



COUNTY OF MENDOCINO CANNABIS DEPARTMENT

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DATE: November 13, 2023
TO: Mendocino Cannabis Department Staff
FROM: Steve Dunncliff, Interim Director Mendocino Cannabis Department
RE: Internal Procedure #07 – Site Inspections

PREVIOUS PROCEDURE

None.

PURPOSE

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

DEFINITIONS

Cannabis Cultivation Business License or **CCBL** – An issued Cannabis Cultivation Business License for cultivation or nursery operations in Mendocino County.

SCOPE

All Divisions within the Department and any authorized contractors performing work on behalf of the Department shall be responsible to this procedure.

PROCEDURE

Site Inspections

Due to limited staffing resources within the Department, the Department is instituting a discretionary policy decision to prioritize site inspections to increase efficiency and reduce the overall workload burden. Through experience and partnership with other regulatory partners, the Department has determined the best path forward to be: to perform required inspections, complaint driven inspections, and quality control inspections while appropriately dividing the cost of all Department inspections across the related fees in the annual BOS approved fee schedule.

The Department shall utilize site inspection information provided by our regulatory partners, such as photographs and written narratives, and/or when appropriate, remote and physical inspections, whenever possible to reduce the need of physical site inspections while relying on CCBL holders to proactively meet the requirements and performance standards outlined in MCC Sec. 10A.17.

Prioritized Site Inspection List is as follows:

1. Inspections Deemed Necessary by the Department
 - a. Per Sec. 10A.17.070(Y), the Department may deem a site inspection necessary. If the site inspection does not fall into the categories below, then it shall require Department head, or Department Head Designee, approval prior to the Department conducting the inspection.

- b. An additional site inspection fee may be required if it is determined that the CCBL applicant or holder caused the need for the site inspection.
- 2. On-site pre-CCBL inspection
 - a. Per Sec. 10A.17.070(Y), the Department shall perform one site inspection prior to issuance of a CCBL.
 - b. This fee shall be captured in the initial application fee.
- 3. Complaint Driven or Performance Monitoring Inspection
 - a. Per MCC Sec. 10A.17.140(A), a site inspection may be required to confirm violations and/or correction of violations.
 - b. An additional site inspection fee shall be required for onsite compliance inspections per MCC Sec. 10A.17.140(B) if it is determined that the CCBL applicant or holder caused the need for the site inspection.
- 4. CCBL Renewal Quality Control Inspections
 - a. A physical site inspection will be conducted at least every 5 years
 - b. Additionally, 5% percent of all in program applications and CCBLs will be randomly selected for a priority inspection annually. Factors utilized to determine whether the random inspection will be physical or remote may include:
 - i. Does the CCBL have a confirmed deviation between submitted site plan and aerial imagery and/or history of non-compliance with the Department or other regulatory agencies?
 - ii. If viewed remotely does the CCBL location appear to be consistent with the most current site plan on file?
 - c. This fee shall be captured in the renewal fee.
- 5. Upon Request of CCBL Applicant or CCBL Holders
 - a. The Department may consider providing requested inspections based on the availability of staff, and appropriate cost recovery. For example, per MCC Sec. 10A.17.120 – Certifications, for a CCBL holder to maintain the “Certified Mendocino County Grown” certificate, as it may require an annual inspection from the Department.

RESPONSIBILITY

Any Department staff or authorized contractors performing any functions described in the scope are responsible to ensure compliance with this procedure and the subsequent revisions of this procedure. For MCD staff, failure to perform within the parameters of this procedure may result disciplinary action up to and including termination. For any contractor providing services on behalf of the County, failure to perform within the parameters of this procedure may result in termination of contracted services and responsibility of any costs incurred by the County.

AUTHORITY

Procedure Approved: _____



Date: _____

11/20/23

Steve Dunncliff, Interim Cannabis Department Director