



## Ukiah Police Department

Safety, Professionalism, Community Service

**Chris Dewey**  
Chief of Police

## City of Ukiah Marijuana Ordinance

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### **§9254 MARIJUANA CULTIVATION:**

A. Definitions: As used herein the following definitions shall apply:

**CULTIVATION:** The planting, growing, harvesting, drying, or processing of marijuana plants or any part thereof.

**FULLY ENCLOSED AND SECURE STRUCTURE:** A space within a building that complies with the California building code, as adopted in the city of Ukiah ("CBC"), or, if exempt from the permit requirements of the CBC, that has a complete roof enclosure supported by connecting walls extending from the ground to the roof, a foundation, slab or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, and is accessible only through one or more lockable doors. Walls and roofs must be constructed of solid materials that cannot be easily broken through, such as two inch by four inch (2" x 4") or thicker studs overlaid with three-eighths inch (3/8") or thicker plywood or the equivalent. Plastic sheeting, regardless of gauge, or similar products do not satisfy this requirement. If indoor grow lights or air filtration systems are used, they must comply with the California building, electrical, and fire codes as adopted in the city of Ukiah.

**IMMATURE MARIJUANA PLANT:** A marijuana plant, whether male or female, that has not yet flowered and which does not yet have buds that are readily observed by unaided visual examination.

**INDOORS:** Within a fully enclosed and secure structure.

**MATURE MARIJUANA PLANT:** A marijuana plant, whether male or female, that has flowered and which has buds that are readily observed by unaided visual examination.

**OUTDOOR:** Any location within the city of Ukiah that is not within a fully enclosed and secure structure.

**PARCEL:** Property assigned a separate parcel number by the Mendocino County assessor.

**PRIMARY CAREGIVER:** A "primary caregiver" as defined in Health and Safety Code section 11362.7(d).

**QUALIFIED PATIENT:** A "qualified patient" as defined in Health and Safety Code section 11362.7(f).



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§6093: Marijuana Cultivation Prohibited

§6094: Seizure and Destruction of Marijuana

## **§6093 MARIJUANA CULTIVATION PROHIBITED:**

Outdoor cultivation of marijuana or indoor cultivation in excess of twelve (12) mature plants or twenty four (24) immature plants, within the city limits of the city of Ukiah in violation of section 9254 of this code constitutes a violation of this article. Any person violating any provision of this article shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed one thousand dollars (\$1,000.00), by imprisonment in the county jail not to exceed six (6) months or by both a fine and imprisonment. (Ord. 1104, §1, adopted 2007)

## **§6094 SEIZURE AND DESTRUCTION OF MARIJUANA:**

Except as otherwise expressly stated in this section, all marijuana seized by the city police in the enforcement of this article shall be seized, retained and destroyed in the same manner and subject to the same procedures as are provided in California Health and Safety Code sections 11472-11479, for marijuana possessed in violation of division 10 of the Health and Safety Code. The requirements in subsection (b) of Health and Safety Code section 11479, prescribing the conditions that must be satisfied before seized marijuana may be destroyed without a court order, as applied by this section, are revised as follows:

(b) Photographs have been taken which reasonably demonstrate the total number of mature and immature plants to be destroyed and the location where they were growing immediately prior to their seizure.

(Ord. 1104, §1, adopted 2007)