

MARIN COUNTY BOARD OF SUPERVISORS

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 7.24 OF THE MARIN COUNTY CODE

SECTION I. The Board of Supervisors hereby ordains:

1. Marin County Code, Title 7 establishes procedures for processing permit applications for Garbage Disposal Dumps, Medical Waste, Food Establishments, Domestic Water Supply, Hotels and Motels (including Apartment Houses), Septic Tanks and Chemical Toilets, and Public Swimming Pools; and
2. The cost to the County for such processing should be offset by collection of reasonable fees to cover the cost of providing the services indicated, and that the costs set forth in Exhibit "A" attached hereto meet that criteria; and
3. The Board of Supervisors has determined that the fees specified herein comprise the estimated cost to provide the indicated service for which the fees are collected; and
4. The Board of Supervisors conducted a public hearing on July 15, 2008.

SECTION II. Section 7.24.050 (f) of the Marin County Code is hereby amended to incorporate the fees for services described in Exhibit "A" of this ordinance, dated July 15, 2008.

SECTION III. Effective Date. Pursuant to Govt. Code Section 66000 et seq., the effective date of this Ordinance shall be sixty (60) days from the date of its passage.

Introduced at a regular meeting of the Board of Supervisors held on the 24th day of June, 2008, and passed and adopted after a public hearing by the Board of Supervisors of the County of Marin, State of California, on the 15th day of July 2008, by the following vote to wit:

AYES:

NOES:

ABSENT:

ATTEST:

CHARLES MCGLASHAN, PRESIDENT
MARIN COUNTY BOARD OF SUPERVISORS

Clerk of the Board of Supervisors

EXHIBIT "A" TO MARIN COUNTY BOARD OF SUPERVISORS
ORDINANCE NO. _____
COMMUNITY DEVELOPMENT AGENCY, ENVIRONMENTAL HEALTH SERVICES DIVISION FEES

DATED: JULY 15, 2008

DISTRICT PROGRAMS

FOOD OPERATING PERMITS	FY 07-08	FY 08-09
Full Service	1,020	1,051
Full Service with Multiple Operations - Add for Each Additional	331	341
Minor Food Prep/Limited	501	516
Limited Items	209	215
Retail Food Vehicles	364	375
Food Vending Machines	95	98
Rented Kitchens	252	260
Bed & Breakfast	195	201
Schools		
Full Service	663	683
Minor Food Prep	326	335
Limited Item	136	140
Prepackaged Food Cart	128	132
Special event small food/beverage cart	61	63
Mobile Food Facilities (MFF's) Full Service - Was MFPU	700	721
Minor Food Prep	364	375
Prepackaged	128	132
Mobil Support Unit	128	132
Cert. Farmers' Mkt		
1 Year	1,020	1,051
6 Months	548	564
3 Months	305	314
Food Booths		
Temporary - 2 to 3 days	116	119
Temporary - 4 to 30 days	192	198
Temporary - 3 months	212	218
Temporary - 6 months	339	349
Temporary - One Year	511	526
Temporary - Each additional 90 day permit / permit year for a given location and event	116	119
Food Penalty Fees		
Reinspection Penalty Fee - for second reinspection	105	108
Reinspection Penalty Fee - for each reinspection after second	315	324
Delinquency Fee - add 20% for each add'l month overdue. Max. 100%	add 20%	add 20%
Operating Without a Permit - add 100% of appropriate fee	add 100%	add 100%
Construction Without a Permit - add 100% of appropriate fee	add 100%	add 100%
Code Enforcement/Request for Service per hour	107	110
Health Officer Hearing	525	541
Appeal	868	911

FOOD PLAN REVIEW	FY 07-08	FY 08-09
New Full Service	1,647	1,696
New Multiple Operation	1,647	1,696
Each Additional Operation	413	425
New Limited Operation: Food prep	1,009	1,039
New Limited Operation: Prepackaged only	459	473
Major Remodel	1,647	1,696
Major Remodel - Multiple Operator	1,647	1,696
Each additional operation	413	425
Minor Remodel	740	762
Equipment Review Requiring Inspection		
Exhaust Hood	569	586
Walk-in cooler or freezer	231	238
Custom cart/vehicle - MFF	449	462
Mobil Food Preparation Unit - (MFPU)	1,668	1,718
Prefabricated cart (Inspection)	123	127
Request for Service - per hour fee	107	110

Food Plan Review Penalty Fees

Operating Without a Permit - add 100% of appropriate fee	add 100%	add 100%
Construction Without a Permit - add 100% of appropriate fee	add 100%	add 100%
Code Enforcement/Request for Service per hour	107	110
Health Officer Hearing	525	541
Appeal	868	911

HOUSING PROGRAM

3 to 5 Units	251	259
Additional Charge per unit over 5 Units	12.38	12.75

Housing Penalty Fees

Reinspection Penalty Fee - for second reinspection	105	108
Reinspection Penalty Fee - for each reinspection after second	315	324
Delinquency Fee - add 20% for each add'l month overdue. Max. 100%	add 20%	add 20%
Operating Without a Permit - add 100% of appropriate fee	add 100%	add 100%
Code Enforcement/Request for Service per hour	107	110
Health Officer Hearing	525	541
Appeal	868	911

POOL PROGRAM

	FY 07-08	FY 08-09
Public Pool or Spa	519	535
Additional Pool, Spa, or Wading Pool with a Pool	155	160
Pool Penalty Fees		
Reinspection Penalty Fee - for second reinspection	105	108
Reinspection Penalty Fee - for each reinspection after second	315	324
Delinquency Fee - add 20% for each add'l month overdue. Max. 100%	add 20%	add 20%
Operating Without a Permit - add 100% of appropriate fee	add 100%	add 100%
Construction Without a Permit - add 100% of appropriate fee	add 100%	add 100%
Code Enforcement/Request for Service per hour	107	110
Health Officer Hearing	525	541
Appeal	868	911

POOL PLAN REVIEW		FY 07-08	FY 08-09
Pool or Spa Only		1,581	1,628
Pool with a Spa		1,967	2,026
Equipment Review Requiring Inspection		468	482
Pool/Spa Re-plaster		446	459
Change of Ownership		232	232
Request for Service - per hour fee		107	110
Pool Plan Penalty Fees			
Operating Without a Permit - add 100% of appropriate fee		add 100%	add 100%
Construction Without a Permit - add 100% of appropriate fee		add 100%	add 100%
Health Officer Hearing		525	541
Appeal		868	911
FOOD FACILITY CHANGE OF OWNERSHIP			
Change of Ownership		244	251
MEDICAL WASTE PROGRAM			
Large Quantity Acute Care Hospital			
Hospital Beds			
a. 1 to 99 Beds		942	970
b. 100 to 199 Beds		1348	1388
c. 200 to 249 Beds		1545	1591
d. Greater than 250 Beds		2196	2262
Clinics, Specialty		549	565
Clinics, Primary Care		549	565
Clinical Laboratory		316	325
Acute Psychiatric Hospital		942	970
Intermediate Care		469	483
Skilled Nursing Facility		386	398
Medical Office		428	441
Veterinary Office/Clinic		316	325
Pet Shop		316	325
Large Quantity Generator with On-Site Treatment Facility		316	325
Small Quantity Generator with On-Site Treatment Facility		174	179
Limited Quantity Hauling Exemption		142	146
Common Storage Facility			
2 to 10 Generators		393	405
11 to 50 Generators		393	405
Greater than 50 Generators		779	802
Medical Waste Application/Verification Fee (one time only)		119	123
Medical Waste Program Penalty Fees			
Reinspection Penalty Fee - for second reinspection		105	108
Reinspection Penalty Fee - for each reinspection after second		315	324
Delinquency Fee - add 20% for each add'l month overdue. Max. 100%		add 20%	add 20%
Penalty Fee - twice the cost of a permit		add 100%	add 100%
Code Enforcement/Request for Service per hour		107	110
Health Officer Hearing		525	541
Appeal		868	911

LAND USE PROGRAMS

SEPTIC PROGRAM

	FY 07-08	FY 08-09
New Standard/Upgrade (contractor installed), 1 to 3 bedroom	2,220	2,287
New Standard/Upgrade (contractor installed), each add bedroom	247	254
New Standard/Upgrade (owner installed), 1 to 3 bedroom	2,774	2,857
New Standard/Upgrade (owner installed), each add bedroom	370	381
New Alternative, 1 to 3 bedroom	4,068	4,190
New Alternative, each additional bedroom	247	254
Repair Standard Failure (contractor installed), 1 to 3 bedroom	1,134	1,168
Repair Standard Failure (contractor installed), each add bedroom	254	262
Repair Standard Failure (owner installed), 1 to 3 bedroom	1,420	1,463
Repair Standard Failure (owner installed), each add bedroom	254	262
Minor Repair (pipe & gravel replacement)	500	515
Repair Alternative, 1 to 3 bedroom	3,662	3,772
Repair Alternative, each additional bedroom	381	392
Repair Pre-Treatment Unit Only	1,849	1,904
Repair Bioaugmentation Unit	407	419
New Standard Upgrade Commercial/Institutional, < 500 Gallons per Day (GPD)	2,324	2,394
New Standard Upgrade Commercial/Institutional, 501-999 GPD	2,684	2,765
New Standard Upgrade Commercial/Institutional, 1000-1500 GPD	2,983	3,072
New Standard Commercial, greater than 1500 GPD	3,918	4,036
New Alternative Commercial/Institutional, less than 500 GPD	4,370	4,501
New Alternative Commercial/Institutional, 501-999 GPD	4,793	4,937
New Alternative Commercial/Institutional, 1000-1500 GPD	5,244	5,401
New Alternative Commercial, greater than 1500 GPD	6,930	7,138
Repair Alternative Commercial/Institutional, less than 1500 GPD	4,465	4,599
Repair Alternative Commercial/Institutional, 1500 GPD or greater	5,231	5,388
Repair Standard Failure Commercial/Institutional	1,709	1,760
Community System (up to 20 connections)	20,034	20,635
Community System - Each additional connection over 20	885	912
Minor Design Change (After Permit Issuance)	370	381
Minor Modification Existing Standard	940	968
Minor Modification Existing Alternative	1,887	1,944
Tank Installation/Replace	904	931
Tank Repair/External Effluent Filter	349	359
Tank Abandonment	538	554
Second Year Renewal	135	139
Change of Ownership Permit, 1/2 current permit fee	Add 50%	Add 50%
Greywater Permit Application	629	648
Application for Site Review		
Site Review, New/Upgrade	2,158	2,223
Failing System - Site Review: 50% of New/Upgrade	1,079	1,111
Land/Subdivision Tests (per lot)	2,158	2,223
Greywater Site Review	1,797	1,851

Permit to Operate (Annual Fees)	FY 07-08	FY 08-09
Operating Permit, Residential	471	485
Operating Permit, Repair	289	298
Option Two Yearly Monitoring Fee -- Residential	420	420
Operating Permit, Commercial/Institutional per year	966	995
Option Two Yearly Monitoring Fee -- Commercial/Institutional	767	790
Operating Permit, Community per year	1,950	2,009
Operating Permit - Change of Ownership	135	139
Operating Permit - Large Flow 1500 - 5000 gals.	2,145	2,209
Operating Permit - >5000 - 10000 gals.	2,465	2,539
Penalty Fee - Operating Without a Permit - Two Times Reg. Permit	2 X	2 X
Miscellaneous		
Appeal/Board of Supervisors	1,069	1,101
Appeals	1,069	1,101
Construction Inspection - Alternative Systems - after first 5 insp.	163	168
Construction Inspection - Standard systems - after first 3 insp.	155	160
Expired Permit, one time only, 1/2 current permit fee	Add 50%	Deleted
Field Consultation/Groundwater Monitoring	851	877
LAFCO (per application)	91	94
New Alternative Systems, Cat 1 (see note #1 below)	8,462	8,716
Office Consultation per hour	107	110
Plan Revision	180	185
Pre-Application Fee - Septic Permit (see Note # 2 below)	716	737
Research & Records Research Per Hour after 1st Half Hour	82	84
Waiver Fee (each)	3,845	3,960
<p>1. New Design (other than currently approved system types) submitted for review and possible incorporation into code. Base amount, fee may vary depending upon complexity of system. Hourly rate of \$75 per hour will be charged, if necessary. Any amount not used will be refunded.</p> <p>2. Credited if within one year</p>		
Septic Program Penalty Fees		
Building Without a Permit, Application To Construct and/or Operate	Add 100%	Add 100%
Building Without a Permit, Application for Site Review	Add 100%	Add 100%
Code Enforcement - per/hour	107	110

WELL PROGRAM		FY 07-08	FY 08-09
Domestic Water Supply			
Water Well Drilling Permit			
Initial		552	569
Each Additional		217	224
Repairs/Upgrades		500	515
Domestic Water Supply Operating Permit		788	812
Domestic Water Permit-to-Operate App. - Renewal Fee (12 mths)		320	330
Common Water System Operating Permit		855	881
State small Water Operating Permit		860	886
State small Water System - Annual Fee		302	311
Amended Domestic water Supply Permit		320	330
Environmental/Geotechnical Drilling			
Monitoring Wells with Well Destruction (\$2000 maximum/site)			
Initial		521	537
Each Additional		217	224
Cathode Protection Wells		521	537
Soil Borings/Test Holes (\$2000 maximum/site)			
Initial		347	357
Each Additional		57	59
Well Destructions			
Well Destructions: (\$2000 maximum/site)			
Initial		347	357
Each Additional		174	179
Miscellaneous			
Design Consultation Fee (per hour)		107	110
Additional Inspection Fee (per visit)		162	167
Test Monitoring Waiver per Hour		107	110
Drilling Permit Application - Renewal Fee (12 months)		107	110
Well Program Penalty Fees			
Operating Without a Permit - add 100% of appropriate fee		add 100%	add 100%
Construction Without a Permit - add 100% of appropriate fee		add 100%	add 100%
Code Enforcement/Request for Service per hour		107	110
Appeal		868	911

PUBLIC WATER SYSTEMS

FY 07-08

FY 08-09

Annual Operating Fees		
Community 15-24 service connections	1,693	1,744
Community 25-99 service connections	2,029	2,090
Community 100-199 service connections	2,538	2,614
Non-Community (Non Transient Non Community)	1,693	1,744
Non-Community (Transient Non Community)	1,221	1,258
New Systems		
New Community	3,080	3,172
New Non-Transient Non Community	2,808	2,892
New Transient Non Community	2,442	2,515
Miscellaneous		
Additional Distribution System Public Water System	291	300
Public Water System Amended Permit	884	911
Change of Ownership, TMF	1,881	1,937
Code Exempted Water System Annual Fee - Formerly CURFFL W.S. Fee	126	130
Design Consultation Fee per Hour	107	110
Permit Waiver Application	3,637	3,746
Test Monitoring Waiver per Hour	107	110
Public Water Systems Penalty Fees		
Reinspection Penalty Fee - for second reinspection	105	108
Reinspection Penalty Fee - for each reinspection after second	315	324
Delinquency Fee - add 20% for each add'l month overdue. Max. 100%	add 20%	add 20%
Penalty Fee - Two Times Regular Permit	add 100%	add 100%
Notice of Violation Letter		100
Enforcement Letter		300
Code Enforcement/Request for Service per hour	107	110
PUMPERS/CHEMICAL TOILET		
Pumper Truck, per vehicle	837	862
Chemical Toilet Dist. Less than 25 toilets	837	862
Chemical Toilet Dist. More than 25 toilets	1,677	1,727
Pumpers and Chemical Toilets Penalty Fees		
Penalty Fee - Two Times Regular Permit	Add 100%	Add 100%
Reinspection Penalty Fee - for second reinspection	105	108
Reinspection Penalty Fee - for each reinspection after second	315	324
Delinquency Fee - add 20% for each add'l month overdue. Max. 100%	add 20%	add 20%
Code Enforcement/Request for Service per hour	107	110
Health Officer Hearing	525	541
Appeal	868	911
BUILDING PLAN REVIEW		
Building Plan Review	370	381
Building Plan Site Assessment	593	611
Building Plan Review Penalty Fees		
Building without a Permit	Add 100%	Add 100%

SOLID WASTE PROGRAMS

SOLID WASTE PROGRAM

	FY 07-08	FY 08-09
Redwood Landfill	368,456	380,000
West Marin Sanitary Landfill	2,550	2,630
Marin Sanitary Service	20,298	20,900
San Quentin	2,652	2,735
Home Depot	2,652	2,735
Benjamin Building	663	683
Sonnen Motors	663	683
Bayview Business Park	2,958	3,050
Bayview Building A	663	683
Bayview Building F, Dynacraft	663	683
Bayview Building G, Sycal Properties	663	683
Bayview Building H, West Bay Builders	663	683
Smith Ranch Road, Peil Develop	663	683
Ghilotti	663	683
Hamilton, Shea Development	663	683
Regency Theatre	663	683
Mill Valley Community Center	663	683
Hamilton, US Army Corps	663	683
Team Chevrolet	663	683
San Rafael Corporation Yard	663	683
Project/Application Fee	2,400	2,400
Work in excess of 30 hours, per hour	102	110
Postclosure Dev. Fee, 30 hours	2,400	2,400
Work in excess of 30 hours, per hour	102	110
Complaint Response	260	260
Facility/Site Clearance Fee (Hazmat) NEW	190	190
Refuse Collection Vehicles (per Vehicle)	185	190
Additional/Unique Service Fee, over Standard Fee/per hour	102	110

3. All project submittals (i.e. solid waste facility permit application, permit revision, postclosure development, etc.) which have not been accounted for in the yearly approved fee schedule, shall be accompanied by an "Application Fee"

For projects which are comparatively small in scope, this fee will be applied to defer costs for staff time attendant with project analysis and processing

If it is determined that more staff time is required, the applicant will be charged \$75.00 per hour for the additional staff time

For projects large in scope (e.g. solid waste facility permit application, permit revision), the "Application Fee" will defer costs for staff time necessary to evaluate the resources required to provide timely processing. Upon completion of this evaluation, staff and project sponsor will agree to a projected fee sufficient to complete a project review and processing. A "Draw Down" account will be established for these funds. If the proposed project requires more time and effort than originally determined, additional fee(s) will be assessed and placed in the "Draw Down" account as determined necessary to complete the project. When the project is complete, funds not required will be returned to the project sponsor

Solid Waste Program Penalty Fees

Reinspection Penalty Fee - for second reinspection	105	108
Reinspection Penalty Fee - for each reinspection after second	315	324
Delinquency Fee - add 20% for each add'l month overdue. Max. 100%	add 20%	add 20%
Penalty Fee - Twice the cost of a permit	add 100%	add 100%
Code Enforcement/Request for Service per hour	107	110
Health Officer Hearing	525	541
Appeal	868	911

APPLICATION OF FEES

- A. Fees shall be submitted in full at the time of application submittal to the County.
- B. Pursuant to a written request, the Board of Supervisors may waive or reduce fees upon a finding that such waiver or reduction is in the public interest and that the applicant or appellant is unable to afford such fees.
- C. Portions of fees may be refunded upon withdrawal of the application; the amount of refund shall be determined by the Agency Director, based upon the amount of work done by the County prior to withdrawal at the current EHS hourly rate, with a one hour minimum.
- D. Full fee credits may be granted toward resubmittal of applications if applications are withdrawn and resubmitted within 60 days from the date of withdrawal with the written authorization of the Agency Director.
- E. In the event that any work has been undertaken or use made of the property without legal authority prior to completing the requisite procedures necessary to authorize such work or use, the applicant shall pay two times the specified amount, unless waived by the Agency Director based on a finding that such a waiver is in the public interest and that the applicant is expeditiously correcting the violation.
- F. Where a project requires more than one permit, the full fee shall be collected for each and every permit required.
- G. The Agency Director is also authorized to waive 35% of the fees for projects which are undertaken by community-based non-profit agencies or organizations, and which provide services resulting in public benefits.
- H. The Agency reserves the right to charge actual cost (at a rate of \$107/hour) on larger, complex projects in order to ensure that the fee will cover the actual cost of service.
- I. Fees for returned checks shall be \$35 per occurrence; of this amount, \$10.00 will be sent to Central Collections in the County; \$25.00 will be retained by the Division to recover the costs of the related administrative efforts for processing.
- J. The Agency Director shall have the ability to waive or transfer from the In-Lieu Housing Trust Fund up to 100% of the environmental health fees for projects which include below market rate housing units subject to the requirement that the project meet the eligibility standards for state or federal housing funding. The amount of fees waived or transferred to be determined based on the proportion of the project which is below market rate housing and the permanency of the housing subsidy. The Agency Director is also authorized to waive up to 35% of the environmental health fees for projects undertaken by community-based non-profit agencies or organizations which provide services resulting in public benefits.

