

ORDINANCE AMENDING PORTIONS OF ADMINISTRATIVE CODE SECTIONS 451-467
REGARDING THE FUNCTIONS OF THE DEPARTMENT OF PUBLIC WORKS

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

Section 1. In order to improve and streamline the land development process, the County of San Diego has been working to consolidate functions of the Department of Public Works (DPW) and Department of Planning and Development Services (PDS) into a single point of service. This effort is visible today at the land development permit counter at the County Operations Center and in the consolidated tables in the San Diego County Administrative Code that detail the types of permits and charges necessary to obtain a project approval. As part of the ongoing effort, County ordinances that detail DPW functions are continually reviewed and amended when necessary to reflect the reorganization and streamlining of land development services. As part of this review, amendments to improve the readability of the Code and to reflect current business practices are also implemented.

Section 2. Certain portions of the Administrative Code from between Section 451 and Section 467, as identified below, related to the functions of the Department of Public Works of the County of San Diego are hereby amended to read as follows:

SEC. 451. RECOGNITION OF DIRECTOR OF PUBLIC WORKS.

(a) There is in the County and in the Department the position of Director of Public Works, hereinafter in the Article referred to as Director. The Director shall ex officio be the County Engineer and Road Commissioner, the County Surveyor, the Director of Transportation, and the Director of Wastewater Management and Flood Control. The Director shall be a registered Civil Engineer of the State. Such position shall be in the Executive Management of the County and shall be filled by appointment by the Chief Administrative Officer in accordance with the County Charter and of the rules and policies established thereunder, and County ordinances.

(b) Notwithstanding subdivision (a) of this section, the Director shall be a registered Civil Engineer of the State, unless the Chief Administrative Officer determines that the Director is qualified and competent to perform the duties of the position without such registration. Any civil engineering functions which are required to be performed by the Director may be performed by a registered Civil Engineer or any surveying functions which are required to be performed by the Director may be performed by a licensed surveyor acting under the authority of the Director.

(Amended by Ord. No. 2979 (N.S.), adopted 8-2-66; amended by Ord. No. 3523 (N.S.), adopted 5-26-70; amended by Ord. No. 3524 (N.S.), adopted 5-26-70, effective 7-1-70; amended by Ord. No. 4514 (N.S.), effective 6-26-75, operative 7-1-75; amended by Ord. No. 5355 (N.S.), effective 2-22-79, operative 3-23-79; amended by Ord. No. 5918 (N.S.), effective 12-4-80; amended by Ord. No. 7997 (N.S.), effective 12-5-91; amended by Ord. No. 8188 (N.S.), effective 2-4-93; amended by Ord. No. 8286 (N.S.), effective 9-2-93; amended by Ord. No. 8781 (N.S.), effective 5-15-97; amended by Ord. No. 9074 (N.S.), effective 9-10-99; amended by Ord. No. 9839 (N.S.), operative 3-30-07)

Cross reference(s) -- County engineer defined, § 25.3.; surveyor and road commissioner defined, § 31; director of transportation defined, § 31.1; director of sanitation and flood control defined, § 31.2.

SEC. 452. DUTIES OF DIRECTOR.

The Director shall act under the supervision of the Board, shall be subject to its jurisdiction and shall be subject to the general supervision of the Chief Administrative Officer. The Director shall exercise general supervision over all functions of the Department and shall enforce such rules and regulations as are prescribed by the Board, pursuant to Section 706 of the Charter.

(Amended by Ord. No. 2979 (N.S.), adopted 8-2-66; amended by Ord. No. 3348 (N.S.), adopted 5-12-79; amended by Ord. No. 4514 (N.S.), effective 6-26-75, operative 7-1-75; amended by Ord. No. 5355 (N.S.), effective 2-22-79, operative 3-23-79; amended by Ord. No. 7997 (N.S.), effective 12-5-91)

Cross reference(s) -- Chief administrative officer, § 120 et seq.; powers and duties of officers, boards, and commissions, § 51.

SEC. 453. DIRECTOR TO APPOINT PERSONNEL.

The Director shall appoint and employ such personnel as may be necessary to properly conduct the business of the Department. All appointments and employments made by the Director shall be in accordance with the provisions of the County Charter, the Rules of the Civil Service Commission and County ordinances.

(Amended by Ord. No. 2979 (N.S.), adopted 8-2-66; amended by Ord. No. 4514 (N.S.), effective 6-26-75, operative 7-1-75; amended by Ord. No. 7997 (N.S.), effective 12-5-91)

SEC. 454. DIRECTOR TO PREPARE BUDGET AND SUPERVISE EXPENDITURES.

The Director shall prepare and file the required annual itemized estimates of expenditures and revenues for the Department in accordance with State law and this Code. The Director shall supervise the expenditures of all funds allotted to the Department.

(Amended by Ord. No. 5355 (N.S.), effective 2-22-79, operative 3-23-79; amended by Ord. No. 7997 (N.S.), effective 12-5-91)

Cross reference(s) -- Budget procedures, etc., § 110 et seq.

SEC. 454.1. SOLID WASTE ENVIRONMENTAL TRUST FUND.

There is hereby established the Solid Waste Environmental Trust Fund ("Trust Fund") to be administered by the Director. Expenses incident to the monitoring, maintenance, repair, remediation, conversion, construction, closure, lease, or sale of County-owned or formerly County-owned or operated inactive or closed solid waste disposal facilities or other real property necessary to the management of these facilities shall be paid for from this Trust Fund. These facilities and properties exclude those assets sold to Allied Waste Industries, Inc. as specified in the Purchase and Sale Agreement executed on August 12, 1997. Also, expenses incident to carrying out the County's responsibilities related to the Otay Class I site, the Ramona (landfill) Offsite Environmental Conditions and any pre-existing environmental liabilities at the North County Resource Recycling Facility (NCRRF) or solid waste facilities leased to Allied Waste Industries, Inc., as set forth in the Purchase and Sale Agreement shall be paid for from this Trust Fund. The funds held in the Trust Fund shall not be used or budgeted other than for the purposes set forth in this section. Anticipated costs for these various activities will be budgeted annually in the Inactive Waste Site Management Special Revenue Fund. The following costs that are related or incidental to the functions and responsibilities listed above that may be paid for from the Trust Fund include:

- (a) Procurement of necessary services and supplies;
- (b) Payment for permits or other regulatory fees and fines;
- (c) Repayment of any loans;
- (d) Legal services and litigation expenses;
- (e) Acquisition or leasing of new and replacement equipment;
- (f) Payment of allocated department personnel salaries and benefits;
- (g) Payment of County and Departmental overhead and support costs;
- (h) Acquisition of real property;
- (i) Construction of major or minor facilities; and
- (j) Procurement of technological studies and site management services.

This Trust Fund shall survive for a period of no less than thirty (30) years. The adequacy of the Trust Fund with respect to the responsibilities of the County for these sites, both during and beyond the initial thirty (30)

year period, shall be reassessed and the information presented to the Board at least once every five (5) years. Monies from this fund shall be invested by the County Treasurer such that earnings are consistent with prudent investment practices and all earnings accrue to the Trust Fund. All interest earned by the Inactive Waste Site Management Special Revenue Fund shall also accrue to this Trust Fund. Monies from this Trust Fund may be loaned to any of the County family of funds for a period not to exceed 180 days with interest to accrue at the higher of the Treasurer's pool rate or the overnight investment rate.

(Added by Ord. No. 8853 (N.S.), effective 12-2-97; amended by Ord. No. 9074 (N.S.), effective 9- 10-99; amended by Ord. No. 9672 (N.S.), effective 8-27-04; amended by Ord. No. 10237 (N.S.), effective 1-4-13)

SEC. 455. FUNCTIONS OF DEPARTMENT.

The Department shall perform such functions or duties as are imposed by statute upon either the County Surveyor, County Engineer, the County Road Commissioner, or the Flood Plain Administrator and such other functions as may be assigned to it by the Board including the following:

(a) Field Operations:

(1) Examine and inspect all County roads, highways, bridges and culverts and endeavor to keep same clear of obstructions and in good condition.

(2) Compile and maintain a County road register in accordance with the requirements of the Streets and Highways Code of the State of California.

(3) Control and manage all County owned or leased real property acquired with funds from the Road Fund or other funds the use of which is restricted to highway purposes, including necessary borrow pits, quarries and material storage areas.

(4) Inspect and maintain flood control and storm drainage channels, conduits and structures.

(5) Compile and maintain maps, records and other data as necessary to maintain transportation systems.

(b) Engineering:

(1) Prepare or cause to be prepared all surveys, plans and specifications and estimates of cost of all work on wastewater and flood control facilities, closed and inactive solid waste disposal facilities, County airports, roads, highways, bridges, and stormwater treatment devices whether performed under contract or with County forces and equipment.

(2) Examine and inspect all work performed under public contract on all, closed and inactive solid waste disposal facilities, County airports, roads, highways, wastewater and flood control facilities, bridges, culverts, and stormwater treatment devices, and require the same to be done in accordance with the plans and specifications filed with the Board and make such reports to the Board, from time to time as said Board may direct, respecting the progress and cost of all such work.

(3) Examine plans and specifications for and inspect all work done by subdivision developers on County roads, highways, bridges, culverts, wastewater and flood control facilities, and require the same to be done in conformance with County specifications and requirements.

(4) Examine plans and specifications for and inspect all work done on any road which the Board has approved for acceptance by the County upon its improvement to County standards and requirements, provided application for such examination and inspection is made and the costs thereof are first paid to the Department.

(5) Inspect work done within road rights of way, utility installations, and road uses resulting from permits for encroachment, and subject to the provisions of law and County ordinances.

(6) Develop standards for the construction of County roads, highways, bridges, culverts, local drainage systems, stormwater treatment devices, and other similar improvements.

(c) Surveyor:

- (1) Prepare and maintain such County maps as may be prescribed by law or directed by the Board, including all election precinct and school district maps and legal description of boundaries thereof.
- (2) Check all Subdivision Maps, Parcel Maps and Record of Survey Maps as required by law or County ordinance.
- (3) Maintain a record of all drawings and plans for all construction and alteration of roads, highways, bridges, culverts, traffic devices and related facilities in the County's maintained road system.
- (4) Perform or authorize to be performed retracement or remonument surveys of major historical land division lines upon which later surveys are based, such as, but not limited to, government section lines, rancho lines, grant lines, rancho section lines, acreage subdivision lot lines, and subdivision boundary lines within such county.
- (5) Establish monuments and vertical control benchmarks in accordance with the County-wide California Coordinate System and prepare and maintain lists and supplemental maps of graphic indexes of California Coordinate Monuments and bench marks.
- (6) Prepare and maintain topographic, photographic and other maps of the County of San Diego for use by the County and the general public.

(d) Traffic Engineering:

- (1) Provide administrative support and traffic engineering services to the County Traffic Advisory Committee.
- (2) Work with residents and agencies on improving traffic safety and resolving traffic engineering matters.
- (3) Review for approval in those cases where research, opinion, recommendation, or other exceptions to the established road design standards are requested for the construction of County-maintained roads.
- (4) Inspect, accept, maintain, and operate traffic control devices and streetlight installations within road rights of way.
- (5) Process special event traffic operations permits for block parties, parades, and other special events within the County roads.

(e) Wastewater Management:

- (1) Operate those County sanitation districts for which the County has contracted to furnish such service and all sewer and water maintenance districts and sanitation districts under the control of the Board.
- (2) Establish, subject to the approval of the Board, plans and standards for the development and rules and regulations for the operation of such districts and the projects and activities assigned to the Department.
- (3) Supervise the conduct of such improvement act proceedings as may be assigned by the Board.
- (4) Control and manage property under the jurisdiction of the County used for the production and distribution of water through a County service area, County maintenance district, or similar area or district.

(f) Flood Control:

- (1) Represent the County and San Diego County Flood Control District in the field of flood control and perform such functions and duties as may be necessary to perform this task in accordance with applicable laws.
- (2) Provide professional engineering and administrative support to the County of San Diego Flood Control Advisory Commission.
- (3) Administer the Federal Emergency Management Agency's National Flood Insurance Program locally.
- (4) Examine plans and specifications for and inspect all work done on any flood control facility which the Board has approved for acceptance by the County of San Diego Flood Control upon its improvement to

applicable standards and requirements, provided application for such examination and inspection is made and the costs thereof are paid to the County or Flood Control District.

(g) Watershed Protection:

- (1) Foster water quality improvement through collaborative planning with partner agencies.
- (2) Carry on activities as may be assigned by the Board of Supervisors to promote a healthy watershed and comply with federal and state law, including but not limited to applicable National Pollutant Discharge Elimination System (NPDES) permits and Total Maximum Daily Load (TMDL) requirements.
- (3) Promote water quality through outreach and public education.

(h) Closed Landfills:

- (1) Control and manage all County owned or leased real property necessary to the management of the County's closed and inactive solid waste disposal facilities.
 - (A) Protect human health and the environment.
 - (B) Comply with federal, state, and local regulations.
 - (C) Maintain sites using best management practices.
 - (D) Maximize the rate of return on all assets.

(i) Private Development Construction Inspection:

- (1) Review tentative and final maps, plans and specifications, subdivision improvement and other agreements to ensure facilities are constructed by private developers in accordance with approved plans, project conditions, and applicable contracts.
- (2) Review permits for encroachments into road rights of way and other facilities managed by the Department to ensure the encroachments are constructed or placed in accordance with applicable law and requirements.

(j) Private Road and Landscape Maintenance:

- (1) Form, administer, and provide maintenance services for special districts such as County Service Areas, County-wide Lighting and Landscape Improvement and Maintenance Districts, Underground Utility Districts, Assessment Districts, Special Tax Districts, and Permanent Road Divisions under the jurisdiction of the Department.

(k) Solid Waste Planning and Recycling

Provide countywide solid waste planning and management functions.

- (1) Manage waste reduction and recycling components of the County's Integrated Waste Management Plan.
- (2) Manage the construction and demolition debris diversion program.
- (3) Manage the County's Non-exclusive Solid Waste Management Agreements (Franchise Agreements).
- (4) Prepare and update appropriate sections of the Countywide Integrated Waste Management Plan for the San Diego region as required.

(Amended by Ord. No. 3524 (N.S.), adopted 5-26-70, effective 7-1-70; amended by Ord. No. 4514 (N.S.), effective 6-26-75, operative 7-1-75; amended by Ord. No. 4886 (N.S.), effective 5-5-77; amended by Ord. No. 5194 (N.S.), effective 8-4-78; amended by Ord. No. 5918 (N.S.), effective 12-4-80; amended by Ord. No. 7997 (N.S.), effective 12-5-91; amended by Ord. No. 8865 (N.S.), effective 1-6-98; amended by Ord. No. 9074 (N.S.), effective 9-10-99; amended by Ord. No. 9270 (N.S.), effective 12-15-00; amended by Ord. No. 10237 (N.S.), effective 1-4-13)

Cross reference(s) -- Acquisition, etc., of real property, § 73 et seq.; board of supervisors, § 500 et seq.

SEC. 455.1. AIRPORT OPERATIONS.

The Director shall have responsibility for the management, supervision and operation of all County airports and such aviation-oriented functions as may be assigned to it by the Board. This will also include the control and management of all County owned or leased real property acquired for airport purposes.

(Added by Ord. No. 4514 (N.S.), effective 6-26-75, operative 7-1-75; amended by Ord. No. 7997 (N.S.), effective 12-5-91; amended by Ord. No. 9074 (N.S.), effective 9-10-99)

SEC. 455.2. TRANSPORTATION PLANNING AND FUNDING.

(a) Prepare and implement annual and multi-year programs for the appropriate expenditure of funds for transportation purposes. The programs shall be multi-modal in scope and shall include funds available to the County for transportation operations and implementation.

(b) Provide services to other County agencies including information, analysis and consultation regarding transportation matters.

(c) Make application for and manage Federal and State grants for transportation matters.

(d) Provide analysis, evaluation and recommendations in transportation matters for the Board.

(Added by Ord. No. 4514 (N.S.), effective 6-26-75, operative 7-1-75; amended by Ord. No. 7997 (N.S.), effective 12-5-91; amended by Ord. No. 9074 (N.S.), effective 9-10-99)

SEC. 455.3. [RESERVED.]

(Added by Ord. No. 9074 (N.S.), effective 9-10-99; repealed by Ord. No. 9726 (N.S.), effective 8-12-05)

SEC. 456. ROAD DIVISIONS.

All of the unincorporated territory in the County and such incorporated territory in the County as may be under the jurisdiction of the County for road purposes, shall be divided by the Director, subject to approval by the Board, into suitable management units for the most economical construction, maintenance and repair of County roads, highways, bridges and culverts therein.

(Amended by Ord. No. 2979 (N.S.), adopted 8-2-66; amended by Ord. No. 7997 (N.S.), effective 12-5-91; amended by Ord. No. 9074 (N.S.), effective 9-10-99)

SEC. 456.1. REPORT ON ACCEPTANCES

The Director may accept into the County road system any road or portion of road for which an offer of dedication has been accepted or conditionally accepted, and the Director may record real property interests conveyed to the County for road uses or purposes. Before recording any such conveyance, the Director shall affix a certificate to the recording instrument stating the acceptance into the County road system and designating the name or number or both of the County road. The Director shall report all acceptances and recordings to the Board at the end of each fiscal year or at more frequent intervals as determined by the Board.

(Added by Ord. No. 7632 (N.S.), effective 6-30-89; amended by Ord. No. 7997 (N.S.), effective 12-5-91)

SEC. 457. EQUIPMENT REPAIR STATIONS.

The Director shall provide Equipment Repair Stations.

(Amended by Ord. No. 2979 (N.S.), adopted 8-2-66; amended by Ord. No. 4886 (N.S.), effective 5-5-77; amended by Ord. No. 6265 (N.S.), effective 5-13-82; amended by Ord. No. 7997 (N.S.), effective 12-5-91; amended by Ord. No. 8454 (N.S.), effective 11-3-94; amended by Ord. No. 9074 (N.S.), effective 9-10-99)

SEC. 458. EQUIPMENT INTERNAL SERVICE FUND.

There is in the Department an Equipment Internal Service fund (heretofore designated the Public Works Equipment Internal Service Fund). Revenue and expenses incident to the acquisition, operation, maintenance and repair of departmental equipment and equipment facilities used in the construction, maintenance and repair of county roads, highways, bridges and culverts and such other activities as the director is responsible for, shall be expended and accounted for through this fund, and shall include:

- (a) Acquisition of new and replacement equipment;
- (b) Procurement of necessary supplies, parts and services; and
- (c) Serving as a depository for equipment rental and replacement receipts, and for such other revenue that may be advanced or due, in support of, the Equipment Internal Service Fund.

(Amended by Ord. No. 6265 (N.S.), effective 5-13-82; amended by Ord. No. 7997 (N.S.), effective 12-5-91; amended by Ord. No. 8454 (N.S.), effective 11-3-94; amended by Ord. No. 9074 (N.S.), effective 9-10-99)

SEC. 459. ADMINISTRATIVE PERMIT DEPOSIT.

In those cases where review, research, opinion, recommendation, or other involvement from the Department of Public Works will be needed in the consideration and processing of an Administrative Permit or the extension of time on an Administrative Permit (per Zoning Ord. Section 7056), the actual costs of the Department shall be paid by the applicant. Applications that may affect traffic flows, traffic safety, drainage patterns, grading, or planned future roads shall be deemed to require such involvement. At the time of application for a permit or time extension, the applicant shall deposit a sum estimated to be sufficient to cover the actual costs of performing the work. The amount of said deposit shall be prescribed by the Board of Supervisors.

(Added by Ord. No. 9027 (N.S.), effective 6-19-99; amended by Ord. No. 9533 (N.S.), effective 5-4-03)

SEC. 459.1. APPEALS TO PLANNING COMMISSION AND BOARD OF SUPERVISORS.

Upon the filing of any appeal by a project applicant to the San Diego County Planning Commission or Board of Supervisors relating to a decision or permit on a private development project, where processing of the appeal requires review, research, opinion, recommendation, or other involvement from the Department of Public Works, the actual costs of the Department shall be paid by the applicant. At the time of filing, the applicant shall deposit a sum estimated to be sufficient to cover the actual costs of performing the required work. The amount of said deposit shall be prescribed by the Board of Supervisors.

(Added by Ord. No. 9027 (N.S.), effective 6-19-99; amended by Ord. No. 10237 (N.S.), effective 1-4-13)

SEC. 459.2. APPEAL OF AN ADMINISTRATIVE DECISION.

Upon the filing of any appeal by a project applicant of an Administrative Decision (as described in section 7201 County of San Diego Zoning Ordinance) relating to a decision or permit on a private development project, where processing of the appeal requires review, research, opinion, recommendation, or other involvement from the Department of Public Works, the actual costs of the Department shall be paid by the applicant. At the time of filing, the applicant shall deposit a sum estimated to be sufficient to cover the actual costs of performing the required work. The amount of said deposit shall be prescribed by the Board of Supervisors.

(Added by Ord. No. 9027 (N.S.), effective 6-19-99; amended by Ord. No. 10237 (N.S.), effective 1-4-13)

SEC. 459.2.1. ASSESSMENT AND SPECIAL TAX DISTRICT FORMATION.

Petitions or requests for the formation of Assessment or Special Tax Districts or Zones to fund ongoing maintenance of improvements including, but not limited to, Stormwater Structural Best Management Practices (BMPs), Drainage Facilities, Parks, Open Space, Trails, Private Roads, or Landscaping shall be filed with the Director of Public Works. At the time such petition or request is filed, the applicant or

petitioner shall deposit a sum estimated to be sufficient to cover the actual costs of forming the District or Zone. The amount of said deposit shall be prescribed by the Board of Supervisors.
(Added by Ord. No. 9750 (N.S.), effective 3-12-06)

SEC. 459.3. BOUNDARY ADJUSTMENT PLATS.

In those cases where review, research, opinion, recommendation, or other involvement from the Department of Public Works will be needed in the consideration and processing of a Boundary Adjustment Plat (per sections 81.201 et seq. of the County of San Diego Code of Regulatory Ordinances), the actual costs of the Department shall be paid by the applicant. At the time of filing an adjustment plat as described, the applicant shall deposit a sum estimated to be sufficient to cover the actual costs of performing the required work. The amount of said deposit shall be prescribed by the Board of Supervisors.
(Added by Ord. No. 9027 (N.S.), effective 6-19-99)

SEC. 459.4. CERTIFICATE OF COMPLIANCE.

In those cases where review, research, opinion, recommendation, or other involvement from the Department of Public Works will be needed in the consideration and processing of a Certificate of Compliance, Certificate of Compliance with Boundary Adjustment Plat (per Section 81.1101 et seq. of the San Diego County Code), or the resolution of a violation, the actual costs of the department shall be paid by the applicant. At the time of filing an adjustment plat as described, the applicant shall deposit a sum estimated to be sufficient to cover the actual costs of performing the required work. The amount of said deposit shall be prescribed by the Board of Supervisors.
(Added by Ord. No. 9027 (N.S.), effective 6-19-99; amended by Ord. No. 9533 (N.S.), effective 5-4-03)

SEC. 459.5. ENVIRONMENTAL REVIEW.

In those cases where review, research, opinion, recommendation, or other involvement from the Department of Public Works will be needed in the consideration and processing of environmental documents, reports, studies, declarations, or permits, the actual costs of the department shall be paid by the applicant. These efforts will include, but not be limited to, exemptions, Environmental Impact Reports, Extended Initial Studies, Technical Studies, and Negative Declarations; and cover the areas of traffic flows, traffic safety, drainage matters, stormwater quality, grading, and planned future roads. At the time of application, the applicant for the permit shall deposit a sum estimated to be sufficient to cover the actual costs. The amount of said deposit shall be prescribed by the Board of Supervisors.
(Added by Ord. No. 9027 (N.S.), effective 6-19-99; amended by Ord. 9290 (N.S.), effective 2-11-01)

SEC. 459.6. [RESERVED].

(Added by Ord. No. 9027 (N.S.), effective 6-19-99; amended by Ord. 9290 (N.S.), effective 2-11-01; repealed by Ord. No. 9533 (N.S.), effective 5-4-03)

SEC. 459.7. MINOR USE PERMITS.

In those cases where review, research, opinion, recommendation, or other involvement from the Department of Public Works will be needed in the consideration and processing of an application, minor deviation, or modification of a Minor Use Permit (per sections 7354, 7609, and 7378 of the County of San Diego Zoning Ordinance), the actual costs of the Department shall be paid by the applicant. At the time of filing an application, or requesting a minor deviation or modification as described, the applicant shall deposit a sum estimated to be sufficient to cover the actual costs of performing the required work. The amount of said deposit shall be prescribed by the Board of Supervisors.
(Added by Ord. No. 9027 (N.S.), effective 6-19-99)

SEC. 459.8. PRE-APPLICATION ASSISTANCE.

In those cases where, in anticipation of filing an application, a request is made for the Department of Public Works to review, research, give opinions, make recommendations, or perform other work related to a future project, a pre-intake assistance deposit or pre-application deposit shall be collected as a condition to performing any work as follows:

(a) Board Established Pre-Intake Assistance Deposits. In those instances where the Board has established a pre-intake assistance deposit or pre-application deposit, a deposit shall be collected before performing any work on the project. If the funds deposited are inadequate to complete the work requested, additional funds shall be deposited to ensure the actual costs of the Department are paid in advance by the requestor. Additional deposits required shall be calculated on a time and materials basis using, when available, Board approved fee schedules.

(b) Department Established Pre-Intake Assistance Deposits. In those instances where the Board has not established a pre-intake assistance deposit or pre-application deposit, prior to performing any work on the project, a deposit shall be collected in an amount estimated to be sufficient to cover the Department's costs. The deposit shall be calculated on a time and materials basis using, when available, Board approved fee schedules.

Any portion of a pre-intake assistance deposit or pre-application deposit remaining at the time of application submittal shall be applied to the deposit or fee otherwise due at the time of submittal. The Department shall not be required to refund any unused portions of the pre-intake assistance deposit until after all work on the project has been completed or terminated.

(Added by Ord. No. 9027 (N.S.), effective 6-19-99; amended by Ord. No. 9917 (N.S.), effective 3-30-08)

SEC. 459.9. RECLAMATION PLAN.

In those cases where review, research, opinion, recommendation, or other involvement from the Department of Public Works will be needed in the consideration and processing of an application or modification of a Reclamation Plan (per sections 87.706 of the County of San Diego Code of Regulatory Ordinances), the actual costs of the Department shall be paid by the applicant. At the time of filing an application, or requesting a modification as described, the applicant shall deposit a sum estimated to be sufficient to cover the actual costs of performing the required work. The amount of said deposit shall be prescribed by the Board of Supervisors.

(Added by Ord. No. 9027 (N.S.), effective 6-19-99)

SEC. 460. RECORD OF SURVEY EXAMINATION.

Upon filing of a record of survey map for examination, the County Surveyor shall examine it as required by Section 8766 of the Business and Professions Code. At the time of filing a Record of Survey, the applicant will be required to pay a fee to the Department of Public Works, in the amount as prescribed by the Board of Supervisors.

(Added by Ord. No. 9027 (N.S.), effective 6-19-99; amended by Ord. 9290 (N.S.), effective 2-11-01)

SEC. 460.1. REMANDMENT REVIEW DEPOSIT.

In those cases where review, research, opinion, recommendation, or other involvement from the Department of Public Works will be needed in the consideration and processing of a remandment of relinquished abutters rights of access, the actual costs of the Department shall be paid by the applicant. Applications that may affect traffic flows, traffic safety, or planned future roads shall be deemed to require such involvement. At the time of application, the applicant for the remandment shall deposit a sum estimated to be sufficient to cover the actual costs. The amount of said deposit shall be prescribed by the Board of Supervisors.

(Added by Ord. No. 9027 (N.S.), effective 6-19-99)

SEC. 460.2. SITE PLAN REVIEW.

In those cases where review, research, opinion, recommendation, or other involvement from the Department of Public Works will be needed in the consideration and processing of an application, minor deviation, modification, or time extension of a Site Plan (per sections 7158, 7602, 7609, 7169, and 7168 of the County of San Diego Zoning Ordinance), the actual costs of the Department shall be paid by the applicant. At the time of filing an application, or requesting a minor deviation, modification, or time extension as described, the applicant shall deposit a sum estimated to be sufficient to cover the actual costs of performing the required work. The amount of said deposit shall be prescribed by the Board of Supervisors.

(Added by Ord. No. 9027 (N.S.), effective 6-19-99)

SEC. 460.3. STREET NAME SIGN INSTALLATION.

Upon request from interested citizens, the Department of Public Works will install a standard street name sign at those locations where a County maintained road is intersected by a non-maintained County road, or replace a street name sign subsequent to a street name change, per Board Policy J-4. At the time of submitting the request, the applicant will be required to pay a fee to the Department of Public Works, in an amount sufficient to cover the actual costs of performing the required work. The amount of said fee shall be prescribed by the Board of Supervisors.

(Added by Ord. No. 9027 (N.S.), effective 6-19-99; amended by Ord. 9290 (N.S.), effective 2-11-01)

SEC. 460.3.1. STREET LIGHT PLAN REVIEW.

In those cases where review, research, opinion, recommendation, or other involvement from the Department of Public Works will be needed in the consideration and processing for street lights or annexation to the County lighting district, the requestor shall deposit a sum estimated to be sufficient to cover the actual costs of performing the work. The amount of said deposit shall be prescribed by the Board of Supervisors.

(Added by Ord. No. 9533 (N.S.), effective 5-4-03)

SEC. 460.4. VARIANCE REVIEW DEPOSIT.

In those cases where review, research, opinion, recommendation, or other involvement from the Department of Public Works will be needed in the consideration and processing of an Administrative Variance, or application, minor deviation, modification, or time extension of a Variance (per sections 7106, 7602, 7104, 7609, 7124, and 7126 of the County of San Diego Zoning Ordinance), the actual costs of the Department shall be paid by the applicant. At the time of filing an application, or requesting a minor deviation, modification, or time extension as described, the applicant shall deposit a sum estimated to be sufficient to cover the actual costs of performing the required work. The amount of said deposit shall be prescribed by the Board of Supervisors.

(Added by Ord. No. 9027 (N.S.), effective 6-19-99)

SEC. 460.30. [RESERVED.]

(Added by Ord. No. 9290 (N.S.), effective 2-11-01; repealed by Ord. No. 10237 (N.S.), effective 1-4-13)

SEC. 460.31. MONUMENTATION.

Monumentation activities include lot staking. At the time of application, the applicant for the permit shall deposit a sum estimated to be sufficient to cover the actual costs. The amount of said deposit shall be prescribed by the Board of Supervisors.

(Added by Ord. No. 9290 (N.S.), effective 2-11-01; amended by Ord. No. 10237 (N.S.), effective 1-4-13)

SEC. 460.32. MAJOR USE PERMIT.

At the time of application, the applicant for the permit shall deposit a sum estimated to be sufficient to cover the actual costs. The amount of said deposit shall be prescribed by the Board of Supervisors.
(Added by Ord. No. 9290 (N.S.), effective 2-11-01)

SEC. 460.33. REZONE-RECLASS W/OUT GPA.

At the time of application, the applicant for the permit shall deposit a sum estimated to be sufficient to cover the actual costs. The amount of said deposit shall be prescribed by the Board of Supervisors.
(Added by Ord. No. 9290 (N.S.), effective 2-11-01)

SEC. 460.34. SEWER PLAN REVIEW.

At the time of application, the applicant for the permit shall deposit a sum estimated to be sufficient to cover the actual costs. The amount of said deposit shall be prescribed by the Board of Supervisors.
(Added by Ord. No. 9290 (N.S.), effective 2-11-01)

SEC. 460.35. [RESERVED].

(Added by Ord. No. 9290 (N.S.), effective 2-11-01; repealed by Ord. 9431 (N.S.), effective 4-7-02)

SEC. 460.36. STORMWATER MANAGEMENT PLAN REVIEW.

In those cases where review, research, opinion, recommendation, or other involvement from the Department of Public Works will be needed in the consideration and processing of a Stormwater Management Plan for a minor or major project, the applicant shall at the time of application deposit a sum estimated to be sufficient to cover the actual costs of performing the work. The amount of said deposit shall be prescribed by the Board of Supervisors.
(Added by Ord. No. 9533 (N.S.), effective 5-4-03)

SEC. 460.37. [RESERVED.]

(Added by Ord. No. 9533 (N.S.), effective 5-4-03; repealed by Ord. No. 9750 (N.S.), effective 3-12-06)

SEC. 460.38. BUILDING PLAN PRE-SUBMITTAL SCREENING.

At the time of initial building plan pre-submittal intake, the applicant shall pay a sum sufficient to cover the actual costs of performing the work, as set forth in Section 362.1 of the County Administrative Code.
(Added by Ord. No. 9750 (N.S.), effective 3-12-06; amended by Ord. No. 9968 (N.S.), effective 3-29-09)

SEC. 461. [RESERVED].

(Amended by Ord. No. 3102 (N.S.), adopted 8-8-67; amended by Ord. No. 3413 (N.S.), adopted 9-15-69; amended by Ord. No. 3434 (N.S.), adopted 11-23-69, effective 1-1-70; amended by Ord. No. 5229 (N.S.), effective 9-21-78; amended by Ord. No. 5543 (N.S.), effective 7-5-79; amended by Ord. No. 6605 (N.S.), effective 7-15-83; amended by Ord. No. 6715 (N.S.), effective 2-17-84; amended by Ord. No. 7986 (N.S.), effective 11-7-91; amended by Ord. No. 9074 (N.S.), effective 9-10-99; amended by Ord. No. 9290 (N.S.), effective 2-11-01; amended by Ord. No. 9533 (N.S.), effective 5-4-03; repealed by Ord. No. 10237 (N.S.), effective 1-4-13)

SEC. 462. DEPOSIT FOR ROAD OPENINGS.

All petitions or applications for the opening or establishment of a County highway shall be filed with the Director of Planning and Development Services. The Department of Planning and Development Services may determine that the application should be transferred to the Department of Public Works, along with the required deposit, for processing. At the time such petition or application is filed, the applicant or petitioner shall pay a deposit to defray the expenses incurred by the County in investigating and processing the petition

or application. The amount of the deposit shall be prescribed by the Board of Supervisors. (Amended by Ord. No. 3102 (N.S.), adopted 8-8-67; amended by Ord. No. 3413 (N.S.), adopted 9-15-69; amended by Ord. No. 3434 (N.S.), adopted 11-24-69, effective 1-1-70; amended by Ord. No. 5229 (N.S.), effective 9-21-78; amended by Ord. No. 5543 (N.S.), effective 7-5-79; amended by Ord. No. 6715 (N.S.), effective 2-17-84; amended by Ord. No. 7986 (N.S.), effective 11-7-91; amended by Ord. No. 9074 (N.S.), effective 9-10-99; amended by Ord. No. 9533 (N.S.), effective 5-4-03; amended by Ord. No. 10223 (N.S.), effective 10-25-12)

SEC. 463. [RESERVED]

(Added by Ord. No. 5918 (N.S.), effective 12-4-80; amended by Ord. No. 9074 (N.S.), effective 9-10-99)

SEC. 464. FEES FOR REIMBURSEMENT, ENCROACHMENT AGREEMENTS, AND CERTIFICATION LETTERS.

(a) The Department shall prepare agreements for reimbursement of sewer construction and drainage improvement costs and agreements for encroachment upon dedicated drainage, flowage, and utility easements, subject to approval by the Board, upon written application by the property owners or their agents, and deposit of the prescribed fees. The prescribed fees are refundable until the agreement is approved by the Board.

(b) The Department shall prepare certification letters for public sewer availability upon written application by the property owners or their agents and payment of the prescribed fees. Separate letters shall be prepared for each parcel, except for contiguous parcels under one ownership.

(c) The Department is authorized to issue, without fee, certification letters requested by public agencies and public utilities for their exclusive use.

(d) The fees established by this section are as follows:

- (1) Encroachment Agreements - \$100
- (2) Certification Letters - \$15

(Added by Ord. No. 5918 (N.S.), effective 12-4-80; amended by Ord. No. 6577 (N.S.), effective 6-9-83; amended by Ord. No. 9074 (N.S.), effective 9-10-99)

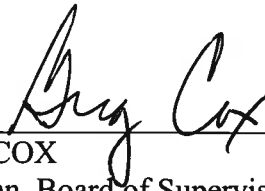
SEC. 467. [RESERVED]

Section 3. 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 Daily Transcript, a newspaper of general circulation published in the County of San Diego.

Approved as to Form and Legality

Thomas Bosworth
Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 15th day of January, 2020.



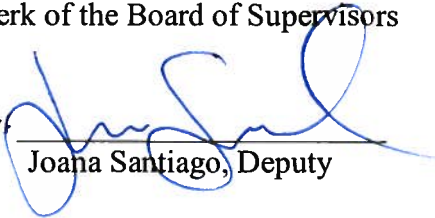
GREG COX
Chairman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

ATTEST my hand and the seal of the Board of Supervisors this 15th day of January, 2020.

ANDREW POTTER
Clerk of the Board of Supervisors

By: 

Joana Santiago, Deputy



Ordinance No.: 10645 (N.S.)
Meeting Date: 1/15/2020 (02)