

EXISTING SISKIYOU COUNTY CODE SECTION

Sec. 10-14.020. - Definitions

Except where the context otherwise requires, the following definitions shall govern the construction of this chapter:

- (a) "Church" means a building, together with its accessory buildings and uses, maintained and controlled by a body organized to conduct religious worship and used primarily for religious worship and related activities.
- (b) "Collective" means qualified patients, persons with valid identification cards, and the designated primary caregivers of qualified patients who associate by agreement in order to cooperatively cultivate marijuana for medical purposes. The term "collective" shall include "cooperative" unless the context clearly indicates otherwise.
- (c) "County Building Official" means the Deputy Director of Building for the Siskiyou County Community Development Department.
- (d) "Cultivation" means the planting and growing of one or more marijuana plant(s) or any part thereof.
- (e) "Director" means the Director of the Siskiyou County Community Development Department.
- (f) "Department" means the Siskiyou County Community Development Department.
- (g) "Enforcing officer" means the Director of the Siskiyou County Community Development Department or the Sheriff, or the authorized deputies or designees of either, each of whom is independently authorized to enforce this chapter.
- (h) "Fence" means a barrier constructed of any materials or combination of materials of sufficient strength and dimension to prevent unauthorized entry. The term "fence" does not include bushes, hedgerows, plastic sheeting, cloth material (tarpaulins), or retaining walls.
- (i) "Greenhouse" means, for purposes of this chapter, an accessory structure to a residence located on the same premises, legally established with all required permits approved, constructed primarily of translucent glass or glass-like material (or other similar material approved by the County Building Official), completely enclosed with one or more secure locking doors as the only means of ingress and egress, where plants are grown.
- (j) "Harvest" means the drying, processing, or storage of marijuana.
- (k) "Indoor" or "indoors" means within a fully enclosed and secure accessory structure to a residence located on the same premises that complies with all requirements of this Code with all required permits approved, that has a complete roof enclosure supported by connecting walls extending from the ground to the roof, and a foundation, slab, or equivalent base to which the floor is securely attached. The structure must be secure against unauthorized entry, accessible only through one or more lockable doors, and constructed of solid materials that cannot easily be broken through, such as two (2") inch by four (4") inch or thicker studs overlain with three-eighths (3/8 ") inch or thicker plywood or equivalent materials. Plastic sheeting, regardless of gauge, or similar products do not satisfy this requirement.
- (l) "Legally established residence" means a structure designed, approved, and maintained for permanent human habitation pursuant to Title 24 or Title 25 of the California Code of Regulations or constructed prior to adoption of the California Building Standards Code by the County of Siskiyou. "Legally established residence" does not include a structure that has been deemed substandard by the County Building Official or his/her authorized agents.
- (m) "Legal parcel" means any parcel of real property that may be separately sold in compliance with the Subdivision Map Act (Division 2 (commencing with Section 66410) of Title 7 of the Government Code).

- (n) "Marijuana plant" means any mature plant or immature plant, of Cannabis sativa, Cannabis indica or a hybrid of the two, unless otherwise specifically provided herein. The term "marijuana plant" does not include seeds.
- (o) "Outdoors" means any location that is not "indoors" within a fully enclosed and secure structure or greenhouse as defined herein.
- (p) "Premises" means a single, legal parcel of property. Where contiguous legal parcels are under common ownership or control, such contiguous legal parcels shall be counted as a single "premises" for purposes of this chapter.
- (q) "Primary caregiver" shall have the meaning set forth in Health and Safety Code sections 11362.5 and 11362.7.
- (r) "Public library" means a public facility in which literary, musical, artistic, or reference materials are kept for reading, reference or lending.
- (s) "Public park" means land that is publicly owned or controlled for the purpose of providing recreation and/or open space for public use.
- (t) "Qualified patient" shall have the meaning set forth in Health and Safety Code sections 11362.5 and 11362.7.
- (u) "School" means a place for systematic instruction in any branch or branches of knowledge, including public, parochial and nonprofit elementary or secondary schools, attendance at which satisfies the requirements of the Compulsory Education law (Education Code Section 48200 et seq.).
- (v) "Youth oriented facility" means elementary school, middle school, high school, public park, and any establishment that advertises in a manner that identifies the establishment as catering to or providing services primarily intended for minors, or the individuals who regularly patronize, congregate or assemble at the establishment are predominantly minors. This shall not include a child care center.

(Ord. No. 15-04, § I, 4-7-2015; Ord. No. 15-18, § V, 12-8-2015; Ord. No. 15-19, § I, 12-8-2015)