

1 more weighing or measuring instruments are located or operated.

2 "Person" shall have the meaning assigned to it by Section 12011 of the California Business and
3 Professions Code.

4 "Sealer" means the Sealer of Weights and Measures of the County of Riverside and his or her
5 duly authorized agents.

6 "Weighing and measuring instruments" means "weighing instruments" or "measuring
7 instruments" as each are respectively defined by Section 12500 of the California Business and
8 Professions Code.

9 "Weights and Measures" means the Weights and Measures Division of the County of Riverside.

10
11 **Section 4. REGISTRATION CERTIFICATE REQUIRED.** No person shall use or operate
12 any weighing or measuring instruments for commercial purposes without having a current registration
13 certificate for such instrument. The certificate shall be in addition to any other certificate, license or
14 permit which may be required by the County.

15
16 **Section 5. APPLICATION AND ISSUANCE OF CERTIFICATE.** An application for a
17 registration certificate shall be submitted to the Sealer in the form prescribed by the Sealer. The Sealer
18 may waive the requirement of an application in those cases in which the Sealer has the information and
19 data required by the application. The Sealer shall issue the registration certificate when the Sealer has the
20 required information and data, either by receipt of the application or by any other means, and upon
21 payment of the applicable fee.

22
23 **Section 6. TERM OF CERTIFICATE.** The term of each registration certificate shall be from
24 January 1 through December 31 of each calendar year. Renewal of a registration certificate shall be made
25 in a manner similar to the issuance of the original registration certificate. Registration certificates not

1 renewed by January 31 shall be considered expired until such time as the registration certificate fee and
2 applicable penalty have been received by the County.

3
4 **Section 7. REGISTRATION CERTIFICATE FEES.**

5 A. The fees for the registration certificate and renewal thereof shall be as follows:

6 1. For devices other than weighing devices with capacities of twenty thousand (20,000)
7 pounds or greater, motor truck scales, and utility meters in mobilehome parks, recreational vehicle parks
8 and apartment complexes:

9

<u>NUMBER OF DEVICES</u>	<u>CHARGE PER LOCATION</u>
10 1 TO 3.....	\$40.00
11 4 TO 9.....	\$80.00
12 10 TO 19.....	\$120.00
13 20 TO 25.....	\$160.00
14 OVER 25.....	\$200.00

15

16 2. For weighing devices other than motor truck scales, with capacities of twenty thousand
17 (20,000) pounds or greater, the registration fee shall be two hundred dollars (\$200.00) per device.

18 3. For motor truck scales the registration fee shall be one hundred dollars (\$100.00) per
19 device.

20 4. For marinas, mobilehome parks, recreational vehicle parks, and apartment complexes,
21 where the owner of the marina, park or complex owns and is responsible for the utility meters, the annual
22 fee shall not exceed sixty dollars (\$60.00) per marina, park or complex, and a fee of two dollars (\$2.00)
23 per device per space or apartment. Marinas, mobilehome parks, recreational vehicle parks, and
24 apartment complexes for which the above fees are assessed, shall be inspected and tested as frequently as
25 required by regulation.

1 B. The fees collected pursuant to subsection A above shall be placed in the general fund of the
2 County but shall be used exclusively for the activities required by Sections 12210 and 12211 of the
3 California Business and Professions Code.
4

5 **Section 8. NONPAYMENT OF FEES - PENALTY.** To any registration certificate fee not
6 submitted by January 31 of the year for which the fee is due, there shall be added a late fee as follows:

7 1. To any registration certificate fee paid late between January 31 and March 31 of the year for
8 which the fee is due, there shall be added a penalty fee of fifty dollars (\$50.00).

9 2. If a registration certificate fee is not paid by March 31 of the year for which the fee is due,
10 then the registration certificate shall become invalid and any devices still in use shall be labeled out of
11 use by the County until the registration certificate has been reinstated. The registration certificate shall
12 be reinstated only upon payment of the registration certificate fee and the penalty.
13

14 **Section 9. QUALIFIED CERTIFICATE HOLDERS.** A registration certificate may be issued
15 to a corporation duly authorized to transact business in this state, or to a person operating under a
16 fictitious name who has complied with all of the provisions of Chapter 5 (commencing with Section
17 17900) of Part 3 of Division 7 of the California Business and Professions Code. Otherwise, all such
18 certificates shall be issued in the true name of the applicant. Except as above provided, no business,
19 occupation or activity for which a certificate is required may be conducted under any false or fictitious
20 name. A registration certificate issued to a corporation shall designate such corporation by the exact
21 name which appears in the articles of incorporation of such corporation.
22

23
24 **Section 10. LOST CERTIFICATE.** If a current registration certificate has been lost, the
25 person to whom it was issued may obtain a replacement from the Sealer upon payment of a replacement
fee of ten dollars (\$10.00).

1 **Section 11. TRANSFERABILITY OF CERTIFICATE.** A registration certificate is not
2 transferable from one person to another. Instruments that are to be used on a mobile unit will be
3 registered to one person and each vehicle shall constitute a location.
4

5 **Section 12. VIOLATIONS - PENALTIES.** It shall be unlawful for any person to violate any
6 provision of this ordinance, or to violate the provisions of any registration certificate granted pursuant to
7 this ordinance. Any person violating any provision of this ordinance or the provisions of any registration
8 certificate granted pursuant to this ordinance, shall be deemed guilty of an infraction or misdemeanor as
9 hereinafter specified. Such person shall be deemed guilty of a separate offense for each and every day or
10 portion thereof during which any violation of any of the provisions of this ordinance or the provisions of
11 any registration certificate granted pursuant to this ordinance, is committed, continued or permitted.

12 Any person so convicted shall be: (1) guilty of an infraction offense and punished by a fine not
13 exceeding one hundred dollars (\$100.00) for a first violation; (2) guilty of an infraction offense and
14 punished by a fine not exceeding two hundred dollars (\$200.00) for a second violation. The third and
15 any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not
16 exceeding one thousand dollars (\$1,000.00) or six months in jail, or both.

17 Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor.
18 Payment of any penalty herein shall not relieve a person from the responsibility for correcting the
19 violation.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

///

1 SECTION 2:

2 This ordinance shall take effect thirty (30) days after adoption.

3
4 BOARD OF SUPERVISORS OF THE COUNTY OF
5 RIVERSIDE, STATE OF CALIFORNIA

6 By _____
7 Chairman, Board of Supervisors

8 ATTEST:

9 NANCY ROMERO
10 Clerk of the Board

11
12 By: _____
13 (Deputy)

14
15
16
17
18
19
20
21
22
23 FORM APPROVED
COUNTY COUNSEL

24 MAY 06 2004

25 BY Neathin

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

427



FROM: Agricultural Commissioner

SUBMITTAL DATE:
May 11, 2004

SUBJECT: Amendment to Ordinance No. 599 Regarding Fees for Commercial Weighing and Measuring Device Registration.

RECOMMENDED MOTION: That the Board set for public hearing (with clerk to advertise) County Ordinance No. 599.7 on June 8, 2004.

At the end of public hearing, that the Board adopt County Ordinance No. 599.7.

BACKGROUND: The current Ordinance is being amended in order to allow the county to more fully cover the actual costs associated with administering this important, mandated, consumer protection program. This item represents a modest fee increase for commercial businesses that register from one to three commercial devices within Riverside County. The California Business and Professions Code establishes the maximum fees that may be collected to offset program costs. In order to maintain current inspection programs, most other Southern California Counties have since enacted a fee assessment in accordance with this action.

This amendment is estimated to result in an increase of program revenue by approximately \$25,000. Program costs and revenues have been included in our 2004/05 budget proposal. The Auditor Controllers Office reviewed and approved our cost analysis, and the ordinance was approved as to form by County Counsel.

John Snyder
**John Snyder, Agricultural Commissioner/
 Sealer of Weights and Measures**

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2004/2005

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: **APPROVE**

County Executive Office Signature *John D. Bunker*

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of the reading, and is set for public hearing on Tuesday, June 8, 2004 at 9: 30 a.m.

Ayes: Buster, Tavaglione, Venable, Wilson and Ashley
 Noes: None
 Absent: None
 Date: May 11, 2004
 xc: Agric. Comm., COB

Nancy Romero
 Nancy Romero
 Clerk of the Board
 By: *[Signature]*
 Deputy

Prev. Agn. Ref.: | **District:** | **Agenda Number:**

HOBERT E. BYRD, Auditor-Controller
 Deputy
 BY: *[Signature]*
 GBC/LT
 Policy Policy
 Consent Consent
 Dept't Recomm.: Per Exec. Ofc.:

Departmental Concurrence