

**ORDINANCE NO. 610
(AS AMENDED THROUGH 610.1)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE 610 RELATING TO INSPECTION OF CERTAIN
VEGETABLES AND FRUITS**

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. "Palo Verde Valley" means that portion of the unincorporated area of the County of Riverside described as being bounded on the north by the township line between T4S and T5S, SBM; on the east by the Colorado River; on the south by the Riverside-Imperial County line; and on the west by the range line between R20E and R21E, SBM.

Section 2. AREA OF APPLICATION. The provisions of this ordinance shall apply, and otherwise be enforceable, only within the Palo Verde Valley. The facts constituting the limited area of application within this County are that head lettuce, watermelons, cantaloupe melons and honeydew melons are produced in substantial quantities within the Palo Verde Valley and careful inspection is needed to prevent deterioration and loss in the quality and reputation of these important crops in this County.

Section 3. INSPECTION CERTIFICATE, CERTIFICATION STAMP OR DEVICE. It shall be unlawful for any grower or shipper to sell, transport or ship or have in his possession for sale, transportation or shipment for a commercial purpose any head lettuce, watermelons, cantaloupe melons or honeydew melons without first obtaining from the Agricultural Commissioner an inspection certificate, certification stamp or device issued in accordance with the provisions of Sections 42791, 42792 and 42792.1 of the Food and Agricultural Code.

Section 4. FEE SCHEDULE. Pursuant to Section 42793 of the Food and Agricultural Code, a schedule of fees for the issuance of inspection certificates, certification stamp or device 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 head lettuce, watermelons, cantaloupe melons or honeydew melons have met the requirements established by said code.

Section 5. PAYMENT OF FEES. The fees provided for in Section 4 of this ordinance shall be paid by all commercial growers or shippers whose head lettuce, watermelons,

cantaloupe melons or honeydew melons are inspected pursuant to law and this ordinance. The fees shall be paid to the County through the Agricultural Commissioner. The inspection fees 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 6. EXEMPTION. This ordinance shall not apply to head lettuce, watermelons, cantaloupe melons and honeydew melons which are 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 7. VIOLATION. Any person violating Section 3. 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 Section 3. 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 (\$,1000.00) 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 8. CONSTRUCTION-GENDER. Unless the context otherwise requires, the masculine gender as used in this ordinance includes the feminine and neuter.

Adopted: 610 Item 3.5 of 02/21/1984 (Eff: 03/2319/1984)

Amended: 610.1 Item 3.4d of 05/23/1989 (Eff: 06/22/1989)