



COUNTY OF NEVADA COMMUNITY DEVELOPMENT AGENCY

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June 7, 2006

Skip Lusk, Executive Officer
Nevada County Board Of Realtors
336 Crown Point Circle
Grass Valley, Ca 95945-9089

Dear Mr. Lusk,

This is in response to your request for information regarding the Code Compliance timeline when realty signs are found to be in violation of the County of Nevada Land Use Development Code:

Section L-II, 4.2.12

13. Real Estate Signs. Temporary signs indicating only that property on which the sign is located is for sale, rent or lease. Only one sign per street frontage is permitted and said signs shall not exceed a maximum aggregate area of 16 square feet on residential parcels and 32 square feet on non-residential properties.

- 1) Complaint received by Code Compliance.
- 2) Allegation of violation verified by staff within 7 to 14 business days.
- 3) Realtor and or property owner sent a Warning Notice of Code Violation with notice to remove sign within 7 business days of date of letter.
- 4) Sign not removed: Citation Warning Notice sent to realtor and or property owner with 7 business days from date of letter to abate violation.
- 5) Sign not removed: Citation filed in Nevada County Superior Court against realtor and or property owner.

It takes approximately 2-3 weeks to have a court date set by Nevada County Superior Court.

A first level citation has a fine of \$100.00 plus court costs: approximate total of **\$385**

A second level citation has a fine of \$500.00 plus court costs: approximate total of **\$885**

A third level citation has a fine of \$1000.00 plus court costs: approximate total of **\$1385**

The violator must be found guilty on each prior level citation for the next level citation to be filed, this is on the same violation IE: same sign and property. If the violator fails to appear in court for the hearing, the court issues a bench warrant for their arrest (Code Compliance violators have been arrested for these infraction warrants).

When the department of Transportation receives a complaint about illegally placed signs within a county maintained roadway the signs are subject to immediate removal without notice by the County of Nevada Department of Transportation. The regulations for roadways is outline in the County of Nevada General Code:

General Code ARTICLE 6. Signs; Encroachment Permit

Sec. G-IV 6.1 Signs Upon County Property - Encroachment Permit - Required

No signs shall be erected, placed or maintained upon any County road or County property without first obtaining from the Director of Public Works an encroachment permit. (Ord. #391, Sec. 1).

Sec. G-IV 6.2 Signs Upon County Property - Encroachment Permit - Not to Be Issued for Strictly Private Signs

The Director of Public Works shall not grant an encroachment permit for a sign which is strictly private in nature. (Ord. #391, Sec. 1).

Sec. G-IV 6.3 Signs Upon County Property - Encroachment Permit - To be Issued With Limitations if Public Benefit Shown

Where a sign is proposed by a private individual and/or company and the Director of Public Works determines that there will be a public benefit, an encroachment permit may be granted on the following conditions:

1. The cost of the sign installation shall be paid for by the proponent.
2. That the sign shall become publicly owned and maintained.
3. The standards for the type, size and placement of information or semi-public signs shall be determined in each case by the Director of Public Works using accepted engineering practices.
4. The Director of Public Works shall collect the costs provided herein prior to the issuance of the encroachment permit. No charge shall be made for signs placed and maintained for governmental entities.
5. The Director of Public Works may limit the term of the encroachment permit. (Ord. #391, Sec. 1).

Sec. G-IV 6.4 Violations/Infractions

- A. Violation of the provisions of this Article shall be an infraction and upon correction thereof, there shall be a mandatory fine imposed as follows:
 1. For a first violation, a fine of one hundred dollars (\$100).
 2. For a second violation of the same ordinance (section) within a twelve-month period, a fine of two hundred dollars (\$200).
 3. For a third or subsequent violation of the same ordinance (section) within a twelve-month period, a fine of five hundred dollars (\$500).

Page 3

B. The Nevada County Code Enforcement Officer(s) (as established in Section L-II 37.5(b)) shall be responsible for the enforcement of this Article. Ord. #391, 2/6/68; Ord. #1367, 2/3/86.

This should provide you with a fairly comprehensive overview of the citation process and the various fines associated with the violations.

If you have any additional questions or concerns please contact me at your convenience.

Regards,

Taryn A. Evans,
Code Compliance Program Manager