

ORDINANCE NO. 9953 (NEW SERIES)

**AN ORDINANCE AMENDING SECTION
364.3 OF 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 Department of Agriculture, Weights and Measures provides services and programs to the agricultural business in San Diego County while protecting the environment and ensuring equity in the marketplace. State law provides for the recovery of the costs of these services and 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 its services. Various costs for providing these services and programs have increased since the last fee adjustment in 2002. Accordingly, the Board of Supervisors finds that the Department of Agriculture, Weights and Measures fees should be adjusted for Fiscal Year 2008-09 so the Department can achieve full cost recovery. The Board also finds and determines that the adjusted fees do not exceed the reasonable cost of providing the services or implementing the affected programs.

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 ⁽¹⁾	FEE AMOUNT
Land Use Issues		
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/location
Initial Inspection	CC Art. 11 Sec.7	\$72/hour
Reinspection	CC Art. 11 Sec.7	\$108/hour
Pest Management – Control		
Poison bait sales (rat, squirrel, and mouse bait)	CC Art. 11 Sec.7	\$4/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
Pest Exclusion – Plant Quarantine		
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	\$35/certificate
International Plant Shipment Certification	F&A 5202	\$90/certificate
<u>Domestic</u> Counter Service Certification 10 plants by appointment or Certifications that require no inspection	F&A 5202	\$25/certificate
Federal Counter Service Certification	F&A 5202	\$64/certificate
Specialized field inspections, including:		
Field growing season inspections (portal to	F&A 6303 (d);	\$78/hour

portal) ⁽²⁾	CCR Title 3, 3160 (b)	
Destination point inspections (sealed load) (portal to portal)	F&A 6303 (d); CCR Title 3, 3160 (b)	\$75/hour
Export Treatment/Inspection (portal to portal)	F&A 6303 (d); CCR Title 3, 3160 (b)	\$67/hour
Incoming Shipment Treatments (portal to portal)	F&A 6303 (d); CCR Title 3, 3160 (b)	\$67/hour
Weekend and holiday inspections (min. 1 hour) (portal to portal)	F&A 5202	\$101/hour
Missed Appointment Fee	F&A 5202	\$67/hour
Pesticide Use Enforcement		
Agricultural Pest Control Operator registration	F&A 11734	\$75/hour
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 of County Headquarters	F&A 11923	\$ 5/year
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
Fruit & Vegetable Quality Control		

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)
Apiary Inspection		
Apiary registration 0-9 colonies	F&A 29044	\$0
Apiary registration 10 or more colonies	F&A 29044	\$10/year
Apiary certification (½ hour minimum)	F&A 29143	\$60/hour
Weights and Measures		
Standards calibration services	B&P 12210 (b)	\$60/hour
Inspection/testing of non-commercial devices by request of owner/user:	//////////	//////////
Small capacity scales not exceeding 3,000 lbs. capacity	B&P 12210 (b)	\$63.50/hour + \$0.75/mi
Large capacity scales exceeding 3,000 lbs.	B&P 12210 (b)	\$80/hour + \$1.25/mi

capacity (Test vehicle = 10,000 to 40,000 GVW)		
Retail gasoline dispensers	B&P 12210 (b)	\$60/hour
Wholesale petroleum meters	B&P 12210 (b)	\$60/hour
Liquefied petroleum gas meters	B&P 12210 (b)	\$60/hour
All other commercial devices	B&P 12210 (b)	\$60/hour
Requested inspection of commercially-used devices	////////////////	////////////////
Small capacity scales	B&P 12210.5	Established by the CA Secretary of Agriculture. (3)
Large capacity scales (10,000 to 40,000 GVW)	B&P 12210.5	“
All scales exceeding 3,000 lbs. capacity (> 40,000 GVW)	B&P 12210.5	“
Retail gasoline dispensers	B&P 12210.5	“
Wholesale petroleum meters	B&P 12210.5	“
Liquefied petroleum gas meters	B&P 12210.5	“
All other commercial devices	B&P 12210.5	“
Standby fee	B&P 12210.5	“
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	\$145/location
4 or more stations	CC Art. 11 Sec. 7	\$170/location
Re-inspection (portal to portal)	CC Art. 11 Sec. 7	\$83/hour
Other		
Structural Pest Control Pesticide Exam	MOA FY02-03 With SPCB	\$15
Watershed Management	////////////////	////////////////
Hazardous Materials Inventory	H&S 25404.5	\$100/year

Veterinarian (Public & Non-Ag/Non-Disease Surveillance)	//////////	//////////		
Save body	CC Art. 11 Sec.7	\$20		
Gross Necropsy Exam (Domesticated)	CC Art. 11 Sec.7	\$235		
Microscopic Analysis	CC Art. 11 Sec.7	\$224		
Pathogen Culture and Identification	CC Art. 11 Sec.7	\$107		
Fecal Analysis and Serology	CC Art. 11 Sec.7	\$52		
Antibiotic Sensitivity Testing	CC Art. 11 Sec.7	\$114		
Biopsy	CC Art. 11 Sec.7	\$56		
Wildlife Services Site Visits	CC Art. 11 Sec.7	\$100/site visit		
ACTIVITY	FEE AUTHORITY (1)	FEE EFFECTIVE 1/1/2006	FEE EFFECTIVE 1/1/2007	FEE EFFECTIVE 1/1/2008
Weights and Measures				
Annual registration:	//////////	//////////	//////////	//////////
Business Location Fee (other than co-located business)	B&P 12240 (f, o)	\$60 per business location	\$80 per business location	\$100 per business location
Co-Located Business Location Fee (5)	B&P 12240 (f, o)	\$30 per business location	\$40 per business location	\$50 per business location
Device Fee (by type for all devices):	B&P 12240			
Submeters: Utility meters owned by marinas, mobile home parks, recreational vehicle parks and apartment complexes	B&P 12240 (g) CCRO 21.1706	\$2 per device per space or apartment	\$2 per device per space or apartment	\$2 per device per space or apartment
CNG Meters	B&P 12240 (n)	\$12	\$16	\$20
Fabric/Wire/Cord Meters	B&P 12240 (n)	\$12	\$16	\$20
Grease/Lube Meters	B&P 12240 (n)	\$12	\$16	\$20
Liquified Petroleum Gas Meters	B&P 12240 (l)	\$105	\$140	\$175
Retail Motor Fuel Meters	B&P 12240 (n)	\$12	\$16	\$20

(up to 1,000 lbs.)				
Retail Meters	B&P 12240 (n)	\$12	\$16	\$20
Retail Water Meters	B&P 12240 (n)	\$12	\$16	\$20
Tanks (liquid test)	B&P 12240 (n)	\$12	\$16	\$20
Taximeters	B&P 12240 (n)	\$12	\$16	\$20
Vehicle Meters	B&P 12240 (m)	\$15	\$20	\$25
Wholesale Meter (Mobile)	B&P 12240 (m)	\$15	\$20	\$25
Wholesale Meter (Stationary)	B&P 12240 (m)	\$15	\$20	\$25
Misc. Measuring Devices	B&P 12240 (n)	\$12	\$16	\$20
Computing scales	B&P 12240 (n)	\$12	\$16	\$20
Counter scales	B&P 12240 (n)	\$12	\$16	\$20
Crane scales (2,000 lbs. and <10,000 lbs.)	B&P 12240 (h)	\$90	\$120	\$150
Dormant/Portable Platform (<2,000 lbs.)	B&P 12240 (n)	\$12	\$16	\$20
Dormant/Portable Platform (2,000 lbs. and <10,000 lbs.)	B&P 12240 (h)	\$90	\$120	\$150
Dormant/Portable Platform (10,000 lbs.)	B&P 12240 (h)	\$150	\$200	\$250
Hopper/Tank Scales (2,000 lbs. and <10,000 lbs.)	B&P 12240 (h)	\$90	\$120	\$150
Hopper/Tank Scales (10,000 lbs.)	B&P 12240 (h)	\$150	\$200	\$250
Hanging Scales (<2,000 lbs.)	B&P 12240 (n)	\$12	\$16	\$20
Hanging Scales (2,000 lbs. and <10,000 lbs.)	B&P 12240 (h)	\$90	\$120	\$150
Animal Scales (2,000 lbs. and <10,000 lbs.)	B&P 12240 (h)	\$90	\$120	\$150
Livestock Scales (10,000 lbs.)	B&P 12240 (k)	\$90	\$120	\$150
Monorail/Meatbeam Scales (2,000 lbs. and <10,000 lbs.)	B&P 12240 (h)	\$90	\$120	\$150
Prescription/Jewelers Scales	B&P 12240 (n)	\$12	\$16	\$20

Railway Scales (10,000 lbs.)	B&P 12240 (h)	\$150	\$200	\$250
Vehicle Scales (10,000 lbs.)	B&P 12240 (h)	\$150	\$200	\$250
Misc/Forklift Scales (2,000 lbs. and <10,000 lbs.)	B&P 12240 (h)	\$90	\$120	\$150
Misc/Forklift Scales (10,000 lbs.)	B&P 12240 (h)	\$150	\$200	\$250
Miscellaneous Scales (conveyor belt scales) (10,000 lbs.)	B&P 12240 (h)	\$150	\$200	\$250
Devices at a co-located business ⁽⁵⁾	B&P 12240 (n)	\$6	\$8	\$10

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	91917	91962	92066
91977	92123	91915	91963	92086
92014	92124	91914	91980	92259
92020	92126	91932	92003	92036 East ⁽⁴⁾
92037	92127	91935	92028	92536
92064	92128	91978	92036 West ⁽⁴⁾	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		92081		
92115		92083		
92116		92084		
92117		92154		
		92173		

SPECIAL PROJECTS:

Special Projects include, but are not limited to, preparation for and speaking at public workshops, engagements, meetings, preparation of reports, review of reports or documents, and/or research. Fees for special projects shall be calculated and will be charged using the standard hourly billing rates set forth below.

CLASS	CLASS TITLE	HOURLY RATE
2120	County Veterinarian	\$194
4230	Veterinary Pathologist	\$145
4317	Disease Research Scientist	\$74
5426	Agricultural Scientist	\$102
0960	Dep Agric Comm & Sealer	\$89
5392	Agricultural/Std's Inspector	\$57
5393	Sr Agricultural/Std's Inspector	\$60
5394	Supv Agric/Standards Inspector	\$72

(1) 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

H&S = California Health & Safety Code

LC = California Labor Code

SPCB = Structural Pest Control Board

(2) Portal to portal is defined as the time when the inspector leaves the office, the time spent at the customer's property, to the time the inspector returns to the office.

(3) 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.

(4) 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

(5) A co-located business is one that: (a) operates in, at or immediately adjacent to another business that pays an annual registration fee under this section; (b) at that location has the same street address as the other business; (c) is at that location with the written permission of the other business; and (d) uses weighing devices with 30 or fewer pounds capacity or measuring devices that dispense only 5 or fewer gallons. One example is water-dispensing machines outside a grocery store.

Section 3. Effective Date. This ordinance shall take effect and be in force 30 days after its passage, and before the expiration of 15 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 San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

Section 4. Operative Date. This ordinance shall be operative on the effective date as specified in Section 3 above except for the amendment to the fees for Point-of-Sale Systems permit, which shall be operative on October 1, 2008.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this 6th day of August, 2008.