

## Chapter 17.12

### ENFORCEMENT

#### Sections:

- 17.12.010 Conformance by county officials.
- 17.12.020 Administration and enforcement.
- 17.12.030 Penalty for violation.
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17.12.010 Conformance by county officials. All departments, officials and public employees of the county which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this article and all other zoning laws and ordinances and shall issue no permit or license for uses, buildings, or purposes where they would be in conflict with the provisions of this article or such zoning laws or ordinances shall be null and void. (Prior code §9475(a))

17.12.020 Administration and enforcement. It shall be the duty of the planning commission and the planning director or his designee, except as set forth below, to administer the provisions of this article and all zoning laws and ordinances. It shall be the duty of the sheriff of the county and of the officers of the county in this chapter and/or otherwise charged by law with the enforcement of ordinances of the county to enforce this article and all zoning laws and ordinances and all the provisions thereof. (Prior code §9475(b))

A. Primary enforcement of the provisions of Title 17 of the ordinance relating to ranch Marketing, Wineries and Christmas tree ordinance and agricultural and TPZ zoning requirements shall be performed by the County Agricultural Commissioner, or his/her designee from the Department of Agriculture, Weights and Measures. These enforcement duties shall not include the administrative processing or approval of any special or land use permits, ministerial or discretionary, that may be required by these ordinances code title unless other specified.

1. The County Agricultural commissioner, whenever necessary, may enter and make an inspection of any premises, plant, conveyance, orchard, vineyard or thing in his/her jurisdiction during normal hours of operation to inspect such business for compliance with the Ranch Marketing, Wineries and Christmas Tree ordinance and zoning requirements.

2. The County Agricultural Commissioner is authorized to issue stop orders or cease and desist orders involving violations of the Ranch Marketing (Section 17.14.180), Wineries (Section 17.14.190) and Christmas Tree (Section 17.14.200) ordinance and zoning requirements, and such stop orders or cease and desist orders shall remain in effect until such violations have been resolved.

3. The County Agricultural Commissioner, following a recommendation by the Agricultural Commission, is authorized to issue a certificate of compliance as it relates to non-conforming use (Section 17.20.020) with the Ranch Marketing (Section 17.14.180), Wineries (Section 17.14.190) and Christmas Tree (Section 17.14.200) ordinance and agricultural zoning requirements. (Ord. 4624, 3-25-2003)

17.12.030 Penalty for violation. Any person, firm, partnership, association, corporation, or other entity whether as principal, agent, employee or otherwise, violating any of the provisions of this article or any zoning law or ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than one thousand dollars or by imprisonment in the county jail for a term not exceeding six months or by both such fine and imprisonment. Such person, firm, partnership, association, corporation or other entity shall be deemed to be guilty of a separate offense for each and every day during any portion of which any violation of this article or any zoning law or ordinance is committed, continued or permitted by such person, firm or corporation, and shall be punishable as provided in this section. At the discretion of the community development department, or the district attorney, the violation may be reduced to an infraction with a maximum fine of five hundred dollars. (Ord. 3831 §13, 1988)

17.12.040 Abatement of nuisance. Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this article and/or any use of any land, building or premises conducted, operated or maintained contrary to the provisions of this article shall be and is declared to be unlawful and a public nuisance, and the district attorney of the county shall, upon order of the board of supervisors, immediately commence action or proceedings for the abatement and removal and enjoinder thereof in the manner provided by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove the building or structure and restrain and enjoin any person, firm or corporation from setting up, erecting, building, maintaining or using any such building or structure or using any property contrary to the provisions of this article. (Prior code §9475(d))

17.12.050 Remedies cumulative. The remedies provided for in this chapter shall be cumulative and not exclusive. (Prior code §9475(e))