

COMPLIANCE PLAN

(Mendocino County Code section 10A.17.100)

CCBL Number: [INSERT CCBL #]

I. PURPOSE

A. This Compliance Plan (“**Plan**”) enables the issuance of a Mendocino County Code (“**MCC**”) section 10A.17 cannabis cultivation business license (“**CCBL**”) based on the agreement of the undersigned applicant (“**Applicant**”) to correct all violations identified in this Plan, to obtain and finalize all required, separate County permits, to obtain any required certificates of occupancy, and to abide by the restrictions as set out in this Plan.

B. This Plan identifies MCC violation(s) that are known to the County and pertain to the Cultivation Site, as defined in MCC section 10A.17.020 and as identified in Applicant’s Cultivation Permit application (“**Cultivation Site**”), and establishes a remediation timeline for such violation(s).

C. This Plan identifies the separate County permit(s) that Applicant must obtain based on Applicant’s CCBL application and MCC violation and sets out a timeline to apply for and obtain such separate County permit(s).

D. This Plan identifies the consequences of failing to comply with, abide by and/or satisfy this Plan by the specified dates.

II. VIOLATIONS TO CORRECT AND PERMITS TO OBTAIN

A. Existing Violations: Applicant acknowledges and admits that violations of MCC as identified in EXHIBIT A, which are directly related to Applicant’s CCBL application, currently exist on the Cultivation Site. Applicant understands that compliance with this Plan requires that Applicant correct each violation identified in EXHIBIT A by the specified date therein.

B. Required Permits to Correct Violation: To the extent that correction of a violation requires obtaining a separate County permit, such as a County building permit, Applicant understands that compliance with this Plan depends on Applicant submitting a complete application for each required, separate County permit as identified in EXHIBIT A. The application for each separate County permit must be submitted to the appropriate department within one (1) year of issuance of the CCBL. Applicant further understands that compliance with this Plan depends on Applicant performing all work necessary to finalize each separate County permit and obtaining any applicable certificates of occupancy in accordance with the California Building Code within the time provided by the department with the authority to issue the separate County permit(s).

Applicant acknowledges that California Building Code section 105.1 requires building permits for buildings, structures, and systems, and that access to all commercial cannabis structures and facilities shall comply with the California Building Code Chapter 11-B. To the extent that a building permit is required, Applicant further acknowledges the applicability of California Building Code section 111.1, which states as follows:

A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Applicant acknowledges that the issuance of a CCBL, prior to Applicant finalizing all required, separate County permits and obtaining all applicable certificates of occupancy, is done with the understanding that Applicant will abide by the restrictions contained in this Plan and not use the CCBL in a manner that is contrary to the law, including but not limited to the California Building Code.

C. Other Required Permits: Applicant acknowledges that a CCBL may authorize a particular use for which a separate County permit is required. The required, separate County permit(s) associated with Applicant's CCBL application are identified in EXHIBIT A. Applicant understands that compliance with this Plan depends on Applicant obtaining such separate County permits in the same manner, based on the same timelines and laws, and subject to the same restrictions as described in Section II(B) of this Plan.

III. RESTRICTIONS ON ISSUED CULTIVATION PERMITS

A. After Applicant agrees to this Plan by signing below, and after a CCBL is issued based the Plan, the issued CCBL does not provide any permission for the Applicant to engage in the activity or specific use for which a separate County permit is required as identified for each item in EXHIBIT A, until said separate County permit is obtained and finalized, and until any required certificate of occupancy is issued.

B. This Plan, along with all the restrictions contained herein, shall apply to each and every CCBL issued to, or thereafter renewed for Applicant with respect to the Cultivation Site until all the restrictions have been lifted.

C. The CCBL restrictions identified herein will be lifted from the CCBL on a rolling basis as the Applicant finalizes each separate County permit and obtains any required certificate of occupancy for each item identified in EXHIBIT A.

IV. NON-COMPLIANCE, COMPLIANCE, AND FURTHER ENFORCEMENT ACTION

A. Non-compliance with this Plan by Applicant will be grounds for termination of Applicant's CCBL.

B. Applicant understands that any problems, injuries, damages, or liabilities of any kind that may arise out of Applicant's non-compliance with this Plan is completely and entirely the responsibility of Applicant, and by signing below Applicant agrees to indemnify, defend, release, and hold harmless the County of Mendocino and its agents, officers, elected officials and employees from any claims, damages or injuries brought by affected persons due to Applicant's non-compliance with this Plan.

C. Applicant acknowledges that although this Plan is intended to be the primary code enforcement mechanism for violations associated with Applicant’s CCBL application, nothing in this Plan is intended to limit the use of any other applicable code enforcement mechanism(s) or the ability of any County department with appropriate authority to enforce the MCC.

D. Applicant understands that the County may take further code enforcement action on any violation that is not corrected as required by this Plan, or becomes worse, such as if the violation becomes an immediate threat to health or safety.

E. After full compliance with this Plan, this Plan will no longer have any effect and will no longer attach to and restrict Applicant’s CCBL, or subsequently issued or renewed CCBL. Full compliance with this Plan will be achieved when all the violations identified in EXHIBIT A have been corrected and when all required, separate County permits have been obtained and finalized, along with any required certificates of occupancy.

V. SEVERABILITY

In the event that a court of competent jurisdiction finds that any portion or provision of this Plan to be illegal, invalid, unenforceable, nonbinding, or otherwise without legal force or effect, the remaining portion(s) will remain in force and be fully binding.

Applicant has read this Plan and understands its contents. By signing below, Applicant acknowledges that compliance with this Plan requires Applicant to correct all violations, to obtain and finalize all required, separate County permits, and obtain all required certificates of occupancy as identified herein. Applicant further acknowledges that this Plan will attach to and restrict all CCBLs issued or renewed that pertain to Applicant’s Cultivation Site, which restrictions will remain in full force and effect until said restrictions are lifted as described herein.

Applicant Signature: _____ Date: _____

Applicant Name: _____

Applicant Signature: _____ Date: _____

Applicant Name: _____