

**ORDINANCE NO. 9576 (NEW SERIES)**

**AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO FEES 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 for the Point-of-Sale (POS) Station inspection program exceed the revenue provided by the current fee structure. The Board further finds that the Department’s costs for inspections involving larger numbers of export shipment certificates are less than the costs for inspections involving smaller numbers of certificates when the high-volume shippers provide on-site preparation, printing, and collation of the required Certificates of Quarantine Compliance (CQC), significantly reducing inspection time. The Board also finds that minor clarifications and corrections are needed for device registration and inspection fees. Accordingly, the Board of Supervisors finds and determines that it is necessary to adjust the fees charged by the Department to recover the full costs of the Department’s POS program and to reflect lesser costs for high-volume CQC inspections. The Board further finds and determines that the 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 Issues</b>		
Verification of agriculture:	////////////////////	////////////////////
Application processing fee	CC Art.11 Sec.7	\$100/application
Follow-up site visit (portal to portal)	CC Art.11 Sec.7	\$60/hour
Agricultural Enterprise Registration	CC Art.11 Sec.7	\$15/enterprise/year
Stormwater	////////////////////	////////////////////
Registration Fee	CC Art.11 Sec.7	\$100/registration
Initial Inspection	CC Art.11 Sec.7	\$60/hour

ACTIVITY	FEE AUTHORITY <sup>(1)</sup>	FEE AMOUNT
Reinspection	CC Art.11 Sec.7	\$90/hour
<b>Pest Management – Control</b>		
Poison bait sales (rat, squirrel, and mouse bait)	CC Art.11 Sec.7	\$2/pound + State surcharge
Agricultural services of County Veterinarian:	////////////////	////////////////
Agriculture necropsy	CC Art.11 Sec.7	\$60
Disposal (Charge per barrel)	CC Art.11 Sec.7	\$50
Save body	CC Art.11 Sec.7	\$20
Agriculture histology	CC Art.11 Sec.7	\$20
Serology/Newcastle	CC Art.11 Sec.7	\$15
Other tests, agriculture	CC Art.11 Sec.7	\$25
Additional lab fee	CC Art.11 Sec.7	\$20
<b>Pest Exclusion – Plant Quarantine</b>		
Desert Native Plant Permit:	////////////////	////////////////
Yucca brevifolia (Joshua Tree)	F&A 80120	\$2/plant
All other native plants	F&A 80120	\$1/plant
Yucca schidigera	F&A 80120	\$3/plant
Certification of Plant Shipments for Quarantine Compliance:	////////////////	////////////////
Domestic Plant Shipment Certification	F&A 5202	<u>\$30/certificate</u> : first 4 certificates/inspection. <u>\$25/certificate</u> : next 6 certificates/inspection. <u>\$20/certificate</u> : each additional certificate/inspection.
International Plant Shipment Certification	F&A 5202	\$30/certificate
Counter Service Certification 10 plants by appointment or Certifications that require no inspection	F&A 5202	\$10/certificate
Specialized field inspections, including: Field growing season inspections Destination point inspections (sealed load) Customer requested certifications Witnessing quarantine treatments	F&A 6303 (d); CCR Title 3, 3160 (b)	\$60/hour
Weekend and holiday inspections (min. 1 hour)	F&A 5202	\$90/hour
<b>Pesticide Use Enforcement</b>		
Agricultural Pest Control Operator registration	F&A 11734	\$75/year
Ag. Pest Control Advisor Registration-SD Hqts.	F&A 12034	\$10/year
Agricultural Pest Control Advisor Registration- Out of County Headquarters	F&A 12034	\$ 5/year
Ag. Pest Control Pilot Registration-SD Hqts.	F&A 11923	\$10/year
Agricultural Pest Control Pilot Registration-Out	F&A 11923	\$ 5/year

<b>ACTIVITY</b>	<b>FEE AUTHORITY<sup>(1)</sup></b>	<b>FEE AMOUNT</b>
of County Headquarters		
Maintenance Gardener registration	F&A 11734	\$25/year
Notice of Intent to Perform Structural Pest Control Work	F&A 15204	\$10/year
Certification of Farm Labor Contractors	LC 1695 (b)	\$75/year
<b>Fruit &amp; Vegetable Quality Control</b>		
Certification of produce shipments	F&A 42793 (a) F&A 42796 (b)	\$60/hour with ½ hour minimum
Produce Certification Stamp Registration	F&A 42793 (a)	\$50/year
Out-of-State Transport Permit	F&A 42796 (b)	\$18.50/certificate
Certified Farmers' Market Certificate	F&A 47020	\$150/certificate
Certified Producers' Certificate	F&A 47020	\$35/certificate
Additional county listing on Certified Producers' Certificate	F&A 47020	\$5/certificate
Certified Producers Certificate Change or Addition	F&A 47020	\$5/amended certificate + inspection rate
Certified Producers Inspection Rate	F&A 47020	\$60/hour
Certified Farmers' Market Inspection Rate	F&A 47020	\$60/hour with \$720 annual cap
Direct Marketing Travel Charge  Note: Applies to inspections of both Certified Producers and Certified Farmers' Markets	F&A 47020	Zone 1 = \$20 Zone 2 = \$40 Zone 3 = \$60 Zone 4 = \$80 (see below for list of zip codes by zone)
<b>Apiary Inspection</b>		
Apiary registration 0-9 colonies	F&A 29044	\$0
Apiary registration 10 or more colonies	F&A 29044	\$10/year
Apiary certification (1/2 hour minimum)	F&A 29143	\$60/hour

ACTIVITY	FEE AUTHORITY <sup>(1)</sup>	FEE AMOUNT
<b>Weights and Measures</b>		
Standards calibration services	B&P 12210 (b)	\$60/hour
Annual device registration:	////////////////////	////////////////////
Submeters: <i>Utility meters owned by marinas, mobile home parks, recreational vehicle parks and apartment complexes</i>	B&P 12240 (g) CCRO 21.1706	\$60/complex + \$2 for each type of meter per space
Routine Devices: <i>Fabric meters, cordage meters, wire meters, retail motor fuel meters, retail water dispensers, computing scales, counter scales, portable platform scales (less than 1000 lbs.), dormant and platform scales (less than 1000 lbs.), prescription scales, jeweler scales, hanging scales, taximeters, vehicle meters, LPG (stationary and mobile), tanks and wholesale meters (mobile).</i>	B&P 12240 (f)	Based on # of devices per single location: 1-3 devices = \$ 40 4-9 = \$ 80 10-19 = \$120 20-25 = \$160 Over 25 = \$200
Medium Capacity Devices: <i>Wholesale meters (stationary); crane scales, monorail and meat beam scales (less than 20,000 lbs.); dormant platform scales, hopper and tank scales, and animal scales (1,000 lbs. or greater, but less than 20,000 lbs.); belt conveyor scales (1,000 lbs. or greater but less than 20,000 lbs. per hour production); and forklift scales.</i>	B&P 12240 (f)	Based on # of devices per single location: 1-3 devices = \$ 40 4-9 = \$ 80 10-19 = \$120 20-25 = \$160 Over 25 = \$200
Heavy Capacity Devices ( <i>greater than or equal to 20,000 pounds total capacity of device</i> ): <i>Crane scales, hopper and tank scales, dormant platform scales, railway and belt conveyor scales (20,000 lbs. or greater per hour of production)</i>	B&P 12240 (h)	\$200/device
Vehicle scales	B&P 12240 (i)	\$100/device
Livestock scales with capacity of 20,000 lbs. or more	B&P 12240 (l)	1-3 devices = \$100 4 or more = \$100/device
Inspection/testing of non-commercial devices by request of owner/user:	////////////////////	////////////////////
Small capacity scales not exceeding 3,000 lbs. capacity	B&P12210 (b)	\$63.50/hour + \$0.75/mi
Large capacity scales exceeding 3,000 lbs. capacity (Test vehicle = 10,000 to 40,000 GVW)	B&P12210 (b)	\$80/hour + \$1.25/mi

ACTIVITY	FEE AUTHORITY <sup>(1)</sup>	FEE AMOUNT
Retail gasoline dispensers	B&P12210 (b)	\$60/hour
Wholesale petroleum meters	B&P12210 (b)	\$60/hour
Liquefied petroleum gas meters	B&P12210 (b)	\$60/hour
All other commercial devices	B&P12210 (b)	\$60/hour
Requested inspection of commercially-used devices:	////////////////////	////////////////////
Small capacity scales	B&P12210.5	Established by the CA Secretary of Agriculture. <sup>(2)</sup>
Large capacity scales (10,000 to 40,000 GVW)	B&P12210.5	“
All scales exceeding 3,000 lbs. capacity (> 40,000 GVW)	B&P12210.5	“
Retail gasoline dispensers	B&P12210.5	“
Wholesale petroleum meters	B&P12210.5	“
Liquefied petroleum gas meters	B&P12210.5	“
All other commercial devices	B&P12210.5	“
Standby fee	B&P12210.5	“
Reinspection of weighmaster scale	B&P 12210.5	“
Lost certificate replacement	CCRO 21.1708	\$10
Reschedule fee	CCRO 21.1716	\$20
Point-of-Sale station (scanners) permit:	////////////////////	////////////////////
1-3 stations	CC Art.11 Sec.7	\$89/location
4-16 stations	CC Art.11 Sec.7	\$129/location
17-30 stations	CC Art.11 Sec.7	\$190/location
More than 30 stations	CC Art.11 Sec.7	\$240/location
Businesses using not more than three point-of-sale stations for commercial purposes in an establishment of 3,500 square feet or less of enclosed retail structure with commercial devices already validly registered with the County Sealer	CC Art.11 Sec.7	No fee
Re-inspection (portal to portal)	CC Art.11 Sec.7	\$60/hour + \$0.35/mile
<b>Other</b>		
Structural Pest Control Pesticide Exam	MOA FY02-03 With SPCB	\$15
Watershed Management	////////////////////	////////////////////
Hazardous Materials Inventory	H&S 25404.5	\$100/year
Veterinarian (Non Agricultural):	////////////////////	////////////////////
Non-agricultural necropsy	CC Art.11 Sec.7	\$75
Disposal (Charge per barrel)	CC Art.11 Sec.7	\$50
Save body	CC Art.11 Sec.7	\$20
Non-agricultural histology	CC Art.11 Sec.7	\$25
Public health tests	CC Art.11 Sec.7	\$20

ACTIVITY	FEE AUTHORITY <sup>(1)</sup>	FEE AMOUNT
Other tests, non-agriculture	CC Art.11 Sec.7	\$25
Wildlife Services Site Visits	CC Art.11 Sec.7	\$100/site visit

**DIRECT MARKETING TRAVEL ZONE ZIP CODE DESIGNATIONS**

ZONE 1	ZONE 1	ZONE 2	ZONE 3	ZONE 4
91902	92118	91901	91906	91905
91941	92119	91910	91916	91934
91942	92120	91911	91931	92004
91945	92121	91913	91948	92055
91950	92122	91914	91962	92066
91977	92123	91915	91963	92086
92014	92124	91917	91980	92259
92020	92126	91932	92003	92036 East <sup>(3)</sup>
92037	92127	91935	92028	92536
92064	92128	91978	92036 West <sup>(3)</sup>	92672
92067	92129	92007	92054	
92071	92130	92008	92055	
92075	92131	92009	92057	
92101	92133	92019	92059	
92102	92134	92020	92060	
92103	92135	92021	92061	
92104	92136	92024	92070	
92105	92139	92025	92082	
92106	92140	92026		
92107	92145	92027		
92108	92155	92029		
92109		92040		
92110		92056		
92111		92065		
92113		92069		
92114		92083		
92115		92084		
92116		92154		
92117		92173		

<sup>(1)</sup> B&P = Business and Professions Code of California  
CAC = County of San Diego Administrative Code  
CC = California Constitution  
CCR = California Code of Regulations, Title 3  
CCRO = County of San Diego Code of Regulatory Ordinances  
CGC = California Government Code  
F&A = California Food and Agricultural Code

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H&S = California Health & Safety Code

LC = California Labor Code

SPCB = State Pesticide Control Board

(2) For current fee information contact the Department of Agriculture, Weights and Measures at (858) 694-2778 or by mail at 5555 Overland Avenue, Building 1, San Diego, CA 92123.

(3) Divided as follows: Sunrise Hwy from Zip Code Boundary 91948 to Hwy 79, Hwy 79 to Hwy 78, Hwy 78 to S-2, and S-2 to Zip Code Boundary 92086.

**Section 3.** This ordinance shall take effect and be in force thirty days after its passage, 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 a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED this 9<sup>th</sup> day of July, 2003.