

909 W. Visalia Road Farmersville, Ca. 93223 559-747-0458

Cannabis Cultivation Registration

Physical Address: _____
Street

City State Zip

Register Name: _____

Phone Number: _____

Please provide a copy of your Driver’s License with Application

1. Do you own your property? _____

If you answered yes please provide Deed as proof of purchase. If you are a tenant please complete form **RC-1**

2. Backflow Prevention

A reduced pressure backflow prevention device must be properly installed, functioning and inspected for each water fixture used primarily for cannabis cultivation. City of Farmersville Public Works Department to inspect. See Form **RC-2**

3. Regulation Acknowledgement

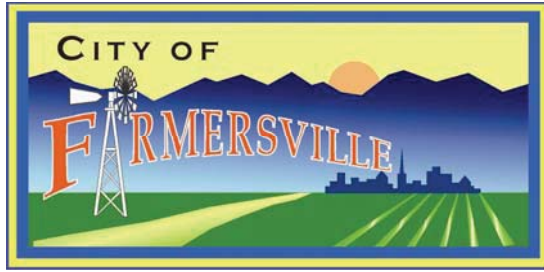
Have you read and understand the Ordinance pertaining to Cannabis Cultivation? See Form **RC-3**

4. Once this application is complete, and the registration fee of \$40 is paid you will be in compliance with the municipal code 17.53.50. However if you do not complete the registration process pertaining to 17.53.50 there will be a penalty. The penalty is as follows:

- First Offense: \$100.00 (14 days to meet requirements)**
- Second Offense: \$400.00 (28 days to meet requirements)**
- 3rd and Final Offense: \$400.00 (daily per day per violation until you meet the requirements)**

I certify that the above information is correct to the best of my knowledge

Signature _____ Date _____



Owner Acknowledgement Form

FORM RC-1

Address of rental _____

Name of tenant _____

Property Owner Information

Name _____

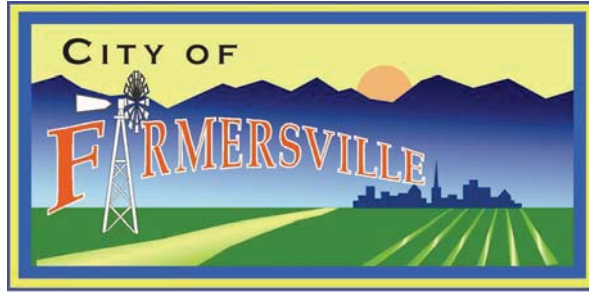
Address _____ Phone Number _____

County of _____

On this _____ day of _____, 2018, before me, a Notary Public for the state of California, personally appeared _____, known to me to be the person names in the foregoing and acknowledge to me that they do understand that they will have a tenant that resides at _____ will be growing cannabis.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

Signature _____ Date _____



Form RC-2

Backflow Sign off Sheet

Company Name _____

Company Address _____

Company Phone Number _____

Location of Service _____

At the expense of the customer/property owner, a Zurn-Wilkins 375XL Reduced Pressure Principle (RPP) backflow prevention assembly shall be installed adjacent to the City's water meter service. The backflow device shall remain the property of the customer/property owner and at the expense of the property owner/customer, the backflow device shall be tested annually and certified by a licensed tester.

I confirm that the backflow prevention device located at this residence is properly installed, functioning, and inspected for each water fixture used for cultivation of cannabis. Please attach a copy of receipt for install.

Approval

This procedure is approved by

Signature

Date

Regulation Acknowledgement

California Proposition 64, the California Marijuana Legalization Initiative, was on the November 8, 2016, ballot in California as an initiated state statute. Supporters referred to the initiative as the Adult Use of Marijuana Act and it was approved.

An Ordinance of the City of Farmersville enacting regulations for medicinal and non-medicinal cannabis use, cultivation, business, transactions and land uses on November 13, 2017 and it too was approved.

As a result cultivation of cannabis is allowed by the State. The State also allows the City to regulate this cultivation.

Ordinance No. 485

AN ORDINANCE OF THE CITY OF FARMERSVILLE ENACTING REGULATIONS FOR MEDICINAL AND NON-MEDICINAL CANNABIS USE, CULTIVATION, BUSINESSES, TRANSACTIONS AND LAND USES

Please initial all boxes and sign below

17.53.050 Registration of Parcels Prior to Non-Commercial Cannabis Cultivation.

(a) Registration Required: This section applies to non-commercial cannabis cultivation under Health and Safety Code § 11362.1. Each parcel of real property within the City must be registered under this section with the City Manager or designee prior to the non-commercial cultivation thereon of any quantity of cannabis whatsoever. Violation of this requirement is hereby declared to be unlawful and a public nuisance which may be abated by the City in any manner allowed by State law or local ordinance. Registration of a parcel does not create any vested right or any land-use entitlement.

(b) Conditions of Active Registration: Registration of any parcel of real property under this section shall be invalid, void and inactive except during such times when all of the following conditions are all simultaneously satisfied:

(1) Registration Application Requirements: Any person owning, leasing, occupying and/or having charge or possession of the parcel has, within the twelve (12) months preceding each date when cultivation will occur, submitted an accurate and signed application for registration, which was ultimately approved for registration by the City, containing all of the following information and documentation:

(A) The name of each person, owning, leasing, occupying and having possession of the parcel;

(B) The maximum number of plants which will be cultivated

on the parcel;

(C) Written consent to allow a City inspection of the cultivation site, during normal business hours and on a mutually suitable date, in order to complete the registration process; and

Such other information and/or documentation as the City Manager reasonably determines is necessary to ensure compliance with State law and this Chapter including, The application information and documentation shall be received in confidence, and shall be used or disclosed only for purposes of administration or enforcement of this Chapter and/or State law, or as otherwise required by law or legal recess.

The City Council may, by adoption of a resolution, establish a fee for such annual registration, which may include a fee for issuance of a registration certificate in accordance with all applicable legal requirements. Such fee must be paid in full for a registration to be valid and effective. All registrations, whether initial or renewal, of all parcels of real property shall expire at the end of the day on January 31st of the calendar year following the calendar year in which the parcel was registered.

(2) Zoning Compliance: This subsection shall apply notwithstanding any other provision within the Municipal Code. For cannabis cultivations within the scope of Health and Safety Code § 11362.1, the parcel to be registered must be located within any zone where a residential land use is permitted, as established by Title 17 of the Municipal Code.

(3) Owner's Consent: When a person cultivating cannabis on any parcel is not the legal owner(s) of the parcel, such person(s) must obtain the notarized written consent to such cultivation from the legal owner(s) of the parcel prior to commencing cultivation of cannabis on such parcel, and must provide the original of said consent to the City Manager at the time of application for registration of the parcel. Any withdrawal or revocation of the owner's consent must be notarized and shall, without any notice from the City, terminate any existing annual registration at the end of the thirtieth (30th) day after personal service of the notice, which must be dated, upon the tenant(s)/occupant(s), provided that a copy is contemporaneously served upon or mailed to the City. Any such notice which is mailed to a tenant(s)/occupant(s) must be postmarked and shall require an additional five (5) days to become effective.



(4) Indoor Cultivation Requirements: Subject to the other requirements within this Chapter, the total area used for cannabis cultivation must not exceed one hundred (100) square feet. When it is unattended by the registrant, such cultivation area must be locked and completely inaccessible to anyone without a unique physical and/or alphanumeric key. The cannabis plants within the cultivation

Area must not be detectable by unaided sight or smell from adjacent parcels or public vantage points at ground level. Each door providing access into any cultivation area must be locked at all times when not within the view of the cultivator. After a citation issued for excessive odor becomes final and non-appealable, and after written notice of at least fifteen (15) business days, the City may require, as a condition for maintaining registration of a parcel, the installation of a City- approved ventilation system which includes one or more charcoal filters sufficient to eliminate further violations pertaining to cannabis odor. Each building must also comply with any existing, adopted or revised ordinances and all applicable State and local standards pertaining to ventilation rates, exhaust termination, ventilation inlets and humidity levels.

(5) Cultivation Building Requirements: All cannabis cultivations must occur within a properly constructed and permitted real property improvement which is the private residence of the cultivator or is upon the parcel containing such private residence. Such private residence or accessory structure thereto which contains a cultivation area must be fully enclosed and comply with applicable State laws, building standards and all of the following shall apply:

(A) Portables Prohibited: Cultivation within any trailer, camper and any other form of portable enclosure which is not a “private residence” under Health and Safety Code section 11362.2(b)(5) is prohibited.

(B) Windows: The exterior windows to all buildings or structures where cannabis is cultivated, must eliminate visibility of all cannabis plants from all ground level exterior vantage points and must be equipped with security bars. Security bars must be installed on the inside of detached garages and other auxiliary buildings which are not certified or permitted as human living spaces and such buildings must have fire rated drywall properly installed. Windows must not be broken.

(C) Doors: All frames for doors which allow entry into the building from the outside must be made of metal or solid wood reinforced with metal at the point where locks latch to them. All non-metal doors must be solid-core and equipped with either a deadbolt lock, or a properly functioning industrial grade padlock and locking mechanism, which can only be unlocked with a unique key.

(D) Electrical: The lighting and electrical system for the cultivation area must comport with applicable building standards, including those pertaining to cultivation areas, and not exceed consumption of 1,200 watts at any time. In order to determine whether an electrical panel requires upgrading, a licensed electrician must perform a full electrical load calculation of the lighting and electrical system for the cultivation area and submit it to the City's building official prior to initial registration, renewal of registration and any time the lighting and electrical system is modified to any degree other than the routine replacement of bulbs and fuses. The use of an extension cord of any kind is prohibited for all aspects of cannabis cultivation.



(E) Flooring: The flooring beneath each cannabis plant must not consist of carpet or other non-water proof material which can be penetrated by water or other liquids.

(F) Irrigation Equipment: Use of all garden hoses, drip irrigation lines, irrigation timers and other irrigation components designed for outdoor use is prohibited for all indoor cannabis cultivation. All water fixtures and modifications thereto must be inspected and approved by the City. A reduced pressure backflow prevention device must be properly installed, functioning and inspected for each water fixture used primarily for cannabis cultivation. The presence of any toxic mold in any quantity which exceeds the naturally occurring level is prohibited.

(G) Effluents: Discharge into the City's sanitary sewer system of any effluent containing any cannabis cultivation waste product, chemical, fertilizer or pesticide is prohibited, including discharges into household drains, commercial drains, storm drains and other private and public drainage systems within the City. Furthermore, such discharges are also prohibited into any community water system, municipal water system and all other public or private water systems.

(H) Chemical: All pesticides, fertilizers and other treatments or chemicals used for cannabis cultivation must not be stored within any area of a private residence which does not comply with all requirements of this Chapter for a cannabis cultivation area. All such items must not be visible

or otherwise detectable by unaided sight or smell from adjacent parcels or public vantage points at ground level.



(6) Plant Size: At all times during indoor cannabis cultivation under Health and Safety Code § 11362.1 within a parcel containing a private residence, each cannabis plant must not exceed a height which is the lesser of eight (8) feet or one (1) foot from the ceiling above the plant, and the width must not exceed three (3) feet, provided that in no event should the size of cannabis plants which are grown together increase to a degree that any of them to any degree obstruct ingress and egress between each doorway and window within the room wherein they are located. Notwithstanding the foregoing, cannabis plants must not be cultivated in such a manner that the cannabis plant makes contact with any wall, door, window or ceiling at any time and there must at all times exist at least a one (1) foot space between each plant and the walls, doors, windows and the ceiling.



(7) Safety Requirements: At all times during indoor cannabis cultivation under Health and Safety Code § 11362.1 within a parcel containing a private residence, whenever any person under the age of twenty-one (21) years resides, regularly visits or is actually present upon such parcel, the cultivated cannabis plants must not be located within any common area of such private residence which is accessible by such minor including, without limitation, any hallway, living room, den, family room, kitchen, bathroom, garage or sunroom. Minors under the age of twenty-one (21) years also must not be allowed access into any indoor cultivation area during cultivation, harvesting, drying or processing of cannabis. Except when being actively consumed or handled in accordance with applicable State and local laws, all harvested cannabis and all cannabis products which are located on the parcel must be secured in a safe or room which is locked and inaccessible by persons under the age of twenty-one (21) years of age.

(8) Records: At all times during cannabis cultivation under Health and Safety Code § 11362.1 which occurs within the City, at least one legible and up-to-date hardcopy journal must be maintained on the parcel, containing all of the following information:

- (A) Each cannabis plant's date of acquisition;
- (B) The source of such acquisition;
- (C) Height and width in inches during each calendar month;
- (D) Each cannabis plant's corresponding owner; and
- (E) The date of each journal entry next to the printed and signed name of the person making the entry into the journal.

Said journal must be retained for a period of not less than five (5) years after each date listed within the journal. As a pre-condition of registration or registration renewal, the City may require individual tags, bar codes or other physical labels or markers to be affixed onto each cannabis plant exceeding one inch in vertical height.

(9) Metered Water: Water service to the parcel must be metered with a device which is both capable of wireless transmission of metering data and approved by the City.

(10) Building Standards: All waterlines, electrical wiring and structures used for cultivation of cannabis must comply with all applicable building codes, laws and ordinances.



(11) Compliance with State Cannabis Laws: Each registrant must at all times remain in full compliance with all State statutes which are applicable to cannabis including, without limitation, those pertaining to personal cultivation, sales, gifting, use and possession.

(12) Overdue City Balance: Each owner of the parcel to be registered must not have any amount which is overdue, thirty (30) or more days, to the City in unpaid fines, penalties, fees, charges, taxes, assessments and/or other payments, including contracted payments.

(d) Registration Voided Upon Violation: Any registration which becomes void for lack of compliance with any requirement of this Chapter shall remain void and ineffective from the initial moment of noncompliance and cannot be reinstated without a renewal application.

(e) Responsibility for Cultivation Violations: No person owning, leasing, occupying or having charge or possession of any parcel within the City shall cause, allow, suffer, or permit such parcel to be used for cultivation of cannabis in violation of any provision in this Chapter. Violation of this provision by any person owning, leasing, occupying or having charge or possession of any registered parcel shall be grounds for revocation of registration in addition to abatement under this Chapter.

I acknowledge that I have read and understand the Ordinance 485 pertaining to Non-Commercial Cannabis Cultivation

Signature _____ Date _____