

ORDINANCE NO. 9859 (NEW SERIES)

AN ORDINANCE AMENDING PORTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO FEE ADJUSTMENTS FOR THE DEPARTMENT OF ENVIRONMENTAL HEALTH FOR FISCAL YEARS 2007-2008 AND 2008-2009

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

Section 1. Purpose. The San Diego County Department of Environmental Health is the state-designated Local Enforcement Agency for several state law-based programs in San Diego County, including, but not limited to programs regulating aspects of food safety, housing, recreational health, drinking water, septic systems, solid waste disposal, hazardous waste and hazardous materials management. State law provides for the recovery of the reasonable costs of these programs through fees imposed on the regulated community. San Diego County Board of Supervisors' Policy B-29 requires the Department to strive to obtain full cost recovery for these programs through these fees. Accordingly, the Board of Supervisors authorizes the Department of Environmental Health to adjust its fees for Fiscal Year 2007-08 and 2008-09 such that the Department achieves full cost recovery for services rendered to industry pursuant to Board Policy B-29. The appropriate sections of the San Diego County Code of Regulatory Ordinances shall be amended to reflect the fee adjustments for the Department of Environmental Health for Fiscal Years 2007-2008 and 2008-09. The provisions of this ordinance shall be operative as follows: Fiscal Year 2007-08 fees shall be operative on July 1, 2007; Fiscal Year 2008-09 fees shall be operative on July 1, 2008.

Section 2. Section 65.107 of the San Diego County Code is hereby amended to read as follows:

SEC. 65.107. FEES.

The fee for each permit, plan review, license or registration issued or investigation performed pursuant to the provisions of this division is set forth herewith:

(a) FOOD FACILITY PERMIT FEES: As required by Part 7 (Commencing with Section 113700) of Division 104 of the California Health and Safety Code, California Retail Food Code.

(1) For restaurants.

1 to 10 employees:

FY07-08 \$555 FY08-09 \$565

11 to 25 employees:

FY07-08 \$655 FY08-09 \$675

26 to 100 employees:

FY07-08 \$795 FY08-09 \$820

101 or more employees:

FY07-08 \$1,470 FY08-09 \$1,530

Resort/entertainment complexes or food facilities with more than three (3) food preparation areas under one common permit:

FY07-08 \$1,550 FY 08-09 \$1,604

For each restaurant type food facility unit in excess of 3 at the same location:

FY07-08 \$550 FY08-09 \$570

or the standard food facility permit fee, whichever is less.

Limited Food Preparation:

FY07-08 \$375 FY08-09 \$390

- (2) For Miscellaneous Food Facilities including Candy Stores, Concession Stands, Prepackaged Non-Potentially Hazardous foods and Catering Equipment Rentals:

FY07-08 \$118 FY08-09 \$122

- (3) For Retail Markets, other than Candy Stores:

1 to 10 employees:

FY07-08 \$290 FY08-09 \$300

11+ employees:

FY07-08 \$363 FY08-09 \$376

- (4) For temporary food facilities at a community event.

Non-profit applicants of temporary food facilities and non-profit temporary event organizers are exempt from the fee at a community event for not more than 2 events in a calendar year. This exception does not apply to the late application submittal fees.

Prepackaged or Non-Potentially Hazardous Foods

Event Permit (1-3 days):

FY07-08 \$83 FY08-09 \$87

Prepackaged or Non-Potentially Hazardous Foods Event Caterer:

FY07-08 \$230 FY08-09 \$240

Unpackaged Foods/Potentially Hazardous Foods

Event Permit (1-3 days):

FY07-08 \$155 FY08-09 \$160

Unpackaged Foods/Potentially Hazardous Foods Event Caterer:

FY07-08 \$460 FY08-09 \$475

Temporary Event Organizer

Event Permit (1-3 days):

FY07-08 \$200 FY08-09 \$205

Temporary Event Organizer, Annual Permit (Identical Event held at same location):

FY07-08 \$410 FY08-09 \$425

Late application submittal for all temporary food facilities, event caterers and organizers. Supplemental fee paid in addition to required fee if less than 14 days prior to the event:

FY07-08 \$70 FY08-09 \$73

- (5) For food establishments operating retail markets and restaurants or delicatessens on the same premises:

1 to 10 employees:

FY07-08 \$440 FY08-09 \$456

11+ employees:

FY07-08 \$650 FY08-09 \$675

For retail market/deli food preparation areas in excess of 3:

FY07-08 \$431 FY08-09 \$447
or the standard permit fee, whatever is less.

- (6) For mobile food facility commissary or vending commissary (headquarters):

Vending machine commissary:

FY07-08 \$248 FY08-09 \$257

Mobile Food Facility or Mobile Support Unit Commissary:

FY07-08 \$300 FY08-09 \$311

- (7) For each mobile food facility or mobile support unit, other than mobile food facilities with full food preparation, under the same ownership and operating out of the same establishment:

Packaged Lunch Truck:

FY07-08 \$208 FY08-09 \$215

Mobile Support Unit:

FY07-08 \$158 FY08-09 \$164

Boats:

FY07-08 \$256 FY08-09 \$265

- (8) For each mobile food facility with full food preparation under the same ownership and operating out of the same establishment:

FY07-08 \$412 FY08-09 \$427

- (9) For Mobile Food Facilities (push carts) with no or limited food preparation:

Pre-packaged foods/ice cream/produce (carts/vehicles):

FY07-08 \$202 FY0-8-09 \$210

Limited_Food Preparation:

FY07-08 \$328 FY08-09 \$340

- (10) For each vending machine dispensing milk, ice cream or milk products or other kinds of potentially hazardous foods or beverages, or dispensing unbottled or uncanned liquid foods or beverages, except vending machines which dispense unwrapped non-potentially hazardous, non-liquid food products:

FY07-08 \$22 FY08-09 \$23

- (11) Wholesale Food Warehouse:
 - Warehouse (1 - 19,999 square feet)
 - FY07-08 \$400 FY08-09 \$410
 - Warehouse (20,000 square feet and greater)
 - FY07-08 \$489 FY08-09 \$508
- (12) For Retail Food Processing Establishments:
 - FY07-08 \$533 FY08-09 \$555
- (13) Catering:
 - For full service catering establishments:
 - FY07-08 \$455 FY08-09 \$470
- (14) Bed and Breakfast:
 - FY07-08 \$177 FY08-09 \$183
- (15) For food establishments that are operated by non-profit organizations:
 - FY07-08 \$235 FY08-09 \$240
- (16) School food facilities – Processing kitchen:
 - FY07-08 \$287 FY08-09 \$298
- (17) School food facilities – satellite kitchen location:
 - FY07-08 \$206 FY08-09 \$216
- (18) Licensed health care facilities
 - FY07-08 \$508 FY08-09 \$527
- (19) Retail food delivery - Delivery of retail food items by other than an employee of the DEH permitted food facility, which was the source:
 - FY07-08 \$65 FY08-09 \$68
- (b) HOUSING PERMIT FEES--INSPECTION FEES FOR APARTMENT HOUSE OR HOTEL AS PROVIDED IN SECTION 66.1003:
 - (1) For each apartment house or hotel containing three or more units:

FY07-08 \$125 FY08-09 \$129

- (2) For each unit in excess of three (3):

FY07-08 \$3 FY08-09 \$3

"UNIT" shall mean each apartment in an apartment house and each sleeping room in a hotel, and each apartment and each hotel sleeping room in a building, containing both apartments and hotel sleeping rooms.

Separate apartment house buildings and separate hotel buildings, or combination thereof, located upon a single parcel of land or contiguous parcels of land or under the same ownership shall be treated as one apartment house or hotel for the purpose of computing the fee prescribed by this section.

- (3) Non-profit housing:

FY07-08 \$133 FY08-09\$138

- (4) Unscheduled reinspection or unpermitted housing complaint investigation with a confirmed violation fee: Hourly rate as specified in section (l)(5).

(c) PUBLIC POOL PERMIT FEES:

- (1) For one (1) pool:

FY07-08 \$243 FY08-09\$252

- (2) For two (2) pools:

FY07-08 \$305 FY08-09 \$316

- (3) For three (3) pools:

FY07-08 \$462 FY08-09\$480

- (4) For four (4) pools:

FY07-08 \$493 FY08-09 \$512

- (5) For five (5) pools:

FY07-08 \$541 FY08-09 \$562

- (6) For each pool in excess of 5 as provided for in Section 67.302:

FY07-08 \$99 FY08-09 \$103

- (7) Inactive or closed pool:

FY07-08 \$62 FY08-09 \$64

(8) Public Bath House:

FY07-08 \$745 FY08-09 \$760

(9) Non-profit operated pools:

FY07-08 \$212 FY08-09 \$220

(10) Water Park/Special use pools (per feature/pool):

FY07-08 \$373 FY08-09 \$387

(d) SPECIAL ENFORCEMENT/INVESTIGATION FEES:

Unscheduled reinspection/regrade fee (per hour fee): Hourly rate as specified in section (l)(4~~2~~ 5).

Office hearing:

FY07-08 \$330 FY08-09 \$330

Suspension or revocation hearing:

FY07-08 \$660 FY08-09 \$660

Sherman food investigation, with a confirmed violation: Hourly rate as specified in section (l)(5).

Foodborne illness, plan check and/or recall investigation for activities without a current food facility permit issued by the County of San Diego DEH: Hourly rate as specified in section (l)(5).

Fee for investigation of a health regulated business operating without a health permit will be 200% of the annual permit fee payable in addition to the permit fee.

(e) PLAN CHECK FEES:

(1) Pool Plan Review, as provided for in Section 67.301.

(a) For one (1) pool:

FY07-08 \$1,075 FY08-09 \$1,113

(b) For each pool in excess one (1):

FY07-08 \$361 FY08-09 \$375

(c) Pool resurfacing or renovation:

FY07-08 \$220 FY08-09 \$228

- (d) Resurfacing or renovation each pool over one, with concurrent inspections:

FY07-08 \$120 FY08-09 \$123

- (e) Supplemental Fee for special purpose pools and perimeter overflow system pools (includes activity pools and interactive water features):

FY07-08 \$865 FY08-09 \$900

- (f) Minor Plan Review – Pool

FY07-08 \$362 FY08-09 \$376

- (g) Major Pool Renovation

FY 07-08 \$670 FY08-09 \$696

- (2) Food Facility Plan Review as provided for in Section 61.112:

0—1,999 Square Feet:

FY07-08 \$857 FY08-09 \$891

2,000—5,999 Square Feet:

FY07-08 \$1,130 FY08-09 \$1,174

6,000— 9,999 Square Feet:

FY07-08 \$1,971 FY08-09 \$2,035

10,000 Square Feet and over:

FY07-08 \$2,075 FY08-09 \$2,157

plus the square footage fee for each food preparation area in excess of 20,000 square feet.

- (3) Food Facility or Pool Plan Revision as provided for in Section 61.112:

FY07-08 \$238 FY08-09 \$241

- (4) Restamping or Approval of Non-health Regulated Building Plans, as required by other governmental agencies:

FY07-08 \$120 FY08-09 \$125

- (5) Minor plan review – Food facility
- Plan review for:
- a) equipment only for food establishments which are subject to regulation,
 (b) the reopening of an establishment which had previously completed a plan review
- FY07-08 \$362 FY08-09 \$375
- (6) Pre-packaged warehouse plan review:
- FY07-08 \$495 FY08-09 \$514
- (7) Minor plan review – Miscellaneous facilities
- (a) Body Art Plan Review as regulated under 66.314 (Body Art Facility)
- FY07-08 \$335 FY08-09 \$345
- (b) Massage Plan Review as regulated under 66.513 (Massage Establishment)
- FY07-08 \$335 FY08-09 \$335
- (c) Other Miscellaneous Facilities as regulated under 66.606 (Bathhouses) Facilities, or for other miscellaneous establishments where a plan review is required.
- FY07-08 \$362 FY08-09 \$376
- (8) Express plan review: 200% of regular fee.
- (9) After hours inspection: 1½ times the hourly rate specified in section (l)(5), minimum two hours.
- (10) Food or pool plan check consultation (2 hour minimum charge for field inspections): Hourly rate as specified in section (l)(5).
- (11) Food or pool consultation (supplemental inspection) (2 hour minimum charge for field inspections): Hourly rate as specified in section (l)(5).
- FY07-08 \$240 FY08-09 \$250
- (12) Mobile food facility plan check/mobile food support unit:
- FY07-08 \$265 FY08-09 \$275
- (13) Investigation of work without a permit. Whenever a food facility or pool is built, modified or remodeled without first submitting an application for the required permit/plan review, a special investigation shall be made before

a permit may be issued for such work. The fee for this investigation will be in addition to the permit fee. (2 hour minimum charge for field inspections.): Hourly rate as specified in section (l)(5).

(f) MISCELLANEOUS FOOD AND HOUSING FEES:

(1) Food Handler per Section 61.112.

Renewal Exam:

FY07-08 \$20 FY08-09 \$20

Duplicate Certificate:

FY07-08 \$18 FY08-09 \$18

Education Certificate Food Handler (each certificate):

FY07-08 \$6 FY08-09 \$6

Food Handler Training Booklets:

FY07-08 \$2.50 FY08-09 \$2.50

Food Manager Training Packet:

FY07-08 \$10 FY08-09 \$10

Exam Materials:

FY07-08 \$.25 FY08-09 \$.25

(2) Pet Shops/Kennels Permit Fee:

FY07-08 \$128 FY08-09 \$132

(3) Massage Establishments:

FY07-08 \$140 FY08-09 \$145

(6) Body Art Facilities:

FY07-08 \$251 FY08-09 \$260

Body Art Technicians (annual operating permit):

FY07-08 \$135 FY08-09 \$140

Body Art Technicians (one time registration fee):

FY07-08 \$45 FY08-09 \$46

Body Art/ Temporary Event Organizer (Body Art Facility Fee plus 50% of the hourly environmental health specialist rate per booth). Body Art Temporary event booth fees are waived for Body Arts Technicians permitted in San Diego County.

Base Fee FY07-08 \$251	Base Fee FY08-09 \$260
Plus \$115 for every two booths	Plus \$119 for every two booths

Body Art/Temporary Event Late application submittal, supplemental fee paid in addition to required fee. Less than 14 days prior to event.

FY07-08 \$78	FY08-09 \$81
--------------	--------------

(f) LAND USE FEES:

Duration of fees:

With the exception of well permits, renewable permits and deposit accounts, fees are valid one year from the date of submittal or one year from the date of approval. Well permit applications are valid for 120 days from the date of approval. Renewable permits expire one year from the date they are issued. The permit for sewage pumping vehicles shall expire on December 31 of each year; refer to SDCC section 65.014 on the renewal of licenses, permits, or registrations for additional information. Deposit accounts will remain active until the project is completed and all billing has been paid. See section (l)(5) for billing rates.

- (1) Recycled Water Plan Check Fees, as provided for in Section 67.521,D: Hourly rate as specified in Section (l)(5).
- (2) Recycled Water Shutdown Test, as provided for in Section 67.523: Hourly rate as specified in Section (l)(5).
- (3) Well Permit Application, as provided for in Section 67.441.B

Domestic Well:

FY07-08 \$444	FY08-09 \$462
---------------	---------------

Additional Domestic Well/per_well over one on same parcel:

FY07-08 \$148	FY08-09\$154
---------------	--------------

Public Water Supply Well:

FY07-08 \$918	FY08-09 \$954
---------------	---------------

Well Destruction:

- | | | |
|--|---------------|---------------|
| | FY07-08 \$236 | FY08-09 \$246 |
|--|---------------|---------------|
- (4) Collected Water Sample from Private Well
- | | | |
|--|---------------|---------------|
| | FY07-08 \$138 | FY08-09 \$143 |
|--|---------------|---------------|
- Delivered water sample delivered (per sample):
- | | | |
|--|--------------|--------------|
| | FY07-08 \$72 | FY08-09 \$76 |
|--|--------------|--------------|
- (5) Layouts/Percolation Test, as provided for in Section 68.328.1:
- New Construction:
- | | | |
|--|---------------|---------------|
| | FY07-08 \$832 | FY08-09 \$866 |
|--|---------------|---------------|
- Additions/Pools:
- | | | |
|--|---------------|---------------|
| | FY07-08 \$678 | FY08-09 \$706 |
|--|---------------|---------------|
- Layout/Percolation Test Time Extension:
- | | | |
|--|---------------|---------------|
| | FY07-08 \$350 | FY08-09 \$363 |
|--|---------------|---------------|
- Layout over the counter, no field investigation:
- | | | |
|--|--------------|--------------|
| | FY07-08 \$92 | FY08-09 \$96 |
|--|--------------|--------------|
- (6) Conventional_Onsite Wastewater System Inspection, as provided for in Section 68.326:
- | | | |
|--|---------------|---------------|
| | FY07-08 \$342 | FY08-09 \$355 |
|--|---------------|---------------|
- Conventional_Onsite Wastewater System Re-Inspection, as provided for in Section 68.326:
- | | | |
|--|---------------|---------------|
| | FY07-08 \$138 | FY08-09 \$143 |
|--|---------------|---------------|
- Conventional_Onsite Wastewater System Repair Inspection:
- | | | |
|--|---------------|---------------|
| | FY07-08 \$336 | FY08-09 \$349 |
|--|---------------|---------------|
- Treated Wastewater System Installation Inspection
- | | | |
|--|---------------|---------------|
| | FY07-08 \$760 | FY08-09 \$792 |
|--|---------------|---------------|
- Treated Wastewater System Major Repair Inspection
- | | | |
|--|---------------|---------------|
| | FY07-08 \$760 | FY08-09 \$792 |
|--|---------------|---------------|
- Treated Wastewater System Minor Repair Inspection

FY07-08 \$580 FY08-09 \$603

Treated Onsite Wastewater System Annual Operating Permit, as provided for in Section 68.334:

FY07-08 \$275 FY08-09 \$286

Onsite Wastewater System Enforcement Fee, as provided for in Section 68.334.2:

FY07-08 \$120 FY08-09 \$125

- (8) Boundary Adjustment/Certificate of Compliance, up to two lots as provided for in Sections 81.902.2 and 81.1105.1:

FY07-08 \$550 FY08-09 \$572

Boundary Adjustment/Certificate of Compliance, three lots as provided for in Sections 81.902.2 and 81.1105.1:

FY07-08 \$800 FY08-09 \$835

- (9) Boundary Adjustment/Certificate of Compliance, four or more lots as provided for in Sections 81.902.2 and 81.1105.1 (Initial deposit, additional funds may be required for full cost recovery):

FY07-08 \$1,412 FY08-09 \$1,469

Boundary adjustment/certificate of compliance over the counter, no field investigation:

FY07-08 \$138 FY08-09 \$144

- (10) Grading Plan, Major, as provided for in Section 87.204.1:

FY07-08 \$353 FY08-09 \$368

- (11) Greywater System Permits

Plan Review - over the counter, as provided for in Section 68.326.1:

FY07-08 \$92 FY08-09 \$95

Plan Review - with field check, as provided for in Section 68.352:

FY07-08 \$382 FY08-09 \$396

Greywater Design Re-Review Fee:

FY07-08 \$120 FY08-09 \$125

Installation Inspections, as provided for in Section 68.352:

FY07-08 \$146 FY08-09 \$153

Re-inspection fee, as provided for in Section 68.352:

FY07-08 \$146 FY08-09 \$153

- (12) Deposit for a Tentative Map as provided for in Section 81.201.1 (Initial deposit, additional funds may be required for full cost recovery):

FY07-08 \$2,688 FY08-09 \$2,795

Fees described under # 12 are for map review only and do not apply for layout review once a map records.

- (13) Deposit for Tentative Parcel Map on sewer as provided for in Section 81.207(d).

FY07-08 \$946 FY08-09 \$982

Fees described under #13 are for map review only and do not apply for layout review once a map records.

- (14) Deposit for Tentative Parcel Map on septic as provided for in Section 81.207(d).

FY07-08 \$1,440 FY08-09 \$1,498

- (15) Deposit for Condominium Conversion Tentative Map as provided for in Section 81.207(d):

FY07-08 \$1,046 FY08-09 \$1,088

- (16) Deposit for Condominium Conversion Tentative Parcel Map, as provided for in Section 81.207(d):

FY07-08 \$528 FY08-09 \$548

- (17) Deposit for Major Use Permits, Standard Application review as provided for in Section 68.326.2 (Initial deposit, additional funds may be required for full cost recovery):

FY07-08 \$1,202 FY08-09 \$1,250

- (18) Deposit for Minor Use Permit Standard Application review as provided for in Section 68.326.2 (Initial deposit, additional funds may be required for full cost recovery):

FY07-08 \$1,036 FY08-09 \$1,078

- (19) Deposit for Special Projects Application review as provided for in Section 68.326.2 (Initial deposit, additional funds may be required for full cost recovery):
FY07-08 \$1,008 FY08-09 \$1,050
- (20) Deposit for Reclamation Plan review as provided for in Section 68.326.2 (Initial deposit, additional funds may be required for full cost recovery):
FY07-08 \$908 FY08-09 \$944
- (21) Reclamation Plan Modification as provided for in Section 68.326.2:
FY07-08 \$528 FY08-09 \$548
- (22) Major Use Permit Modification/Minor Deviation as provided for in Section 68.326.2:
FY07-08 \$620 FY08-09 \$644
- (23) Minor Use Permit Modification/Minor Deviation as provided for in Section 68.326.2:
FY07-08 \$620 FY08-09 \$644
- (24) Major Use Permit Time Extension as provided for in Section 68.326.2:
FY07-08 \$734 FY08-09 \$763
- (25) Minor Use Permit Time Extension as provided for in Section 68.326.2:
FY07-08 \$312 FY08-09 \$324
- (26) Administrative Permit Standard Application as provided for in Section 68.326.2:
FY07-08 \$666 FY08-09 \$692
- (27) Administrative Permit Modification as provided for in Section 68.326.2:
FY07-08 \$524 FY08-09 \$544
- (28) Administrative Permit Time Extension as provided for in Section 68.326.2:
FY07-08 \$230 FY08-09 \$238
- (29) Final Map Amendment as provided for in Section 68.326.2:
FY07-08 \$757 FY08-09 \$787

- (30) General Plan Amendment as provided for in Section 68.326.2:
FY07-08 \$460 FY08-09 \$478
- (31) Major Project Pre-application Conference as provided for in Section 68.326.2:
FY07-08 \$665 FY08-09 \$692
- (32) Pre-application Conference as provided for in Section 68.326.2. (First two hours, additional funds may be required for full cost recovery):
FY07-08 \$230 FY08-09 \$238
- (33) Rezone Application as provided for in Section 68.326.2:
FY07-08 \$460 FY08-09 \$478
- (34) Site Plan Application as provided for in Section 68.326.2:
FY07-08 \$482 FY08-09 \$501
- (35) Site Plan Modification/Minor Deviation as provided for in Section 68.326.2:
FY07-08 \$368 FY08-09 \$382
- (36) Site Plan Time Extension as provided for in Section 68.326.2:
FY07-08 \$230 FY08-09 \$238
- (37) Specific Plan Review as provided for in Section 68.326.2:
FY07-08 \$460 FY08-09 \$478
- (38) Specific Plan Modification as provided for in Section 68.326.2:
FY07-08 \$460 FY08-09 \$478
- (39) Tentative Map Time Extension as provided for in Section 68.326.2:
FY07-08 \$478 FY08-09 \$496
- (40) Tentative Parcel Map Time Extension as provided for in Section 68.326.2:
FY07-08 \$276 FY08-09 \$286
- (41) Administrative Variance as provided for in Section 68.326.2:
FY07-08 \$368 FY08-09 \$382

- (42) Variance Standard Application as provided for in Section 68.326.2:
FY07-08 \$368 FY08-09 \$382
- (43) Variance Modification/Minor Deviation as provided for in Section 68.326.2:
FY07-08 \$367 FY08-09 \$382
- (44) Variance Time Extension as provided for in Section 68.326.2:
FY07-08 \$322 FY08-09 \$334
- (45) Organized Camps
Seasonal:
FY07-08 \$436 FY08-09 \$454
Year Around:
FY07-08 \$848 FY08-09 \$882
Re-inspection Fee:
FY07-/08 \$321 FY08-09 \$334
- (45) Septic Cleaner Examination Fee, as provided for in Section 68.602:
FY07-08 \$84 FY08-09 \$86
- (46) Septic Cleaner Base Permit Fee, as provided for in Section 68.604:
FY07-08 \$144 FY08-09 \$152
- (47) Sewage Pumping Vehicle, as provided for in Section 68.604a:
FY07-08 \$106 FY08-09 \$110
- (g) MONITORING WELLS FEES
 - (1) Monitoring Wells/Soil Boring (permits)
Borings:
Base Fee (Includes First Boring):
FY07-08 \$186 FY08-09 \$193

- Each Additional Boring:
- FY07-08 \$50 FY08-09 \$50
- (2) Monitoring Wells (Ground Water/Vadose Wells/Cathodic Protection Wells)
- Base Fee (Includes first well):
- FY07-08 \$186 FY08-09 \$193
- Each Additional Well:
- FY07-08 \$160 FY08-09 \$160
- (3) Monitoring Well Destruction
- Base Fee (Includes First Well):
- FY07-08 \$186 FY08-09 \$193
- Each Additional Well:
- FY07-08 \$120 FY08-09 \$120
- (4) Monitoring Well Re-inspection Fee (per site):
- FY07-08 \$115 FY08-09 \$119
- (5) New well inspection fee:
- FY07-08 \$100 FY08-09 \$100
- Each additional well:
- FY07-08 \$30 FY08-09 \$30
- (6) Investigative Fee. For work done without a permit for which a permit is required or work done that is not in compliance with an approved permit: 100% of the permit cost.
- (7) Tank Monitoring Well Fee (per site). Borings installed in UST and piping backfill with casing installed for purpose of monitoring tank system for leaks:
- FY07-08 \$320 FY08-09 \$320
- (8) Preliminary workscope assessment where no fee is specifically indicated. (Includes oversight and investigation of contaminated ground water/soil and other technical assistance): Minimum charge, two hours at the hourly rate as specified in section (1)(5).

(h) SMALL WATER SYSTEM FEES:

- (1) Small Water Systems New Permit Application Fee: as provided for in California Health and Safety Code, Sections 101325, 116340, 116570, 116595. (Initial deposit, additional funds may be required for full cost recovery) \$1,000
- (2) Public Water System Change of Ownership/Permit Amendment/Exemption/Plan Review/Variance/Waiver Processing Fee, as provided for in California Health and Safety Code, Sections 101325, 116580, 116595 (Initial deposit, additional funds may be required for full cost recovery) \$500.00
- (3) State Small Water System Change of Ownership Fee, as provided for in California Health and Safety Code, Sections 101325, 116340 \$220.00
- (4) State Small Water System Permit Amendment Fee, as provided for in California Health and Safety Code, Sections 101325, 116340 \$295.00
- (5) Public Water System Annual Drinking Water Operating Fee: as provided for in California Health and Safety Code, Sections 101325, 116565, 116595

Treated Community Water System:

FY07-08	\$1876.00
FY08-09	\$2498.00

Community Water System:

FY07-08	\$1607.00
FY08-09	\$2138.00

Treated Transient, Non-Community Water System:

FY07-08	\$1439.00
FY08-09	\$1908.00

Transient, Non-Community Water System:

FY07-08	\$1127.00
FY08-09	\$1503.00

Treated Non-Transient, Non-Community Water System:

FY07-08	\$1673.00
FY08-09	\$2228.00

Non-Transient, Non-Community Water System

FY07-08	\$1425.00
FY08-09	\$1899.00

Kelly Bill Small Water System

FY07-08	\$85.00
FY08-09	\$95.00

- (6) State Small Water System Annual Drinking Water Operating Fee, as provided in California Health and Safety Code, Sections 101325, 116340.

Treated State Small Water System:

FY07-08	\$1043.00
FY08-09	\$1391.00

State Small Water System:

FY07-08	\$735.00
FY08-09	\$977.00

- (7) Enforcement fee, as provided for in California Health and Safety Code, Section 116595:

Charged using the hourly rate specified in section (I)(~~42~~ 5), for any of the following:

- (a) Preparing, issuing, and monitoring compliance with, an order or a citation.
- (b) Preparing and issuing public notification.
- (c) Conducting a hearing pursuant to Section 116625.

The Local Primacy Agency (LPA) shall submit an invoice to the public water system that requires payment prior to September 1st of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended the reasons for the expenditure and the hourly cost rate of the LPA. The invoice shall not exceed the total costs to the LPA of enforcement activities specified in this subdivision. The LPA shall not be entitled to enforcement costs pursuant to this subdivision if either a court or the LPA determines that enforcement activities were in error. "Enforcement costs" as used in this subdivision do not include "litigation costs" as used in the California Health and Safety Code, Section 11685. The maximum reimbursement, pursuant to this subdivision, by a public water system serving less than 1,000 connections during any fiscal year shall not exceed twice the maximum for that public water system as set forth in California Health and Safety Code, Section 116565, subdivision (c).

(i) SOLID WASTE FEES: Solid Waste fees as provided in Sections 43213, 43508 and 44006, Division 30, of the Public Resources Code.

(1) Municipal Solid Waste Landfills:

Large - Permitted to receive more than 500 tons per day . . .
FY07-08 \$44,545 FY08-09 \$46,147

Small - Permitted to receive 500 tons or less per day
FY07-08 \$21,159 FY08-09 \$21,920

(2) Transfer/Processing Facilities and Operations as defined in CCR Title 14, Chapter 3.0:

Major Large Volume Transfer Facility – (permitted to receive/process greater than 1,000 tons per day)
FY07-08 \$13,642 FY08-09 \$14,133

Minor Large Volume Transfer Facility – (permitted to receive/process more than 100 and up to 1,000 tons per day) / Large Volume CDI Waste Disposal Facility – Twelve (12) inspections per year – Twelve (12) inspections per year . . .
FY07-08 \$9,911 FY08-09 \$10,268

Medium Volume Transfer Facility (permitted to receive/process equal to or more than 15 tons (or 60 cubic yards, whichever is greater) but less than 100 tons per day)/ Medium Volume CDI Debris Processing Facility/ Medium Volume C&D Wood Debris Processing Facility/ Inert Debris Processing Facility/ Large Volume C&D Wood Debris Chipping and Grinding Facility/ Inert Debris Type A Disposal Facility - Twelve (12) inspections per year
FY07-08 \$6,570 FY08-09 \$6,807

Limited Volume Transfer Facility(permitted to receive less than 15 tons or 60 cubic yards, whichever is greater)/ Small Volume CDI Debris Processing Facility/ Small Volume C&D Wood Debris Chipping and Grinding Facility/ Inert Debris Type A Only Processing Operations/ Inert Debris Engineered Fill Operations– Four (4) inspections per year
FY07-08 \$2,153 FY08-09 \$2,230

Sealed Container Transfer Operation(Operation where solid wastes remain at all times within unopened containers on-site and are not stored for more than 96 hours) / CDI Recycling Center/ Inert Debris Recycling Center – One (1) inspection per year . . .
FY07-08 \$626 FY08-09 \$649

(3) Compostable Materials Handling Operations as defined in CCR Title 14 Chapter 3.1:

Full/permit tiered facilities defined in Division 7, of Title 14 of the California Code of Regulations that require twelve (12) inspections
FY07-08 \$7,527 FY08-09 \$7,797

Registration or Notification permit tiered facilities/operations defined in Division 7 of Title 14 of the California Code of Regulations that require twelve (12) inspections per year
FY07-08 \$7,527 FY08-09 \$7,797

Registration or Notification permit tiered facilities/operations defined in Division 7, of Title 14 of the California Code of Regulations that require four (4) inspections per year
FY07-08 \$2,645 FY08-09 \$2,740

Registration or Notification permit tiered facilities/operations defined in Division 7, of Title 14 of the California Code of Regulations that require one (1) inspection per year. . . .
FY07-08 \$626 FY08-09 \$649

(4) Closed Sites:

Monthly - Sites that require twelve (12) inspections per year
FY07-08 \$20,045 FY08-09 \$20,766

Quarterly Large Landfills - Sites that require four (4) inspections per year
FY07-08 \$6,385 FY08-09 \$6,614

Quarterly Burnsites/Small Landfills – Sites that require four (4) inspections per year
FY07-08 \$3,415 FY08-09 \$3,538

Annual - Sites that require one (1) inspection per year
FY07-08 \$854 FY08-09 \$884

(5) Solid waste handling fees - All solid waste handlers within the jurisdiction of the County of San Diego LEA shall remit \$.14 per ton of solid waste handled.

(a) Exclusion: The fee shall not be assessed to solid waste handlers if it can be demonstrated to the satisfaction of the County of San Diego LEA that the waste was recycled and/or diverted from the solid waste stream. Additionally, this fee will not be assessed to solid waste handlers for each ton of waste for which it can be demonstrated to the satisfaction of the LEA that the fee was collected at a disposal site within the jurisdiction of County of San Diego LEA.

(b) All solid waste handlers within the **jurisdiction of** the County of San Diego **LEA** that receive revenue or income or charge fees for handling the solid waste shall maintain records and report waste handling information to the LEA in a manner or on a form provided by the LEA quarterly on or before May 1, August 1, November 1,

and February 1 respectively and the records used to prepare these reports shall be maintained for a minimum of three (3) years. These records shall be made available for inspection by the LEA upon request during normal business hours.

- (c) For purposes of this section, "solid waste handlers" means any person, agency or business that collects, transports, stores, transfers, disposes, or processes solid waste within the jurisdiction of the County of San Diego LEA.

(6) Solid Waste Facility Report or Application Filing Fee

Each solid waste facility report or application shall be accompanied by a filing fee to reflect the cost of processing the application and to recover costs incurred in meeting the requirements of Article 3 (commencing with Section 43500) of Chapter 2 and Article 1 (commencing with Section 44001) of Chapter 3 of the California Public Resources Code. This fee is in addition to the fees authorized by Chapter 2 and Article 1 (commencing with Section 43200) of Part 4 of the California Public Resources Code. This fee shall be set at the hourly rate as specified in section ~~(k)~~(11.42).

(j) UNIFIED PROGRAM FEES:

- (1) Unified Program Facility Permit Base Fee (Required for all Operating Permits except as noted):

FY07-08 \$223 FY08-09 \$227

Reinspection Fee:

FY07-08 \$228 FY08-09 \$232

- (2) Hazardous and Medical Waste Generator Operating Permit

Hazardous wastes stored in underground storage tanks are not subject to the fees in section (2).

Waste oil recycled by recycling company (flat rate):

FY07-08 \$76 FY08-09 \$77

Large Quantity Universal Waste Handler 5000 kg per year or more (flat rate):

FY07-08 \$76 FY08-09 \$77

Per Waste less than 5 tons per year:

FY07-08 \$76 FY08-09 \$77

Per Waste 5-50 tons per year:

FY07-08 \$168 FY08-09 \$171

Per Waste greater than 50 tons per year:

FY07-08 \$299 FY08-09 \$304

(3) Onsite Hazardous Waste Treatment (Tiered Permitting) Facility Fee

Conditionally Exempt:

FY07-08 \$101 FY08-09 \$103

Conditionally Authorized:

FY07-08 \$405 FY08-09 \$412

Permit by Rule:

FY07-08 \$602 FY08-09 \$612

(4) Hazardous Material Response Plans and Inventory Operating Permit
(Maximum Fee is as noted below.):

[Hazardous materials stored in underground tanks are not subject to the fees in section (4).]

FY07-08 \$1,867 FY08-09 \$1,897

Per material less than 550 gallons, 5,000 pounds or 5,000 cubic feet of compressed gas (maximum quantity):

FY07-08 \$71 FY08-09 \$72

Per material 550 to 5,500 gallons, 5,000 to 50,000 pounds or 5,000 to 20,000 cubic feet of compressed gas (maximum quantity):

FY07-08 \$111 FY08-09 \$113

Per material greater than 5,500 gallons, 50,000 pounds or 20,000 cubic feet of compressed gas (maximum quantity):

FY07-08 \$202 FY08-09 \$205

(5) Limited hazardous waste/materials operating permit for businesses handling or generating only one (1) disclosable material or waste stream, including large quantity Universal Waste Handler (includes Operating Permit Base Fee):

FY07-08 \$243 FY08-09 \$247

- (6) Underground Hazardous Materials Storage Operating Permit Per Tank
(includes storage of Hazardous Wastes and Hazardous Materials):

FY07-08 \$334 FY08-09 \$339

- (7) Underground Hazardous Materials Storage Tank Special Permits

New Underground Storage Tank Installation/Repair/Upgrade (Interior
lining, bladder installation)

Base Fee [includes one (1) tank]:

FY07-08 \$1,400 FY08-09 \$1,420

Each Additional Tank:

FY07-08 \$396 FY08-09 \$418

Plan Re-Review and Plan Extension:

FY07-08 \$434 FY08-09 \$452

Closure/Removal

Base Fee [includes one (1) tank]:

FY07-08 \$840 FY08-09 \$860

Each Additional Tank:

FY07-08 \$365 FY08-09 \$384

Plan Re-Review and Plan Extension:

FY07-08 \$434 FY08-09 \$452

Underground Storage Tank modification/upgrade including pipe repair/
replacement that involves two inspections

Base Fee (includes entire facility):

FY07-08 \$1,490 FY08-09 \$1,544

Plan Re-Review and Plan Extension:

FY07-08 \$434 FY08-09 \$452

Underground Storage Tank modification that involves one
inspection

Base Fee (includes entire facility):

FY07-08 \$1,070 FY08-09 \$1,108

Plan Re-Review and Plan Extension:

FY07-08 \$434 FY08-09 \$452

Underground Storage Tank re-inspection fee:

FY07-08 \$674 FY08-09 \$700

Underground Storage Tank Additional Plan Check Inspection

FY07-08 \$558 FY08-09 \$578

- (8) Business establishments generating less than 200 pounds per month of medical_waste (Operating Permit Base Fee not required):

FY07-08 \$162 FY08-09 \$165

- (9) Business establishments generating 200 pounds or more per month of medical waste:

FY07-08 \$202 FY08-09 \$205

- (10) Medical_Waste Limited Quantity Hauler Exemption Fee

Initial request or renewal for an exemption in accordance with the following criteria:

Up to 4 persons transporting medical waste for applicant:

FY07-08 \$25 FY08-09 \$25

Five or more persons transporting medical waste for applicant shall pay an additional fee of \$5.00 per person up to a maximum additional fee of \$25.00.

- (11) Hazardous Materials Management Business Plan (HMBP) Review for sites amending their HMBP as part of the Building Permit process (fee per site):

FY07-08 \$395 FY08-09 \$401

Hazardous Materials Management Business Plan (HMBP) Review for sites evaluated as part of the Building Permit process (Exempted Sites; fee per site):

FY07-08 \$81 FY08-09 \$82

- (12) Preliminary workscope assessment where no fee is specifically indicated. (Includes Risk Management Plans and other technical assistance.) Minimum charge, two hours at the hourly rate as specified in section (I)(5).
- (13) California Accidental Release Program (CalARP) and Risk Management Plans (RMPs)
- Program Levels II & III annual fee for triennial inspection:
- FY07-08 \$582 FY08-09 \$591
- Program Level I annual fee for triennial inspection:
- FY07-08 \$228 FY08-09 \$231
- Sites are billed at the hourly rate specified in section (I)(42.5) for RMP review work and additional inspection/audit costs that exceed the annual fee.
- (14) Remote site fee (Operating Permit Base Fee not required):
- FY07-08 \$51 FY08-09 \$52
- (15) Day Care Questionnaire Review for City of San Diego (fee per site):
- FY07-08 \$137 FY08-09 \$139
- (16) Notification Only Fee for Low Risk Unified Program Facilities designated by the Director of Environmental Health as notification only (Operating Permit Base Fee not required):
- FY07-08 \$51 FY08-09 \$52
- (17) Established businesses that operate a facility subject to the Unified Program without first submitting a permit application or notification to the Department must pay the following one time non-notification fee.
- FY07-08 \$195 FY08-09 \$202
- (18) Biotechnology facilities and research and development laboratories subject to the Unified Program Facility Permit base fee, the hazardous waste fees or the hazardous materials fees may have these fees reduced by 25% if the facility meets performance standards as defined by the Department.
- (19) University of California at San Diego (UCSD) sites limited to contiguous UCSD owned property on and around Gilman Drive in the City of San Diego subject to the Unified Program Facility Permit Base Fee, the

Hazardous Waste Generator Fees, the Medical Waste Generator Fees, the Hazardous Materials Fees or the Underground Storage Tank Operating Permit Fees shall pay an annual flat fee in lieu of the fees listed in this section. UCSD shall be subject to all other fees not specifically covered in this section. The flat fee applies only to UCSD Main Campus and the Scripps Institution of Oceanography.

FY07-08 \$ 20,000

FY08-09 \$ 20,700

(k) RADIATION SHIELDING PLAN CHECK

- (1) Radiation Shielding Plan Check Fee (base fee includes two rooms):

Base Fee FY07-08 \$80

Base Fee FY08-09 \$82

Fees for additional rooms in same facility:

3-6 rooms

FY07-08 \$42 (per room)

FY08-09 \$44 (per room)

For more complex plan checks, site are billed at the hourly rate specified in section (l)(5) for additional plan check and inspection costs that exceed the hours covered by the fee calculated above.

(l) MISCELLANEOUS DEPARTMENT FEES:

- (1) For each duplicate permit, license or registration as provided for in Section 61.110 or 68.905:

FY07-08 \$18

FY08-09 \$18

Health regulated business name change:

FY07-08 \$30

FY08-09 \$30

- (2) Copies of Documents per page:

FY07-08 \$.15

FY08-09 \$.15

- (3) Vector Control Technician hourly rate for which no fee is specifically indicated (minimum charge one hour, each additional 1/2 hour will be charged one half of the hourly rate):

FY07-08 \$94

FY08-09 \$97

- (4) Environmental Health Technician hourly rate for which no fee is specifically indicated (minimum charge one hour, each additional 1/2 hour will be charged one half of the hourly rate):

FY07-08 \$90

FY08-09 \$93

- (5) Environmental Health Specialist hourly rate for which no fee is specifically indicated (minimum charge one hour, each additional ½ hour will be charged one half of the hourly rate):

FY07-08 \$115 FY08-09 \$119

- (6) Expedited services will be provided at the request of the customer when possible. These services will be provided by staff working paid overtime. Costs will be recovered by charging one and a half times the hourly rate specified in section (l)(5).
- (7) Cost for services provided for which a deposit is required will be at the hourly rate specified in section (l)(5). Costs for expedited services provided for which a deposit is required will be at one and a half times the hourly rate specified in section (l)(5).
 - (1) FEE WAIVER FOR STRUCTURES DAMAGED OR DESTROYED BY NATURAL DISASTER. Notwithstanding the fees otherwise specified in Section 65.107, said fees may be waived for an applicant who is rebuilding legally built structures which have been damaged or destroyed by a wildfire or other natural disaster and which are located within the boundaries of a geographic area which has been declared by resolution of the Board of Supervisors to be eligible for this fee waiver. The fee waiver shall not apply to any portion of a new structure which exceeds the square footage of the structure which is being replaced.
- (8) Fees for sample collection, laboratory costs, and project oversight shall be assessed at the approved hourly rate as specified in SEC. 65.107 and for all laboratory costs associated with sampling and analysis.

Section 3. Section 66.904 of the San Diego County Code is hereby amended to read as follows:

It shall be unlawful to occupy, or to permit to be occupied, any apartment house, lodging house, or hotel now or hereafter erected, constructed, reconstructed, altered, converted or moved, as the case may be, or any portion thereof, for human habitation without an annual permit therefore issued by the Director of the Department of Environmental Health.

Section 4. Section 68.905 of the San Diego County Code is hereby amended to read as follows:

SEC. 68.905. UNIFIED PROGRAM FACILITY PERMIT REQUIRED.

No person shall operate a unified program facility as defined in the California Health and Safety Code, Division 20, Chapter 6.11 or generate, store, transfer, or dispose of medical waste without first obtaining a unified program facility permit with the applicable permit elements from the Director of the Department of Environmental Health. Any person who operates a unified program facility or generates, stores, transfers or disposes of medical waste without first obtaining a unified program facility permit from the Director of the Department of Environmental Health shall cease

operations and shall be guilty of a misdemeanor punishable by a \$1,000 fine or 6 months in prison or both. The County may also impose civil penalties against the person in the amount of \$1,000 per violation and may seek injunctive relief if the person refuses to cease operation.

Section 5. Section 68.907 of the San Diego County Code is hereby amended to add subsections 68.907.1 and 68.907.2 to read as follows:

SEC. 68.907. FEE.

Every person required to have a unified program facility permit required by this division shall, at the time of making application or renewal, pay the annual fee prescribed for such permit. Such annual permit fees shall be specified in Section 65.107 of the County Code of Regulatory Ordinances.

SEC. 68.907.1 ESTABLISHED BUSINESS NON-NOTIFICATION FEE

Any person who operates a unified program facility and has failed to submit a permit application or notification to the Department of Environmental Health shall be subject to a one time non-notification fee as specified in Section 65.107(j) of the County Code of Regulatory Ordinances to recover the additional permit processing costs.

SEC. 68.907.2 PERFORMANCE FEE REDUCTION

Biotechnology and testing laboratory facilities subject to the Unified Program Facility Permit base fee, the hazardous waste fees or the hazardous materials fees in Section 65.107 of the County Code of Regulatory Ordinances may have these fees reduced by 25% if the facility meets performance standards as defined by the Department.

For the purposes of this section, biotechnology facilities include sites primarily engaged in the research, development or production of: diagnostic processes, analytical laboratory devices and instruments, medical and surgical instruments, medicinal chemicals, botanical products, pharmaceutical preparations, and biological products. Testing laboratories are laboratories where relatively small quantities of hazardous chemicals are handled. These sites are primarily engaged in: research, analysis, clinical testing, or product development, testing and/or quality control.

Section 6. Section 68.1001.1 of the San Diego County Code is hereby amended to read as follows:

SEC. 68.1001.1. OPERATING PERMIT ELEMENT OF THE UNIFIED PROGRAM FACILITY PERMIT.

For the purposes of this chapter, the operating permit as defined in Chapter 6.7 of Division 20 of the California Health and Safety Code and Title 23 of Division 3 of the California Code of Regulations shall be known as the operating permit element of the unified program facility permit.

Section 7. Section 68.1003 of the San Diego County Code is hereby amended to read as follows:

SEC. 68.1003. OPERATING_PERMIT ELEMENT REQUIRED.

- (a) No person shall own or operate an underground storage tank within the County of San Diego unless by authority of a valid, unexpired, unsuspended and unrevoked unified program facility permit containing an underground storage tank operating_permit_element for the unified program facility on which the tank is located, issued to the owner or operator pursuant to the provisions of this Chapter.
- (b) Any person assuming ownership of an underground storage tank used for the storage of hazardous substances for which a valid operating permit element has been issued shall have 30 days after the date of assumption of ownership to apply for an operations permit or, if accepting a transferred operating permit element, shall submit to the Director the completed form accepting the obligations of the transferred operating permit element. During the period from the date of application until the operating permit element is issued or refused, the person shall not be held to be in violation of this section.
- (c) A person shall be deemed to operate an underground storage tank if the person in effect supervises, inspects, directs, organizes, manages or controls or is in any way responsible for or in charge of the facility for which a permit is required.

Section 8. Section 68.1004 of the San Diego County Code is hereby amended to read as follows:

SEC. 68.1004. INSTALLATION, REPAIR OR CLOSURE PERMIT/EXTENSION.

- (a) **Permit.** No person shall install, repair, replace, modify, upgrade, close or remove an Underground Storage Tank (U.S.T.) within the County of San Diego, unless by authority of a valid, unexpired, unsuspended and unrevoked unified program facility permit containing a U.S.T. Installation, Repair, Replacement, Modification, Upgrade or Closure Element, respectively for such installation, repair, replacement, modification, upgrade, closure or removal, issued to the owner or operator pursuant to the provisions of this Chapter. For the purpose of this section, the underground storage tank includes connected piping and any associated monitoring systems. The U.S.T. Installation, Repair, Replacement, Modification, Upgrade, or Closure Element is valid for one year from the date of issue. Fees paid for plan check and inspections for the Element are not refundable after this one-year period.
- (b) **Timing of Closure.** An owner or operator of an underground storage tank must apply for a unified program facility permit containing a U.S.T. Closure Element, or, if the owner/operator has a unified program facility permit, the owner/operator must apply to modify the permit to include a U.S.T. Closure Element to the permit within 90 days of ceasing operation of the underground storage tank. Activities authorized under the U.S.T. Closure Element shall be completed within 180 days of permit approval or modification. The Director may, in his/her discretion, extend the completion date one time, for up to 180 days.
- (c) The expiration of the permit Element may be extended one time, for 180 days, with payment of the required Plan Extension Fee.

Section 9. Section 68.1009 of the San Diego County Code is hereby amended to read as follows:

SEC. 68.1009. TERM OF THE OPERATING PERMIT ELEMENT.

Operating permit elements issued under Section 68.1003 of this Chapter shall be effective for five years from the date of issuance, except for unified program facility permits which shall be effective for one year from the date of issuance.

Section 10. Section 68.114 of the San Diego County Code is hereby amended to add subsection 68.1114.1 to read as follows:

SEC. 68.1114. PENALTIES.

In addition to penalties provided in State law, the following criminal, civil penalties apply to violations of this Chapter.

- (a) **Penalty for Misdemeanor.** Unless otherwise specified by this Chapter, a misdemeanor is punishable by a fine not exceeding one thousand dollars (\$1000), imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.
- (b) **Civil Penalty.** Any person who violates any provision of this Chapter is liable for a civil penalty of not more than two thousand dollars (\$2,000) for each day, or part thereof, such violation occurs. Any person who knowingly violates any provision of this Chapter, after reasonable notice of the violation is liable for a civil penalty of not more than five thousand dollars (\$5,000) for each day, or part thereof, that such violation occurs. The County Counsel or District Attorney is authorized to bring a civil action in any court of competent jurisdiction to recover such civil penalties for the County.
- (c) **Continuing Violation.** Each and every day a violation of this chapter continues shall constitute a separate offense. The person committing or permitting such offenses may be charged with a separate offense for each such violation and punished accordingly.

Section 11. Section 68.1202 is hereby added to the San Diego County Code, to read as follows:

SEC. 68.1202. MEDICAL WASTE GENERATORS.

- (a) It shall be unlawful for any generator of medical waste, other than a trauma scene waste management practitioner, to store, transfer or dispose of such wastes without an annual Unified Program Facility Permit from the Director of the Department of Environmental Health.
- (b) Any person desiring a permit required by this chapter shall make application as prescribed in Chapter 9, Section 68.906 of this division.
- (c) Maintaining an annual Unified Program Facility Permit satisfies the requirement set forth in the Medical Waste Management Act to register with the enforcement agency.

Section 12. Sections 68.1202 and 68.1203 are hereby deleted from the San Diego County Code:

Section 13. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the San Diego Daily Transcript, a newspaper of general circulation published in the County of San Diego.

Section 14. Operative Date. This Ordinance shall be operative on July 1, 2007.

PASSED, APPROVED AND ADOPTED this 16th day of May 16, 2007.