

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SPECIFIED SECTIONS OF ARTICLE I OF CHAPTER 3 OF THE LAKE COUNTY CODE RELATING TO AGRICULTURE AND PLANT PROTECTION

THE BOARD OF SUPERVISORS OF THE COUNTY OF LAKE ORDAINS AS FOLLOWS:

Section 1: Subsection (m) is hereby added to Section 3-1.1 of Article I of Chapter 3 of the Lake County Code to read as follows:

"3.1. - Definitions.

1.1 As used in this article, the following words and phrases shall have the following meanings: . . .

(m) *Industrial hemp* is defined as Cannabis Sativa."

Section 2: Section 3.8 is hereby added to Article I of Chapter 3 of the Lake County Code to read as follows:

**"3.8. Industrial Hemp Production.**

8.1 Industrial Hemp Grower Registration.

1.1. Growers involved with industrial hemp production shall register with the Agricultural Commissioner as required by the California Food and Agricultural Code (FAC).

1.2. Growers involved with industrial hemp production shall complete an annual County Registration Form whereby the registrant acknowledges that the County has the authority to:

a. Conduct random inspections at all reasonable times to ensure that the state laws, regulations and County ordinance are being complied with.

b. Conduct testing for THC content outside the thirty (30) day pre- harvest period whereby the registrant shall be responsible for reimbursing the County for any laboratory costs if they are above the maximum THC level as set forth by the FAC. Crop destruction shall occur as set forth by the FAC.

c. Order the destruction of an Industrial Hemp crop if it is planted prior to county approval. This includes, but is not limited to incomplete documents submitted and unpaid county and state fees. Abatement shall be completed within seven days of notification from the county. Abatement must be approved by the Agricultural Commissioner.

## 8.2 Surety Bond Requirements.

2.1 Before a license is issued under this chapter, the applicant shall submit a bond or other form of security acceptable to the agricultural commissioner in the amount of one hundred (100%) of the estimated cost to fully abate a crop of industrial hemp that does not meet requirements for legal harvest under applicable laws and regulations. The financial security provided shall be released to the applicant after agricultural commissioner determines that the security is no longer needed to secure the abatement of a non-compliant industrial hemp crop.

8.3 Seed Production. Industrial hemp seed production shall only occur in a completely enclosed structure designed to prevent pollen from spreading to other areas.

## 8.4 Declaration of Nuisance - Male industrial hemp plants.

4.1 Male industrial hemp plants growing outdoors within a registered maintained industrial hemp cultivation area is declared to be a nuisance.

4.2 Removal Required. It shall be the duty of any person, firm, company, associations or corporation, upon finding a male industrial hemp plant growing outdoors within a

registered maintained industrial hemp cultivated area to immediately remove it in a manner satisfactory to the County Agricultural Commissioner.

#### 8.5 Grower Requirements.

5.1 All industrial hemp growers must inform the Agricultural Commissioner of any cannabis production at the same location when they register with the County.

5.2 All industrial hemp growers shall notify the Agricultural Commissioner and hold for inspection all out-of-county plant shipments for quarantine purposes.

5.3 All industrial hemp growers shall notify the Agricultural Commissioner if and when registered sites are not planted during the registration year.

#### 8.6 Enforcement.

6.1 It shall be the duty of the County Agricultural Commissioner to enforce the provisions of this Article.

8.7 Criminal Penalties. Any persons, firm, company, associations or corporation, who violates any of the provisions of this article shall be guilty of a misdemeanor or upon conviction there of shall be punished by confinement in the County jail for a period of not to exceed six (6) months, or by a fine not to exceed five hundred dollars (\$500.00) or by both such fine and imprisonment.”

Section 3: It can be seen with certainty that there is no possibility that this Ordinance may have a significant effect on the environment.

Section 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict and no further.

Section 5: This Ordinance shall take effect thirty (30) days after its adoption, and within fifteen (15) days after adoption of the ordinance, the Clerk to the Board of Supervisors

shall publish a summary of the Ordinance with the names of those supervisors voting for and against the ordinance and the Clerk shall post in the office of the Clerk to the Board of Supervisors a certified copy of the full text of the adopted ordinance along with the names of those supervisors voting for and against the Ordinance.

The Foregoing Ordinance was introduced before the Board of Supervisors on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and passed by the following vote on the \_\_\_\_ day of \_\_\_\_\_, 2019.

AYES:

NOES:

ABSENT OR NOT VOTING:

COUNTY OF LAKE

\_\_\_\_\_  
Chair Board of Supervisors

ATTEST: CAROL J. HUCHINGSON  
Clerk to the Board of Supervisors

APPROVED AS TO FORM:  
ANITA L. GRANT

By: \_\_\_\_\_  
Deputy

By: \_\_\_\_\_