



MENDOCINO COUNTY BOARD OF SUPERVISORS

# NEWS RELEASE

CONTACT: BOARD OF SUPERVISORS (707) 463-4441

---

TO: MENDOCINO COUNTY NEWS MEDIA

FR: BOARD OF SUPERVISORS

Ukiah, California: May 20, 2016

## *BOARD OF SUPERVISORS ADOPTS 9.31 MARIJUANA CULTIVATION URGENCY ORDINANCE*

During the May 16 & 17, 2016, Board meetings, the Board of Supervisors' Medical Marijuana Ad Hoc Committee presented an urgency ordinance amending Chapter 9.31 of Title 9 of the Mendocino County Code. The urgency ordinance was declared necessary for the immediate preservation of the public peace, health and safety. It was reported that the amendments to the existing Chapter 9.31 of the Mendocino County Code are necessary to establish registration and permitting requirements, as well as additional measures to protect the environment, that will provide for additional enforcement capability by the County and limit further degradation of the environment. The urgency ordinance passed upon a unanimous vote of the Board.

In addition to protecting the public peace, health and safety as stated above, the urgency ordinance adopts a more stringent definition of legal parcel than was previously in effect; adopts new requirements for wildlife exclusionary fencing, secure storage of fertilizer and other soil amendments; and requires anyone cultivating more than 25 plants to apply for, obtain, and comply with numerous conditions designed to limit community and environmental impacts.

The purpose of the urgency ordinance is to create local regulation of medical marijuana that is consistent with State law in order to protect the public peace, health and safety by balancing the needs of medical patients and their caregivers with the needs of the community to be protected from public safety and nuisance issues. Because of the passage of the Medical Marijuana Regulation and Safety Act (MMRSA) in California, and the concern that, if left unregulated, there will be a substantial increase of marijuana activity in the County, the ordinance seeks to limit harmful environmental impacts that are sometimes associated with marijuana cultivation.

The amendments to this ordinance do not change the previous twenty-five (25) plant per parcel limit, however, it provides for an exemption to the twenty-five plants (25) per parcel for marijuana growers that were cultivating marijuana prior to January 1, 2016, allowing for up to fifty (50) plants (or the defined equivalent square footage) on a legal parcel of no less than five (5) acres and up to ninety-nine (99) plants (or the defined equivalent square footage) on a legal parcel of no less than ten (10) acres. All prior requirements regarding setbacks, security measures and location remain.

The amendments to this ordinance are to terminate once replaced or superseded by alternate medical marijuana cultivation provisions, or no later than June 30, 2017, whichever is first.

A full copy of the urgency ordinance is available on the County's website at: <http://www.co.mendocino.ca.us/bos/mendoreg.htm>.

For more information regarding the urgency ordinance, please contact County Counsel's Office at (707) 234-6885.

Released by:   
Carmel J. Angelo  
Chief Executive Officer