

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**3-2**

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the recommendation from Supervisor Jeffries regarding Adoption of Order to Initiate an Amendment to Ordinance No. 348 and Setting for Public Hearing Interim Ordinance No. 449.247 Prohibiting the Cultivation of Marijuana, is continued to Tuesday, November 25, 2014 at 9:00 a.m.

Roll Call:

Ayes: Jeffries, Tavaglione, Stone and Ashley  
Nays: None  
Absent: Benoit

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on September 23, 2014 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: September 23, 2014  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: \_\_\_\_\_

Deputy

AGENDA NO.

3-2

xc: Supvr. Jeffries, COB

| Date      | Reference Number   | Description                         | Product/Zone     | Size       | Billed Units | Times Run | Rate | Gross Amount | Net Amount |
|-----------|--------------------|-------------------------------------|------------------|------------|--------------|-----------|------|--------------|------------|
| 8/24/2014 | 109957659-08242014 | PH: Ordinance No. 449.247 Prohibiti | Press-Enterprise | 2 x 152 Li | 82           | 1         | 1.45 | 440.80       | 440.80     |

Ordered By: Cecilia Gil

RIVERSIDE COUNTY  
 BOARD OF SUPERVISORS  
 2014 AUG 27 PM 11:00

18T District  
3-1 of 07/29/14

Legal Advertising Invoice

Balance

\$440.80

| Sales Contact Information      |   | Advertiser Information              |  |  |
|--------------------------------|---|-------------------------------------|--|--|
| Maria Tinajero<br>951-368-9225 | Billing Period<br>08/24/2014 - 08/24/2014 | Billed Account Number<br>1100141323 | Advertiser/Client Number<br>1100141323 | Advertiser/Client Name<br>BOARD OF SUPERVISORS |

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

THE PRESS-ENTERPRISE **PE** com

Legal Advertising Invoice

| Advertiser/Client Name                    |                                      |  |
|---|--------------------------------------|--|
| BOARD OF SUPERVISORS                      |                                      |  |
| Billing Period<br>08/24/2014 - 08/24/2014 | Billed Account Number<br>1100141323  | Advertiser/Client Number<br>1100141323 |
| Balance<br>\$440.80                       | Invoice Number<br>109957659-08242014 | Terms Of Payment<br>Due Upon Receipt   |

Billing Account Name And Address

Remittance Address

BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE  
P.O. BOX 1147  
RIVERSIDE, CA 92502

The Press-Enterprise  
POST OFFICE BOX 12009  
RIVERSIDE, CA 92502-2209

9/23/2014 3-2

# THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100  
Riverside, CA 92507  
951-684-1200  
951-368-9018 FAX

## PROOF OF PUBLICATION (2010, 2015.5 C.C.P.)

Publication(s): The Press-Enterprise

### PROOF OF PUBLICATION OF

Ad Desc.: PH: Ordinance No. 449.247 Prohibiting M /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, under date of February 4, 2013, Case Number RIC 1215735, under date of July 25, 2013, Case Number RIC 1305730, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

08/24/2014

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: August 24, 2014  
At: Riverside, California

BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE  
P.O. BOX 1147  
RIVERSIDE, CA 92502

Ad Number: 0009957659-01

P.O. Number:

### Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, September 23, 2014 at 9:30 a.m.**, or as soon as possible thereafter, to consider adoption of the following:

#### ORDINANCE NO. 449.247 AN INTERIM ORDINANCE OF THE COUNTY OF RIVERSIDE PROHIBITING THE CULTIVATION OF MARIJUANA AND INCORPORATING ORDINANCE NO. 725

The Board of Supervisors of the County of Riverside Ordains as Follows:

Section 1. Pursuant to Section 65858 of the Government Code and section 20.4 of Ordinance No. 348, the cultivation of marijuana is hereby prohibited in the unincorporated areas of Riverside County. This clarifies that marijuana cultivation is prohibited in all zone classifications under the County's Zoning Ordinance. Section 3.3 of Ordinance No. 348 currently prohibits all uses not specifically permitted. Marijuana cultivation is not a specifically permitted use under Riverside County Ordinance No. 348 and is illegal under the federal Controlled Substances Act (21 USC sections 801, et seq.). Ordinances prohibiting the cultivation of marijuana have been upheld as not preempted by the Compassionate Use Act or the Medical Marijuana Program Act (see *Maral v. City of Live Oak* (2013) 221 Cal.App.4th 975). For purposes of this ordinance, the term "marijuana cultivation" shall mean the planting, growing, harvesting, drying, processing or storage of one or more marijuana plants or any part thereof in any location, indoors or outdoors, including in a fully enclosed and secure building. For purposes of this ordinance, the word "marijuana" shall have the same meaning as that set forth in Health & Safety Code Section 11018.

Section 2. Any person or responsible party, as defined in Riverside County Ordinance No. 725, that engages in marijuana cultivation, or allows or permits marijuana cultivation on property within the unincorporated area of the County of Riverside under their possession, ownership or control, is guilty of violating this ordinance. Each person or responsible party violating this ordinance shall be deemed guilty of an infraction or misdemeanor as hereinafter specified.

Any person or responsible party so convicted of cultivating six or fewer marijuana plants shall be guilty of an infraction offense and punished by a fine not exceeding ten dollars (\$10). Any person or responsible party convicted of cultivating more than six but less than twelve marijuana plants shall be guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200). Any person or entity convicted of cultivating twelve or more marijuana plants shall be guilty of a misdemeanor offense punishable by a fine not exceeding one thousand dollars (\$1,000) or six months in jail, or both, and shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of this ordinance is committed, continued or permitted. Payment of any penalty herein shall not relieve a person from the responsibility for correcting the violation. Notwithstanding the above, the remedies, penalties and procedures for violation of this ordinance are set forth in Riverside County Ordinance No. 725, which is incorporated by this reference.

Section 3. Pursuant to section 65858, subdivision (b), of the Government Code and section 20.4 of Ordinance No. 348, this interim ordinance shall take effect immediately. In adopting this ordinance, the Board finds that marijuana cultivation poses a current and immediate threat to the public health, safety and welfare, and that the approval of any permits or entitlements of any kind would result in that threat to public health, safety and welfare, for the following reasons: In the First District alone, hundreds of marijuana groves have been observed. Marijuana groves and cultivation increase the risks of criminal activity, the degradation of the natural environment and often results in illegal or hazardous electrical and water connections and alterations. Marijuana cultivation also creates increased nuisance impacts to neighboring properties because of the strong, malodorous, and potentially noxious odors which come from the plants. Without this interim ordinance, marijuana groves and cultivation will continue to proliferate within the County causing adverse impacts to the County and its residents.

There is no feasible alternative to satisfactorily protect against, mitigate or avoid these adverse impacts as well or better, with a less burdensome or restrictive effect, than the adoption of the interim ordinance.

Section 4. In adopting this ordinance, the Board reports that measures to alleviate the condition that led to its adoption will be taken and that such measures shall include, but not be limited to, the formulation and adoption of an amendment to Riverside County Ordinance No. 348 clarifying that cultivation of marijuana is prohibited in all zone classifications in the County.

Section 5. This ordinance shall be of no further force or effect forty-five (45) days from the date of its adoption, unless it is extended pursuant to law. The Clerk shall schedule a public hearing before the Board to consider any extension of this ordinance which shall normally be at its second regular meeting before expiration of the initial forty-five (45) day period. The Clerk shall publish notice ten (10) days before the hearing.

Section 6. At or before the public hearing on any proposed extension, and at least ten (10) days prior to the expiration of this ordinance, the Transportation and Land Management Agency Director, as designee for the Board, shall make a written report to the Board describing therein all measures taken to alleviate the condition which led to the adoption of this ordinance.

Section 7. This ordinance shall take effect immediately upon adoption if adopted by at least a four-fifths vote of the Board of Supervisors per Government Code section 65858, subdivision (b).

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend in whole or in part the

project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: August 20, 2014  
KECIA HARPER-IHEM, Clerk of the Board  
By: Cecilia Gil, Board Assistant

8/24

# The Desert Sun

mydesert.com

750 N. Gene Autry Trail  
Palm Springs, CA 92262  
Billing Inquiries: (866) 875-0854  
Main Office: (760) 322-8889

## ADVERTISING INVOICE/STATEMENT

Make Checks payable to DESERT SUN PUBLISHING CO.  
P.O. Box 677368 Dallas, TX 75267-7368  
A finance charge of 1.5% per month (18% Annually) will be  
added to balances not paid by the 20th.

RIV06900000000000000000000050465740110455810826

71

RIVERSIDE COUNTY-BOARD OF SUP.  
PO BOX 1147  
RIVERSIDE CA 92502-1147

PLEASE RETURN THIS TOP SECTION WITH PAYMENT IN THE  
ENCLOSED ENVELOPE AND INCLUDE YOUR CUSTOMER NUMBER  
ON REMITTANCE.

| Customer No.   | Invoice No. |
|----------------|-------------|
| RIV069         | 0005046574  |
| For the Period | Thru        |
| 08/04/14       | 08/31/14    |
| Due Date       | Amount Due  |
| 09/15/14       | 11,045.58   |
| AMOUNT PAID    |             |

| Date  | EDT | Class | Description              | Times<br>Run | Col | Depth  | Total<br>Size | Rate | Amount   |
|---|-----|-------|--------------------------|--------------|-----|--------|---------------|------|----------|
| 0804  |     |       | BALANCE FORWARD          |              |     |        |               |      | 9,487.40 |
| 0806  | CLS | 0001  | CECILIA NO 1261 CORRECTE | 2            | 2   | 74.00  | 296.00        |      | 167.32   |
| 0807  | CLS | 0001  | CECILIA NO 1277 NOTICE T | 4            | 2   | 72.00  | 576.00        |      | 319.92   |
| 0813  | CLS | 0001  | CECILIA NO 1303 BOARD OF | 2            | 2   | 71.00  | 284.00        |      | 160.78   |
| 0813  | CLS | 0001  | CECILIA NO 1304 NOTICE T | 10           | 2   | 48.00  | 960.00        |      | 529.20   |
| 0824  | CLS | 0001  | CECILIA NO 1374 NOTICE O | 2            | 2   | 172.00 | 688.00        |      | 380.96   |
| <div> <div> <u>1261</u> - ACO<br/>9-2 of 07/29/14<br/>\$167.32 </div> <div> <u>1277</u> - Flood<br/>11-6 of 07/29/14<br/>\$319.92 </div> </div>   |     |       |                          |              |     |        |               |      |          |
| <div> <div> <u>1303</u> - Planning<br/>3-4 of 08/05/14<br/>\$160.78 </div> <div> <u>1304</u> - Trans.<br/>3-42 of 8/5/14<br/>\$529.20 </div> <div> <u>1374</u> - 1st Dist.<br/>3-1 of 07/29/14<br/>\$380.96 </div> </div> |     |       |                          |              |     |        |               |      |          |
| <div> <div>Current</div> <div>Over 30 Days</div> <div>Over 60 Days</div> <div>Over 90 Days</div> <div>Over 120 Days</div> <div>Total Due</div> </div>   |     |       |                          |              |     |        |               |      |          |
| <div> <div>1,480.24</div> <div>9,565.34</div> <div>.00</div> <div>.00</div> <div>.00</div> <div>11,045.58</div> </div>  |     |       |                          |              |     |        |               |      |          |
| <div> <div>Contract Type</div> <div>Contract Qnty.</div> <div>Expiration Date</div> <div>Current Usage</div> <div>Total Used</div> <div>Quantity Remaining</div> <div>Salesperson</div> </div>                            |     |       |                          |              |     |        |               |      |          |
| <div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div>BARTELMLEY melle</div> </div>  |     |       |                          |              |     |        |               |      |          |

2014 SEP 15 AM 11:09

The Advertiser shall make payment within 15 days of the billing date indicated on Company's statement, and, in the event that it fails to make payment within such time, Company may reject advertising copy and / or immediately cancel this contract and Advertiser agrees to indemnify Company for all expenses incurred in connection with the collection of amounts payable under this contract, including but not limited to collection fees, attorney's fees and court costs. If this agreement is cancelled due to Advertiser's failure to make timely payment, Company shall bill the Advertiser for the outstanding balance due at the open or earned contract rate, whichever is applicable.

TO ENSURE PROPER CREDIT, PLEASE RETURN THE TOP SECTION AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

| Customer Number | Name                           | Invoice Number | Amount Paid |
|-----------------|--------------------------------|----------------|-------------|
| RIV069          | RIVERSIDE COUNTY-BOARD OF SUP. | 0005046574     |             |

THE DESERT SUN PUBLISHING CO.  
ADVERTISING INVOICE/STATEMENT

**The Desert Sun**  
750 N Gene Autry Trail  
Palm Springs, CA 92262  
760-778-4578 / Fax 760-778-4731

**State Of California ss:**  
**County of Riverside**

**Advertiser:**

**RIVERSIDE COUNTY-BOARD OF SUP.**  
4080 LEMON ST  
RIVERSIDE CA 925013

2000457664

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non paniel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

**Newspaper:** .The Desert Sun

8/24/2014

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 24th day of August, 2014 in Palm Springs, California.

  
**Declarant's Signature**

Section 7. This ordinance shall take effect immediately upon adoption if adopted by at least a four-fifths vote of the Board of Supervisors per Government Code section 65858, subdivision (b). Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project. If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

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Dated: August 20, 2014  
KECIA HARPER-HEM, Clerk of the Board  
By: Cecilia Gil, Board Assistant

Published: 8/24/14

ted: 8/

No 1374  
NOTICE OF PUBLIC HEARING BEFORE THE  
BOARD OF SUPERVISORS OF RIVERSIDE  
COUNTY

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