

ORDINANCE NO. 2132

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA AMENDING CHAPTER 6.50 OF THE TEHAMA COUNTY CODE TO CONTINUE TO PERMIT THE CULTIVATION OF INDUSTRIAL HEMP WITHIN THE UNINCORPORATED AREAS OF THE COUNTY OF TEHAMA.

The Board of Supervisors of Tehama County ordains as follows:

Section 1. Purpose and Authority

Pursuant to Article XI, section 7, of the California Constitution, the County of Tehama ("County") may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens. It is the purpose and intent of this Ordinance to establish standards, requirements, and regulations governing industrial hemp cultivation, including commercial and research industrial hemp activities.

Further, it is the purpose and intent of this Ordinance to impose reasonable land use regulations to protect the County's residents, neighborhoods, businesses, and the environment from any negative impacts caused by industrial hemp cultivation, and to enforce rules and regulations consistent with state and federal law and any standards, requirements and regulations established by the State of California, or any of its departments or divisions, regarding commercial and/or research industrial hemp cultivation. The State law, standards, regulations, and requirements shall be the minimum standards applicable within the unincorporated areas of the County.

The provisions of this Ordinance are in addition to any other permits, licenses and approvals which may be required to conduct business in the County, and are in addition to any permits, licenses, registrations, and approval required under federal, state, County, or other law.

Section 2. Findings

- A. The County of Tehama Board of Supervisors ("Board") enacts this Ordinance pursuant to its police power for the purpose of preserving the health, safety and public welfare of the residents of the County.
- B. The Board finds that the Industrial Hemp Cultivation Pilot Program was successful in that for three years it allowed cultivation of industrial hemp within the County and resulted in no complaints regarding the public health, safety, or welfare of its citizens, thereby providing the opportunity for County agricultural business to take advantage of the marketplace for this new agricultural commodity.
- C. The Board finds that it wishes for agricultural businesses to be able to continue to cultivate industrial hemp within the County in the same manner as has

occurred for the past three years.

Section 3. Ordinance.

Chapter 6.50 is hereby amended to read:

6.50.010 Title

This Chapter shall be called Industrial Hemp Cultivation.

Section 6.50.160 of the Tehama County Code is hereby repealed.

Section 6.50.160 is hereby added to the Tehama County Code to read:

6.50.160 RESERVED

Section 4. CEQA

The Board hereby finds that this ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) because it can be seen with certainty that there is no possibility of a significant effect on the environment from the adoption of these regulations for industrial hemp. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Section 5. Validity

If any provision, clause, sentence, or paragraph of this ordinance, or any application thereof to any person or circumstance, is held to be unconstitutional or otherwise invalid for any reason, such invalidity shall not affect the validity of the remainder of this ordinance which can be given effect without the invalid provision, clause, sentence, paragraph, or application. To this end, the provisions, clauses, sentences, and paragraphs of this ordinance are hereby declared to be severable. The Board of Supervisors hereby declare that they would have passed this ordinance, and each provision, clause, sentence, or paragraph thereof, irrespective of the fact that one or more provision, clause, sentence, or paragraph be declared invalid or unconstitutional.

Section 6. Effective Date and Term

This ordinance shall become effective thirty (30) days after its passage and adoption. The Clerk shall cause this to be published as required by law.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Tehama, State of California, on this 24th of October, 2023 to wit:

AYES: Supervisors Moule, Leach, Hansen, Nolen and Carlson

NOES: None

ABSENT: None

ABSTAIN: None

STATE OF CALIFORNIA }
 }
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 the Board of Supervisors on the 24th day of October, 2023.

Dated this 31st day of October, 2023.

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

