



OFFICE OF SHERIFF
County of Kings

David S. Robinson
Sheriff-Coroner

INDOOR MARIJUANA CULTIVATION INFORMATION

On October 4, 2016, the Board of Supervisors adopted Ordinance No. 677, which became effective on November 3, 2016. A copy of the entire ordinance is available upon request. Ordinance No. 677 continues Kings County's existing policy of declaring any cultivation of marijuana within the unincorporated area of Kings County to be both a public nuisance and a misdemeanor, while exempting cultivation for medical purposes under specified conditions from criminal liability. (See *Kirby v. Co. of Fresno* (2015) 242 C.A.4th 940.) The ordinance also provides that if state law requires the County to permit cultivation for medical or recreational purposes, then indoor cultivation shall be allowed upon registration and subject to several conditions, which are summarized below. For full details, you should consult Kings County Ordinance No. 677.

SUMMARY OF CONDITIONS FOR INDOOR CULTIVATION

Growing marijuana in the unincorporated area of Kings County without registering your grow and complying with these requirements constitutes a public nuisance subject to abatement, and may also be a misdemeanor subject to Kings County Ordinance Code Section 14-60.

1. Only individuals ages 21 and older may cultivate marijuana subject to Ordinance No. 677, and cultivation shall be for personal use only.
2. No outdoor cultivation is allowed. Cultivation may occur only in the cultivator's own private residence or in an attached garage or other fully enclosed and locked accessory structure on the cultivator's property. Renters require property owner permission. The cultivation should not be visible from outside the residence or accessory structure in which it is growing, and cultivation should be an incidental use only. In other words, the residence must maintain kitchen, bathrooms, and sleeping quarters for their intended residential uses.
3. The cultivation area in any residence may not exceed 32 square feet, and plants may not exceed 10 feet in height. A maximum of six plants may be grown. These limitations apply regardless of how many adults live on the premises.
4. Lighting shall not exceed 1,200 watts or otherwise pose any safety hazard, and the cultivator shall obey all building and zoning codes. Use of gas products, including carbon dioxide and butane, is not allowed. Ventilation is required per code to protect the health and safety of occupants and so that cultivation odors are not detectible from outside the residence.
5. Chemicals should be stored appropriately and used in cultivation only if approved by the state for indoor marijuana cultivation, and only in amounts prescribed by state law.