

**SANTA BARBARA COUNTY  
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**  
**Prepared on:** 10/27/03  
**Department Name:** Agricultural Commissioner  
**Department No.:** 051  
**Agenda Date:** 11/25/03  
**Placement:** Administrative  
**Estimate Time:** 20 minutes at first hearing  
**Continued Item:** NO  
**If Yes, date from:**

---

**TO:** Board of Supervisors

**FROM:** William D. Gillette  
Agricultural Commissioner, x5600

**STAFF CONTACT:** Guy Tingos  
x5600

**SUBJECT:** Set hearing to consider introduction of an ordinance repealing specific sections of the Santa Barbara County Code pertaining to the Agricultural Commissioner

---

**Recommendation(s):**

That the Board of Supervisors:

A) Set hearing on December 9, 2003 to consider introduction (FIRST HEARING) of an ordinance of the Board of Supervisors repealing the following sections of the Santa Barbara County Code:

(1) ARTICLE I, §§ 3-1 THROUGH 3-4.4, INCLUSIVE, OF CHAPTER 3 (AGRICULTURE) OF THE COUNTY CODE CONCERNING THE INSPECTION OF FRUITS, NUTS AND VEGETABLES;

(2) §§ 24-1 THROUGH 24-5, INCLUSIVE, OF CHAPTER 24 (OFFENSES- MISCELLANEOUS) OF THE COUNTY CODE CONCERNING THE ABATEMENT OF NUISANCES CONSISTING OF RODENTS AND PREDATORY ANIMALS; AND

(3) §§ 24-17 THROUGH 24-27, INCLUSIVE, OF CHAPTER 24 (OFFENSES-MISCELLANEOUS) OF THE COUNTY CODE CONCERNING THE ABATEMENT OF PUBLIC NUISANCES CAUSED BY THE UNGUARDED STORAGE OF CHEMICAL PESTICIDES

B) Set hearing on January 6, 2004 to consider second reading (SECOND HEARING) and adoption of the above-referenced ordinance of the Board of Supervisors.

C) Find that this project is not subject to California Environmental Quality Act pursuant to Section 15061(b) (3) of the Guidelines for Implementation of CEQA.

**Alignment with Board Strategic Plan:**

The recommendation(s) are primarily aligned with our organizational values regarding economy in government.

**Executive Summary and Discussion:**

The county code sections proposed for deletion are archaic and no longer reflect the practices, responsibilities, or the authority of the Agricultural Commissioner.

(1) Chapter 3, Sections 3-1 through 3-4.4 inclusive refer to a program which was requested by the lettuce industry in 1946. The program authorized the Agricultural Commissioner to inspect head lettuce, issue certificates of inspection, and charge fees for this service. The produce market evolved such that these inspections and certificates were no longer necessary or useful, and in 1997, the lettuce industry requested that the program be discontinued. Since that time, this program has not been in effect and there is no need for this program in the foreseeable future.

(2) Chapter 24, Sections 24-1 through 24-5 inclusive refer to the abatement authority and responsibilities of the Agricultural Commissioner with respect to rodents and wild animals. Most of these code sections were enacted in 1927. This section also includes reference to the sale of poison bait. The Agricultural Commissioner's Office has not performed rodent control in over 20 years. Rodent control is primarily the responsibility of the individual property owner. Educational and instructional materials are provided by the Agricultural Commissioner's Office and by Environmental Health Services (EHS). Extermination services are available to property owners through private pest control companies or by the Santa Barbara Coastal Vector Control District in certain areas. In the case of a landlord/tenant dispute regarding rodents, EHS and the building official can enforce the Uniform Housing Code.

The Agricultural Commissioner's Office stopped the manufacture and sale of poisoned bait in the mid-1980's. These baits are available through farm supply companies and retail outlets.

The Agricultural Commissioner's Office will continue to offer a program for wild animal control through a partnership with US Department of Agriculture. These services are provided on request of property owners and will not be impacted by deletions of these code sections.

(3) Chapter 24, Sections 24-17 through 24-27 inclusive refer to various functions and authorities of the Agricultural Commissioner with respect to the storage of pesticides. These code sections were enacted in 1974. Current state law supersedes and expands these responsibilities and authorities far beyond those specified in these county code sections, making the county code sections ineffective and redundant.

**Mandates and Service Levels:** No change to programs or service levels.

**Fiscal and Facilities Impacts:** None

**Special Instructions:** The Clerk of the Board shall complete noticing for the project in a newspaper of general circulation in the County of Santa Barbara ten (10) days prior to the hearing.

**Attachments:** Ordinance  
CEQA Notice of Exemption  
Exhibit A (code sections to be deleted)

**Concurrence:** County Counsel  
Auditor-Controller  
Environmental Health Services