

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA
ADDING SECTION 9.06.125 TO THE TEHAMA COUNTY CODE RELATING TO
UNLAWFUL MARIJUANA CULTIVATION ON PROPERTIES OWNED BY PUBLIC
AGENCIES, PUBLIC UTILITIES, AND CERTAIN NONPROFIT ORGANIZATIONS**

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

SECTION 1. The Board of Supervisors of the County of Tehama hereby finds
and declares the following:

- A. Public agencies, public utilities, and certain private nonprofit organizations own large amounts of property within Tehama County dedicated to publicly beneficial uses. These properties are often remote, or otherwise especially vulnerable to unlawful marijuana cultivation undertaken by trespassers.
- B. Removal of such unlawful marijuana cultivation, without charge to the property owner, promotes the publicly beneficial uses to which these properties are dedicated, thereby serving a public purpose of the County of Tehama.

SECTION 2. Section 9.06.125 is hereby added to the Tehama County Code to read:

9.06.125 – Unlawful Cultivation Upon Public Benefit Properties.

- A. The Board of Supervisors or director of environmental health may, in their sole and exclusive discretion, withhold imposition of, or may compromise the amount of, any abatement cost, administrative cost, or administrative civil penalty that would otherwise be imposed under this chapter upon a property owner that meets all of the following conditions:
 - 1. The property owner is a public agency, a public utility, a mutual water company, a nonprofit public benefit corporation that has as a principal purpose the conservation of land and water resources, or a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development;
 - 2. The property owner, or their officers, employees, or agents, did not cause, permit, or otherwise suffer or allow the unlawful marijuana cultivation to exist upon the property; and
 - 3. The property owner has provided the County with any necessary consent for the abatement of the unlawful marijuana cultivation from the property.
- B. The withholding or compromise of any abatement costs, administrative

costs, or administrative civil penalties under this section is not subject to the limitations set forth in Chapter 10.17 of the Tehama County Code.

- C. The withholding or compromise of any abatement cost, administrative cost, or administrative civil penalty for any property owner under this section shall not reduce or otherwise affect the amount or enforceability of any abatement cost, administrative cost, or administrative civil penalty imposed under this Chapter upon any other person.

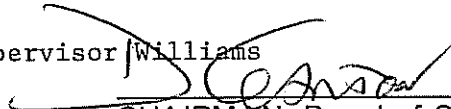
SECTION 3. This ordinance shall take effect thirty (30) days from the date of its adoption, and prior to the expiration of fifteen (15) days from the adoption thereof shall be published at least one time in the *Red Bluff Daily News*, a newspaper of general circulation in Tehama County.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors of the County of Tehama, State of California, at a regular meeting of the Board of Supervisors on the 28th day of February 2017 by the following vote:

AYES: Supervisors Bundy, Chamblin, Carlson and Garton

NOES: None

ABSENT OR NOT VOTING: Supervisor Williams

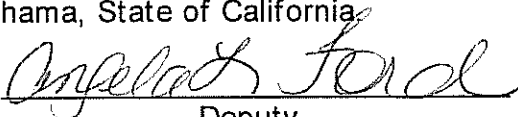

CHAIRMAN, Board of Supervisors

STATE OF CALIFORNIA)
) ss
COUNTY OF TEHAMA)

I, JENNIFER A. VISE, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California, hereby certify the above and foregoing to be a full, true and correct copy of an ordinance adopted by said Board of Supervisors on the 28th day of February, 2017.

DATED: This 28th day of February, 2017.

JENNIFER A. VISE, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California

By 
Deputy