

**AN URGENCY ORDINANCE OF THE COUNTY OF BUTTE AMENDING ARTICLES
III AND IV OF CHAPTER 54, "NORTH COMPLEX FIRE RECOVERY" OF THE
BUTTE COUNTY CODE, RELATING TO TEMPORARY TRUCK AND EQUIPMENT
LAYDOWN YARDS, BASECAMP LOCATIONS AND LIMITED DENSITY OWNER-
BUILT RURAL DWELLING REGULATIONS**

4/5 VOTE REQUIRED

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

Section 1. Findings.

This Urgency Ordinance is adopted pursuant to California Government Code Sections 25123(d) and 25131 and shall take effect immediately upon its approval by at least a four-fifths vote of the Board of Supervisors. The Board, in consultation with the Local Health Officer, finds that this Ordinance is necessary for the immediate preservation of the public peace, health and safety, based upon the following facts:

A. On August 17, 2020, lightning strikes sparked the Bear Fire and the Claremont Fire, both in Plumas County. Conditions of extreme peril to the safety of persons and property within the County of Butte were caused by wildfire known as the North Complex Fire when the Bear and Claremont Fires merged and progressed into the County of Butte on the 8th day of September, 2020, at which time the Board of Supervisors was not in session. A map depicting the North Complex Fire area is attached hereto as Exhibit A.

B. California Government Code Section 8630 empowers the County Administrator to proclaim the existence of a local emergency when the county is affected or likely to be affected by

1 a public calamity, subject to ratification by the Board of Supervisors at the earliest practicable
2 time.

3 C. On September 9, 2020, the Assistant Chief Administrative Officer of the County of
4 Butte proclaimed the existence of a local emergency within the county due to the North Complex
5 Fire.

6 D. On August 18, 2020, the Governor of the State of California proclaimed a State of
7 Emergency for multiple fires caused by lightning strike, including what would grow into the North
8 Complex Fire pursuant to the California Emergency Services Act, commencing with Section 8550
9 of the Government Code.

10 E. On August 22, 2020, the President of the United States approved a disaster
11 declaration for the State of California relating to the wildfires, providing assistance from many
12 federal agencies, including FEMA;

13 F. On September 11, 2020, Dr. Robert Bernstein, the County of Butte's Local Health
14 Officer, issued a Declaration of Health Emergency pursuant to California Health and Safety Code
15 section 101080. Dr. Bernstein's declaration stated that the local health emergency was a
16 consequence of the debris resulting from the North Complex Fire that contains hazardous material
17 in the ash of the burned qualifying structures. The purpose of the Declaration was to address the
18 immediate threat to the public health and the imminent and proximate threat of the introduction of
19 contagious, infectious or communicable disease, chemical agents, non-communicable biologic
20 agents, toxins and/or radioactive agents present at the time in the North Complex Fire area. The
21 threats included (1) the enormous amount of fire debris present in the North Complex Fire area,
22 including respirable-size ash and other debris containing hazardous materials including radioactive
23 materials that have been demonstrated in the past to be present in ash and debris from qualifying
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1 structures, (2) the threat of infectious or communicable disease and/or non-communicable biologic
2 agents due to animal carcasses, radioactive waste and perishable foods, (3) the potential
3 contamination or destruction of the residential and commercial water supply in the North Complex
4 Fire area and (4) the potential pollution of the drinking water in or around the North Complex Fire
5 area if weather conditions caused the spread of the hazardous materials in the ash and debris of
6 burned qualifying structures.

7 G. On September 14, 2020, Dr. Bernstein issued a Hazard Advisory strongly
8 suggesting residents should not reside on property with qualifying structures damaged or destroyed
9 by the North Complex Fire until the property had been cleared of hazardous waste, ash and debris
10 and certified clean by the Department of Public Health, Environmental Health Division. When
11 the evacuation orders are lifted, the Department of Public Health will make health and safety
12 information available to residents who choose to visit their property to collect valuables. The re-
13 entry information will cover the dangerous conditions and toxic materials present in the North
14 Complex Fire area. The re-entry information is intended to improve and protect public health and
15 safety from the hazards likely to be encountered during the visit, and are not intended to encourage
16 long-term habitation. The purpose of the Hazard Advisory was to address the public health hazards
17 present at the time in the North Complex Fire area, including (1) the enormous amount of fire
18 debris present in the North Complex Fire area, (2) the hazardous materials and probable radioactive
19 materials present in ash and debris from qualifying structures, (3) the lessened but still present
20 threat of infectious or communicable disease-causing agents and/or non-communicable disease-
21 causing agents due to animal carcasses, radioactive waste and perishable foods, (4) the potential
22 contamination or destruction of the residential and commercial water supply in the North Complex
23 Fire area and (5) the potential pollution of the drinking water in or around the North Complex Fire
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1 area if weather conditions caused the spread of the hazardous materials in the ash and debris of
2 burned qualifying structures.

3 H. On September 15, 2020, the Board of Supervisors adopted Resolution No. 20-111
4 ratifying the Assistant Chief Administrative Officer's proclamation of the existence of a local
5 emergency in the County of Butte. The resolution also requested that the State of California waive
6 regulations that may hinder response and recovery efforts, as well as make available assistance
7 under the California Disaster Assistance Act or any other state funding, and that the Federal
8 Government expedite access to federal resources and any other appropriate federal disaster relief
9 program.

10 I. On September 15, 2020, the Board of Supervisors ratified Dr. Bernstein's
11 Declaration of a Local Health Emergency.

12 J. As of September 18, 2020, the North Complex Fire consumed over 287,000 acres
13 and led to the destruction of over approximately 1,200 structures including residences and
14 commercial buildings, and resulted in evacuation orders or warnings which impacted over 20,000
15 residents. As a result, the North Complex Fire created an enormous amount of debris while causing
16 the deaths of 15 people. The North Complex Fire was still burning through the County and despite
17 firefighters' best efforts, the wildfire had not been contained. Evacuation orders were in place and
18 numerous severe public health and safety hazards were present in the North Complex Fire area,
19 including many blocked roads from fallen power lines, burned trees and vehicles, no available
20 utilities, no available public services and the presence of animal carcasses.

21 K. There exists the potential for widespread toxic exposures and threats to public
22 health and the environment in the aftermath of a major wildfire disaster, and debris and ash from
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1 residential and commercial structure fires contain hazardous materials and the harmful health
2 effects of hazardous materials produced by a wildfire are well documented.

3 L. The combustion of building materials such as siding, roofing tiles, and insulation
4 results in dangerous ash that may contain asbestos, heavy metals and other hazardous materials.
5 Household hazardous waste such as paint, gasoline, cleaning products, pesticides, compressed gas
6 cylinders, and chemicals may have been stored in homes, garages, or sheds that may have burned
7 in the fire, also producing hazardous materials.

8 M. Exposure to hazardous materials may lead to acute and chronic health effects and
9 may cause long-term public health and environmental impacts. Uncontrolled hazardous materials
10 and debris pose significant threats to public health through inhalation of dust particles and
11 contamination of drinking water supplies. Improper handling can expose residents and workers to
12 toxic materials, and improper transport and disposal of fire debris can spread hazardous substances
13 throughout the community.

14 N. Standards and removal procedures are needed immediately to protect the public
15 safety, health and environment, and to facilitate coordinated and effective mitigation of the risks
16 to the public health and environment from the health hazards generated by the North Complex Fire
17 disaster.

18 O. The North Complex Fire has created hazardous waste conditions in the County of
19 Butte in the form of contaminated debris from household hazardous waste/materials and structural
20 debris resulting from the destruction of thousands of structures. This hazardous waste debris poses
21 a substantial present or potential hazard to human health and the environment until the property is
22 certified clean. The accumulated exposure to hazardous waste debris over an extended period of
23 time poses a severe hazard to human health.
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1 P. The Department of Toxic Substances Control has issued reports regarding the
2 assessment of burn debris from wildfires in the past. The studies of burned residential homes and
3 structures from large scale wildland fires indicated that the resulting ash and debris can contain
4 asbestos and toxic concentrated amounts of heavy metals such as antimony, arsenic, cadmium,
5 copper, lead, and zinc. Additionally, the ash and debris may contain higher concentrations of lead
6 if the home was built prior to 1978 when lead was banned from household paint in the United
7 States. The reports indicated that the residual ash of burned residential homes and structures has
8 high concentrations of heavy metals that can be toxic and can have significant impacts to individual
9 properties, local communities, and watersheds if the ash and debris is not removed safely and
10 promptly.

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12 Q. There is an immediate need for housing to accommodate persons who have been
13 displaced by the North Complex Fire. This Chapter temporarily relaxes some building and zoning
14 regulations to allow for additional housing both inside and outside of the North Complex Fire
15 affected area for displaced persons. Due to the magnitude of the destruction, there is a need to
16 provide for sufficient housing options both inside and outside of the North Complex Fire affected
17 area.

18 R. The North Complex Fire resulted in the loss of over 2,400 structures. Many
19 structures were uninsured or underinsured at the time of the disaster. If owners of properties
20 destroyed in the North Complex Fire area are required to comply with the normal permit process,
21 it will create an unreasonable financial burden on owners who want to rebuild destroyed structures.
22 An extension of the County's Limited Density Owner-Built Rural Dwellings regulations is
23 necessary to facilitate the availability of affordable owner-built homes which are essential to the
24 public health, safety and welfare of the residents of the North Complex Fire communities.
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1 S. The Board of Supervisors finds that there is a need for additional housing for North
2 Complex Fire recovery workers. The Board finds that basecamp features should be allowed in the
3 TM (Timber Mountain) and TP (Timber Production) zones.

4 T. The Board of Supervisors finds that there is a need to allow for temporary truck and
5 equipment laydown yards in the North Complex Fire area to support the debris removal cleanup
6 efforts and that such yards should be allowed to support the orderly cleanup of ash and debris and
7 recovery from the North Complex Fire.

8 U. The Board of Supervisors has the authority to take action to protect the health,
9 safety and welfare of the residents of the County pursuant to its police powers granted by Article
10 XI, Section 7 of the California Constitution, California Government Code Section 25123,
11 California Health & Safety Code Section 101025 and Chapter 32A of the Butte County Code.
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13 V. It is essential that this Urgency Ordinance become immediately effective to mitigate
14 the imminent harm that could be caused to the public health and safety and to the environment
15 from the improper disturbance, removal and disposal of debris containing hazardous materials,
16 structural ash and debris and/or hazard trees, to facilitate the orderly response to the North
17 Complex Fire disaster and to allow the fastest possible transition of homeless and displaced
18 residents to interim and long-term shelter.

19 Section 2. Section 54-33 of Article III of Chapter 54 is amended as follows:

20 **“Definitions.**

21 Except where the context clearly indicates otherwise, the following definitions shall govern the
22 construction of the words and phrases used in the article:
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1 ["Approved Mining Site." The portion of a parcel or parcels of land with a valid mining permit,](#)
2 [reclamation plan and financial assurance for surface mining operations, as required in Butte](#)
3 [County Code Chapter 13, Article II, Surface Mining and Reclamation.](#)

4 "Basecamp." A site that includes some or all of the following features: equipment
5 staging/storage; employee housing; commissary; laundry; and other services for the purpose of
6 providing workforce housing for North Complex Fire Recovery efforts or shelter of displaced
7 persons.

8 ["Cal OES." The Governor's Office of Emergency Services.](#)

9 "Director." The Director of the Department of Development Services or his or her authorized
10 representative.

11 "Displaced Person(s)." A county resident or residents whose residential dwelling has been
12 destroyed or damaged by the North Complex Fire, such that the resident(s) cannot occupy the
13 dwelling. Displaced person(s) may be required to provide verification to the county to
14 substantiate their eligibility for uses, permits and/or approvals described in this article. Evidence
15 may consist of verification by Federal Emergency Management Agency (FEMA) registration or
16 damage assessment, and/or a driver's license or other government-issued identification card or
17 utility bill, etc. with a physical address showing the resident resided on a legal parcel impacted
18 by the North Complex Fire, as determined by the county. Such determination may be made by
19 the Director or other county personnel.

20 "Effective Date." The date of the Board of Supervisors adoption of this article.

21 "FEMA." The Federal Emergency Management Agency or successor agency.

22 "Mobile/manufactured home." A housing structure transportable in one (1) or more sections,
23 designed and equipped to be used with or without a foundation system, certified under the
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1 National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C.
2 section 5401 et seq.). The County shall not grant a permit for the installation of a
3 mobile/manufactured home if such mobile/manufactured home is older than ten (10) years of
4 age. The age measurement period shall be from the year of manufacture of the home to the year
5 of the permit application. Mobile/manufactured home does not include recreational vehicle, park
6 trailer, or commercial modular as defined in [Division 13](#), Part 2, [Chapter 1](#), of the Health and
7 Safety Code.

8 "Movable Tiny House." A movable tiny house is a structure utilized as living quarters by one (1)
9 household that is licensed by and registered with the California Department of Motor Vehicles,
10 meets the American National Standards Institute (ANSI) 119.5 or ANSI 119.2 (NFPA 1192)
11 requirements and is certified by a qualified third party inspector for ANSI compliance, cannot
12 move under its own power, is not longer than allowed by State law for movement on public
13 highways, has a total floor area of not less than one hundred fifty (150) square feet, and has no
14 more than four hundred thirty (430) square feet of habitable living space.

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16 "North Complex Fire." The North Complex Fire derived from lightning strikes in Plumas County
17 on August 17, 2020. The strikes caused several fires, including the Bear Fire and the Claremont
18 Fire, which merged to form the North Complex Fire. On September 8, 2020, the fire spread
19 rapidly into Butte County. As of this date, fifteen (15) individuals in Butte County have died due
20 to the fire, over one thousand two hundred (1,200) structures have been destroyed or damaged,
21 and approximately twenty thousand individuals (20,000) have been evacuated from the fire area.
22 CAL FIRE maintains a map showing the boundaries of the North Complex Fire. The fire
23 affected the communities of Berry Creek, Brush Creek and Feather Falls, as well as additional
24 rural areas.
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1 "Recreational Vehicle." A motor home, travel trailer, truck camper or camping trailer that is: (1)
2 self-contained with potable water and sewage tanks and designed for human habitation for
3 recreational or emergency occupancy; (2) self-propelled, truck-mounted, or permanently towable
4 on California roadways; and (3) a California Department of Motor Vehicles licensed vehicle, or
5 a similar vehicle or structure as determined by the Director.

6 "Recreational Vehicle Park." A commercial use providing space for the accommodation of more
7 than two (2) recreational vehicles for recreational or emergency housing for displaced persons, or
8 for transient employee lodging and/or basecamp purposes.

9 "Temporary Dwelling." A temporary dwelling that meets the water, sewage disposal, and
10 electricity hook-up standards and includes a recreational vehicle, mobile/manufactured home, or
11 movable tiny house.

12 "Temporary Truck" and "Equipment Staging and Laydown Yard." An approved area used for the
13 storage of unladen trucks and equipment utilized to remove and haul away fire debris and
14 hazardous materials, and the storage of materials used to facilitate the removal and hauling away
15 of fire debris and hazardous materials, as part of the Butte County North Complex Fire
16 Consolidated Debris Removal Program. No fire debris or hazardous materials may be brought
17 onto or stored on the yard. Truck and equipment staging and laydown yards may include
18 associated truck and equipment repair, construction trailers, employee parking and portable
19 bathroom facilities set up for use by the personnel assigned to the yard, but not residences other
20 than for a temporary caretaker quarters.

21 "Transitory Period." The period of time after the North Complex Fire event during which
22 recreational vehicles do not need to meet the water, sewage disposal, and electricity hook-up
23 standards. The transitory period ends on December 31, 2023."
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1 Section 3. Section 54-34 of Article III of Chapter 54 is amended as follows:

2 **“Residential use of recreational vehicles and temporary dwellings.**

3 A. FEMA Temporary Housing Sites. Federal Emergency Management Agency (FEMA)
4 temporary housing sites authorized under contract to FEMA are an allowed use in the MDR
5 (Medium Density Residential), MHDR (Medium High Density Residential), HDR (High Density
6 Residential), RBP (Research and Business Park), PD (Planned Development), P (Public), and
7 Commercial and Industrial zones; and, in AG (Agriculture) zones when an approved residential
8 specific plan exists, and when said specific plan is identified under the Butte County General
9 Plan, or in AG (Agriculture) zones located inside a city's approved sphere of influence that are
10 classified as grazing or other lands as defined by the State Farmland Mapping and Monitoring
11 Program and having a combined parcel size greater than twenty (20) acres and subject to all
12 additional requirements, such as the three hundred (300) foot agricultural buffer, flood zones,
13 and airport land use compatibility zones. Each FEMA temporary housing site authorized under
14 this article shall have been reviewed through the housing identification process and approved by
15 the Director.
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17 B. Transitory Use of Recreational Vehicles. Residential use and occupancy of up to two (2)
18 recreational vehicles without water, sewage disposal, or electricity hook-ups on any lot that
19 permits a residential use outside of the area affected by the North Complex Fire shall be allowed
20 for the transitory period. Use after the transitory period shall be subject to a temporary
21 administrative permit, full hook-ups to water, sewage disposal, and electricity, and subject to the
22 applicable standards set forth in Subsection E, Standards.

23 C. Temporary Dwellings with Utility Hook-ups. Residential use and occupancy of up to two (2)
24 temporary dwellings utilizing hook-ups for water, sewage disposal, and electricity shall be
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1 allowed during the effective period of this article subject to a temporary administrative permit,
2 and subject to the applicable requirements set forth in Subsection E, Standards.

3 D. Temporary Recreational Vehicle Parks. The establishment of temporary recreational vehicle
4 parks without requiring hook-ups to water, sewage disposal, and electricity in Commercial,
5 Industrial, FR (Foothill Residential), RR (Rural Residential), within the City of Chico sphere of
6 influence VLDCR (Very Low Density Country Residential), PD (Planned Development), P
7 (Public), and RBP (Research and Business Park) zoning districts, and in parking lots of religious
8 and community facilities, and in AG (Agriculture) zones when an approved residential specific
9 plan exists, and when said specific plan is identified under the Butte County General Plan, or in
10 AG (Agriculture) zones located inside a city's approved sphere of influence that are classified as
11 grazing or other lands as defined by the State Farmland Mapping and Monitoring Program and
12 having a combined parcel size greater than twenty (20) acres and subject to all additional
13 requirements, such as the three hundred (300) foot agricultural buffer, flood zones, and airport
14 land use compatibility zones shall be allowed for the transitory period. Temporary recreational
15 vehicle parks that are served with water, sewage disposal, and electricity hook-ups may continue
16 for the effective period of this article. Basecamp features may be located in the same zones as
17 temporary recreational vehicle parks, except for the FR (Foothill Residential), RR (Rural
18 Residential), and within the City of Chico sphere of influence VLDCR (Very Low Density
19 Country Residential) zones. [Additionally, basecamp features may be located in the TM \(Timber
20 Mountain\) and TP \(Timber Production\) zones.](#) Temporary recreational vehicle parks and
21 basecamp features are subject to a temporary administrative permit and subject to the applicable
22 requirements set forth under Subsection E, Standards.
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1 E. Standards. After the transitory period, all residential uses of recreational vehicles shall meet
2 the following standards. Use of temporary dwellings shall at all times meet the following
3 standards.

4 1. Recreational vehicles and temporary dwellings shall have full hook-ups to water, sewage
5 disposal, and electricity.

6 2. The property owner or the property owner's authorized agent shall obtain a temporary
7 administrative permit for the effective period of this article. Written consent of the property
8 owner is required in all cases.

9 3. Use of temporary dwellings is contingent on proof of a damaged or destroyed residence as
10 verified by the Director based on prior final building permit or Assessor's records, or other
11 documentation satisfactory to the Director.

12 4. The residential use of recreational vehicles and temporary dwellings is limited to vehicles and
13 dwellings not on a permanent foundation and used to house displaced persons during the
14 effective period set forth in [54-32](#) above.

15 5. The residential use of recreational vehicles and temporary dwellings shall be located outside
16 of required setbacks established in [Chapter 24](#) of the Butte County Code, unless the applicant can
17 establish to the satisfaction of the Director that there is no other available location outside of the
18 setback area.

19 6. The residential use of recreational vehicles and temporary dwellings shall be located outside
20 of the boundaries of any recorded easements.

21 7. The recreational vehicle, basecamp feature, or temporary dwelling shall be connected to an
22 approved source of water meeting one (1) of the following criteria:

23 a. Public water supply;
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1 b. Existing well provided that it has been approved by the Department of Public Health,
2 Environmental Health Division as safe for domestic consumption; or,

3 c. Other water source as approved by the Department of Public Health, Environmental Health
4 Division.

5 8. The recreational vehicle, basecamp feature, or temporary dwelling shall be connected to an
6 approved sewage disposal system meeting one (1) of the following criteria:

7 a. Public sewer system;

8 b. Existing on-site sewage disposal system that has been approved by the Department of Public
9 Health, Environmental Health Division to be intact, adequately sized, and functioning following
10 the disaster;

11 c. Temporary holding tank with a contract with a pumping company for regular pumping. A
12 copy of the contract shall be provided to the Department of Public Health, Environmental Health
13 Division; or

14 d. Other method of sewage disposal approved by the Department of Public Health,
15 Environmental Health Division.

16 9. The recreational vehicle, basecamp feature, or temporary dwelling shall be connected to an
17 approved source of electricity meeting one (1) of the following criteria:

18 a. Permitted electrical service hook-up; or

19 b. Other power source approved by the Director.

20 10. The following additional standards apply to temporary recreational vehicle parks and
21 basecamp features:

22 a. Except for AG (Agriculture) zoned parcels which shall be a minimum total of twenty (20)
23 acres and FR (Foothill Residential), RR (Rural Residential), and within the City of Chico sphere
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1 of influence VLDCR (Very Low Density Country Residential) zoned parcels which shall be a
2 minimum total of five (5) acres as discussed in subsection (E)(11) below, parcels shall be a
3 minimum of two (2) acres in size.

4 b. All areas occupied by recreational vehicles and/or basecamp features and access aisles,
5 driveways, and roads shall have an all-weather surface capable of supporting a forty thousand
6 (40,000) lb. load that will allow for ingress and egress of fire apparatus to within one hundred
7 fifty (150) feet of all units and a vertical clearance of no less than fifteen (15) feet.

8 c. Driveways and aisles shall have a minimum width of twenty-five (25) feet.

9 d. A county encroachment permit must be obtained for all new and existing driveway approaches
10 to publicly maintained roads as specified in the County Improvement Standards.

11 e. The temporary administrative permit may be subject to additional requirements from Butte
12 County Fire, Butte County Public Works, the State Housing and Community Development
13 Department, and the State Regional Water Quality Control Board.

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15 11. The following additional standards apply to temporary recreational vehicle parks and
16 basecamp features in the FR (Foothill Residential), RR (Rural Residential), and within the City
17 of Chico sphere of influence VLDCR (Very Low Density Country Residential) zones.

18 a. Basecamps are not permitted.

19 b. Parcels shall be a minimum of five (5) acres in size.

20 c. No more than two (2) recreational vehicles shall be allowed per acre.

21 d. There shall be a 25-foot setback from all property lines for all recreational vehicles and related
22 improvements.

1 e. Quiet hours shall be maintained from 10:00 p.m. to 7:00 a.m., during which generators shall
2 not be operated and noise levels shall conform to Butte County Code [Chapter 41](#) A, Noise
3 Control.

4 f. All outdoor lighting shall be located, adequately shielded, and directed such that no direct light
5 falls outside the property line, or into the public right-of-way in accordance with the Butte
6 County Zoning Ordinance, Article 14, Outdoor Lighting.

7 g. One (1) on-site parking space shall be provided per recreational vehicle.

8 12. Each temporary administrative permit application for a temporary recreational vehicle park
9 and basecamp feature shall be accompanied by a detailed plan for the restoration or reclamation
10 of the subject property to the satisfaction of the Director. At minimum, a plan for restoration or
11 reclamation shall include clearance of the site of all recreational vehicles and related structures
12 and removal of all-weather surfaces and utilities constructed for said park unless there is a
13 separate application under the Zoning Ordinance to permit the improvements.

14 Lands upon which temporary recreational vehicle parks and basecamp features in AG
15 (Agriculture) zones are located shall be restored to their prior agricultural use or other
16 agricultural use as approved by the Director prior to the expiration of this ordinance. A
17 performance guarantee as provided by [Section 24-245](#) of Butte County Code in the amount of
18 one thousand dollars (\$1,000.00) per acre of land disturbed by the temporary recreational vehicle
19 park and basecamp feature shall be paid prior to site disturbance activities to ensure that site
20 restoration and reclamation is completed to the satisfaction of the Director. Lands shall be
21 reclaimed to the satisfaction of the Director prior to release of the performance guarantee.”

22 Section 4. Section 54-39 of Article III of Chapter 54 is added as follows:

23 [“Temporary truck and equipment staging and laydown yards.](#)
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1 Temporary truck and equipment staging and laydown yards coordinated through Cal OES are
2 allowed subject to approval of a temporary administrative permit and compliance with the
3 standards set forth below in the following areas:

4 1. On an approved mining site when the Director determines the yard will not interfere with the
5 mining site's reclamation and approved end use.

6 2. On TM (Timber Mountain), TP (Timber Production), GC (General Commercial), GI (General
7 Industrial), and HI (Heavy Industrial) zones.

8 Each Cal OES temporary truck and equipment staging and laydown yard authorized under this
9 article shall be coordinated through the Cal OES Operations Director or his or her designee, and
10 approved by the Director, prior to the issuance of a temporary administrative permit.

11 A. Standards. All temporary truck and equipment staging and laydown yards shall meet the
12 following standards:

13 1. Application for Temporary Administrative Permit. The property owner or the property owner's
14 authorized agent shall obtain a temporary administrative permit for the effective period of this
15 article. Written consent of the property owner is required in all cases.

16 2. Site Plan Required. A detailed site plan meeting general architectural or engineering standards,
17 legible and drawn to scale shall be provided with the application for a temporary administrative
18 permit. Partial site plans for a portion of a property may be submitted as long as a vicinity map
19 for the entire property showing frontage streets, other uses and a cross reference of the area of
20 the partial site plan is provided. All site plans shall show and label contours at maximum vertical
21 intervals of five (5) feet; areas of proposed grading and fill; the width of access roads to and
22 around parking and laydown areas and buildings; and turnaround areas for fire and emergency
23 services.

1 3. Siting Criteria. To the extent practicable, temporary truck and equipment staging and laydown
2 yards shall be located on flat areas of the site that are already disturbed. Yards located on
3 approved mining sites shall be located within the boundaries of that portion of the parcel or
4 parcels of land with a valid mining permit, reclamation plan and financial assurance for surface
5 mining operations that have not already been reclaimed

6 4. Approved Access. Temporary truck and equipment staging and laydown yards shall have
7 access onto a public road. If the public road is a County road, the approach shall be made with an
8 encroachment permit approved by the Department of Public Works. If the public road is a State
9 highway, the approach shall be made with an approved encroachment permit issued by the
10 California Department of Transportation (CalTrans) District 3 Office. If the public road is
11 accessed by a private road, there shall be an approved road maintenance agreement that allows
12 for the proposed use along the private road.

13 5. On-site Roads, Driveways and Aisles. Driveways and access aisles shall have a minimum
14 width of twenty-five (25) feet. Roads, access aisles and driveways shall have an all-weather
15 surface capable of supporting a forty thousand (40,000) lb. load that will allow for ingress and
16 egress of fire apparatus to within one hundred fifty (150) feet of all units and a vertical clearance
17 of no less than fifteen (15) feet.

18 6. Air Quality and Dust Control. All best practice measures to reduce impacts to air quality shall
19 be incorporated by the project applicant, subject property owners, or third-party contractors
20 during activities on the project site. A plan shall be provided to the satisfaction of the Director to
21 address:

22 a. Diesel particulate matter from construction equipment and commercial on-road vehicles
23 greater than ten thousand (10,000) pounds;
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1 b. Mobile and stationary toxic air contaminants; and

2 c. Fugitive dust and ash.

3 7. Water Quality. Any surface disturbance over one-acre in size shall require a Storm Water
4 Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer and the submittal
5 of a Notice of Intent to obtain coverage under the General Permit for Discharges of Storm Water
6 Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ as
7 amended).

8 8. Storage or Processing of Debris Prohibited. The storage or processing of debris from the Butte
9 County North Complex Fire Consolidated Debris Removal Program at any temporary truck and
10 equipment staging and laydown yard, including the storage of trucks or equipment loaded with
11 debris, is expressly prohibited.

12 9. Hazardous Material Business Plan Required. The storage of any hazardous material at or
13 above State-defined thresholds shall require the approval by the Environmental Health Division
14 of the Department of Public Health of a Hazardous Material Business Plan.

15 10. Outdoor Lighting. All outdoor lighting shall be located, adequately shielded, and directed
16 such that no direct light falls outside the property line, or into the public right-of-way in
17 accordance with the Butte County Zoning Ordinance, Article 14, Outdoor Lighting.

18 11. Reclamation Required. The application for a temporary administrative permit for a temporary
19 truck and equipment staging and laydown yard shall be accompanied by a detailed plan for the
20 restoration or reclamation of the subject property to the satisfaction of the Director. At minimum,
21 a plan for restoration or reclamation shall include:

22 a. Clearance of the site of all vehicles, equipment and materials utilized as part of the temporary
23 truck and equipment staging and laydown yard; and
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1 b. Stabilization of the site, implementation of erosion control measures, and successful
2 revegetation to the satisfaction of the Director in order to render the site suitable for either:

3 i. Continued use as an approved mine site consistent with the approved mining permit,
4 reclamation plan and financial assurance for surface mining operations; or

5 ii. If the site is not an approved mine site, a permitted or conditionally permitted use for the zone
6 in which it is located.

7 12. Performance Guarantee. In approving a temporary administrative permit for a temporary
8 truck and equipment staging and laydown yard, the Director shall require a performance
9 guarantee as provided by Section 24-245 of the Butte County Code in the amount of one
10 thousand dollars (\$1,000.00) per acre of land disturbed in order to guarantee the proper
11 completion of any approved work and to ensure that site reclamation is completed to the
12 satisfaction of the Director. Lands shall be restored or reclaimed to the satisfaction of the
13 Director prior to release of the performance guarantee.

14 13. Additional Requirements. The temporary administrative permit may be subject to additional
15 requirements from Butte County Fire, Butte County Public Works, the Butte County Air Quality
16 Management District, the California Department of Transportation, and the State Regional Water
17 Quality Control Board.

18 B. Notice. Upon issuance of a temporary administrative permit, pursuant to this section, the
19 Butte County Department of Development Services shall provide a mailed notice to property
20 owners within three hundred (300) feet of the subject parcel. The notice shall include all
21 applicable standards and limitations placed upon the temporary truck and equipment staging and
22 laydown yard, the Butte County administrative permit number, as well as the name, phone
23 number and email of a designated contact for concerns regarding the yard's operation.”
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1 Section 5. Section 54-53 of Article IV of Chapter 54 is amended as follows:

2 “**Definitions.** Except where the context clearly indicates otherwise, the following definitions
3 shall govern the construction of the words and phrases used in the article:

4 "Approved Mining Site." The portion of a parcel or parcels of land with a valid mining permit,
5 reclamation plan and financial assurance for surface mining operations, as required in Butte
6 County Code Chapter 13, Article II, Surface Mining and Reclamation.

7 "Basecamp." A site that includes some or all of the following features: equipment
8 staging/storage; employee housing; commissary; laundry; and other services for the purpose of
9 providing workforce housing for North Complex Fire recovery efforts or shelter of displaced
10 persons.

11 "Cal OES." The Governor's Office of Emergency Services.

12 "Cargo Storage Container." A single metal box made of steel or other similar material, or a shed,
13 which is designed for securing and protecting items for temporary storage, not exceeding three
14 hundred twenty (320) square feet in size, without utilities, and not used for human habitation.

15 "Director." The Director of the Department of Development Services or his or her authorized
16 representative.

17 "Displaced Person(s)." A county resident or residents whose residential dwelling has been
18 destroyed or damaged by the North Complex Fire, such that the resident(s) cannot occupy the
19 dwelling. Displaced Person(s) may be required to provide verification to the county to
20 substantiate their eligibility for uses, permits and/or approvals described in this article. Evidence
21 may consist of verification by Federal Emergency Management Agency (FEMA) registration or
22 damage assessment, and/or a driver's license or other government-issued identification card or
23 utility bill, etc., with a physical address showing the resident resided on a property impacted by
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1 the North Complex Fire, as determined by the county. Such determination may be made by the
2 Director or other county personnel.

3 "Effective Date." The date of the Board of Supervisors adoption of this article.

4 "FEMA." The Federal Emergency Management Agency or successor agency.

5 "Fire Debris" and "Hazardous Materials." Debris, ash, metals, and completely or partially
6 incinerated substances from qualifying structures.

7 "Mobile/manufactured home:" A housing structure transportable in one (1) or more sections,
8 designed and equipped to be used with or without a foundation system, certified under the
9 National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C.
10 section 5401 et seq.). The County shall not grant a permit for the installation of a
11 mobile/manufactured home if such mobile/manufactured home is older than ten (10) years of
12 age. The age measurement period shall be from the year of manufacture of the home to the year
13 of the permit application. Mobile/manufactured home does not include recreational vehicle, park
14 trailer, or commercial modular as defined in [Division 13](#), Part 2, [Chapter 1](#), of the Health and
15 Safety Code.
16

17 "Movable Tiny House." A movable tiny house is a structure utilized as living quarters by one (1)
18 household that is licensed by and registered with the California Department of Motor Vehicles,
19 meets the American National Standards Institute (ANSI) 119.5 or ANSI 119.2 (NFPA 1192)
20 requirements and is certified by a qualified third party inspector for ANSI compliance, cannot
21 move under its own power, is not longer than allowed by State law for movement on public
22 highways, has a total floor area of not less than one hundred fifty (150) square feet, and has no
23 more than four hundred thirty (430) square feet of habitable living space.
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1 "North Complex Fire." The North Complex Fire derived from lightning strikes in Plumas County
2 on August 17, 2020. The strikes caused several fires, including the Bear Fire and the Claremont
3 Fire, which merged to form the North Complex Fire. On September 8, 2020, the fire spread
4 rapidly into Butte County. As of this date, fifteen (15) individuals in Butte County have died due
5 to the fire, over two thousand one hundred thirty-nine (2,139) structures have been destroyed or
6 damaged, of which one thousand three hundred eighty-eight (1,388) are residential, and
7 approximately twenty thousand individuals (20,000) have been evacuated from the fire area.
8 CAL FIRE maintains a map showing the boundaries of the North Complex Fire. The fire
9 affected the communities of Berry Creek, Brush Creek, and Feather Falls, as well as additional
10 rural areas.

11 "Qualifying Structure." A structure of one hundred twenty (120) square feet and over.

12 "Recreational Vehicle." A motor home, travel trailer, truck camper or camping trailer that is: (1)
13 self-contained with potable water and sewage tanks and designed for human habitation for
14 recreational or emergency occupancy; (2) self-propelled, truck-mounted, or permanently towable
15 on California roadways; and (3) a California Department of Motor Vehicles licensed vehicle, or
16 a similar vehicle or structure as determined by the Director.

17 "Recreational Vehicle Park." A commercial use providing space for the accommodation of more
18 than two (2) recreational vehicles for recreational or emergency housing for displaced persons, or
19 for transient employee lodging and/or basecamp purposes.

20 "Temporary Dwelling." A temporary dwelling that meets the water, sewage disposal, and
21 electricity hook-up standards and includes a recreational vehicle, mobile/manufactured home, or
22 movable tiny house.
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1 "Temporary Truck" and "Equipment Staging and Laydown Yard." An approved area used for the
2 storage of unladen trucks and equipment utilized to remove and haul away fire debris and
3 hazardous materials, and the storage of materials used to facilitate the removal and hauling away
4 of fire debris and hazardous materials, as part of the Butte County North Complex Fire
5 Consolidated Debris Removal Program. No fire debris or hazardous materials may be brought
6 onto or stored on the yard. Truck and equipment staging and laydown yards may include
7 associated truck and equipment repair, construction trailers, employee parking and portable
8 bathroom facilities set up for use by the personnel assigned to the yard, but not residences other
9 than for a temporary caretaker quarters.

10 "Transitory Period." The period of time after the North Complex Fire event during which
11 recreational vehicles do not need to meet the water, sewage disposal, and electricity hook-up
12 standards. The transitory period ends on December 31, 2023."

13 Section 6. Section 54-59 of Article IV of Chapter 54 is amended as follows:

14 **"Temporary Recreational Vehicle Parks.**

15 The establishment of temporary recreational vehicle parks without requiring hook-ups to water,
16 sewage disposal, and electricity on any property that does not contain fire debris and hazardous
17 materials or has been certified clean by the Department of Public Health, Environmental Health
18 Division in Commercial, Industrial, FR (Foothill Residential), RR (Rural Residential), PD
19 (Planned Development), P (Public), and RBP (Research and Business Park) zoning districts, and
20 in the parking lots of religious and community facilities, and in AG (Agriculture) zones when an
21 approved residential specific plan exists, and when said specific plan is identified under the Butte
22 County General Plan, or in AG (Agriculture) zones located inside a city's approved sphere of
23 influence that are classified as grazing or other lands as defined by the State Farmland Mapping
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1 and Monitoring Program and having a combined parcel size greater than twenty (20) acres and
2 subject to all additional requirements, such as the 300-foot agricultural buffer, flood zones, and
3 airport land use compatibility zones shall be allowed for the transitory period. Temporary
4 recreational vehicle parks that are served with water, sewage disposal, and electricity hook-ups
5 may continue for the effective period set forth in [Section 54-52](#). Basecamp features may be
6 located in the same zones as temporary recreational vehicle parks, except for the FR (Foothill
7 Residential) and RR (Rural Residential) zones. [Additionally, basecamp features may be located](#)
8 [in the TM \(Timber Mountain\) and TP \(Timber Production\) zones.](#) Temporary recreational
9 vehicle parks and basecamp features are subject to a temporary administrative permit and subject
10 to the applicable requirements set forth under [Section 54-57](#), Standards, as well as the following
11 standards:

12
13 A. Minimum Parcel Size. Except for AG (Agriculture) zoned parcels which shall be a minimum
14 total of twenty (20) acres, the minimum parcel size for eligibility to locate a temporary
15 recreational vehicle park or basecamp feature is two (2) acres.

16 B. All areas occupied by recreational vehicles and/or basecamp features and access aisles,
17 driveways, and roads shall have an all-weather surface capable of supporting a forty thousand
18 (40,000) lb. load that will allow for ingress and egress of fire apparatus to within one hundred
19 fifty (150) feet of all units and a vertical clearance of no less than fifteen (15) feet.

20 C. Driveways and aisles shall have a minimum width of twenty-five (25) feet.

21 D. A county encroachment permit must be obtained for all new and existing driveway
22 approaches to publicly maintained roads as specified in the County Improvement Standards.
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1 E. The temporary administrative permit may be subject to additional requirements from Butte
2 County Fire, Butte County Public Works, the State Department of Housing and Community
3 Development, and the State Regional Water Quality Control Board.

4 F. The following additional standards apply to temporary recreational vehicle parks and
5 basecamp features in the FR (Foothill Residential) and RR (Rural Residential) zones.

6 a. Basecamps are not permitted.

7 b. Parcels shall be a minimum five (5) acres in size.

8 c. No more than two (2) recreational vehicles shall be allowed per acre.

9 d. There shall be a 25-foot setback from all property lines for all recreational vehicles and related
10 improvements.

11 e. Quiet hours shall be maintained from 10:00 p.m. to 7:00 a.m., during which generators shall
12 not be operated and noise levels shall conform to Butte County Code [Chapter 41 A](#), Noise
13 Control.

14 f. All outdoor lighting shall be located, adequately shielded, and directed such that no direct light
15 falls outside the property line, or into the public right-of-way in accordance with the Butte
16 County Zoning Ordinance, Article 14, Outdoor Lighting.

17 g. One (1) on-site parking space shall be provided per recreational vehicle.

18 G. Each temporary administrative permit application for a temporary recreational vehicle park
19 and basecamp feature shall be accompanied by a detailed plan for the restoration or reclamation
20 of the subject property to the satisfaction of the Director. At minimum, a plan for restoration or
21 reclamation shall include clearance of the site of all recreational vehicles and related structures
22 and removal of all-weather surfaces and utilities constructed for said park unless there is a
23 separate application under the Zoning Ordinance to permit the improvements.
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1 Lands upon which temporary recreational vehicle parks and basecamp features in AG
2 (Agriculture) zones are located shall be restored to their prior agricultural use or other
3 agricultural use as approved by the Director prior to the expiration of this ordinance. A
4 performance guarantee as provided by [Section 24-245](#) of Butte County Code in the amount of
5 one thousand dollars (\$1,000.00) per acre of land disturbed by the temporary recreational vehicle
6 park and basecamp feature shall be paid prior to site disturbance activities to ensure that site
7 restoration and reclamation is completed to the satisfaction of the Director. Lands shall be
8 reclaimed to the satisfaction of the Director prior to release of the performance guarantee.”

9 Section 7. Section 54-67 of Article IV of Chapter 54 is added as follows:

10 **“Temporary truck and equipment staging and laydown yards.**

11 Temporary truck and equipment staging and laydown yards coordinated through Cal OES are
12 allowed subject to approval of a temporary administrative permit and compliance with the
13 standards set forth below in the following areas:

14 1. On an approved mining site when the Director determines the yard will not interfere with the
15 mining site's reclamation and approved end use.

16 2. On TM (Timber Mountain), TP (Timber Production), GC (General Commercial), GI (General
17 Industrial), and HI (Heavy Industrial) zones.

18 Each Cal OES temporary truck and equipment staging and laydown yard authorized under this
19 article shall be coordinated through the Cal OES Operations Director or his or her designee, and
20 approved by the Director, prior to the issuance of a temporary administrative permit.

21 A. Standards. All temporary truck and equipment staging and laydown yards shall meet the
22 following standards:

1 1. Application for Temporary Administrative Permit. The property owner or the property owner's
2 authorized agent shall obtain a temporary administrative permit for the effective period of this
3 article. Written consent of the property owner is required in all cases.

4 2. Site Plan Required. A detailed site plan meeting general architectural or engineering standards,
5 legible and drawn to scale shall be provided with the application for a temporary administrative
6 permit. Partial site plans for a portion of a property may be submitted as long as a vicinity map
7 for the entire property showing frontage streets, other uses and a cross reference of the area of
8 the partial site plan is provided. All site plans shall show and label contours at maximum vertical
9 intervals of five (5) feet; areas of proposed grading and fill; the width of access roads to and
10 around parking and laydown areas and buildings; and turnaround areas for fire and emergency
11 services.

12
13 3. Siting Criteria. To the extent practicable, temporary truck and equipment staging and laydown
14 yards shall be located on flat areas of the site that are already disturbed. Yards located on
15 approved mining sites shall be located within the boundaries of that portion of the parcel or
16 parcels of land with a valid mining permit, reclamation plan and financial assurance for surface
17 mining operations that have not already been reclaimed.

18 4. Approved Access. Temporary truck and equipment staging and laydown yards shall have
19 access onto a public road. If the public road is a County road, the approach shall be made with an
20 encroachment permit approved by the Department of Public Works. If the public road is a State
21 highway, the approach shall be made with an approved encroachment permit issued by the
22 California Department of Transportation (CalTrans) District 3 Office. If the public road is
23 accessed by a private road, there shall be an approved road maintenance agreement that allows
24 for the proposed use along the private road.

1 5. On-site Roads, Driveways and Aisles. Driveways and access aisles shall have a minimum
2 width of twenty-five (25) feet. Roads, access aisles and driveways shall have an all-weather
3 surface capable of supporting a forty thousand (40,000) lb. load that will allow for ingress and
4 egress of fire apparatus to within one hundred fifty (150) feet of all units and a vertical clearance
5 of no less than fifteen (15) feet.

6 6. Air Quality and Dust Control. All best practice measures to reduce impacts to air quality shall
7 be incorporated by the project applicant, subject property owners, or third-party contractors
8 during activities on the project site. A plan shall be provided to the satisfaction of the Director to
9 address:

10 a. Diesel particulate matter from construction equipment and commercial on-road vehicles
11 greater than ten thousand (10,000) pounds;

12 b. Mobile and stationary toxic air contaminants; and

13 c. Fugitive dust and ash.

14 7. Water Quality. Any surface disturbance over one-acre in size shall require a Storm Water
15 Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer and the submittal
16 of a Notice of Intent to obtain coverage under the General Permit for Discharges of Storm Water
17 Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ as
18 amended).

19 8. Storage or Processing of Debris Prohibited. The storage or processing of debris from the Butte
20 County North Complex Fire Consolidated Debris Removal Program at any temporary truck and
21 equipment staging and laydown yard, including the storage of trucks or equipment loaded with
22 debris, is expressly prohibited.

1 9. Hazardous Material Business Plan Required. The storage of any hazardous material at or
2 above State-defined thresholds shall require the approval by the Environmental Health Division
3 of the Department of Public Health of a Hazardous Material Business Plan.

4 10. Outdoor Lighting. All outdoor lighting shall be located, adequately shielded, and directed
5 such that no direct light falls outside the property line, or into the public right-of-way in
6 accordance with the Butte County Zoning Ordinance, Article 14, Outdoor Lighting.

7 11. Reclamation Required. The application for a temporary administrative permit for a temporary
8 truck and equipment staging and laydown yard shall be accompanied by a detailed plan for the
9 restoration or reclamation of the subject property to the satisfaction of the Director. At minimum,
10 a plan for restoration or reclamation shall include:

11 a. Clearance of the site of all vehicles, equipment and materials utilized as part of the temporary
12 truck and equipment staging and laydown yard; and

13 b. Stabilization of the site, implementation of erosion control measures, and successful
14 revegetation to the satisfaction of the Director in order to render the site suitable for either:

15 i. Continued use as an approved mine site consistent with the approved mining permit,
16 reclamation plan and financial assurance for surface mining operations; or

17 ii. If the site is not an approved mine site, a permitted or conditionally permitted use for the zone
18 in which it is located.

19 12. Performance Guarantee. In approving a temporary administrative permit for a temporary
20 truck and equipment staging and laydown yard, the Director shall require a performance
21 guarantee as provided by Section 24-245 of the Butte County Code in the amount of one
22 thousand dollars (\$1,000.00) per acre of land disturbed in order to guarantee the proper
23 completion of any approved work and to ensure that site reclamation is completed to the
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1 satisfaction of the Director. Lands shall be restored or reclaimed to the satisfaction of the
2 Director prior to release of the performance guarantee.

3 13. Additional Requirements. The temporary administrative permit may be subject to additional
4 requirements from Butte County Fire, Butte County Public Works, the Butte County Air Quality
5 Management District, the California Department of Transportation, and the State Regional Water
6 Quality Control Board.

7 B. Notice. Upon issuance of a temporary administrative permit, pursuant to this section, the
8 Butte County Department of Development Services shall provide a mailed notice to property
9 owners within three hundred (300) feet of the subject parcel. The notice shall include all
10 applicable standards and limitations placed upon the temporary truck and equipment staging and
11 laydown yard, the Butte County administrative permit number, as well as the name, phone
12 number and email of a designated contact for concerns regarding the yard's operation.”

13
14 Section 8. Section 54-68 of Article IV of Chapter 54 is added as follows:

15 **“Extension of Regulations for Limited Density Owner-Built Rural Dwellings to Parcels in**
16 **the North Complex Fire Area.**

17 A. Notwithstanding any contrary provision in the Butte County Code and for the purposes of this
18 Article, the definition of the term “Rural” (as currently defined in Butte County Code section 26-
19 63) will include legal parcels in the North Complex Fire area which are (1) less than one acre in
20 size and (2) in the Very Low Density Residential (VLDR), Low Density Residential (LDR) or
21 Medium Density Residential (MDR) zones. The owner(s) of such parcels are permitted to utilize
22 Article VI of Chapter 26 of the Butte County Code, “Regulations for Limited Density Owner-
23 Built Rural Dwellings” for rebuilding structures that were destroyed in the North Complex Fire
24 disaster. Such legal parcels are depicted on the attached Exhibit B.

1 B. Notwithstanding the foregoing, generators are not permitted as the primary source of power
2 for structures in the Very Low Density Residential (VLDR), Low Density Residential (LDR) or
3 Medium Density Residential (MDR) zones.

4 Section 9. CEQA Exemption. Adoption of this Ordinance is exempt from the provisions of the
5 California Environmental Quality Act (CEQA) pursuant to California Public Resources Code
6 section 21080(b)(3) regarding projects to maintain, repair, restore, or replace property or facilities
7 damaged or destroyed as a result of a declared disaster and Section 21080(b)(4) regarding actions
8 to mitigate or prevent an emergency, and CEQA Guidelines Section 15269(a) regarding
9 maintaining, repairing, restoring, demolishing, or replacing property or facilities damaged or
10 destroyed as a result of a disaster stricken area in which a state of emergency has been proclaimed
11 by the Governor pursuant to the California Emergency Services Act, commencing with Section
12 8550 of the California Government Code.

13 Section 10. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance
14 is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity
15 of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would
16 have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof
17 irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be
18 declared unconstitutional or invalid.

19 Section 11. Effective Date and Publication. This Ordinance shall be and the same is hereby
20 declared to be in full force and effect immediately upon its passage by a four-fifths (4/5) or greater
21 vote. The Clerk of the Board of Supervisors is authorized and directed to publish this Ordinance
22 before the expiration of fifteen (15) days after its passage. This Ordinance shall be published once,
23 with the names of the members of the Board of Supervisors voting for and against it, in a
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1 newspaper of general circulation published in the County of Butte, State of California. Pursuant to
2 Government Code section 25124, a complete copy of this Ordinance is on file with the Clerk of
3 the Board of Supervisors and is available for public inspection and copying during regular business
4 hours in the office of the Clerk of the Board of Supervisors, 25 County Center Drive, Oroville,
5 California.

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1 **PASSED AND ADOPTED** by the Board of Supervisors of the County of Butte, State of
2 California, on the 12th day of January, 2021 by the following vote:

3
4 **AYES:**

5 **NOES:**

6 **ABSENT:**

7 **NOT VOTING:**

8
9 _____
[REDACTED], Chair
10 Butte County Board of Supervisors

11 **ATTEST:**
12 **Andy Pickett**, Chief Administrative Officer
13 and Clerk of the Board

14 By: _____
15 Deputy