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

**AN ORDINANCE OF THE COUNTY OF SISKIYOU**

**AMENDING SUBSECTION (C)(1) OF SECTION 10-14.100 OF THE SISKIYOU COUNTY CODE REGARDING ADMINISTRATIVE FINES**

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

SECTION I: Subsection (c)(1) of Section 10-14.100 of the Siskiyou County Code, entitled “Immediate imposition of penalty or fine”, is hereby amended to read as follows (additions are shown in underline italics):

“(c) Immediate imposition of penalty or fine.

1. Pursuant to Government Code Section 53069.4(a)(2)(B), or as that section may be amended from time to time, *commercial cannabis activity undertaken without a license as required by Division 10 (commencing with Section 26000) of the Business and Professions Code is declared to be a public nuisance and* the enforcing officer may immediately impose a civil penalty for the violation of zoning restrictions or building, plumbing, electrical or other similar structural, or health and safety requirements if the violation exists as a result of, or to facilitate, the unlicensed cultivation, manufacturing, processing, distribution, or retail sale of cannabis for which a license is required. When civil penalties are immediately imposed the penalties shall be limited up to one thousand dollars ($1,000.00) per day per violation, not to exceed ten thousand dollars ($10,000.00) per day, for each day the violation(s) continues.

A civil penalty imposed under this subsection shall be imposed upon the property owner and, if any, upon each owner of the occupant business entity engaging in unlicensed commercial cannabis activity. The property owner and each owner of the occupant business entity, if any, shall be held jointly and severally liable for the civil penalty. If the Responsible party abates the nuisance or violation within the voluntary time period provided on the notice to abate, the director of the enforcing Department may cancel the civil penalty.

SECTION II: This ordinance amendment has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines (i.e., the “general rule exemption because it can be seen with certainty that the proposed amendment does not have the potential to result in a significant impact on the environment.”)

SECTION III: Constitutionality: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION IV: This ordinance shall become effective 30 days after its passage and shall, within 15 days of adoption, be published once in a newspaper of general circulation, printed and published in the County of Siskiyou.

PASSED AND ADOPTED this \_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 2024 at a regular meeting of the Board of Supervisors by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michael N. Kobseff, Chair

Siskiyou County Board of Supervisors

ATTEST:

Laura Bynum, Clerk,

Board of Supervisors

By \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Deputy