

FORM APPROVED COUNTY COUNSEL
 BY: *JIMMY H. YAN* 6/10/10
 DATE

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

241



SUBMITTAL DATE:
 June 10, 2010

FROM: Community Health Agency/ Environmental Health

SUBJECT: Fee Revisions within the Environmental Health Service Fee Provisions of Riverside County Ordinance No. 640

RECOMMENDED MOTION:

1. That the Board introduce and set for Public Hearing the adoption of Ordinance 640.13 an Ordinance relating to Environmental Health Service fees;
2. That the Board authorize the Clerk to place an advertisement for the Public Hearing in the appropriate local publications; and
3. That, upon the close of the Public Hearing, the Board adopt Ordinance 640.13.

BACKGROUND:

The Department of Environmental Health has a legal mandate to conduct specific activities, as defined, and may levy and collect fees to support the cost of these activities. Board of Supervisors' Policy B-4 directs those departments that have the ability to generate revenue from fees to do so. The Department of Environmental Health has demonstrated success in offsetting its operating costs through the implementation of fee-for-service programs.

(continued)

Steve Van Stockum

Steve Van Stockum, Director
 Environmental Health

FINANCIAL DATA	Current F.Y. Total Cost:	\$ NA	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$ NA	Budget Adjustment:	NA
	Annual Net County Cost:	\$ NA	For Fiscal Year:	09/10

SOURCE OF FUNDS: 100% Revenue Fee Generated

Positions To Be Deleted Per A-30

Requires 4/5 Vote

C.E.O. RECOMMENDATION:

APPROVE

BY: *Debra Cournoyer*
 Debra Cournoyer

County Executive Office Signature

Dept't Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: 05/8/2007

District: ALL

Agenda Number:

3.9

Summary of Fee Changes

The proposed changes (Attachment 1) are attached for your review. This revision does not include an across-the-board fee increase. Several of the proposed changes are a direct result of State mandates.

A summary of the major changes to the text of the Ordinance are as follows:

Retail Food Facilities

The California Retail Food Code added a provision for "Farm Stands," accordingly, this new category has been added for permitting. The proposed amount of this new permit fee is the same amount as the existing "Produce Stand" permit. Minor remodeling activities have been defined, but the fees have not been changed.

Public Swimming Pools

Due to recent legislative changes, a new annual State Surcharge of \$6.00 shall be assessed for each spa and pool. The Department shall retain \$1.00 of this fee for administrative costs and remit \$5.00 to the State. Minor remodeling activities have been defined, but the fees have not been changed. A new fee has been added for multiple minor remodeling.

Mobilehome Parks

The State Fee Schedule was revised in recent legislation for mobilehome park permits. Prior to October 1, 2009, the operating permit fee was established at \$25.00. The new operating permit fee is established at \$140.00, which applies to mobilehome parks only; the recreational vehicle park and incidental camping area fees remain at \$25.00. The previous mobilehome lot fee was established at \$2.00. The new mobilehome lot fee is established at \$7.00.

Solid Waste Facility Permits

Language was added to clarify the types of solid waste facility permits included under this category with no change in the fee amount charged.

Solid Waste Transfer Vehicles

This category was added back into the ordinance after being inadvertently removed from a previous version. This fee covers the cost associated with inspecting large vehicles that transport solid waste between processing and disposal facilities.

Tobacco Retailing

This existing fee was previously referenced in Ordinance No. 838 and is being incorporated into Ordinance No. 640 as an Environmental Health service fee; the amount is not being adjusted at this time.

1 ORDINANCE NO. 640. 13

2
3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE,
4 AMENDING ORDINANCE NO. 640.12 ESTABLISHING
5 ENVIRONMENTAL HEALTH SERVICES FEES
6

7 The Board of Supervisors of the County of Riverside ordains as follows:

8 Section 1. A new subsection D. shall be added to Section 6. of Ordinance No. 640.12
9 to read as follows:

10 "D. A receipt relating to a caterer shall be valid until the thirtieth day of
11 June of the calendar year in which such receipt is issued."

12 Section 2. Existing subsections D., E., and F. of Section 6. of Ordinance No.
13 640.12 shall be re-lettered to E., F., and G., respectively.

14 Section 3. Section 9. of Ordinance No. 640.12 is amended to read as follows:

15 "Section 9. RECEIPT APPLICATIONS. Applications for receipts shall be
16 filed with the Department on a form to be provided by the Department. Any individual
17 person seeking to apply for a receipt with the Department shall provide proof of a valid
18 Federal or State Government issued picture identification card with the application.
19 Completed applications shall be accompanied by the required fee and penalty, if any.
20 Unless otherwise provided in this chapter, such fees shall not be refundable."

21 Section 4. Subsection 5. of Section 13. of Ordinance No. 640.12 is amended to
22 read as follows:

23 "5. Produce stand, as defined in Section 113879 of the California Health and
24 Safety Code or Farm Stands, as defined in Section 113778.2 of the California Health and
25 Safety Code:"

26 Section 5. A new sub-subsection b. shall be added to subsection 5. of Section
27 13. of Ordinance No. 640.12 to read as follows:

28 "b. Per Farm Stand \$546.00"

1 Section 6. A new sub-subsection b. shall be added to subsection 15. of Section
2 13. of Ordinance No. 640.12 to read as follows:

3 “b. A State Surcharge pursuant to California Health and Safety Code
4 section 116064.2 shall be assessed for each spa or pool. Per Code the Department shall
5 retain \$1.00 of this fee for administrative costs and remit the remainder to the State. \$6.00”

6 Section 7. Sub-subsection a.(ix). of subsection 16. of Section 13. of Ordinance
7 No. 640.12 is amended to read as follows:

8 “ix. Minor remodeling of existing food facilities; including, but
9 not limited to, the addition of large reach-in refrigerators, walk-in refrigerators, exhaust
10 hoods, self-serve beverage bars, or changes involving plumbing. \$400.00”

11 Section 8. Sub-subsection e.(iv). of subsection 16. of Section 13. of Ordinance
12 No. 640.12 is amended to read as follows:

13 “iv. Minor remodeling of existing pool facilities; including, but
14 not limited to, Virginia Graeme Baker upgrades (2 bodies of water per enclosure),
15 new/changing of fencing, or changing/adding equipment. \$400.00”

16 Section 9. A new sub-subsection e.(v). shall be added to subsection 16. of
17 Section 13. of Ordinance No. 640.12 to read as follows:

18 “v. Multiple minor changes (and some major changes, depending
19 on scope of work) to pool. For example: fencing + equipment changes + replastering;
20 equipment changes + replumbing; reviewing outdated plans where additional inspections
21 are required, etc. \$700.00.”

22 Section 10. Subsection 19. of Section 13. of Ordinance No. 640.12 is amended to
23 read as follows:

24 “19. Mobilehome Park, Recreational Vehicle Park, Temporary
25 Recreational Vehicle Park, and Incidental Camping Area, as defined, respectively, in
26 Sections 18214, 18215, 18217, 18208 and 18502 of the California Health and Safety
27 Code:”

1 Section 11. Sub-subsection a. of subsection 19. of Section 13. of Ordinance No.
2 640.12 is amended to read as follows:

- 3 “a. Per mobilehome park \$140.00
4 Per recreational vehicle park or incidental camping area \$25.00”

5 Section 12. Sub-subsection a.(i). of subsection 19. of Section 13. of Ordinance
6 No. 640.12 is amended to read as follows:

- 7 “i. For each mobilehome lot in a mobilehome park, add to fee
8 \$11.00”

9 Section 13. A new sub-subsection e. shall be added to subsection 19. of Section
10 13. of Ordinance No. 640.12 to read as follows:

11 “e. Mobilehome Park State fees as set forth under the California Code of
12 Regulations, Title 25, Section 1008:

Number of Lots	State Fees
2-19	\$40.00
20-49	\$75.00
50-99	\$175.00
100-249	\$400.00
250-499	\$800.00
500 or more	\$1,600.00”

13 Section 14. Sub-subsection a. of subsection 21. of Section 13. of Ordinance No.
14 640.12 is amended to read as follows:

- 15 “a. Administrative charge for placing or releasing the pendency\$13.00”

16 Section 15. Subsection 29. of Section 13. of Ordinance No. 640.12 is amended to
17 read as follows:

18 “29. Solid waste facilities permit as defined in Section 40194 of the
19 Public Resources Code:

- 20 a. Privately owned or operated material recovery facility, Privately
21 owned or operated transfer station, Green Waste (or Wood Waste)

1 Chipping and Grinding, Construction and Demolition and Inert
2 Debris (CDI) Processing or Recycling or Disposal facilities as
3 defined in Sections 17850 et. seq., 17837 et. seq. and 17380 et. seq.
4 of Title 14, CA Code of Regulations

- 5 b. Full Permit \$3,561.00
- 6 c. Registration Tier \$926.00
- 7 d. Notification Tier \$464.00
- 8 e. Transfer of receipt \$15.00”

9 Section 16. A new subsection 31. shall be added to Section 13. of Ordinance No.
10 640.12 to read as follows:

11 “31. Hearing officer pursuant section 44308(d) of the California Public
12 Resources Code. A deposit shall be submitted as part of the request to have a hearing concerning
13 permit applications that may have been denied. The deposit shall be refunded if the hearing
14 officer finds in favor of the applicant. \$150.00”

15 Section 17. A new subsection 32. shall be added to Section 13. of Ordinance No.
16 640.12 to read as follows:

- 17 “32. Solid Waste Transfer Vehicle, 1st \$153.00
- 18 a. Each Additional \$77.00”

19 Section 18. Existing subsections 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44,
20 45, 46, 47, 48, and 49, shall be renumbered 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48,
21 49, 50, and 51, respectively.

22 Section 19. Sub-subsection (a)(iii), of subsection 34., previously numbered
23 subsection 32., of Section 13. of Ordinance No. 640.12 is amended to read as follows:

- 24 “iii. 100 to 199 service connections \$924.00”

25 Section 20. A new subsection 52. shall be added to Section 13. of Ordinance No.
26 640.12 to read as follows:

- 27 “52. Tobacco Retailing as defined in Ordinance 838
- 28 a. For each Tobacco Retail Facility \$350.00”

1 Section 21. This Ordinance shall take effect thirty (30) days after its adoption.

2
3 BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

4
5 BY _____
Chairman, Board of Supervisors


6
7 ATTEST:
CLERK OF THE BOARD

8
9 By: _____
Deputy

10
11 (SEAL)

12
13 APPROVED AS TO FORM

14 June 10, 2010

15 By: 
JINNY R. YANG
Deputy County Counsel