

ORDINANCE NO. 3652

AN ORDINANCE AMENDING SECTION 1-23-1015 OF ARTICLE 1 OF CHAPTER 23 OF PART I OF THE ORDINANCE CODE, PERTAINING TO IMPOSITION OF CIVIL FINES AND PENALTIES.

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

**Section 1.** Section 1-23-1015 (“Imposition of Civil Fines and Penalties”) of Article 1 (“General Provisions”) of Chapter 23 (“Administrative Fines”) of Part I (“Government and Administration”) of the Tulare County Ordinance Code is amended to read as follows:

**§ 1-23-1015. IMPOSITION OF CIVIL FINES AND PENALTIES:**

(a) Any person violating any provision of this Ordinance Code or Tulare County Ordinance No. 352, as amended from time to time, shall be subject to the assessment of civil fines and penalties pursuant to the administrative procedures established in this Chapter and authorized by Government Code section 53069.4.

(b) Each and every day a violation of this Ordinance Code or the Tulare County Ordinance No. 352 exists constitutes a separate and distinct violation.

(c)(1) The Director is authorized to provide for the immediate imposition of administrative fines or penalties consistent with Government Code section 53069.4, subdivision (a)(2)(B), for the violation of any local zoning restrictions or building, plumbing, electrical, or other similar structural, or health and safety requirements of this Ordinance Code or Tulare County Ordinance No. 352, as amended from time to time, 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.

(2) Administrative fines or fees issued under subdivision (c) of this section may be imposed upon the property owner and upon each owner of the occupant business entity engaging in unlicensed commercial cannabis activity and the Director may hold them jointly and severally liable for the administrative fines and penalties as authorized under Government Code section 53069.4, subdivision (a)(2)(C).

(3) Fines or penalties that are immediately issued under subdivision (c) of this section shall not exceed one thousand dollars (\$1,000) per violation and shall not exceed ten thousand dollars (\$10,000) per day as authorized under Government Code section 53069.4, subdivision (a)(2)(D). Subdivision (c) of this section shall not be construed to limit the immediate imposition of larger fines that are otherwise authorized by applicable law and shall not be construed to limit administrative fines or penalties that are imposed pursuant to subdivision (a) of this section and section 1-23-5000 of this Chapter.

(4) The Director shall not impose fines for violations under subdivision (c) of this section, but may impose fines under subdivision (a) of this section and section 1-23-5000 of this Chapter, if all of the following are true:

(A) A tenant is in possession of the property that is the subject of the administrative action.

(B) The rental property owner or agent can provide evidence that the rental or lease agreement prohibits the commercial cannabis activity.

(C) The rental property owner or agent did not know the tenant was engaging in unlicensed commercial cannabis activity for which a license was required and no complaint, property inspection, or other information caused the rental property owner or agent to have actual notice of the unlicensed commercial cannabis activity.

(5) The County may refer cases involving unlicensed commercial cannabis activity to the Attorney General to undertake civil enforcement action pursuant to Chapter 5 (commencing with § 17200) of Part 2 of Division 7 of, or section 26038 of, the Business and Professions Code, or any other applicable law, as authorized by Government Code section 53069.4, subdivision (a)(2)(F).

**Section 2.** The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof, and prior to the expiration of fifteen (15) days from the passage hereof a summary shall be published once in the *Sun-Gazette*, a newspaper printed and published in the County of Tulare, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

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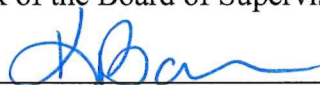
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THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the 28th day of January, 2025, at a regular meeting of said Board duly and regularly convened on said day by the following vote:


AYES: SUPERVISORS MICARI, VANDER POEL, SHUKLIAN, VALERO AND TOWNSEND  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

COUNTY OF TULARE  
  
By: \_\_\_\_\_  
Chair, Board of Supervisors

ATTEST: JASON T. BRITT  
County Administrative Officer/  
Clerk of the Board of Supervisors  
By:  \_\_\_\_\_  
Deputy Clerk



Approved as to Form:  
County Counsel

By:  \_\_\_\_\_  
Deputy  
Matter # 2024170