BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of a portion of proceedings, Meeting of

ORDINANCE NO. _____

ORDINANCE AMENDING TITLE III, DIVISION 5, CHAPTER 1 OF HUMBOLDT COUNTY CODE SECTION 351, SUBSECTIONS 351-7 AND 351-8; AMENDING SUBSECTION 351-7 TO STATE THAT A CANNABIS VIOLATION SHALL NOT BE ISSUED TO A NEW PROPERTY OWNER UNLESS THE CULTIVATION CONTINUES FOR MORE THAN 30 DAYS, AND SUBSECTION 351-8 REQUIRING THE NOTICE TO INCLUDE LANGUAGE THAT THE TEN-DAY PERIOD MAY BE EXTENDED AND THE DATE OF SERVICE

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. Section 351 of Chapter 1 of Division 5 of Title III of the Humboldt County Code is amended as shown on the attached pages.

SECTION 2. This ordinance shall take effect and be in force thirty (30) days from the date of its adoption. A summary shall be published at least five (5) days before the date set for adoption and again fifteen (15) days after passage of this ordinance. It shall be published once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

Modifications are shown as <u>underlined</u> text and deletions are shown as strikethrough.

351-7. Issuance of Notice to Abate Nuisance by Code Enforcement Unit.

Whenever the Code Enforcement Unit determines that a public Nuisance exists on any Property within the unincorporated area of Humboldt County, the Code Enforcement Unit shall prepare, and serve upon each Owner, Beneficial Owner, Occupier and/or any other person in charge or control of the affected Property, a "Notice to Abate Nuisance" as set forth in this chapter. The Notice to Abate Nuisance may be combined with a Notice of Violation and Proposed Administrative Civil Penalty issued pursuant to

the provisions of this division. Notwithstanding anything stated by this section, the Code Enforcement Unit shall not issue a "Notice to Abate Nuisance" for a property with a cannabis-related violation unless a cannabis cultivation violation has continued for more than thirty (30) days after the Owner acquired title to the Property. (Ord. 601, §5, 6/6/1967; Ord. 2457, §1, 8/23/2011; Ord. 2576, § 4, 6/27/2017)

351-8. Contents of Notice to Abate Nuisance.

The Notice to Abate Nuisance shall contain all of the following:

(a) The name and last known address of each Owner, Beneficial Owner, Occupier and any other person in charge or control of the affected Property. (Ord. 2457, §1, 8/23/2011; Ord. 2576, § 4, 6/27/2017)

(b) A street address, legal description or other description sufficient to identify the affected Property. (Ord. 601, §6, 6/6/1967; Ord. 2576, § 4, 6/27/2017)

(c) A description of the condition or conditions causing the Nuisance on the affected Property and any and all corrective actions, as determined by the Code Enforcement Unit, that will be required to correct or abate such condition or conditions. (Ord. 601, §6, 6/6/1967; Ord. 2576, § 4, 6/27/2017)

(d) An order to commence the correction or Abatement of the condition or conditions causing the Nuisance within ten (10) calendar days after service of the Notice to Abate Nuisance, and to thereafter diligently prosecute and complete said correction or Abatement. The ten-day period to commence and/or complete the correction or Abatement may be extended pursuant to a request made consistent with section 352-5, subdivision (b)(2) of this Code. (Ord. 601, §6, 6/6/1967; Ord. 2576, § 4, 6/27/2017)

(e) A statement that if the Code Enforcement Unit determines that the condition or conditions causing the Nuisance is imminently dangerous to human life or limb or is detrimental to the public health or safety, the Code Enforcement Unit may order that the affected building or structure be vacated pending the correction or Abatement of the condition or conditions causing the Nuisance. (Ord. 601, §6, 6/6/1967; Ord. 2576, § 4, 6/27/2017)

(f) A statement that the Owner, Beneficial Owner, Occupier or any other person in charge or control of the affected Property may not retaliate against a lessee of the affected Property pursuant to Section 1942.5 of the California Civil Code. (Ord. 2576, § 4, 6/27/2017)

(g) A statement that the Owner, Beneficial Owner, Occupier or any other person in charge or control of the affected Property may file with the Code Enforcement Unit an appeal of the determination that a Nuisance exists on the affected Property within ten (10) calendar days after service of the Notice to Abate Nuisance. (Ord. 2576, § 4, 6/27/2017)

(h) A statement that an appeal of the Code Enforcement Unit's determination that a Nuisance exists on the affected Property must be in writing and shall clearly identify the Property subject to the Notice to Abate Nuisance. (Ord. 2576, § 4, 6/27/2017)

(i) A statement that, upon receipt of an appeal of the determination that a Nuisance exists on the affected Property, the Code Enforcement Unit shall set the matter for hearing before a hearing officer appointed by the Humboldt County Board of Supervisors pursuant to Government Code Section 27720 and issue a Notice of Code Enforcement Appeal Hearing as set forth in this chapter. (Ord. 2576, § 4, 06/27/2017)

(j) A statement that the date of the Code Enforcement Appeal Hearing shall be no sooner than fifteen (15) calendar days after the date on which the Notice of Code Enforcement Appeal Hearing is served on the Appellant. (Ord. 601, §9, 6/6/1967; Ord. 2576, § 4, 6/27/2017)

(k) A statement that, if the required Abatement is not commenced, prosecuted and completed within ten (10) calendar days after service of the Notice to Abate Nuisance (unless extended pursuant to a request made consistently with section 352-5, subdivision (b)(2)), or in case of an appeal, the time limits set forth in the Finding of Nuisance and Order of Abatement, the Code Enforcement Unit may correct or abate the condition or conditions causing the Nuisance on the affected Property. (Ord. 2457, §1, 8/23/2011; Ord. 2576, § 4, 6/27/2017)

(l) A statement that the Costs of the required Abatement may become a charge against the affected Property and made a special assessment against the Property, and that said special assessment may be collected at the same time and in the same manner, and shall be subject to the same penalties, interest and procedures of foreclosure and sale in the case of delinquency, as is provided for ordinary property taxes. (Ord. 2457, §1, 8/23/2011; Ord. 2576, § 4, 6/27/2017)

(m) A statement that the Costs of the required Abatement may also become a charge against the affected Property which has the same force, effect and priority of a judgment lien governed by the provisions of California Code of Civil Procedure Sections 697.310 , et seq., and may be extended as provided in California Code of Civil Procedure Sections 683.110 , et seq. (Ord. 2576, § 4, 6/27/2017)

(n) A statement that any Personal Property collected by the Code Enforcement Unit during the correction or Abatement of the condition or conditions causing the Nuisance on the affected Property may be sold in the same manner as surplus Personal Property of the County of Humboldt, and the proceeds from such sale shall be paid into the revolving fund created pursuant to the provisions of this chapter. (Ord. 2457, §1, 8/23/2011; Ord. 2576, § 4, 6/27/2017)

(o) The date the notice was served on the responsible party.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2026.

AYES: Supervisors--
NOES: Supervisors--
ABSENT: Supervisors—

Chair of the Board of Supervisors of the
County of Humboldt, State of California

(SEAL)

ATTEST:

Tracy Damico, Clerk of the Board of Supervisors
County of Humboldt