



|      |                  |                |              |                 |                  |              |  |
|------|------------------|----------------|--------------|-----------------|------------------|--------------|--|
| Home | Bill Information | California Law | Publications | Other Resources | My Subscriptions | My Favorites |  |
|------|------------------|----------------|--------------|-----------------|------------------|--------------|--|

Code:  Section:

[Up^](#) [Add To My Favorites](#)

## HEALTH AND SAFETY CODE - HSC

**DIVISION 3. PEST ABATEMENT [2000 - 2910]** ( *Heading of Division 3 amended by Stats. 1957, Ch. 205.* )

**CHAPTER 8. Pest Abatement Districts [2800 - 2910]** ( *Chapter 8 enacted by Stats. 1939, Ch. 60.* )

### ARTICLE 1. Definitions and General Provisions [2800 - 2805] ( *Article 1 enacted by Stats. 1939, Ch. 60.* )

**2800.** "Pest," as used in this chapter, includes any plant, animal, insect, fish, or other matter or material, not under human control, which is offensive to the senses or interferes with the comfortable enjoyment of life, or which is detrimental to the agricultural industry of the State, and is not protected under any other provision of law.

(*Amended by Stats. 1945, Ch. 957.*)

**2800.5.** As used in this chapter, "public nuisance" includes, but is not limited to, both of the following:

(a) Any breeding place or place of growth of a pest for which a district may be initiated under Section 2822, which exists by reason of any use made of the land on which it is found, or which exists by reason of any artificial change in the natural condition of the land on which it is found. The presence of any immature stages of any pest, or the rooted stages of any plant pest, shall constitute prima facie evidence the place is a breeding place for the pest.

(b) Water which is a breeding place for any pest for which a district may be initiated under Section 2822.

(*Repealed and added by Stats. 1984, Ch. 911, Sec. 43. Effective September 7, 1984.*)

**2801.** This chapter is supplemental to any other provision of law relating to the abatement of pests or nuisances.

(*Enacted by Stats. 1939, Ch. 60.*)

**2802.** "District," as used in this chapter, means any pest abatement district formed pursuant to this chapter or pursuant to any law which it supersedes.

(*Enacted by Stats. 1939, Ch. 60.*)

**2803.** Any person who restrains, hinders, obstructs, or threatens any officer or employee of a district in the performance of that person's duties as an officer or employee, or any person who interferes with any work done by, or under the direction of, the district, is guilty of a misdemeanor.

(*Amended by Stats. 1984, Ch. 911, Sec. 44. Effective September 7, 1984.*)

**2804.** In case of a dispute between governmental agencies on the need, or the methods and materials to be used, to abate or prevent a public nuisance under this chapter, the matter shall be subject to appeal to the State Director of Health Services within 10 days from the date the dispute arises. The director shall take testimony on the issue, shall decide the matter on appeal, and shall convey his decision to the parties within 30 days of the receipt of the appeal. The decision of the director shall be final and conclusive.

(*Added by Stats. 1984, Ch. 911, Sec. 45. Effective September 7, 1984.*)

**2805.** (a) Except as otherwise provided in subdivision (b), every pest abatement district employee who handles, applies, or supervises the use of any pesticide for public health purposes, shall be certified by the state department as a vector control technician in at least one of the following categories commensurate with assigned duties:

(1) Mosquito control.

(2) Terrestrial invertebrate vector control.

(3) Vertebrate vector control.

- (b) The state department may establish by regulation exemptions from the requirements of this section that are deemed reasonably necessary to further the purposes of this section.
- (c) The state department shall establish by regulation minimum standards for continuing education for any government agency employee certified under Section 116110 and regulations adopted pursuant thereto, who handles, applies, or supervises the use of any pesticide for public health purposes.
- (d) An official record of the completed continuing education units shall be maintained by the state department. If a certified technician fails to meet the requirements set forth under subdivision (c), the state department shall suspend the technician's certificate or certificates and immediately notify the technician and the employing district. The state department shall establish by regulation procedures for reinstating a suspended certificate.
- (e) The state department shall charge and collect a nonreturnable renewal fee of one hundred twenty dollars (\$120) to be paid by each continuing education certificant on or before the first day of July, or on any other date that is determined by the state department. Each person employed on September 29, 1996, in a position that requires certification shall first pay the annual fee the first day of the first July following that date. All new certificants shall first pay the annual fee the first day of the first July following their certification.
- (f) The state department shall collect and account for all money received pursuant to this section and shall deposit it in the Vectorborne Disease Account provided for in Section 116112. Notwithstanding Section 116112, fees deposited in the Vectorborne Disease Account pursuant to this section shall be available for expenditure, upon appropriation by the Legislature, to implement this section.
- (g) Fees collected pursuant to this section shall be subject to the annual fee increase provisions of Section 100425.

*(Amended by Stats. 2008, Ch. 758, Sec. 8. Effective September 30, 2008.)*