

ORDINANCE NO. 2019-07

**AN ORDINANCE OF THE COUNTY OF LASSEN AMENDING COUNTY
CODE PERTAINING TO ENVIRONMENTAL HEALTH FEES**

The Board of Supervisors of the County of Lassen ordains as follows:

SECTION 1: The County of Lassen provides certain services to individuals and organizations that are considered extraordinary levels of service, or are services for which charges or other compensation are authorized pursuant to applicable laws.

SECTION 2: The County Department of Health and Social Services has calculated an average cost for providing services and determined that certain fees, rates and charges must be adjusted to in an amount reasonably necessary to recover a portion of the County's cost of providing those service or product.

SECTION 3: The Board of Supervisors finds that it is in the public interest for the County to continue to provide these services, that the proposed fees, rates and charges represent the reasonable cost of providing the services, and thus such fees, rates and charges comply with all legal requirement, including but not limited to Article XIII C of the California Constitution.

SECTION 4: Section 7.30.200 of the Lassen County Code is hereby amended to read as follows:

“Section 7.30.200 Fees.

The fee schedule for underground storage tanks in Lassen County shall be as set forth in Title 3 of the Lassen County Code.”

SECTION 5: Section 3.18.120 of the Lassen County Code shall be enacted to read, in its entirety, as follows:

“3.18.120 Environmental Health fees.

The following fees, rates and charges pursuant to this section are in addition to third party fees and vendor charges, including but not limited to, County, State or Federal fees and surcharges.

	DESCRIPTION	FEE	
(a)	Food Facility Plan Check	\$170	
(b)	Food Facility Inspection	\$85	
(c)	Annual Food Facility Permit and Inspection Restaurant: bar, café, deli, bakery, commissary, food satellite, and similar with or without seating but not a retail food store (grocery store or market).		
(1)	0 to 20 Seating Capacity	\$85.00	\$50 additional service area
(2)	21 to 49 Seating Capacity	\$106.00	\$50 additional service area

(3)	50 and over Seating Capacity	\$128.00	\$50 additional service area
(d)	Grocery/Market/Retail Food Sales		
(1)	< 1,000 sq. ft.	\$85.00	\$50 additional service area
(2)	≥ 1,000 and ≤ 5,999 sq. ft.	\$170.00	\$50 additional service area
(3)	≥ 6,000 sq. ft.	\$225.00	\$50 additional service area
(e)	Food/Beverage Vending Machine or Prepared-Non-Perishable Food Retail Space	\$85.00	\$25 per additional machine
(f)	School, Hospital, Bed and Breakfast, Host Facility, Catering.	\$85.00	Per inspection
(g)	Cottage Food Operations		
(1)	Class A	\$85.00	Annual registration
(2)	Class B	\$170.00	Annual permit and inspection
(h)	Mobile Food Vendor or Facility		
(1)	Preparation Facility Permit	\$85.00	Annual
(2)	Pre-packaged Food Permit	\$42.50	Annual
(i)	Temporary or Seasonal Food Facility		
(1)	Food Booth or Mobile Vendor at an Event	\$42.50	Per Booth or Vendor
(2)	Nonprofit Charitable Temporary Food Facility Permit	\$85.00	Annual not to exceed four (4) events. Fee Waiver: When a complete permit application has been submitted no later than two-weeks prior to the event, then the Department is authorized to waive the fee.
(3)	Nonprofit Charitable Community Event Coordinator Permit	\$85.00	Per Event. Fee Waiver: When a complete permit application has been submitted no later than two-weeks prior to the event, then the Department is authorized to waive the fee.
(4)	Seasonal Food Facility	\$85.00	Annual
(5)	Produce Stand	\$85.00	Annual
(j)	Solid Waste		
(1)	Active Landfill	\$170.00	Quarterly

Ordinance No. 2019-07

(2)	Closed Landfill	\$85.00	Annual
(3)	Small Volume Transfer Station	\$85.00	Quarterly
(4)	Medium Volume Transfer Station	\$170.00	Quarterly
(k)	Certified Unified Program Agency (CUPA)		
(1)	Hazardous Materials Business Plan 1-5 chemicals	\$142.00	Annual
(2)	Hazardous Materials Business Plan 6-10 chemicals	\$170.00	Annual
(3)	Hazardous Materials Business Plan 10 chemicals or more.	\$198.00	Annual
(4)	Remote Site Facility	\$191.00	One-time fee
(5)	Hazardous Waste Generator	\$57.00	Annual
(6)	Small Quantity Generator < 1000 kg/264 gallons per month	\$57.00	Annual
(7)	Large Quantity Generator > 1000 kg/264 gallons	\$85.00	Annual
(8)	Tiered Permitting Program	\$85.00	Annual
(9)	Above Ground Storage Tank Spill Prevention, Control, and Countermeasure (SPCC) Plan for >1320 gallons to 10,000 gallons	\$57.00	Annual
(10)	SPCC Plan by Professional Engineer > 10,000 to 100,000 gallons	\$85.00	Annual
(11)	SPCC Plan by Professional Engineer > 100,000 gallons	\$113.00	Annual
(12)	Underground Storage Tank (UST) Operating Permit – one UST	\$298.00	Annual; plus \$85.00 each additional UST
(13)	UST Installation Permit - one UST	\$850.00	\$85.00 each additional tank
(14)	UST Removal Permit - one UST	\$425.00	\$85.00 each additional tank
(15)	UST Repair/Upgrade Permit - one UST	\$425.00	\$85.00 each additional tank
(16)	UST Temporary Closure Permit – one UST	\$170.00	\$85.00 each additional tank; Closure of ≤ 365 days
(17)	UST Permit Revision or Transfer	\$21.50	Per Tank

(18)	UST Special Inspection or Re-inspection	\$85.00	Per Inspection, Per Permit
(19)	CUPA Staff Services for UST related violations (Site Assessment, Remediation, Contaminated Site Investigation or Emergency Response)		County staff services shall be billed to the violator at the actual County staff hourly or hourly overtime rate in addition to any UST base fee.
(20)	California Accidental Release Prevention (CalARP) Facility Operating Permit	\$195.00	Annual
(21)	Late Filing of Annual CUPA Document	\$170	Per Document and in addition to Annual Fee
(k)	Large Quantity Medical Waste Generator with Offsite Treatment	\$170.00	Annual
(l)	Recreational Waters (Pool, Spa, Hot Tub) Plan Check	\$255	Per Construction Plan Set
(1)	Facility Permit	\$85.00	Annual
(2)	Special or Re-inspection	\$85.00	Each
(m)	Consumer Protection (business of tattooing, permanent cosmetics, and ear and body piercing) Plan Check	\$85.00	Per Construction Plan Set
(1)	Facility Permit	\$85.00	Annual
(2)	Special or Re-inspection	\$85.00	Each
(n)	Adult or Juvenile Detention Facility Inspection	\$170.00	Annual
(o)	Organized Camp Plan Check	\$170.00	Per Construction Plan Set
(1)	Facility Permit	\$170.00	Annual
(2)	Special or Re-inspection	\$85.00	Annual
(p)		Land Use	
(1)	Preliminary Project Review, Use Permit, Rezoning, General Plan Amendment, California Environmental Quality Act (CEQA) Initial Study, or Appeal of a Permit Application Decision.	\$85.00	Per Project category. Fee is not applicable to a Variance or Ag Preserve application.

Ordinance No. 2019-07

			\$170.00 base fee minimum per project and then any additional county costs in excess of the base fee shall be billed to the applicant at the actual County staff hourly or hourly overtime rate in addition to the base fee.
(2)	Planned Development or CEQA Mitigated Negative Declaration or Environmental Impact Report (EIR)		
(3)	Subdivision, Parcel Map, Lot Line Adjustment, Merger	\$85.00	Per parcel
(q)	Sewage Disposal Management - Onsite Wastewater Treatment System (OWTS)		
(1)	Application: New OWTS	\$128.00	Per OWTS. Application for Design and Site Review (Does not include permit to construct or construction inspection)
(2)	Application: Repair OWTS	\$85.00	Per OWTS. Application for Design and Site Review (Does not include permit to construct or construction inspection)
(3)	Application: Septic Tank or Vault Tank	\$85.00	Per tank or vault. Application for Design and Site Review (Does not include permit to construct or construction inspection)
(4)	Application, Engineered OWTS	\$170.00	Per OWTS. Application for Design and Site Review (Does not include permit to construct or construction inspection)
(5)	Application for Variance from OWTS Standards	\$85.00	Per variance from standard requested.
(6)	Field Consultation	\$85.00	Per site. Application required to be submitted to the Department prior to conducting a field consultation.
(7)	Permit to Construct, New OWTS	\$104.00	Per OWTS.
(8)	Permit to Construct: Repair, Engineered, Advanced, Abandonment, Septic or Vault Tank, or Piezometer	\$85.00	Per OWTS.
(9)	Special or Re-inspection	\$85.00	Per inspection.
(10)	Time Extension Request	\$85.00	Per permit
(11)	Request to Reinstate an Expired Permit to Construct	\$105.00	Per permit
(r)	Septic Tank Pumper Vehicle Inspection	\$85.00	Per vehicle; Per inspection; One-time fee. Does not include Annual Registration and Permit to Operate.

(1)	Septic Tank Pumper Vehicle Registration and Permit to Operate	\$85.00	Annual; \$30.00 per additional vehicle registered to the same owner/operator.
(s)	Water Well Management		
(1)	Application: Domestic, Industrial, Irrigation, Stock, Public or Other Well.	\$127.00	Per well. Does not include permit to construct or construction inspection.
(2)	Application: Monitoring, Test or Boring, Geothermal Well/Heat Exchange	\$85.00	Per well. Does not include permit to construct or construction inspection.
(3)	Application: Repair, Modification, Deepening or Destruction	\$85.00	Per well. Does not include permit to construct or construction inspection.
(4)	Field Consultation	\$85.00	Per site visit.
(5)	Permit to Construct: Domestic, Industrial, Irrigation, Stock, Public or Other Water Well.	\$127.00	\$25.00 per additional well
(6)	Permit to Construct: Monitoring, Test or Soil Boring	\$85.00	\$25.00 per additional well
(7)	Permit to Construct: Geothermal Well/Heat Exchange	\$170.00	Per well.
(8)	Permit to Construct: Repair, Modification, Deepening, or Destruction	\$ 85.00	\$85.00 per additional well.
(9)	Special or Re-inspection: Domestic, Irrigation, Stock or Other Water Well	\$ 127.00	\$85.00 per additional well
(10)	Special or Re-inspection: Industrial, Public	\$192.00	\$85.00 per additional well
(11)	Special or Re-inspection	\$85.00	\$25.00 per additional well
(12)	Permit Extension	\$ 85.00	Prior to expiration. Per permit.
(13)	Reinstatement of Expired Permit	\$ 254.00	Per permit.
(14)	Drilling without a Permit or Inspection of Unpermitted Well	\$ 254.00	In addition to application, permit and inspection fees
(15)	Water Sampling	\$ 43.00	In addition to any third-party fees and charges."

SECTION 6: Subsection c. of Section 3.18.090 of the Lassen County Code is hereby amended to read as follows:

“c. Reserved.”

SECTION 7: Subsection 1. of Section 3.18.090(c) of the Lassen County Code is hereby amended to read as follows:

“1. Reserved”

SECTION 8: Subsection 2. of Section 3.18.090(c) of the Lassen County Code is hereby amended to read as follows:

“2. Reserved”

SECTION 9: Subsection p of Section 3.18.090 of the Lassen County Code is hereby amended to read as follows:

“p. Reserved”

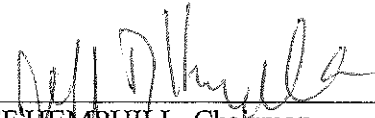
SECTION 10. All prior or concurrent ordinances and resolutions which relate to the establishment and modification of fees charged by the Department of Environmental Health and Department of Planning and Building shall remain in full force and effect to the extent not expressly revised herein.

SECTION 11. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The County Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 12. This ordinance shall take effect and be in force thirty (30) days after its final adoption. It shall be published in the Lassen County Times, a newspaper of general circulation in Lassen County, according to law.

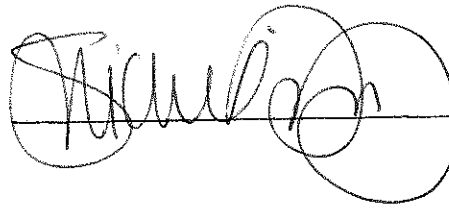
PASSED, APPROVED and ADOPTED this 9th day of July, 2019, by the following vote, to wit:

AYES:	<u>Supervisors Hemphill, Gallagher, Teeter, Albaugh and Hammond.</u>
NOES:	<u>None.</u>
ABSENT:	<u>None.</u>
ABSTAIN:	<u>None.</u>



JEFF HEMPHILL, Chairman
Lassen County Board of Supervisors

ATTEST:
JULIE BUSTAMANTE
Clerk of the Board



I, Michele Yderraga, Deputy Clerk of the Board of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the 9th day of July, 2019.

Deputy Clerk of the County of Lassen
Board of Supervisors