

**TOWN OF TRUCKEE  
California**

**ORDINANCE 2025-08**

**AN ORDINANCE OF THE TOWN OF TRUCKEE TO CLEAN UP PORTIONS OF THE  
TRUCKEE MUNICIPAL CODE**

**WHEREAS**, Town staff have been working with the Town's Municipal Code publisher to identify errors and inconsistencies in the Truckee Municipal Code, and the Town Council wishes to rectify these errors and inconsistencies and update certain other provisions of the Municipal Code; and

**WHEREAS**, the Town has created a new, updated logo for the Town, which the Town Council wishes to codify in the Municipal Code in Chapter 1.04; and

**WHEREAS**, the Town Council wishes to amend the qualifications for members of Town appointed boards and commissions set forth in Municipal Code Section 2.06.030 in order to encourage a broader pool of qualified candidates to participate in Town government through membership of these bodies; and

**WHEREAS**, Town staff have identified one area in which the scope of the Town Engineer's authority needs to be clarified in order to better reflect certain requirements of California law, through the enactment of a new Section 2.20.040; and

**WHEREAS**, the Town Council wishes to correctly codify Sections 7.03.010, 7.03.020, and 7.06.020 of the Municipal Code in accordance with Ordinances 2001-13 and 2016-05, replacing the existing text that includes codification errors; and

**WHEREAS**, the only section of Chapter 9.12 of the Municipal Code is currently numbered 9.12.000, which is inconsistent with the beginning numbering of other chapters of the Municipal Code; and

**WHEREAS**, Section 10.07.020 of the Municipal Code is intended to contain a list of one-way Town streets and alleys but currently contains no such list, and the Town Council wishes to codify the list of one-way streets and alleys.

*The Town Council of the Town of Truckee Does Ordain as Follows:*

**Section 1.** Truckee Municipal Code Chapter 1.04 in its entirety, and Sections 2.06.030, 7.03.010, 7.03.020, 7.06.020, and 10.07.020 are hereby amended to read as shown in Exhibit A, attached hereto and incorporated herein by reference.

**Section 2.** Truckee Municipal Code Chapter 2.20 is hereby amended by enacting a new Section 2.20.040 to read as shown in Exhibit A.

**Section 3.** Truckee Municipal Code Section 9.12.000 is hereby renumbered as 9.12.010.

**Section 4.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the ordinance. The Town Council of the Town of Truckee hereby

declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

**Section 5.** The Town Clerk is hereby directed to publish this ordinance in accordance with the law.

\* \* \* \* \*

**The foregoing ordinance was introduced at a regular meeting of the Truckee Town Council held on the \_\_\_ day of \_\_\_\_\_ 202\_, and adopted at a regular meeting of the Truckee Town Council, on the \_\_\_ day of \_\_\_\_; \_\_\_\_\_, moved for the adoption, the motion was seconded by \_\_\_\_\_ and was carried by the following vote:**

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
\_\_\_\_\_, **Mayor**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Kelly Carpenter, Town Clerk**

\_\_\_\_\_  
**Andy Morris, Town Attorney**

EXHIBIT "A"

*CHAPTER 1.04 TOWN SEAL AND LOGO*

**1.04.010 Purpose**

The City seal and logo for the Town of Truckee is adopted and approved. The seal shall contain the name of the City and date of incorporation.

**1.04.020 Town Seal**

The common seal of the Town shall be of any of the forms and bearing the inscription and figures thereon as shown below.



**1.04.030 Town Logo**

The primary logo of the Town shall appear in the form set forth below.



The secondary logo of the Town shall appear in the forms set forth below.





**1.04.040 Validation of Previous Acts**

All acts heretofore performed requiring the use of the Town seal, and all papers sealed with the Town seal since incorporation, are declared to be due and legal acts and papers of the Town. All acts heretofore performed and all proceedings and all papers impressed with the seal since that date are validated and declared legal.

**1.04.050 Use by Town**

The Town Clerk shall have custody and charge of the Town seal and Town logo, and such other insignia that may from time to time be adopted pursuant to this Code. Except as provided by this Code, any seal, logo, insignia, or other symbol officially adopted for use by the Town of Truckee shall not be affixed to any instrument without the special warrant of the Town Clerk therefor.

**1.04.060 Use by Others**

Use of the Town seal, logo, or insignia by any person corporation, or organization shall be subject to the proper approval of the Town Manager.

**1.04.070 Violations and Remedies**

Any person, firm or organization which uses or allows the seal to be used in a manner not permitted for any false, misleading or malicious purpose shall be guilty of an infraction, punishable by fine as authorized by law. Additionally, and without limitation, the Town Attorney is hereby authorized to pursue, upon Council approval, any and all civil remedies available at law or equity for use of the seal in violation of this ordinance.

**2.06.030 Qualifications.**

Unless otherwise specifically provided by law, or by ordinance or resolution of the Town Council, all members of the boards and commissions of the Town shall, at all times during their incumbencies, be bona fide residents and registered voters of the Town.

**2.20.040 Public Works Director Authority to Approve Plans, Specifications, and Designs.**

The Public Works Director is granted the discretionary authority to approve plans, specifications, and designs for "public works," as that term is defined in California Public Contract Code Section 1101, California Labor Code Section 1720, and other applicable law, and as that term is used in the Truckee Town Charter and Truckee Municipal Code. The Public Works Director or designee may delegate authority to approve plans, specifications, and designs for public works projects, in writing, to a Town of Truckee employee, so long as such employee possesses a valid certificate of registration as an engineer by the California Board of Professional Engineers both at the time of delegation and at the time of approval of the plans, specifications and designs. For purposes of this section and Section 830.6 of the California Government Code, a stamp or signature by the Public Works Director or delegee pursuant to this section on public works plans, specifications or designs, or a writing signed by the Public Works Director or delegee pursuant to this section concerning public works plans, specifications or designs (any or all of which may be in electronic form), shall be conclusive evidence of discretionary approval of the plans, specifications or designs.

**7.03.010 Purpose of Chapter**

The Town Council hereby finds that:

- (a) The Truckee Particulate Matter Air Quality Management Plan was adopted on July 15, 1999, which recognized the severity of particulate matter pollution in the Town of Truckee and its environs and the urgency for reducing particulate matter emissions; and
- (b) The Air Quality Management Plan documents the adverse health and environmental effects that particulate matter has on the residents and visitors of Truckee; and
- (c) A key control strategy of the Air Quality Management Plan is to limit emissions from solid fuel burning appliances and total emissions from a residential unit, such that emission limits from appliances shall not exceed the emission requirements for an EPA-certified Phase II solid fuel burning appliance and total emissions of PM10 from a residential unit shall not exceed the following limits:

<b>Device Type</b>	<b>Required as of May 15, 2015</b>	<b>Required as of May 15, 2020</b>
Solid fuel burning appliance, heater or pellet fueled wood heater	4.5 grams per hour for catalytic and non-catalytic devices	2.0 grams per hour for catalytic and non-catalytic devices, if emissions are tested using cribs (If tested with cord wood, the limit is 2.5 grams per hour)

Wood-fired hydronic heater	.32 pounds per million Btu heat output	.10 pounds per million Btu heat output (If tested with cord wood, the limit is .15 pounds per million Btu heat output)
Wood-fired forced-air furnaces	.93 pounds per million Btu heat output	.15 pounds per million Btu heat output.

- (d) Accordingly, the Town Council finds that the health, safety, and general welfare of the residents of, persons employed in, and persons who frequent this Town would be benefited by the regulation of emissions from solid fuel burning appliances.

**7.03.020 Installation of Solid Fuel Burning Appliances**

- (a) No solid fuel burning appliance shall be permitted to be installed within the Town unless the solid fuel burning appliance is:
1. An EPA Certified Appliance meeting the emission requirements for Phase II certification;
  2. An EPA Certified pellet fueled wood heater;
  3. An open masonry fireplace supplied with gas and fitted with artificial logs;
  4. One open masonry fireplace located in a hotel/motel lobby or similar common area lobby or in the common area of a condominium project; or
  5. A zero clearance fireplace that is not an EPA Certified Appliance and is approved for use by the San Luis Obispo Air Pollution Control District as shown on their most current “List of APCD-Approved Woodburning Devices”.
- (b) There shall be no combination of solid fuel burning appliances and/or pellet fueled wood heaters within a dwelling unit or within a business that will exceed 7.5 grams per hour of particulate matter emissions except for one fireplace located in a hotel/motel lobby or similar common area lobby. Notwithstanding the emission restrictions of this subsection, an existing solid fuel burning appliance may be replaced with an EPA Certified Appliance meeting the emission requirements for Phase II certification.
- (c) Solid fuel burning appliances shall not be the primary form of heat in any new construction.
- (d) A new or replacement solid fuel burning appliance, including previously used appliances, shall not be installed without first obtaining a building permit from the Town. All installations shall require an inspection and approval by the Building and Safety Division prior to operation.
- (e) It shall be unlawful for any person to sell, offer for sale, supply, or install a used solid fuel burning appliance which has been removed from its dwelling unit or commercial or industrial building unless the appliance has been rendered permanently inoperable or unless it is:
1. An EPA Certified Appliance meeting the emission requirements for Phase II certification; or
  2. A pellet fueled wood heater.

This regulation does not prohibit the sale of any solid fuel burning appliance which is transferred as an appurtenance to a dwelling unit or commercial or industrial building in compliance with this Title.

- (f) Verification of compliance may be certified by an inspector of the Building and Safety Division, by an individual certified by the Wood Heating Education and Research Foundation for the installation of solid fuel appliances, or by individuals possessing equivalent certification. The inspector of record shall verify in writing that the appliance complies with the required emission standards and shall file that certification with the Town. Inspectors independent of the Town shall verify their qualifications with the Chief Building Official before appliance certification will be

accepted by the Town.

**7.06.020 Definition of Town Approved Solid Fuel Burning Appliance**

For the purposes of this Chapter, a Town Approved Solid Fuel Burning Appliance shall mean:

- (a) An open masonry fireplace constructed in accordance with Nevada County or Town regulations applicable at the time of construction;
- (b) A zero-clearance fireplace constructed in accordance with Nevada County or Town regulations applicable at the time of construction;
- (c) An open masonry fireplace that burns natural or liquid propane gas as its fuel through a ceramic or otherwise non-combustible gas log that is permanently installed in the fireplace;
- (d) An EPA Certified Appliance, including appliances meeting the emission requirements for Phase I certification;
- (e) An appliance certified as meeting the emission requirements of the Oregon Department of Environmental Quality;
- (f) An EPA Certified pellet fueled wood heater;
- (g) A zero clearance fireplace that is not an EPA Certified Appliance and is approved for use by the San Luis Obispo Air Pollution Control District as shown on their most current “List of APCD-Approved Woodburning Devices”; and
- (h) A wood stove used for ornamental purposes that has been rendered permanently inoperable.

**10.07.020 One-Way Streets Designated**

In accordance with the preceding section and when properly sign-posted, traffic shall move only in the direction indicated upon the following streets: Riverside Drive, and an unnamed alley north of Donner Pass Road between Jibboom Street and Bridge Street (i.e., behind the building in the area known as Commercial Row).