

ORDINANCE NO.: 10486 (N.S.)

AN ORDINANCE AMENDING SECTION 364.3 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO PEST EXCLUSION AND DIRECT MARKETING HOURLY RATES, HAZARDOUS MATERIALS INVENTORY PROGRAM FEES, AND INTERNATIONAL COUNTER SERVICE CERTIFICATION FEE CHARGED BY THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES

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

Section 1. The Board of Supervisors finds and determines that the Department of Agriculture, Weights and Measures' costs of doing business has increased since the hourly rate that serves as the basis for many of the Department's current fees was established. The Board also finds and determines that it is necessary to adopt new fees to existing programs. Accordingly, the Board of Supervisors finds and determines that it is necessary to adjust the fees, charged by the Department, to recover as much of the Department's costs as feasible for the programs and services it provides. The Board further finds and determines that the new and adjusted fees do not exceed the reasonable costs of providing the affected programs and services.

Section 2. Section 364.3 of the San Diego County Administrative Code is hereby amended to read as follows:

**SEC. 364.3. FEES FOR THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES.**

The following fees shall be paid to the Department of Agriculture, Weights and Measures for the specified applications, permits, registrations, inspections and other related services:

**FEES FOR THE DEPT. OF AGRICULTURE, WEIGHTS AND MEASURES**

ACTIVITY	FEE AUTHORITY <sup>(1)</sup>	FEE AMOUNT
<b>Land Use</b>		
Verification of Agriculture	//////////	//////////
Application Processing	CC Article 11 § 7	\$138/application
<b>Land Use (Continued)</b>		

Follow-up Site Visit <sup>(2)</sup>	CC Article 11 § 7	\$95/hour
Agricultural Enterprise Registration	CC Article 11 § 7	\$15/year
<b>Stormwater</b>		
Registration	CC Article 11 § 7	\$100/location
Initial Inspection	CC Article 11 § 7	\$72/hour
Re-inspection	CC Article 11 § 7	\$108/hour
<b>Pest Exclusion</b>		
Desert Native Plant Permit	////////////////	////////////////
Yucca brevifolia (Joshua Tree)	FAC § 80120	\$2/plant
All Other Native Plants	FAC § 80120	\$1/plant
Yucca schidigera	FAC § 80120	\$3/plant
Certification of Plant Shipments for Quarantine Compliance	////////////////	////////////////
Domestic Plant Shipment Certification	FAC § 5202	\$40/certificate
International Plant Shipment Certification	FAC § 5202	\$94/certificate
Domestic Counter Service Certification	FAC § 5202	\$32/certificate
International Counter Service Certification	FAC § 5202	\$68 effective July 1, 2017; \$72 effective July 1, 2018; \$75 effective July 1, 2019 /certificate
Specialized Field Inspections, Including: Field Growing Season, Destination Point (Sealed Load), Export/Import Shipment Treatment/Inspection <sup>(2)</sup>	FAC § 6303 (d); Title 3 CCR Title 3, § 3160 (b)	\$89 effective July 1, 2017; \$109 effective July 1, 2018; \$130 effective July 1, 2019 /hour
After Hours Inspections (1 Hour Minimum) <sup>(2)</sup>	FAC § 5202	\$132 effective July 1, 2017; \$163 effective July 1, 2018; \$195 effective July 1, 2019 /hour
Missed Appointment Fee	FAC § 5202	\$65

<b>Pesticide Regulation</b>		
Agricultural Pest Control Business Registration	FAC § 11734	\$75/year
Agricultural Pest Control Adviser Registration-San Diego Headquarters	FAC § 12034	\$10/year
Agricultural Pest Control Adviser Registration-Out of County Headquarters	FAC § 12034	\$5/year
Agricultural Pest Control Pilot Registration-San Diego Headquarters	FAC § 11923	\$10/year
Agricultural Pest Control Pilot Registration-Out of County Headquarters	FAC § 11923	\$5/year
Maintenance Gardener Registration	FAC § 11734	\$25/year
Notice of Intent to Perform Structural Pest Control Work	FAC § 15204	\$10/year
Certification of Farm Labor Contractors	CLC § 1695 (b)	\$75/year
<b>Hazardous Materials</b>		
Base Registration	H&S § 25404.5	\$488/year
Inventory Item Registration	H&S § 25404.5	\$102/item/year
<b>Direct Marketing</b>		
Certified Farmers' Market Certification	FAC § 47020	\$175/certificate/year
Certified Producer's Certification	FAC § 47020	\$50/certificate/year
Additional County Listing on Certified Producer's Certificate	FAC § 47020	\$9/certificate
Certified Producer's Certificate Change or Addition	FAC § 47020	\$9/amended certificate
Certified Producer Inspections <sup>(2)</sup>	FAC § 47020	\$94 effective July 1, 2017; \$128 effective July 1, 2018; \$161 effective July 1, 2019 /hour
Certified Farmers' Market Inspections <sup>(2)</sup>	FAC § 47020	\$94 effective July 1, 2017; \$128 effective July 1, 2018; \$161 effective July 1, 2019 /hour

<b>Apiary</b>		
Apiary Registration (10+ Colonies) <sup>(3)</sup>	FAC § 29044	\$10/year
Apiary Certification (½ Hour Minimum) <sup>(2)</sup>	FAC § 29143	\$130/hour
<b>Weights and Measures</b>		
Inspection/Testing of Non-Commercial Devices by Request of Owner/User, Including: Small Capacity Scales, Large Capacity Scales, Retail Motor Fuel Dispensers, Wholesale Petroleum Meters, Liquefied Petroleum Gas Meters, All Other Devices <sup>(2)</sup>	BPC § 12210 (b)	\$143/hour
Inspection/Testing of Commercial Water Submeters by Request of Owner/User, Including: Outside Established Inspection Frequency, Not Placed into Service Within Six Months, or For Use in a Different County	BPC § 12210.3 (b)	\$143/hour
Business Requested Inspection of Commercially Used Devices	////////////////	////////////////
Small Capacity Scales, Including: Retail, Point of Sale, Precision Lab Balances	BPC § 12210.5	Established by the California Secretary of Agriculture <sup>(4)</sup>
<b>Weights and Measures (Continued)</b>		
Light Industrial Scales (up to 5,000 lbs.)	BPC § 12210.5	“
Heavy Industrial Scales (>5,000 lbs.)	BPC § 12210.5	“
Retail Motor Fuel Dispensers	BPC § 12210.5	“
Wholesale Petroleum Meters	BPC § 12210.5	“
Liquefied Petroleum Gas Meters	BPC § 12210.5	“
Utility Submeters (Water/Gas/Electric)	BPC § 12210.5	“
Hydrogen Dispensers	BPC § 12210.5	“
All Other Commercial Devices	BPC § 12210.5	“
Standby Fee	BPC § 12210.5	“
Re-inspection of Weighmaster Scales	BPC § 12210.5	“
Point-of-Sale Stations (Scanners)	////////////////	////////////////
Tier 1 (1-3 Stations) Registration	CC Article 11 § 7	\$135/location/year
Tier 2 (4-9 Stations) Registration	CC Article 11 § 7	\$184/location/year
Tier 3 (10+ Stations) Registration	CC Article 11 § 7	\$230/location/year

Re-inspection <sup>(2)</sup>	CC Article 11 § 7	\$143/hour
Devices	//////////	//////////
Business Location Registration	BPC § 12240 (f, u)	Maximum amount authorized in Sec. 12240 of the BPC <sup>(6)</sup> /year
Device Registration (by device type)	//////////	//////////
Water Submeters	BPC § 12240 (g) (1) (A)	Maximum amount authorized in Section 12240 of the BPC <sup>(5)</sup> /year
Electric Submeters	BPC § 12240 (g) (1) (B)	“
Vapor Submeters	BPC § 12240 (g) (1) (C)	“
Compressed Natural Gas (CNG) Meters	BPC § 12240 (t)	“
Fabric/Wire/Cord Meters	BPC § 12240 (t)	“
Grease/Lube Meters	BPC § 12240 (t)	“
<b>Weights and Measures (Continued)</b>		
Liquified Petroleum Gas Meters	BPC § 12240 (l)	“
Odometers	BPC § 12240 (q, s)	“
Retail Motor Fuel Meters	BPC § 12240 (t)	“
Retail Meters	BPC § 12240 (t)	“
Retail Water Meters	BPC § 12240 (t)	“
Tanks (Liquid Test)	BPC § 12240 (t)	“
Taximeters	BPC § 12240 (t)	“
Vehicle Meters	BPC § 12240 (m)	“
Wholesale Meter	BPC § 12240 (m)	“
Miscellaneous Measuring Devices	BPC § 12240 (t)	“
Computing Scales	BPC § 12240 (n)	“
Counter Scales	BPC § 12240 (p)	“
Crane Scales (2,000 lbs. and <10,000 lbs.)	BPC § 12240 (h)	“
Dormant/Portable Platform (<2,000 lbs.)	BPC § 12240 (p)	“

Dormant/Portable Platform (2,000 lbs. and <10,000 lbs.)	BPC § 12240 (h)	“
Dormant/Portable Platform (>10,000 lbs.)	BPC § 12240 (h)	“
Hopper/Tank Scales (2,000 lbs. and <10,000 lbs.)	BPC § 12240 (h)	“
Hopper/Tank Scales (>10,000 lbs.)	BPC § 12240 (h)	“
Hanging Scales (<2,000 lbs.)	BPC § 12240 (p)	“
Hanging Scales (2,000 lbs. and <10,000 lbs.)	BPC § 12240 (h)	“
Animal Scales (2,000 lbs. and <10,000 lbs.)	BPC § 12240 (h)	“
Livestock Scales (10,000 lbs.)	BPC § 12240 (k)	“
Monorail/Meat Beam Scales (2,000 lbs. and <10,000 lbs.)	BPC § 12240 (h)	“
Prescription/Jewelers Scales	BPC § 12240 (n)	“
Railway Scales (10,000 lbs.)	BPC § 12240 (h)	“
Vehicle Scales (10,000 lbs.)	BPC § 12240 (h)	“
Miscellaneous Forklift Scales (2,000 lbs. and <10,000 lbs.)	BPC § 12240 (h)	“
<b>Weights and Measures (Continued)</b>		
Miscellaneous Forklift Scales (10,000 lbs.)	BPC § 12240 (h)	“
Miscellaneous Scales (Conveyor Belt Scales) (10,000 lbs.)	BPC § 12240 (h)	“
Reschedule Fee	CCRO § 21.1711	\$20

<sup>(1)</sup> BPC = California Business and Professions Code

CC = California Constitution

CCR = California Code of Regulations

CCRO = County of San Diego Code of Regulatory Ordinances

FAC = California Food and Agricultural Code

H&S = California Health & Safety Code

CLC = California Labor Code

<sup>(2)</sup> Includes travel time.

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(3) No apiary registration fee for nine or fewer colonies.

(4) For current BPC § 12210.5 fee information, follow this link:  
[http://www.sandiegocounty.gov/content/sdc/awm/WM\\_New.html](http://www.sandiegocounty.gov/content/sdc/awm/WM_New.html)

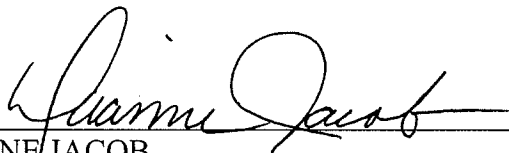
(5) For current BPC § 12240 fee information, follow this link:  
[http://www.sandiegocounty.gov/content/sdc/awm/WM\\_New.html](http://www.sandiegocounty.gov/content/sdc/awm/WM_New.html)

Section 3. This ordinance shall take effect and be in force on July 1, 2017, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the Daily Transcript, a newspaper of general circulation published in the County of San Diego.

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL

BY: Justin Crumley, Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 3<sup>rd</sup> day of May, 2017.



DIANNE JACOB  
Chairwoman, Board of Supervisors  
County of San Diego, State of California

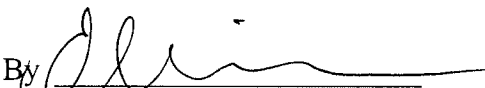
The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

ATTEST my hand and the seal of the Board of Supervisors this 3<sup>rd</sup> day of May, 2017.

DAVID HALL  
Clerk of the Board of Supervisors

By   
Elizabeth Miller, Deputy



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05/03/17 (1)