

ORDINANCE NO. 9882 NEW SERIES)

AN ORDINANCE AMENDING PORTIONS OF THE SAN DIEGO COUNTY
CODE OF REGULATORY ORDINANCES RELATING TO FEE
REFUNDS IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Purpose. The California Government Code (Sec 29373.1 et. seq.) authorizes the County to retain any payment to a County officer that is not more than \$10 over the amount owed for any account, if specified procedures are followed. The County Administrative Manual (at #0030-24) authorizes but does not require County officers to process refunds of less than \$10. Currently the Department of Environmental Health routinely provides refunds where the amount at issue is not less than \$5. This ordinance changes the minimum refund which will be processed by the Department of Environmental Health without a specific request to \$10, to conform to the Government Code and County Administrative Manual thresholds for mandated refunds.

Section 1. Section 65.109 of the San Diego County Code, related to refunds of Department of Environmental Health Fees, is hereby amended to read as follows:

SEC. 65.109. REFUNDS.

(a) The Director of the Department of Environmental Health shall authorize the refunding of any Department of Environmental Health fee which was erroneously paid or collected when no fee was due.

(b) The Director of the Department of Environmental Health shall authorize the refunding of any excess fee paid for which no service costs have been incurred, if the excess payment was more than \$10, and may authorize refunds where an excess payment was \$10 or less.

(c) The Director of the Department of Environmental Health may authorize the refunding of that portion of a fee paid which is in excess of service costs incurred prior to a refund request being made.

(d) Every applicant for an environmental health fee refund of \$10 or less or for any refund where service costs have been incurred, shall file with the Department of Environmental Health a written application on a form prescribed by said Department.

PASSED, APPROVED, AND ADOPTED THIS 19th day of September, 2007.