

ORDINANCE NO. 566
(AS AMENDED THROUGH 566.3)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING
ORDINANCE NO. 566 RELATING TO INSPECTION OF GREEN CORN

The Board of Supervisors of the County of Riverside, State of California, do ordain as follows:

Section 1. DEFINITIONS. As used in this ordinance, the following words or phrases shall have the following meanings;

- a. **"Agricultural Commissioner"** means the Agricultural Commissioner of Riverside County, or his designated representative.
- b. **"Commercial"** means an activity carried on for the primary purpose of procuring subsistence or profit.
- c. **"Person"** means any individual, firm, partnership, joint venture, corporation, association, club or organization.
- d. **"Approved Inspection Service"** means an entity recognized by the California Department of Food and Agriculture and approved by the Agricultural Commissioner.

Section 2. INSPECTION CERTIFICATE, CERTIFICATION STAMP OR DEVICE. It shall be unlawful for any grower or shipper to sell, transport, ship or have in his possession for sale, transportation or shipment for a commercial purpose any green corn without first obtaining from the Agricultural Commissioner, or an inspection service approved by the Agricultural Commissioner, an inspection certificate, certification stamp or device issued in accordance with the provisions of Section 42791, 42792, and 42792.1 of the Food & Agricultural Code.

Section 3. FEE SCHEDULE. Pursuant to Section 42793 of the Food and Agricultural Code, a schedule of fees for the issuance of inspection certificates shall be as established by resolution adopted by the Board of Supervisors. The schedule of fees shall be based upon the approximate cost of inspection necessary to determine that the green corn has met the requirements established by said code.

Section 4. PAYMENT OF FEES. The fees provided for in Section 3 of this ordinance shall be paid by all commercial growers or shippers whose green corn is inspected pursuant to law and this ordinance. The fees shall be paid to the County through the Agricultural Commissioner or to the approved inspection service as applicable. Fees owed the County shall be due and payable within 14 calendar days after the inspection. The Agricultural Commissioner may, in his discretion, refuse to perform any inspection provided by this ordinance until such time as the person for whom the inspection is to be performed deposits with the Agricultural Commissioner funds sufficient to cover the anticipated fees for such inspection as determined by the Agricultural Commissioner; any unused portion of such deposit shall be refunded.

Section 5. EXEMPTION. This ordinance shall not apply to green corn which is exempt under the provisions of Title 3, California Administrative Code, Section 1390;

provided, however, that a valid permit for such exemption has been issued by the Agricultural Commissioner pursuant to Title 3, California Administrative Code, Section 1390.1, unless such a permit is not required pursuant to Section 43332 of the Food and Agricultural Code.

Section 6. VIOLATION. Any person violating Section 2. of this ordinance shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, continued, or permitted.

Any person so convicted shall be: (1) guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100.00) for a first violation; (2) guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200.00) for a second violation. The third and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or six (6) months in jail, or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person from the responsibility for correcting the violation.

Section 7. DECLARATION OF EMERGENCY. This ordinance is an urgency measure and shall take effect upon its adoption. The facts constituting the urgency are that green corn is produced in large quantities in this County and immediate and careful inspection is needed at once to prevent deterioration and loss in the quality and reputation of this important crop in the County. Therefore, this ordinance is necessary for the immediate preservation of the public health, safety and welfare.

Section 8. CONSTRUCTION-GENDER. Unless the context otherwise requires, the masculine gender as used in this ordinance includes the feminine and neuter.

Adopted: 566 05/10/1977 (Eff: Urgency)

Amended: 566.1 Item 3.4 of 02/21/1984 (Eff: 03/23/1984)

566.2 Item 3.4b of 05/23/1989 (Eff: 06/22/1989)

566.3 Item 3.7 of 08/01/1989 (Eff: 08/31/1989)