



COUNTY OF MENDOCINO CANNABIS DEPARTMENT

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DATE: August 25, 2025
TO: Cannabis Department Staff, Cannabis Cultivation Business License Applicants and Holders
FROM: Steve Dunncliff, Interim Cannabis Director
RE: Internal Procedure #07 – Site Inspections

PREVIOUS PROCEDURE

This procedure is an update to Internal Procedure #7 – Site Inspections dated November 13, 2023.

PURPOSE

To promote accountability, consistency, equal application, and efficiency, the Mendocino County Cannabis Department (hereby "MCD") shall define and implement a uniform strategy regarding site inspections.

DEFINITIONS

"Applicant" means a person or entity that has submitted a CCBL application that is currently under review and has not yet been approved or issued.

"Cannabis Cultivation Business License" or "CCBL" means a license issued by Mendocino County authorizing the commercial cultivation of cannabis pursuant to Chapter 10A.17 of Mendocino County Code ("MCC").

"CCBL Holder" means a person or entity that has been issued a Cannabis Cultivation Business License by Mendocino County pursuant to Chapter 10A.17 of the Mendocino County Code.

"Deficiency Notice" means a written notice issued by MCD informing a CCBL applicant or licensee of specific violations or deficiencies and the required corrective actions and timelines.

"Good Faith Effort" means demonstrated, timely, and active pursuit of required compliance measures, including but not limited to submitting permit applications, retaining professionals (e.g., engineers or contractors), responding to County communications, and/or taking interim corrective steps as directed by MCD.

"Health and Safety Concerns" means conditions that pose an immediate threat to life, public health, worker safety, or the structural integrity of a building or site, including but not limited to unpermitted gas, electrical systems or structures fire hazards, or lack of emergency egress.

"Notice of Violation" or "NOV" means a formal written notice issued MCD or another county or state agency, identifying specific violations of County Code or license conditions, requiring corrective action within a prescribed timeframe.

"Physical Inspection" means an in-person inspection conducted at the licensed premises by Department staff or authorized contractors to verify compliance with applicable regulations and standards.

"Remote Inspection" means an inspection conducted without physical presence on the site, utilizing tools such as aerial imagery, photographic evidence, and reports from regulatory partners to assess compliance.

"Routine Inspection" will include Physical and Remote Inspections, with cost reimbursement for that service included in fees already collected under the current County fee schedule.

"Special Inspection" will include Physical and Remote Inspections, as additional site review deemed necessary by MCD, with cost reimbursement for that service charged according to the current County fee schedule.

SCOPE

This procedure applies to all MCD Staff and any other authorized County Departments or contractors performing work on behalf of MCD. This procedure governs the expectations related to site inspections for all CCBL applicants and current CCBL holders.

PROCEDURE

MCD site inspections verify compliance with MCC Chapters 1QA 17 and 20.242 and document programmatic integrity. Inspections will be scheduled and recorded within the Accela account of the associated record number for CCBL applicants and license holders. Health and Safety concerns identified during an inspection will be taken into consideration by MCD as well as referred to the appropriate enforcement agency. Inspections will typically be conducted under the following circumstances, and in accordance with MCC Sec. 10A.17.070(Y) and 10A.17.140:

1. Prior to the initial issuance of a CCBL
2. Prior to renewal of a CCBL
3. Upon request by the CCBL holder
4. Whenever deemed necessary by MCD, which may include complaint response
5. Randomly prioritized annual inspections, including:
 - o 5% of operational CCBLs every year
 - o 10% of CCBLs which filed a Notice of Fallowing each year.

MCD may conduct inspections or request information regarding additional CCBLs associated with the APN during a site inspection.

Remote Inspections

At MCD's discretion, remote inspections may be conducted when feasible. For a remote inspection, staff must be able to make all required findings within the scope of available resources and the site must have all necessary building permits finalized related to the CCBL and not have deviated from the approved Site Plan associated with the CCBL application or license.

Physical Inspections

Prior to conducting an onsite inspection, MCD staff responsible for conducting the inspection shall review the following application materials, including but not limited to aerial imagery, METRC Track and Trace activity, the most current site plan and building permit status, if applicable. Furthermore, MCD may assess METRC compliance by auditing a random sampling of tags on site.

1. All pre-CCBL inspections shall be conducted as physical site inspections.
2. A physical site inspection will be conducted at least every 5 years

Each site inspection will be designated as either a "Pass" or a "Fail." The Site Inspection Checklist used by MCD inspectors is attached as Exhibit A to this Procedure. In the event of a failed inspection the Senior Program Manager must be notified within the next business day. One or more enforcement actions shall be initiated, to include:

1. Issuance of a Deficiency Letter
2. Issuance of a Notice of Violation
3. Denial or Non-Renewal of a CCBL Application
4. Termination of an active CCBL

Deficiency Letter

A deficiency letter may be issued at the discretion of MCD for minor issues after an inspection when additional materials are needed. The letter will provide a timeframe for correction, and the deficiencies may be resolved through the submission of updated documentation or photographic evidence. If the deficiency letter is not addressed within the prescribed timeframe, MCD may pursue further corrective actions.

Notice of Violation ("NOV")

When MCD identifies a violation of MCC the applicant or CCBL holder shall be issued an NOV detailing the required corrective actions. NOVs shall grant a reasonable timeframe, determined by MCD, to come into compliance. MCD may grant an extension to the timeline if:

1. The applicant or licensee demonstrates verifiable good faith efforts to obtain required permits; and
2. All required permit applications have been submitted timely; and
3. Delays are clearly attributable to administrative processing or agency review and are outside of the applicant's control.

The burden of proof in demonstrating good faith is on the applicant or CCBL holder. MCD shall have sole discretion to determine whether such delays justify an extension and may require verification from PBS or other permitting agencies. If MCD does not receive documentation that the violation has been addressed as prescribed within the NOV, or if a follow-up inspection was requested in the original NOV and is not scheduled by the CCBL holder, an additional NOV may be issued.

If the prescribed timeline as outlined in the NOV, or the extension of the original timeline, lapses without compliance, MCD may proceed with CCBL license termination, denial or non-renewal.

Denial, Non-Renewal and Termination

When circumstances are identified that render a CCBL irremediable in a manner consistent with MCC, and no viable corrective measures are available, MCD shall proceed with the denial of a CCBL application, or the non-renewal or termination of an issued CCBL.

Circumstances that may result in immediate denial, non-renewal, or termination include, but are not limited to:

1. Engaging in commercial cultivation or any related activities without both an active Department of Cannabis Control Annual License and a County CCBL.
2. Cultivating cannabis within a fallowed canopy area during an active Notice of Fallowing period.
3. Cultivating commercial cannabis in a non-active status, including but not limited to a Notice of Application Stay or Notice of Non-Cultivation.
4. Revocation of property owner consent has been submitted to MCD.
5. Failure to abide by the terms of a compliance plan.
6. Failure to take corrective action within the timeline as prescribed by the Department.
7. Failure to abide by the terms of an NOV issued by MCD within the prescribed timeline.
8. Receiving three (3) or more NOVs or administrative citations, issued by MCD or any other County Department, on separate occasions, within a twelve (12) month period, which may or may not pertain to the same violation, recurring violation, or different violation.

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9. The extent of, severity of, or conditions surrounding one (1) or more violations make it clear that the CCBL Holder was not acting in good faith to abide by the laws related to the CCBL.
10. Any activity that endangers the health and safety of the public or any individual.
11. MCD determines an applicant or CCBL holder has presented false or misleading information.

MCC 10A.17.40(A), states if at any time the Department determines that a law related to a CCBL is being violated, the Department may notify other interested public agencies or County departments of such violations.

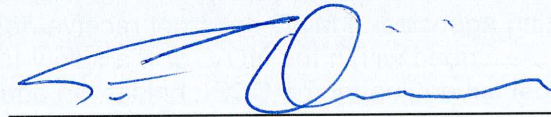
Notwithstanding the above, prior to the termination of any CCBL, MCD shall issue a Notice to Show Cause pursuant to MCC sec. 10A.17.150. This notice will outline the corrective actions required to come into compliance. Corrective measures may include, but are not limited to, the submission of a Notice of Application Stay or Notice of Non-Cultivation, with the licensee remaining on that non-active status until all compliance requirements are satisfied. Failure to meet the conditions outlined in the Notice to Show Cause within 10 days will result in the termination of a CCBL.

RESPONSIBILITY

The Director of MCD or designee has the authority and responsibility to interpret and enforce this policy. Enforcement decisions shall be documented in the licensing record and guided by the principles of fairness, consistency, and regulatory compliance.

AUTHORITY

Policy Approved:



Date: 8/25/25

Steve Dunncliff, Interim Cannabis Department Director