
Residential Uses						
Caretaker and employee housing			MUP	MUP	MUP	
Farm labor housing	MUP		MUP	MUP		

Home occupations	C	C	C	C		
Residential accessory uses	C	C	C	C		
Single-family dwellings	C	C	C	C		
Secondary dwellings	ARP	ARP	ARP	ARP		
Temporary dwelling	C	C	C	C		
Retail Trade Uses						
Roadside stands for agricultural products	C	C	C	C	C	
Service Uses						
Kennels and animal boarding	MUP	MUP		MUP		
Medical services - Veterinary clinics/animal hospitals	MUP	MUP		MUP		
Public utility facilities	MUP	MUP	MUP	MUP	MUP	MUP
Storage, accessory	A	A	A	A	A	A
Storage of petroleum products for on-site use	(2)C	(2)	C	C	C	MUP
Transient Lodging Uses						
Bed and breakfast lodging (including farmstays)	MUP	MUP	MUP	MUP		
Transportation and Communications Uses						
Airfields and landing strips			CUP	CUP	CUP	CUP
Antennas, communications facilities	(2)	(2)	(2)	(2)	(2)	(2)
Pipelines and transmission lines	A	A	A	A	A	A

NOTES:

- (1) Approval of a Conditional Use Permit for a mineral extraction operation as a compatible use shall comply with Section 51238.2 of the Act.
- (2) Permit requirements set by Article 17.56 of Chapter 17.

Key to Permit Requirements	
Allowed use, zoning compliance required	A
Zoning clearance required	C
Administrative Review Permit required	ARP
Minor Use Permit required	MUP
Conditional Use Permit required	CUP

D. Limitation on Residential Uses. The purpose of allowing residential uses on land subject to a Williamson Act contract is to support on-site agricultural operations, and not to provide non-agricultural related rural homesites. The residential uses listed as allowable under a preserve contract shall be limited as follows.

1. One single-family dwelling shall be allowed per preserve contract for the owner/manager of the parcel(s) subject to the contract.

2. Additional housing may be allowed on the parcel(s) subject to the contract only to the extent that the Agricultural Commissioner and the Planning Director determine that the nature and scale of the agricultural operations on the site require agricultural labor in addition to the owner/manager. The maximum number of dwellings allowed by the Planning Director in compliance with this Section shall not exceed one single-family dwelling and one secondary dwelling per parcel of land that can meet the requirements of this Zoning Ordinance as a separate building site. Appeals of Planning Director's determination under this Section shall comply with Section 17.60.110 of this Zoning Ordinance. When there is a violation of this Section, the County shall act upon such violation in accordance with Section 51250 of the Act.

17.64.100 Divisions of Property

Proposed divisions of sites subject to Williamson Act contracts shall comply with the provisions of the Act, the Subdivision Map Act, and this Section. In the event of any division of all or part of a site subject to a Williamson Act contract, pursuant to the Act, all contract provisions shall become binding on the new owner, except as otherwise provided by Section 17.64.140.

- A. **Compliance With the Subdivision Map Act.** The County shall comply with the Government Code Section 66474.4.
- B. **Minimum Lot Area for Divisions.** Except as provided in Subsection (c) of Government Code section 66474.4, the minimum lot area for parcels proposed in the division of a site that is subject to a Williamson Act contract shall be the larger of the area required by Subsection (B)(2) of Section 17.64.060, above, or the area required by this Zoning Ordinance for the zoning district applicable to the site. These minimum lot area requirements shall be considered as minimums and not maximums; the approval of any proposed land division is discretionary, and as such, the County may require parcel sizes larger than the designated minimum to ensure continuing agricultural viability. An agricultural viability report prepared by a County-approved agricultural economist will be required if the Agricultural Commission determines (during the division review process) that the size of proposed parcel is questionable in relation to their agricultural use and potential.
- C. **Boundary Line Adjustments.** State law governs boundary line adjustments as provided in Section 51257 of the Act.
- D. **New Contracts Required When Subdivision of Land Occurs.**
 1. Whenever land under contract is to be subdivided, a new contract must be entered into for each and every newly created parcel through rescission of the current contract and simultaneous entry into a new contract unless there is no more than three years left on the contract due to the filing of a notice of nonrenewal. When a contract is rescinded in this circumstance, any notice of nonrenewal that had been filed must also be rescinded pursuant to Section 51254 of the Act. If the landowner chooses to file a new notice of nonrenewal, the countdown begins at ten (10) years on the new contract regardless of how long the previous notice had been in place on the old contract.

2. When the County approves the division of Williamson Act lands under the Map Act's parcel map process, one parcel can be described as the "original parcel," which can maintain the previous contract and any relevant Notice of Nonrenewal. Both the contract and the Notice of Nonrenewal may require amendments as decided by the County.
 3. Consistent with state law, the only notice requirements for the approval of contracts through this section are as required for new contracts under this Article.
- E. Agricultural Labor Housing.** A parcel may be subdivided, and then subsequently leased or sold, and then developed for the purposes of Agricultural Labor Housing pursuant to the requirements of Government Code Section 51230.2.
- F. Processing Contract Changes When Land Division Occurs.** Landowners shall use the procedures described in Section 17.64.070 of this Article to obtain new contracts that are required under this section, except that the execution of the contract, as described in Subsection (F) thereof, shall not occur until the approval and final recordation of the subdivision instrument.

17.64.110 Transfers of Williamson Act Lands

- A. The transfer of title to all or any portion of a site that is subject to a contract shall remain encumbered pursuant to 51243(b) of the Act.
- B. Land that is transferred must be able to independently sustain agricultural viability and continue to qualify for inclusion within the program. The exceptions to this requirement are:
 1. The transfer of a portion of a contracted site to an immediate family member as described in Section 51230.1 of the Act, or;
 2. The transfer of land that has been subdivided under Government Code Section 66474.4.

17.64.120 Limitation on Development Proposals of Land in Preserve

The applicant/landowner and/or any successors in interest in lands subject to a Williamson Act Contract shall not file with the County any application for the development of the site, until no more than three (3) years remain until the termination of the Williamson Act Contract through the nonrenewal process. This section does not limit landowners from filing applications with cities. Exceptions to this requirement are limited to:

- A. Proposals for development with a use allowed by the contract in compliance with Section 17.64.090;
- B. Subdivisions in compliance with Section 17.64.100;
- C. A development proposal filed with an application for contract cancellation, in compliance with Section 17.64.150; or

- D. A Specific Plan covering multiple ownerships with both non contracted and contracted lands, where the plan proposes development of contracted lands only after the termination of their contracts through the nonrenewal process.

17.64.130 Termination of Land Contracts

The allowed methods for landowner-initiated termination of land contracts include nonrenewal, cancellation, and rescission as described in Sections 17.64.140, 17.64.150, and 17.64.160. Consistent with state law, it is the policy of the County to have contracts terminated by the nonrenewal process rather than by cancellation.

17.64.140 Nonrenewal by Landowner

- A. **Eligibility for Filing.** A landowner under contract may terminate the contract on their property by serving a notice of nonrenewal of contract on the County at the Planning Department. A contract may also be terminated by the County serving the notice of nonrenewal on a landowner, as described in Section 17.64.170.
- B. **Service and Termination Dates.** The landowner shall serve a Notice of Nonrenewal on the County at least ninety (90) days before the annual renewal date of the contract. A Notice of Nonrenewal shall be prepared using the form required by the Planning Department, and shall be filed with the Planning Department. If the landowner fails to serve a Notice of Nonrenewal on the County by the dates required by this Section, the Notice of Nonrenewal shall not take effect until the following year, meaning that the contract shall be considered renewed for one (1) additional year.
1. Following service of a notice of nonrenewal as specified above, a contract shall be deemed to have expired if after nine years from the anniversary date that the notice of nonrenewal became effective, no notice of rescission of nonrenewal was filed as specified by the Act and these Rules.
 2. In the case of a Farmland Security Zone Contract (in accordance with Williamson Act Section 51296.1(d) and 51296.9), the contract shall be deemed to have expired if after 19 years from the anniversary date that the notice of nonrenewal became effective, no notice of rescission of nonrenewal was filed as specified by the Act and these Rules.
- C. **County Approval of Partial Nonrenewal.** Discretionary County review and approval of a landowner-initiated Notice of Nonrenewal is required only for a Notice of Partial Nonrenewal of contract, under the following circumstances. The existing contract will need to be amended to reflect the acreage remaining under the original contract, if following consultation with the Agricultural Commissioner it is determined that the filing of a notice of partial nonrenewal would have the potential to reduce the contract acreage below the minimum required acreage to sustain the agricultural use of the property for which the contract was approved.
1. The landowner acquired a portion of a larger property subject to a contract. The County policy is to approve such notices since the Williamson Act provides that any landowner, independent of other landowners subject to the same contract, may serve a Notice of

Nonrenewal. However, a notice of this type shall cause County review of the other properties subject to the same contract to determine their continuing eligibility and to consider if and when the County should serve Notices of Nonrenewal on the other landowners under the contract.

2. The landowner requests nonrenewal of a contract on a portion of their property. In such cases, the Planning Department shall forward the landowner's request for partial nonrenewal to the Agricultural Commissioner.

The Agricultural Commissioner shall make a determination as to the current agricultural use of the property and whether or not the scope of the agricultural use and the acreage proposed to remain under contract would meet minimum contract qualifications. The Agricultural Commissioner shall forward a memorandum to the Planning Department describing the agricultural use(s) of the property and the amount of acreage proposed to remain under contract, and shall include a written determination to approve or disapprove the request.

If the Agricultural Commissioner determines to approve the request, the Planning Department shall file a Notice of Nonrenewal with the County Clerk Recorder within 20 days of the written determination of the Agricultural Commissioner, and shall forward a copy(ies) of the Notice of Nonrenewal to the property owner(s). If the Agricultural Commissioner determines to disapprove the request, the Planning Department shall forward the Agricultural Commissioner's memorandum to the property owner(s) accompanied by written notice that the proposed partial nonrenewal shall require submittal of an application to the Planning Department, and that the matter would be determined by the Board of Supervisors, as set out in Section 17.64.070 (Application Filing and Review).

- D. Notification of State of California Director of Conservation.** Within thirty (30) days of the receipt of a Notice of Nonrenewal from a landowner, the service of a Notice of Nonrenewal upon a landowner, or the withdrawal of a Notice of Nonrenewal, the Planning Department shall deliver a copy of the notice, or notice of withdrawal of nonrenewal, to the Director of Conservation, the County Agricultural Commissioner and the Assessor.

- E. Notice of Rescission of Nonrenewal.** A landowner may rescind a notice of nonrenewal by filing a notice of rescission of nonrenewal with the Planning Department at any time prior to the termination of a contract, but not less than 90 days prior to contract termination. A landowner may also partially rescind a notice of nonrenewal any time prior to the renewal date of a contract.

In such cases, the Planning Department shall forward the request for rescission of nonrenewal to the Agricultural Commissioner. The Agricultural Commissioner shall make a determination as to the current agricultural use of the property and whether or not the scope of the agricultural use and the acreage proposed to be re-entered into contract would qualify for re-entry into the program. The Agricultural Commissioner shall forward a memorandum to the Planning Department describing the agricultural use(s) of the property and the amount of acreage proposed

to be re-entered into contract, and shall include a written determination to approve or disapprove the request.

If the Agricultural Commissioner determines to approve the request, the Planning Department shall file a Notice of Rescission of Nonrenewal with the County Clerk Recorder within 20 days of the written determination of the Agricultural Commissioner, and shall forward a copy(ies) of the Notice of Rescission of Nonrenewal to the property owner(s). If the Agricultural Commissioner determines to disapprove the request, the Planning Department shall forward the Agricultural Commissioner's memorandum to the property owner(s) accompanied by written notice that the proposal to re-enter the contract shall require submittal of an application for contract approval to the Planning Department, and that the matter would be determined by the Board of Supervisors, as set out in Section 17.64.070 (Application Filing and Review).

- F. **Recordation of Notice.** No later than twenty (20) days after the County receives a Notice of Nonrenewal from a landowner, or withdraws a Notice of Nonrenewal, or within twenty (20) days after the County approves a Notice of Nonrenewal on a portion of a contract, in compliance with Subsections (C) or (E), above, the Clerk of the Board of Supervisors shall record with the County Recorder a copy of the notice of nonrenewal or notice of withdrawal of nonrenewal and the Clerk of the Board shall then send copies of such recorded document to the County Agricultural Commissioner, the Planning Department and the Assessor.

17.64.150 Cancellation

A landowner may request cancellation of a Williamson Act Contract on all or a portion of the property subject to the contract, in compliance with Section 51280 et seq. of the Act. However, cancellation can be approved only under extraordinary circumstances as mandated in the Williamson Act.

- A. **Application for Cancellation.** Applications shall include the forms provided by the Planning Department, all information specified in the *Instructions for Agricultural/ Preserve Contract Cancellation Requests* provided by the Planning Department, a proposal for a specified alternative use of land, and the non-refundable filing fee required by the most current Planning Department fee schedule.
- B. **Application Review and Staff Report.** A properly completed application shall be processed as follows.
1. **Notice to the State.** When a landowner petitions the Board for the tentative cancellation of a contract and when the Board accepts the application as complete, the Clerk of the Board shall immediately mail a notice to the Director of Conservation. The notice shall include all of the following:
 - a. A copy of the petition.
 - b. A copy of the contract.
 - c. A general description, in text or by diagram, of the land that is the subject of the proposed cancellation.

- d. The deadline for submitting comments regarding the proposed cancellation. That deadline shall not be less than thirty (30) days prior to the scheduled action by the Board.
- e. The Director of Conservation shall review the proposed cancellation and submit comments to the Board by the deadline specified in paragraph (d) above. Any comments submitted shall advise the Board on the findings required by Section 51282 of the Act with respect to the proposed cancellation. Prior to acting on the proposed cancellation, the Board shall consider the comments by the Director of Conservation, if submitted.

- 2. **Referral of Application.** The Planning Department shall refer applications for contract cancellation to the following agencies and individuals listed in Section 17.64.070(C)(1) and to any other landowner who owns land under the same contract or within the same agricultural preserve.
- 3. **Environmental Determination.** The Planning Department shall review the cancellation application in compliance with the California Environmental Quality Act (CEQA).
- 4. **Evaluation of Application.** The Planning Department, Agricultural Commissioner, and Assessor shall review the application. The Planning Department shall prepare a staff report evaluating the compliance of the cancellation request with this Section, and with applicable provisions of the Williamson Act.

C. **Agricultural Commission Hearing and Recommendation.** The Agricultural Commission shall conduct a public hearing, where the Commission shall consider all oral and written comments received on the application for cancellation of the preserve and contract.

- 1. **Notice of Hearing.** The Agricultural Commission shall give notice of the hearing to the applicant, the Planning Department and all other agencies and individuals listed in Section 17.64.070(C)(1).
- 2. **Report and Recommendation.** At the conclusion of the hearing, the Commission shall prepare a recommendation to the Planning Commission for the approval or disapproval of the cancellation.
- 3. **Distribution of Recommendation.** Copies of the Agricultural Commission recommendation shall be sent to the applicant, the Planning Commission, the Board of Supervisors, the Planning Department, and all other agencies and individuals listed in Section 17.64.070(C)(1) above. The Planning Department shall also forward a copy of all application materials for the cancellation to the Planning Commission and Board of Supervisors.

D. **Planning Commission Hearing and Recommendation.** The Planning Commission shall conduct a public hearing, where the Commission shall consider all oral and written comments received on the application for cancellation.

1. **Notice of Hearing.** Notice of the public hearing shall be provided in compliance with Section 17.60.140 of this Zoning Ordinance.
2. **Report and Recommendation.** At the conclusion of the hearing, the Commission shall prepare a recommendation to the Board of Supervisors for the approval or disapproval of the cancellation.

E. Board of Supervisors Hearing and Decision. Upon receipt of the information provided by the Planning Department, which shall include the recommendations of both the Agricultural Commission and the Planning Commission, the Clerk of the Board of Supervisors shall schedule a hearing on the application, provided that the Board shall not approve or disapprove a cancellation until the requirements of Section 51283 of the Act, regarding cancellation fees, have been satisfied.

1. **Notice and Conduct of Hearing.** The Clerk of the Board of Supervisors shall give notice of the hearing as described in Subsection (D), above, and Section 51284 of the Act. At the hearing, the Board shall consider the recommendations and comments of the Agricultural Commission, the Planning Commission, and all oral and written comments received on the application for cancellation.
2. **Board Decision.** At the conclusion of the hearing, the Board shall determine whether the required findings can be made, and based thereupon the proposed contract cancellation may be approved or disapproved.

F. Required Findings. The approval of a cancellation request shall require that the Board of Supervisors first make all of the findings under one of the following two sets of findings to approve a cancellation request, in compliance with Section 51282 of the Act.

1. The cancellation is consistent with the purposes of the California Land Conservation Act of 1965.
 - a. A notice of nonrenewal has been served.
 - b. Cancellation is not likely to result in the removal of adjacent lands from agricultural use.
 - c. An alternative use is proposed which is consistent with the County General Plan.
 - d. Cancellation will not result in discontinuous patterns of urban development.
 - e. There is no proximate noncontracted land which is both available and suitable for the proposed alternative use, or, development of the contracted land would provide more contiguous patterns of urban development than development of proximate non contracted land, which is sufficiently close to the contracted land that it can serve as a practical alternative for the use which is proposed for the contracted land.

2. The cancellation is in the public interest.
 - a. Other public concerns substantially outweigh the objectives of the California Land Conservation Act of 1965; and
 - b. Same as item F(1)(e) above.

The following provision applies to Subsections 1 and 2 above: The uneconomic character of an existing agricultural use shall not by itself be sufficient reason for cancellation of the contract. The uneconomic character of the existing use may be considered only if there is no other reasonable or comparable agricultural use to which the land may be put.

- G. Certificate of Cancellation.** An approved cancellation shall be completed with the recordation of first a tentative certificate of cancellation, and then a final certificate of cancellation in compliance with Section 51283.4 of the Act. Among other requirements, the approval of a cancellation shall be contingent upon the payment of the cancellation fee, computed under Section 51203, 51283 and 51283.1 of the Act, and upon a requirement that the landowner obtain all permits necessary to commence the project, as described as the alternative use of the land in the application.

17.64.160 Termination by Rescission in Favor of a New Contract or Public Acquisition

- A. Open Space Williamson Act Contracts.** The Williamson Act provides that agricultural preserves may consist of land devoted to open-space or recreational uses. This Section provides the opportunity for the protection of certain non-agricultural open space lands as defined by state law, and that the General Plan classifies as desirable open space or environmentally sensitive lands, and other lands with environmental characteristics determined by the Board of Supervisors to be of high value to the current and future residents of Placer County.

1. **Eligibility Standards.** The diversity of open-space uses and natural characteristics necessitate careful review of applications on a case-by-case basis, and, if approved, land contracts will need to be tailor-made to identify and protect the uses and features that qualify properties for the preserve program. The following provisions describe the minimum eligibility standards and contract restrictions to protect qualifying open-space uses.
 - a. **Zoning.** Land to qualify for an agricultural preserve, based on open-space uses, may be located within any zone district listed in Section 17.64.060(A). Within one year after an open space preserve is established and the owner enters into a land contract, the County shall initiate a rezoning, if necessary, to include the property in the Open Space (O) zoning district in compliance with Section 51252 of the Act.
 - b. **Preserve and Site Area.** The minimum site area for open space preserves and land contracts shall be twice the minimum lot area required by the applicable

zoning district for proposed subdivisions. Also, the preserve may consist of one or more individually qualifying ownerships as follows:

1. A single ownership of an area of not less than 40 acres; or
 2. Any ownership of not less than 20 acres that is adjacent to an existing agricultural or open space preserve.
- c. **Open-Space Uses.** Qualification of any property requires compliance with any one of the specific definitions of open-space use in Section 17.64.020 (Definitions).
2. **Application Filing and Processing.** The preparation, filing, and processing of an open space preserve application shall comply with Section 17.64.070.
 3. **Land Use Restrictions.** Land subject to a land contract for open space protection shall be subject to the following restrictions.
 - a. **Land Division.** The minimum lot area for new land divisions in preserves consisting of open-space uses is stated in A(1)(b) above.
 - b. **Minimum Ownership Size.** If a property subject to contract consists of two or more existing parcels, the smallest parcel or contiguous parcel area that can be conveyed to a new owner or retained by the existing owner is twice the minimum lot area required by the applicable zoning district, except that the entire acreage described in a contract may be conveyed to a new owner.
 - c. **Open-Space Use Limitations.** The Planning Department staff report on an application shall include recommendations identifying the existing open-space use, compatible land uses, and measures to maintain and protect the qualifying use and important natural features occurring on the property. The land contract shall include the land use standards and conditions that are adopted for the preserve. Each contract shall refer to allowable agricultural, resource, and open space uses in the Zoning Ordinance, and specify any necessary limitations on use to ensure protection of the open-space use.
 4. **Contract Provisions.** Land contracts for the preservation of lands devoted to open space uses shall comply with the Act and this Article and all contracts shall state that “no landowner shall dispute the applicability of the Act and these regulations on the open space property under contract.”
 5. **Termination of Contracts.** The termination of a land contract for open space uses shall comply with the Act and this Article
 6. **Enforcement.** The enforcement by the County of the provisions of a land contract for an open space preserve shall comply with the Act and this Article.

- B. Open Space Easements.** Any contract entered into after August 12, 1998 may be rescinded by the parties upon their mutual agreement in order to simultaneously enter into an open-space easement agreement pursuant to the Open-Space Easement Act of 1974 (Chapter 6.6 [commencing with Section 51070]), provided that the easement is consistent with the Act for the duration of the original Williamson Act contract. The easement would enforceably restrict the same property for an initial term of not less than the (10) years and would not be subject to the provisions of Article 4 (commencing with Section 51090) of Chapter 6.6 of the California Government Code. This action may be taken notwithstanding the prior serving of a notice of nonrenewal, and the land subject to the contract shall be assessed pursuant to Section 423 of the Revenue and Taxation Code.
- C. Agricultural Conservation Easement Agreements.** Notwithstanding any other provision of this chapter, Placer County, upon petition by a landowner, may enter into an agreement with a landowner to rescind a contract in accordance with the contract cancellation provisions of Section 51282 of the Act in order to simultaneously place other land within the County under an agricultural conservation easement, consistent with the purposes and, except as provided in subdivision (2) below, the requirements of the Agricultural Land Stewardship Program pursuant to Division 10.2 (commencing with Section 10200) of the Public Resources Code provided that the Board of Supervisors makes all of the following findings:
1. The proposed agricultural conservation easement is consistent with the criteria set forth in Section 10251 of the Public Resources Code.
 2. The proposed agricultural conservation easement is evaluated pursuant to the selection criteria in Section 10252 of the Public Resources Code, and particularly subdivisions (a), (c), (e), (f), and (h), and the board or council makes a finding that the proposed easement will make a beneficial contribution to the conservation of agricultural land in its area.
 3. The land proposed to be placed under an agricultural conservation easement is of equal size or larger than the land subject to the contract to be rescinded, and is equally or more suitable for agricultural use than the land subject to the contract to be rescinded. In determining the suitability of the land for agricultural use, the city or County shall consider the soil quality and water availability of the land, adjacent land uses, and any agricultural support infrastructure.
 4. The value of the proposed agricultural conservation easement, as determined pursuant to Section 10260 of the Public Resources Code, is equal to or greater than 12.5 percent of the cancellation valuation of the land subject to the contract to be rescinded, pursuant to subdivision (a) of Section 51283. The easement value and the cancellation valuation shall be determined within thirty (30) days before the approval of the city or County of an agreement pursuant to this section.
- D. Public Acquisition.** Requirements for termination of contracts through annexation and public acquisition may be found in the Williamson Act in Sections 51290 – 51295, and 51297(d).

- E. It is the policy of the County that land owners be encouraged to rescind their current contracts in favor of contracts described in Subsections (A) or (B) above when the lands under contract are no longer being used for agriculture and can qualify under that section.

17.64.170 - Enforcement of Agricultural Preserve Regulations and Contract Provisions

The County shall monitor the agricultural preserve program for contract violations and take necessary actions to enforce compliance with the terms of contracts. Land use restrictions specified in a land contract are binding on the owner who entered into contract or a succeeding owner, as long as the contract remains in effect. The owner is obligated to maintain the land in agricultural use and in a condition that will not diminish the use or characteristics that originally qualified the property for the agricultural preserve program.

- A. **Agricultural Activity Monitoring.** It is the responsibility of the Agricultural Commissioner to monitor the continuation of the uses of land on contracted properties that qualified the properties for land contracts. If a site no longer meets the standards established in this Article, the landowner may rescind the current contract in favor of an open space Williamson Act Contract described in Section 17.64.160, or the County may proceed with nonrenewal.
- B. **County Monitoring of Changes in Land Ownership or Use.** It is the responsibility of the Planning Department to monitor land divisions and combinations of parcels involving properties under contract, particularly regarding minimum parcel size. Any conveyance, contract or authorization (whether oral or written) by the owner or successors in interest which would permit use of the property contrary to the terms of the contract may be declared an act in breach of contract by the Board of Supervisors. Such declaration or the provisions of the contract may be enforced by the County by an action filed in the Superior Court of the County for the purpose of compelling compliance or restraining breach thereof.
- C. **Compatible Use Violations.** It is the responsibility of the Agricultural Commissioner and the Planning Department to identify and remedy noncomplying uses of Williamson Act properties (i.e., those uses not indicated as "compatible" by Section 17.64.090(A) or (B)). The Planning Department will use permit tracking to identify and remedy new construction or entitlements that are incompatible with lands under contract. In case of a violation, the landowner shall have a period of ninety (90) days from the date of discovery to remove the noncomplying use. If it is not removed, nonrenewal may be initiated by the County, or the Board of Supervisors may authorize the initiation of an action in Superior Court to compel removal of the noncomplying use.
- D. **Illegal Structures on Williamson Act Lands.** As referenced above in Section 17.64.090(D)(2), when a structure is put on land under contract in violation of the Act or these regulations, state enforcement provisions may apply pursuant to Section 51250 of the Act.

17.64.180 County Initiated Notices of Nonrenewal

The Planning Department, in consultation with the Agricultural Commissioner, shall be responsible for initiating nonrenewal by the County, where required, to enforce the provisions of this ordinance.

If the proposed farmland security zone is in an area that is not designated on the Important Farmland Series Maps, the land shall qualify if it is predominantly prime agricultural land, as defined in subdivision (c) of Section 51201 of the Act.

C. Processing. Processing of creation of Farmland Security Zones, entrance into contracts, subdivision, or the nonrenewal of those contracts shall be the same for Farmland Security Zones as it is above for Williamson Act contracts except:

1. No land shall be included in a farmland security zone unless expressly requested by the landowner. Any land located within a city's sphere of influence shall not be included within a farmland security zone, unless the creation of the farmland security zone within the sphere of influence has been expressly approved by resolution by the city with jurisdiction within the sphere of influence.
2. If more than one landowner requests the creation of a farmland security zone and the parcels are contiguous, the County shall place those parcels in the same farmland security zone.
3. The term of a Farmland Security Zone Contract shall be for an initial term of no less than twenty (20) years. Each contract shall provide that on the anniversary date of the contract or on another annual date as specified by the contract, one (1) year shall be added automatically to the initial term of the contract unless a notice of nonrenewal is given pursuant to Section 51245 of the Act.
4. Upon termination of a Farmland Security Zone Contract, the farmland security zone designation for that parcel shall simultaneously be terminated.

D. Cancellation. The cancellation of a Farmland Security Zone Contract shall be as described in Section 51297 of the Act.

Section 2: This ordinance shall take effect and be in full force and effect thirty (30) days after its passage. The Clerk is directed to publish a summary of this ordinance within fifteen (15) days in accordance with Government Code Section 25124.

Before the Board of Supervisors County of Placer, State of California

In the matter of: An ordinance amending
Chapter 2 adding Article 2.82 entitled
"Veterans Memorial Hall Governing Boards"

Ord. No: _____

First Reading: _____

The following Ordinance was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held on August 24, 2010.

by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:
Clerk of said Board

The Board of Supervisors of the County of Placer, State of California, does hereby ordain:
Section 1: That Chapter 2 of the Placer County Code is hereby amended to add Article 2.82 as follows:

Article 2.82

VETERANS MEMORIAL HALL GOVERNING BOARDS

Section:

- 2.82.010 Establishment of Governing Boards
- 2.82.020 Constitution of Boards
- 2.82.030 Term of Office
- 2.82.040 Compensation
- 2.82.050 Meetings
- 2.82.060 Open Meetings
- 2.82.070 President of the Board
- 2.82.080 Secretary

- 2.82.090 Records Public
- 2.82.0100 Removal of Trustees
- 2.82.0110 Duties and Powers of Boards
- 2.82.0120 Payment for Use of Memorial Halls
- 2.82.0130 Membership of Veterans Organizations
- 2.82.0140 Budget
- 2.82.0150 Annual Report by Trustees
- 2.82.0160 Organizational Relationships

2.82.010 Establishment of Governing Boards.

Each Veterans Memorial Hall established and maintained by the Board of Supervisors shall be governed by a Board of Trustees known as the "BOARD OF TRUSTEES OF _____ (fill in) VETERANS MEMORIAL HALL."

2.82.020 Constitution of Boards.

The several boards of trustees shall be constituted as follows:

- A. **Veterans' Organization Defined:** "Veterans' organization" means any duly recognized chartered organization composed solely of honorably discharged members of the United States uniformed military services.
- B. **Permanent Trustee:**
 - 1. The Supervisor in whose district the Memorial Hall is situated shall be a permanent trustee. Any Supervisor may, but is not required to, appoint an alternate to represent him or her on the board.
 - 2. Any Supervisor may, but is not required to, appoint as such Supervisor's alternate an active member of a veteran's organization.
- C. **Voting Trustees:**
 - 1. For each Veterans Memorial Hall, one or more trustees with corresponding alternates shall be appointed from each veteran's organization. If the number of veterans organizations is less than four (4), or if a veterans organization fails to recommend a trustee as hereinafter provided, the Board of Supervisors shall appoint as many additional trustees, who are members of veterans organizations, as may be necessary to constitute a board of five members, including a member of the Board of Supervisors.
 - 2. Each year, on or before the third Monday in June, each veterans organization shall submit to the Supervisor elected from its respective district the names of the veterans organization appointee and alternate whom the organization recommends be appointed to the board of trustees of the Veterans Memorial Hall. Thereafter, a meeting of the Board of Supervisors in the succeeding July, or as soon thereafter as reasonable, the Supervisor of that district shall nominate to the full Board of Supervisors any such recommendation(s) the Supervisor supports or any other member(s) of the organization the Supervisor does support for nomination to the trustee board. This same procedure will be followed should a trustee or alternate position becomes vacant during the term of office.

D. Non-Voting Trustees: The Supervisor of each district may appoint up to two non-voting trustees, with or without alternates, from veterans organization auxiliaries and/or the general public to each Board. These appointments do not require confirmation by the full Board of Supervisors.

2.82.030 Term of Office.

The term of a sitting member of the board of trustees, including all trustee or supervisor alternates, will end August 31 each year, unless the BOS has not appointed new trustees, in which case the incumbent Hall Board shall continue to act until the BOS appoints new trustees. Before discharging the duties of this office, each trustee and alternate shall take an oath of office, which shall be filed with the Placer County Clerk of the Board.

2.82.040 Compensation.

The office of the trustee is honorary, without salary or other compensation.

2.82.050 Meetings.

Each Board of Memorial Hall Trustees shall establish an appropriate schedule of regular meeting dates. Special meetings may be called in accordance with Section 54956 et seq., of the Government Code, for the transaction of necessary business. A majority of the voting members constitutes a quorum for business, and an affirmative vote of a majority of all of the voting members is required to exercise the powers of the Board.

2.82.060 Open Meetings.

All meetings of the board shall be open and public and shall be subject to the "Brown Act," Section 54950 et seq., of the Government Code.

2.82.070 President of the Board.

Each board shall elect one of its members as president. The Board of Supervisors encourages the veterans' organizations to rotate this office among the various veterans' organizations making up each Board of Trustees.

2.82.080 Secretary.

Each board shall select a secretary who shall keep a record and full minutes in writing of all proceedings of the board. Non-voting members of the Board may serve in this capacity. Minutes shall be submitted to the County two weeks prior to the next scheduled meeting, all other records shall be submitted to the County each year by August 31st.

2.82.090 Records Public.

All records of the board shall be open to inspection by the public.

2.82.0100 Removal of Trustees.

Each veteran's organization may remove its representatives at any time. The Board of Supervisors may, in its sole discretion, remove any trustee at any time and may declare the office of trustee vacant. In accordance with Government Code section 1770, the office of trustee shall become vacant upon the occurrence of any of the events listed therein. Vacancies shall be filled within thirty (30) days after their occurrence in the manner provided by Section 11.5.

2.82.0110 Duties and Powers of Boards.

Subject to final approval by the Board of Supervisors, each board of trustees shall make and enforce all rules, regulations and by-laws necessary for the administration, government, and protection of the Memorial Hall. Such rules and regulations shall include, but are not limited to, provisions for:

- Management of the hall.
- Fee schedule for rental of the hall.
- Policies and procedures for rental of the hall, including clearance from local law enforcement agencies for all large gatherings.
- Periodic inspection of routine maintenance and janitorial services.

2.82.0120 Payment for Use of Memorial Halls.

- A. Free use of the Halls shall be accorded to County Veterans groups.
- B. Free use of the Halls shall be accorded to County departments for non-routine county business, nonprofit senior citizen or children activity groups such as 4H or scouts, and community service clubs as authorized by the Hall Board in accordance with scheduling and use submittal requirements.
- C. Reduced rates up to, but not to exceed 50% of the designated rental fee may be granted by Hall Board action to other community based nonprofit groups from the community in which the Hall is located. In all other instances, full payment of the designated rental fee shall be required.

2.82.0130 Records of Membership of Veterans Organizations.

Each board of trustees shall prepare and maintain a current record of all veterans' organizations that use the hall and desire to be represented on the board of trustees. Said record shall contain the following information; in addition, any other information deemed appropriate by the board of trustees:

- A. Name of organization.
- B. Legal form of the organization, i.e., corporation, unincorporated association, etc.
- C. Mailing address of organization.
- D. Total number of members of each organization.
- E. Name and address and phone number of the presiding and recording officers of the organization.

2.82.0140 Budget.

On or before the date specified for presentation of departmental budgets each year, the Facilities Department, in cooperation and coordination with each board of trustees, shall prepare and submit a cumulative budget for all halls to the Board of Supervisors for the next succeeding fiscal year.

2.82.0150 Annual Report by Trustees.

Each board of trustees, on or before the fifteenth day of July each year, shall make an annual report to the Board of Supervisors for the preceding fiscal year ending on the 30th day of June. The report shall give full statements of all property and money received, if any, whence derived, how used and expended, and such other information as might be of interest.

2.82.0160 Organizational Relationships.

Each Memorial Hall Board may notify the hall custodian of maintenance items; however, board requests for major maintenance items and other capital improvements should be presented to the Building Maintenance Superintendent of Facility Services. If satisfaction is not achieved, the Memorial Hall Board should contact the Director of Facility Services,

and if satisfaction is still not obtained, an appeal may be made to the Board of Supervisors.

Section Two. This ordinance shall take effect and be in full force and effect thirty (30) days after its passage. The Clerk is directed to publish ordinance, or a summary therefore, within fifteen (15) days in accordance with Government Code Section 25124.

**Before the Board of Supervisors
County of Placer, State of California**

In the matter of: An Ordinance Deleting
Chapter 2 Article 2.100 of the Placer County Code
Pertaining to the Use of County Vehicles

Ord. No: _____

First Reading: _____

The following Ordinance was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held on _____, 2010, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:

Chairman, Board of Supervisors

Ann Holman
Clerk of Said Board

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER:

Section 1: Chapter 2, Article 2.100-COUNTY VEHICLES of the Placer County Code is deleted in its entirety.

Section 2: This ordinance shall take effect and be in full force and effect thirty (30) days after its passage. The Clerk is directed to publish a summary of this ordinance within fifteen (15) days in accordance with Government Code Section 25124.

Before the Board of Supervisors County of Placer, State of California

In the matter of:

Resol. No: _____

Adopting a resolution deleting specified
Administrative Rules

The following Resolution was duly passed by the Board of Supervisors of the County
of Placer at a regular meeting held on _____.

by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:
Clerk of said Board

WHEREAS, the Placer County Board of Supervisors authorized the County Executive
Officer to develop and implement the Placer County Placer Administrative Manual
("PAM") by resolution dated August, 24, 2010;

WHEREAS, in order to avoid confusion and achieve a more comprehensive set of County
policies and procedures as envisioned by the PAM process it is necessary to delete the
existing Placer County Administrative Rules covered in the PAM;

WHEREAS, the Placer County Administrative Rules were originally adopted by the Placer County Board of Supervisors and therefore can only be deleted by resolution of the Placer County Board of Supervisors;

AND WHEREAS, the County Executive Officer has prepared a list attached hereto as Exhibit 1 of the Placer County Administrative Rules which are proposed to be deleted and their accompanying replacement provisions in the PAM;

NOW, THEREFORE, BE IT RESOLVED, that the Placer County Administrative Rules 1, 8, 9, and 14 are hereby deleted, effective immediately;

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Placer County Administrative Rules 6, 10 and 11 are hereby deleted, effective date to coincide with the effective date of the ordinances described in Part B, "Action Requested" subsections 3, 4 and 5 of this Board memo.

LISTING OF ADMINISTRATIVE RULES DELETED BY AUGUST 24, 2010 BOS ACTION

8/12/2010

Administrative Rule		Replacement
Chapter	Title	Title
1	Zoning Maps - Publications	Superseded by County Code, Chpt. 17, 1995 Zoning Ordinance
6	Agriculture and Open Space Preserves	Language transferred to Code Chapter 17, Zoning, Article 17.64, part 4, Williamson Act Lands Program, some reformatting, but no substantive changes
8	Capital Assets	Replaced with existing policy, Auditor-Controller's 2009 Policies & Procedures Guide for Capital Assets in PAM
9	Accounts Receivable; Billing & Relief from Accountability	Replaced with existing policy, Auditor-Controller's 2008 Accounting Policies and Procedures Manual in PAM
10	Charges for County Vehicles Use and Automotive Fund Services	Replaced with new Vehicle Policy in PAM and annual rate schedule issued during annual budget preparation
11	Memorial Halls Governing Boards	Language transferred to Code Chapter 2, Article 2.82, reformatted, but no substantive changes
14	Volunteers	Replaced with new Volunteer Policy, based on CSAC EIA model, in PAM