

ORDINANCE NO. SCC 2024-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA AMENDING CHAPTER 2.40 OF THE SHASTA COUNTY CODE TO ALLOW FOR APPOINTMENT OF A SEPARATE COUNTY SURVEYOR WHEN THE APPOINTED PUBLIC WORKS DIRECTOR DOES NOT POSSESS THE QUALIFICATIONS OF COUNTY SURVEYOR

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION I. Amendment to Section 2.40.020 of the Shasta County Code.

Section 2.40.020 of the Shasta County Code is amended to read in its entirety as follows:

2.40.020 Director-Appointment-Duties.

The Board of Supervisors may appoint a registered civil engineer with general knowledge of public or business administration and particular knowledge of public works administration to serve as the director of the department of public works. The director shall:

- A. Manage and administer the functions and duties of the department of public works;
- B. Represent Shasta County before any governmental agency, body or officer on matters relating to county highways and all other public works as directed by the Board of Supervisors;
- C. Serve as and perform the functions and duties of county surveyor in accordance with Government Code Section 27550;
 - 1) If the director of public works does not satisfy the qualifications of County Surveyor, the Board of Supervisors shall appoint a separate County Surveyor who satisfies the qualifications, upon the recommendation of the director of public works, and who shall report to the Board of Supervisors through the director of public works. The person so appointed shall serve in the capacity of County Surveyor at the pleasure of the Board of Supervisors. Except as specifically provided in [section 2.40.020](#) (C)(1) of this Code, the director of public works shall be the appointing authority for all employees in the department of public works.
- D. Serve as and perform the functions and duties of county road commissioner, including but not limited to the duties set forth in Streets and Highways Code Section 942.5;
- E. With the approval of the Shasta County water agency, serve as and perform the functions and duties of chief engineer for the Shasta County water agency;
- F. Perform other duties and functions as the Board of Supervisors may direct.

SECTION 2. If any section, subsection, sentence, clause, phrase, or provision of this Ordinance or its application to any person or circumstance is held invalid for any reason, the invalidity does

not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause, phrase, or provision thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or provisions be declared unconstitutional or invalid.

SECTION 3. All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this ordinance are hereby superseded by this Ordinance. The adoption of this ordinance shall not in any manner affect any action or prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, be construed as a waiver of any license, fee, or penalty required by or resulting from any such ordinance, or affect the validity of any bond (or cash deposit in lieu thereof) required to be posted, filed, or deposited pursuant to such ordinance.

SECTION 4. This ordinance shall take effect and be in full force and effect 30 days after its passage. The Clerk shall cause this ordinance to be published as required by law.

DULY PASSED AND ADOPTED this 23rd day of January, 2024, by the Board of Supervisors, County of Shasta, State of California, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

KEVIN W. CRYE, CHAIR
Board of Supervisors
County of Shasta
State of California

ATTEST:

DAVID J. RICKERT
Clerk of the Board of Supervisors

By: _____
Deputy