

ORDINANCE NO. (NEW SERIES)

ORDINANCE AMENDING THE SAN DIEGO COUNTY REGULATORY CODE
RELATING TO THE RETITLING OF THE DEPARTMENT OF ENVIRONMENTAL
HEALTH & QUALITY, DEFINING THE DUTIES AND AUTHORITIES OF THE
POSITIONS OF DIRECTOR OF ENVIRONMENTAL HEALTH AND QUALITY AND
DIRECTOR OF ENVIRONMENTAL HEALTH, AND RELATED ACTIONS

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

Section 1. Purpose.

The Board of Supervisors finds and determines that the amendments made by this ordinance are intended to implement the retitling of the “Department of Environmental Health” to “Department of Environmental Health and Quality”, defining the duties and authorities of the Director of the Department of Environmental Health and Quality and the Director of Environmental Health, and related actions.

Section 2. Section 61.101 of the San Diego Code is hereby amended to read as follows:

SEC. 61.101. PURPOSE AND APPLICABILITY.

Part 7 of Division 104 of the California Health and Safety Code (HSC) (sections 113700 et seq.), also referred to as the California Retail Food Code (CRFC), provides Statewide health and sanitation standards for retail food facilities. These sections allow a county to establish some local requirements for retail food facilities and their employees. These sections also provide that a local enforcement agency shall have primary enforcement responsibility for the State regulations in its jurisdiction. The purposes of this Division are to clarify and explain the CRFC for local implementation where necessary, to adopt additional regulations for retail food facilities and their employees to protect the public health and safety in San Diego County, to codify and amend a long-standing County program to regulate caterers, and to appoint the Director of Environmental Health to enforce State and County regulations for retail food facilities and their employees.

Because they are not based on the CRFC, the food facility grading and food handler requirements in this Division (at sections 61.107, 61.108, 61.114 and 61.115) are directly applicable only in the unincorporated portions of San Diego County. However, parallel provisions have been enacted in all of the incorporated cities in the County.

Because the Director is the environmental health officer in all incorporated cities in the County (as authorized by State law and by agreement with each city), parallel city ordinance provisions for food facility grading, food handlers and private event caterers

are also administered and enforced by the Director. All other provisions of this Division, implement the CRFC and apply County-wide pursuant to the CRFC. All requirements in this Division are administered and enforced by the Director.

This Division does not override any local land use requirement or limitation, or any local regulation on where mobile food facilities may operate.

(Added by Ord. No. 10036 (N.S.), effective 2-26-10; amended by Ord. No. 10218 (N.S.), effective 8-24-12; amended by Ord. No. 10452 (N.S.), effective 1-13-17; amended by Ord. No. 10709 (N.S.), effective 1-15-21; amended by Ord. No. 10766 (N.S.), effective 2-25-22; amended by Ord. No. 10927 (N.S.), effective 1-10-25)

Section 3. Section 61.102 of the San Diego Code is hereby amended to read as follows:

SEC. 61.102. DEFINITIONS.

The following definitions shall apply to this chapter and to Chapter 3 of this Title:

"CFO" means "Cottage Food Operation" as defined in HSC section 113758.

"CMFO" means "Compact Mobile Food Operation," including the use of carts as defined in HSC section 113831(c).

"CRFC" means the California Retail Food Code, which is codified in the California Health and Safety Code.

"Department" means the County Department of Environmental Health and Quality.

"Director" means the Director of Environmental Health and any person appointed by the Director to enforce or administer this chapter.

"Equipment" has the same meaning as the term "equipment" in HSC section 113777.

"Expedited Plan Check Inspection" means plan check field inspection service that is provided within an accelerated time frame.

"Expedited Plan Review" means plan review service that is provided at an accelerated time frame.

"Food" has the same meaning as the term "food" in HSC section 113781.

"Food facility" has the same meaning as the term "food facility" in HSC section 113789, and also includes a "catering operation" or "catering facility" and a "catering host facility" as defined in Chapter 3 of this Title.

"Food handler" means a person who prepares, handles, packages, serves or stores food or handles utensils, or assists another person in any of those tasks at a food facility that requires a permit pursuant to this chapter.

"HSC" means the California Health and Safety Code.

"Imminent health hazard" has the same meaning as the term "imminent health hazard" in HSC section 113810.

"Limited Beverage Service" means for the purpose of section 65.107(a), a temporary food facility operation that only serves non-potentially hazardous beverages requiring no preparation other than dispensing from the approved container or draft, directly into the consumer's beverage container, or the service of non-potentially hazardous beverages that require the mixing of ingredients and addition of ice or garnish to a beverage.

"Low-Risk Food Facility" means for purposes of section 65.107(a):

(a) A retail food facility that is operating as defined in HSC Section 113818 with the additional allowance of slicing of ready-to-eat potentially hazardous food for immediate service.

(b) A facility that only serves frozen milk products.

(c) A facility that holds an Alcoholic Beverage Control license type 42 or 48 facility, as long as the facility does not engage in slicing, chopping or grinding of raw potentially hazardous foods, reheating for hot holding, washing of foods, or cooking, baking, barbecuing, broiling, frying or grilling any food.

"MEHKO" means "Microenterprise Home Kitchen Operation" as defined in HSC Section 113825.

"Minor remodel" means the installation of new equipment to an existing facility, or the construction, building, repair, or alteration of existing areas of the facility that does not exceed 300 square feet and includes, but is not limited to, structural, plumbing, mechanical, or electrical work.

"Miscellaneous Food Facility" means a facility with 25 square feet or more of food display and storage area (including Candy Stores, Concession Stands, Host Facilities, and Prepackaged Non-Potentially Hazardous Foods), and Catering Equipment Rentals and Retail Food Delivery (delivery of food made at a retail food facility to another location by a person other than an employee of the retail food facility where the food was prepared).

"Multiple Kitchen Complex Operation" means any establishment used as a place of business for the purpose of leasing, renting, or otherwise providing individual commercial kitchen space to independent retail food facility operations, where that

space is not used or shared by another operator. Common shared infrastructure such as restroom facilities, janitorial facilities, dry food storage, and refrigerated and/or frozen food storage is provided for each individual tenant to use.

"Prepare" means to package, process, assemble, portion or engage in any operation that changes the form, flavor or consistency of food, but does not include trimming produce.

"Ready-to-eat food" has the same meaning as the term "ready-to-eat food" in HSC section 113881.

"Retail Food Processing" means for the purpose of section 65.107a, any food facility that has no on-site indoor or outdoor dining and processes and packages food for retail sales for delivery, pick-up, or take-out only, and does not have a prepackaged retail sales floor. Examples of this type of operation include but are not limited to the following:

- (a) Facilities operating from shared permitted kitchens that produce pre-ordered individual retail sales (food/beverages) for delivery, pick-up, or take-out only.
- (b) Facilities that process and package food for retail sales that may also have processed food registrations/licenses with the California Department of Public Health, California Department of Food and Agriculture, or the United States Department of Food and Agriculture.
- (c) Facilities offering prepared food to-go that may require additional preparation or cooking.
- (d) Sushi makers inside grocery stores.
- (e) Tortilleria/Popsicle manufacturers.
- (f) Commissary/Prep kitchens for delivery to the other locations (owned by same business).

"Revision" means any plan submittal required for corrections identified or minor changes to the initial submittal for any New, Major Remodel, or Minor Remodel project.

"School Auxiliary Facility" means an educational facility that is serviced by a School Food Processing Facility, or other permitted food facility, and conducts processes that include but are not limited to dispensing, reheating, and storage of potentially hazardous foods. Auxiliary Facilities may open prepackaged food as necessary to stock an onsite salad bar and rinse whole uncut produce. All other food preparation, including the slicing and processing of produce, must be conducted at a School Food Processing Facility.

"School Food Processing Facility" means an educational facility that conducts full processing including, but is not limited to, handling, preparing, assembling, cooking, cooling, and reheating of potentially hazardous foods; washing and slicing of produce. This site may be a stand-alone site, or a centralized location that services multiple auxiliary kitchens.

"Tableware" has the same meaning as the term "tableware" in HSC section 113926.

"Utensil" has the same meaning as the term "utensil" in HSC section 113934.

(Added by Ord. No. 10036 (N.S.), effective 2-26-10; amended by Ord. No. 10218 (N.S.), effective 8-24-12; amended by Ord. No. 10238 (N.S.), effective 1-4-13; amended by Ord. No. 10452 (N.S.), effective 1-13-17; amended by Ord. No. 10606 (N.S.), effective 7-1-19; amended by Ord. No. 10709 (N.S.), effective 1-15-21; amended by Ord. No. 10733 (N.S.), effective 7-1-21; amended by Ord. No. 10766 (N.S.), effective 2-25-22; amended by Ord. No. 10786 (N.S.), effective 7-1-22; amended by Ord. No. 10848 (N.S.), effective 7-1-23; amended by Ord. No. 10927 (N.S.), effective 1-10-25)

Section 4. Section 61.212 of the San Diego Code is hereby amended to read as follows:

SEC. 61.212. DEFINITIONS.

Whenever in this article the following terms are used, they shall have the meanings respectively ascribed to them in this section:

(a) **ADULTERATED.** Having been made impure by the addition of any poisonous or deleterious substance; or in the case of food, foodstuffs that have been produced, prepared, packed or held under insanitary conditions whereby it may have become contaminated or rendered unwholesome, diseased or injurious to health.

(b) **APPROVED.** Acceptable to the Director based upon a determination of conformity with applicable laws, or in the absence of applicable laws, with current public health principles, practices and generally recognized industry standards that protect the public health.

(c) **APPROVED SOURCE.** A producer, manufacturer, distributor, or food establishment that is acceptable to the Director based on the determination of conformity with applicable laws, or in the absence of applicable laws, with current health principles and practices, and generally recognized industry standards that protect public health.

(d) **DEPARTMENT.** For the purposes of this chapter, "Department" shall mean the Department of Environmental Health and Quality.

(e) **DIRECTOR.** For the purposes of this chapter, "Director" shall mean the Director of Environmental Health of San Diego County and his/her designees.

(f) **EMBARGO.** The legal control exercised by the Director over the use, sale, disposal or removal of any food.

(g) **EMPLOYEE.** Any person working in a wholesale food warehouse, including managers and/or owners.

(h) **FOOD.** Any raw or processed substance, ice, beverage, including water, or ingredient intended to be used as food, drink, confection or condiment for human or animal consumption.

(i) **GOOD MANUFACTURING PRACTICES.** The practices for manufacturing, packing, or holding food described in Title 21 of the Code of Federal Regulations, Part 110.

(j) **IMMEDIATE DANGER TO THE PUBLIC HEALTH OR SAFETY.** For the purposes of this section, any condition, based upon inspection findings or other evidence, that can cause food infection, food intoxication, disease transmission; a hazardous condition, including, but not limited to, unsafe food temperature, sewage contamination, no potable water supply, and vermin infestation; or an employee who is a carrier of a communicable disease. Any food facility for which the permit is suspended shall close and remain closed until authorized to reopen by the Director or Health Officer.

(k) **IMPOUND.** The legal control exercised by the Director over the use, sale, disposal or removal of any equipment or utensil.

(l) **POTENTIALLY HAZARDOUS FOOD.** Any food that is capable of (1) supporting rapid and progressive growth of infectious or toxigenic microorganisms that may cause food infections or food intoxications or (2) supporting the growth or toxic production of *Clostridium botulinum*. "Potentially hazardous food" does not include foods that have a pH level of 4.6 or below; foods that have a water activity (aw) value of 0.85 or less under standard conditions; food products in hermetically sealed containers processed to prevent spoilage; or food that has been shown by appropriate microbial challenge studies, the results of which are approved by the Director, not to support the rapid and progressive growth of infectious, toxigenic microorganisms that may cause food infections or food intoxications, or the growth of *Clostridium botulinum*.

(m) **REMODEL.** For purposes of this chapter, remodel means any replacement, significant modification, or installation of walk-in refrigerators or freezers, toilet rooms, and sinks used for utensil washing.

(n) **WHOLESALE FOOD WAREHOUSE.** Any place, building, structure, room or portion thereof, where food is commercially distributed, stored, or held for transfer.

"Wholesale Food Warehouse" does not include food processing establishments, retail food facilities, or warehouses where only packaged beverages or food in sealed cans or bottles is received, stored and shipped in the same package as received, without opening or modifying the original package.

(Added by Ord. No. 9525 (N.S.), effective 1-10-03; amended by Ord. No. 10709 (N.S.), effective 1-15-21; amended by Ord. No. 10927 (N.S.), effective 1-10-25)

Section 5. Section 64.201 of the San Diego Code is hereby amended to read as follows:

SEC. 64.201. PURPOSE.

Health and Safety Code sections 2001 et seq. recognize that California's climate and topography support a wide diversity of biological organisms and that while most of these organisms are beneficial, some are vectors of human disease pathogens or directly cause other human diseases. The Legislature recognized that some of the diseases may be fatal, especially in children and older adults. In order to protect Californians and their communities against the dangers of vector-borne diseases and vector-related public nuisances the Legislature granted broad statutory authority to mosquito abatement and vector control districts. Government Code Section 25842.5 allows a board of supervisors to provide the same services and exercise the powers of a mosquito abatement and vector control district. Pursuant to this statutory authority, the Board of Supervisors resolved to act as a mosquito abatement and vector control district in both the incorporated cities and the unincorporated area of the County. The city council of each incorporated city in the County consented to the Board's resolution. The Board also resolved to delegate implementation and enforcement duties to the Department of Environmental Health and Quality. The purpose of this chapter is to establish a program authorized by Government Code section 25842.5 to control and abate mosquitoes and other vectors in San Diego County to protect the public health, safety and welfare of the entire San Diego County community from vector-borne diseases and vector-related public nuisances.

(Amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95; amended by Ord. No. 10019 (N.S.), effective 11-20-09; amended by Ord. No. 10240 (N.S.), effective 1-4-13; amended by Ord. No. 10709 (N.S.), effective 1-15-21; amended by Ord. No. 10927 (N.S.), effective 1-10-25)

Section 6. Section 64.402 of the San Diego Code is hereby amended to read as follows:

SEC. 64.402. DEFINITIONS.

The definitions set out in chapter 2 of this division shall apply to this chapter. In addition:

(a) "Abatable source" means any property that supports the development, attraction or harborage of eye gnats in numbers that cause human discomfort.

(b) "Applicable eye gnat abatement measure" means a validated eye gnat abatement measure that is technically suited to a crop or crops and to conditions and practices at a specific commercial organic farm, and that would reduce eye gnat development, attraction, harborage, or off-farm flight if used at that farm.

(c) "Barrier crop" means plants grown in a specified area for the purpose of intercepting eye gnats, which can be treated with conventional pesticides. (Barrier crops treated with pesticides can be used by farmers on a voluntary basis, but the Director cannot order that they be used.)

(d) "Commercial organic farm" means a farm that grows and sells certified organic products.

(e) "Cultural control method" means any farming practice that is selected at least in part to reduce or prevent eye gnat development, attraction or harborage.

(f) "Department" means the Department of Environmental Health and Quality.

(g) "Director" means the Director of the County Department of Environmental Health and Quality and any person appointed or hired by the Director to administer and enforce this chapter.

(h) "Eye gnat breeding hazard" means an avoidable or mitigable condition on a commercial organic farm that is likely to contribute to the development of eye gnats in numbers that could contribute to a nuisance in a nearby community.

(i) "Eye gnat source identification testing" means any reliable technical method for determining whether a farm or other property is developing, attracting or harboring eye gnats, and includes but is not limited to emergence trapping on the farm or other suspected sources, grid trapping to determine concentrations of eye gnats in the vicinity of the farm, and the use of trap count patterns to determine whether eye gnat populations are greater closer to the farm or other property than further away.

(j) "Grower" or "farmer" means any person who can direct changes in practices on a commercial organic farm.

(k) "Last resort situation" means a public nuisance as defined in Chapter 4, for which a commercial organic farm alone is a predominant cause, which has not been abated

within nine months after the implementation of abatement measures by that farm pursuant to an agreed voluntary plan or abatement order. Where a commercial organic farm is a predominant cause of a public nuisance only in combination with other sources, a last resort situation does not exist until those other sources also take or are ordered to take abatement actions the Director determines are appropriate.

Notwithstanding any other provision of this ordinance, the Director may also exercise the last resort powers described in section 64.403 where a farmer fails or refuses to participate in the voluntary plan process or fails or refuses to comply with a previously issued abatement order or approved voluntary plan.

(l) "Predominant cause" of a public nuisance means any cause or combination of causes contributing substantially more to the existence of that nuisance than other causes, which, if mitigated, would substantially reduce nuisance conditions in the community.

(m) "Public nuisance" means conditions that constitute a public nuisance as defined in section 3480 of the California Civil Code, predominantly caused by the development, attraction or harborage of eye gnats on a commercial organic farm and by the migration of eye gnats from that farm.

(n) "Reasonable precautionary and protection measures" means the use of any inexpensive, convenient, and relatively non-invasive practice by an individual property owner to abate eye gnats on that owner's property and shall include the use of abatement traps in good condition and maintained at least once a week in structure and bait by the individual property owner, provided traps and bait are furnished free of charge to such property owner.

(o) "Validated eye gnat abatement measure" includes any farming practice, cultural control measure, or other eye gnat abatement measure that has been reviewed as set out in section 64.405 and determined by the Director to be effective in some organic farming situations. As of September 2015, those measures include proper fertilizer use and irrigation practices, as described on the Department eye gnat web page. Any subsequently validated measures will also be shown on that page.

"Validated eye gnat abatement measure" also includes the following measures which research and experience had shown to be effective before the County's eye gnat program was adopted:

1. Reduced tilling of fresh or dry organic matter into soils
2. Barrier crops
3. Flight barriers
4. Trapping to intercept eye gnats or to reduce eye gnat numbers

5. Fallow or dry periods

(p) "Voluntary plan" means the written proposal submitted to the Director by an organic farm or other agricultural operation describing the owner's or grower's plan to control eye gnat breeding. The voluntary plan includes any changes requested by the Director and agreed to by the owner or grower.

(Added by Ord. No. 10240 (N.S.), effective 1-4-13; amended by Ord. No. 10257 (N.S.), effective 5-10-13; amended by Ord. No. 10412 (N.S.), effective 2-26-16; amended by Ord. No. 10709 (N.S.), effective 1-15-21; amended by Ord. No. 10927 (N.S.), effective 1-10-25)

Section 7. Section 65.102 of the San Diego Code is hereby amended to read as follows:

SEC. 65.102. ANNUAL INSPECTION FEE FOR DEPARTMENT REGULATED ACTIVITIES.

Every person applying for a permit, license or registration for a food establishment, apartment house or hotel, organized camp, public swimming pool, sewage pumping vehicle, unified program facility, small quantity medical waste generator registration or other regulated business or facility for which an annual, biennial, or one time permit, license or registration is required under the provisions of this Code and issued by the Department shall at the time of making application for the permit, license or registration pay the permit, license or registration fees, as set forth in Section 65.107.

(Amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8118 (N.S.), effective 9-3-92; amended by Ord. No. 8279 (N.S.), effective 8-19-93; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95; amended by Ord. No. 8680 (N.S.), operative 7-1-96; amended by Ord. No. 9322 (N.S.), effective 5-4-01; amended by Ord. No. 10238 (N.S.), effective 1-4-13; amended by Ord. No. 10379 (N.S.), effective 4-17-15; amended by Ord. No. 10680 (N.S.), effective 9-4-20; amended by Ord. No. 10709 (N.S.), effective 1-15-21; amended by Ord. 10927 (N.S.), effective 1-10-25)

Section 8. Section 65.107 of the San Diego 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) Restaurant Annual Permits:

1 to 10 employees: \$ 842

11 to 25 employees: \$ 987

26 to 100 employees: \$1,170

101 or more employees: \$2,087

Each food preparation area at a restaurant type food facility in excess of three (3) at the same location: \$649

(2) Low-Risk Food Facility (as defined in section 61.102) and Restricted Food Service Facilities (as defined in the California Health and Safety Code section 113893) Annual Permit. For those sites with lodging, additional housing fees apply: \$587

(3) Miscellaneous Food Facilities Facility (as defined in section 61.102) Annual Permit: \$208

(4) Prepackaged Retail Markets Food Facility (may also include prepackaged retail markets that make ice and dispense non-potentially hazardous beverages), Annual Permits: \$255

(5) Wholesale Food Warehouse Annual Permits:

Warehouse (1-19,999 square feet): \$612

Warehouse (20,000 square feet and greater): \$763

(6) Satellite Food Service Operation (operating in accordance with the California Health and Safety Code sections 113899 and 114067) Annual Permit: \$150

(7) Multiple Kitchen Complex Operation (as defined in section 61.102) (Note: Additional tenant fees are based on the type of food facility operated), Annual Permits:

0 - 9,999 square feet: \$183

10,000 square feet and over: \$240

(8) Retail Market with up to three delicatessens and/or other food preparation areas on the same premises, Annual Permits:

1 to 10 employees: \$946

11+ employees: \$1,267

Each delicatessen and/or food preparation area at a retail market in excess of three (3) at the same location: \$562

(9) Retail Food Processing Facility Annual Permit: \$763

(10) Full Service Catering Facility and Direct Sales Catering Annual Permit: \$715

(11) School Food Processing Facility Annual Permit: \$491

(12) School Food Auxiliary Facility Annual Permit: \$ 360

(13) Licensed Health Care Facility Annual Permit: \$787

(14) Temporary Food Facility that operates at a fixed location for the duration of a community event (as defined in California Health and Safety Code Section 113755), or a Temporary Food Facility that operates at a single fixed Swap Meet Location without a Temporary Event Organizer (as defined in California Health and Safety Code sections 113930 and 114335(a)).

(Note: Nonprofit operators of temporary food facilities and non-profit community event organizers are exempt from the fee at a community event for not more than two [2] events in a fiscal year. This exemption does not apply to the late application submittal fees):

Single Location Swap Meet Vendor - Annual Permit: \$111

Prepackaged Foods/Limited Beverage Service - Single Event Permit: \$148

Prepackaged Foods/Limited Beverage Service - Annual Permit: \$360

Unpackaged Foods - Single Event Permit: \$251

Unpackaged Foods (with approved commissary or other approved facility and food safety certification if handling potentially hazardous foods) - Annual Permit: \$685

Temporary Food Facility Event Organizer - Single Event Permit: \$376

Temporary Food Facility Event Organizer - Annual Permit (Identical Event held at same location): \$664

(15) Certified Farmers Market Annual Permits:

Certified Farmers Market: \$479

Certified Farmers Market Events with adjacent Temporary Food Facilities (organizer in control of certified farmers market is same as organizer in control of temporary food facilities): \$792

(16) Fisherman's Market Annual Permit: \$1,113

(17) Food Demonstrator (portioning or sampling of food made and served at an approved permanent food facility):

Single Event Permit: \$148

Annual Permit: \$358

(18) Late application submittal or modification for all temporary food facilities and organizers of community events, certified farmers markets, and food demonstrators. Supplemental fee paid in addition to required fee if application submittal and/or modifications are submitted less than 14 days prior to the event. Modifications include, but are not limited to, correcting incomplete applications, or changes menu, participating vendors, warewashing facilities, etc.: \$198

(19) Vending Machine or Prepackaged Food Facility Commissary Annual Permit: \$406

(20) Unpackaged Mobile Food or Food Preparation Commissary Annual Permit: \$481

(21) Mobile Food Facility or Mobile Support Unit (as defined in California Health & Safety Code Section 113831 and 113833) under the same ownership and operating out of the same facility, Annual Permits:

Packaged Lunch Truck (may include dispensing coffee made at an approved commissary): \$253

Mobile Support Unit: \$266

Carts and Vehicles: Prepackaged foods/ice cream/produce/tamale carts: \$228

Limited Food Preparation (vehicle or cart): \$516

Single Operating Site Mobile Food Facility (as defined in California Health & Safety Code Section 113831 (b) and 114306) with up to two limited food preparation carts out of no more than four: \$624

Single Operating Site Mobile Food Facility (as defined in California Health & Safety Code Section 113831 (b) and 114306) with three to four limited food preparation carts: \$757

Mobile Food Facility with full food preparation: \$760

(22) 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, Annual Permit:

Assessed at the approved hourly rate as authorized in subsection (m). For every 10 units or any part thereof, ½ hour will be assessed.

(23) Boat Annual Permit: \$388

(24) Cottage Food Operations:

Class A - Initial Annual Registration with up to 10 food label reviews: \$231

Class A - Annual Registration Renewal: \$92

Class B - Initial Annual Permit with up to 10 food label reviews: \$526

Class B - Annual Permit Renewal: \$361

Class A or B - Additional Label Review: Assessed at the approved hourly rate as authorized in subsection (m). Minimum 1/2 hour.

(25) Microenterprise Home Kitchen Operation:

Initial Annual Permit: \$673

Annual Permit Renewal: \$335

Updated SOP Review (after annual permit has been issued): Assessed at the approved hourly rate as authorized in subsection (m).

(26) Limited Service Charitable Feeding Operation (operating in accordance with Sections 113819 and 114333 of the California Retail Food Code):

Small Volume Annual Registration: \$356

Prepackaged Annual Registration: \$356

(b) HOUSING PERMIT FEES — APARTMENT HOUSE OR HOTEL: As required by Chapter 9 of Title 6 of the San Diego County Code of Regulatory Ordinances commencing with Section 66.901:

(1) Annual Permit for Apartment House or Hotel base fee: \$196

(2) For every 10 units or any part thereof, in addition to the base fee: \$24

(c) PUBLIC POOL PERMIT FEES: As required by Chapter 3 of Title 6 of the San Diego County Code of Regulatory Ordinances commencing with Section 67.301.

Annual permit fees:

- (1) One (1) body of water: \$468
- (2) Two (2) bodies of water: \$622
- (3) Three (3) bodies of water: \$910
- (4) Four (4) bodies of water: \$1,044
- (5) Five (5) bodies of water: \$1,155
- (6) Additional fee for each body of water in excess of five (5): \$201
- (7) Dormant body of water: \$173
- (8) Activity Pool/Spray Grounds/Interactive Features (per feature/pool): \$606

(d) DEPARTMENT ENFORCEMENT/ INVESTIGATION FEES:

(1) Fee for reopen, regrade, or reinspection of a facility or an unscheduled investigation of any facility, project, or property subject to Department regulation (per hour fee): Assessed at the approved hourly rate as authorized in subsection (m).

(2) Administrative office hearing: Assessed at four times the approved hourly rate as authorized in subsection (m).

(3) Suspension or revocation hearing: Assessed at six times the approved hourly rate as authorized in subsection (m).

(4) Sherman Act food investigation in accordance with Sections 113980, 114089, and 114094 of the California Retail Food Code, with a confirmed violation: Assessed at the approved hourly rate as authorized in subsection (m).

(5) Foodborne illness and/or recall investigation for activities without a current food facility permit issued by the Department: Assessed at the approved hourly rate as authorized in subsection (m).

(6) Penalty fee for operating a retail food facility without the required health permit: See Section 65.103(b).

(7) The Department's costs to investigate a complaint of non-compliance at any facility operation required by this Title to obtain a health permit, and the Department's costs to verify return to compliance not otherwise recovered through a reinspection fee,

only if the complaint is substantially validated: payable by and invoiced to the facility operator: Assessed at the approved hourly rate as authorized in subsection (m).

(e) PLAN CHECK FEES:

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

(a) One (1) body of water: \$2,092

(b) Additional fee for each body of water in excess of one (1): \$941

(c) Supplemental Fee for special purpose pools and perimeter overflow system pools (includes activity pools, spray grounds, pools > 3,000 square feet, and interactive water features): \$1,692

(d) Minor Remodel of one (1) body of water: \$490

(e) Renovation for each one (1) body of water: \$802

(f) Remodel for each one (1) body of water: \$1,457

(g) Additional fee for a Minor Remodel/Renovation of each body of water over one (1) (if with concurrent inspections for all bodies of water): \$212

(h) Pool Facility Remodel Plan Revision and Body of Water as Built Plan as provided for in Section 67.302.5: \$495

(i) Restamping, Body of Water Minor Remodel Plan Revision, Body of Water Renovation Plan Revision, or Approval of Non-Health Regulated Building Plans as required by other governmental agencies: \$232

(j) Additional fee for each construction inspection of a body of water that is not conducted concurrently with another Body of Water on the same project: Assessed at the approved hourly rate as authorized in subsection (m).

(k) Plan check review and related consultations, when construction was initiated prior to the approval of plans by both the Department and the local agency with authority over building plans: Assessed at the approved hourly rate as authorized in subsection (m).

(2) Food Facility Plan Review as provided for in Section 61.106:

(a) 0-1,999 Square Feet (up to three preparation areas): \$1,534

(b) 2,000-5,999 Square Feet (up to three preparation areas): \$1,931

(c) 6,000- 9,999 Square Feet (up to three preparation areas): \$3,153

- (d) 10,000 Square Feet and over (one preparation area): \$3,407
- (e) Each additional food preparation area after three sites for 0-9,999 square feet, and after one site for sites 10,000 square feet or greater: \$679
- (3) Prepackaged Food Facility or Wholesale Food Warehouse Plan Review as provided for in California Health and Safety Code section 114289:
 - (a) 0-7,999 Square Feet: \$810
 - (b) 8,000 Square Feet and over: \$1,003
- (4) Multiple Kitchen Complex Plan Review: \$1,446
- (5) Full Service/Direct Sales Catering Plan Review: \$526
- (6) Food Facility Minor Remodel Plan Review: \$670
- (7) Prepackaged Compact Mobile Food Operation/Prepackaged Truck Mobile Food Facility Plan Review: \$293
- (8) Unpackaged Compact Mobile Food Operation Plan Review: \$518
- (9) Open Food Preparation Truck Mobile Food Facility Plan Review: \$545
- (10) Mobile Food Support Unit Plan Review: \$578
- (11) Prepackaged Compact Mobile Food Operation /Prepackaged Truck Mobile Food Facility Template Plan Check: \$256
- (12) Unpackaged Compact Mobile Food Operation Template Plan Review: \$302
- (13) Food Facility Plan Revision as provided for in Section 61.106: \$408
- (14) Miscellaneous Facilities Plan Review
 - (a) Body Art Plan Review as regulated under 66.305 (Body Art Facility): \$648
 - (b) Massage Plan Review as regulated under 66.513 (Massage Establishment): \$628
 - (c) Other Miscellaneous Facilities as regulated under Section 66.606 (Bath Houses) or for other miscellaneous establishments where a plan review is required. \$472
- (15) Expedited Plan Review: Two times the plan check fee.
- (16) Expedited Plan Check Inspection: Assessed at one and a half times the approved hourly rate as authorized in subsection (m), minimum two hours.
- (17) Food Plan Check Office Consultation: \$186

(18) Food Plan Check Field Consultation: \$401

(19) Pool Plan Check Office Consultation: \$229

(20) Pool Plan Check Field Consultation: \$440

(21) Body Art Plan Check Office Consultation: \$206

(22) Body Art Plan Check Field Consultation: \$413

(23) Massage Plan Check Office Consultation: \$209

(24) Massage Plan Check Field Consultation: \$417

(25) Investigation of work without a permit. Whenever a food facility 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. \$346

(26) Investigation of work without a permit. Whenever a 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. \$385

(f) MISCELLANEOUS PROGRAM FEES:

(1) Massage Establishment Annual Permit: \$270

(2) Body Art Facility Annual Permit: \$469

Body Art Practitioner Registration (includes annual practitioners and practitioners working in conjunction with a body art temporary event): \$179

Body Art Temporary Event Sponsor: \$814

Body Art Temporary Event Booth: \$95

Body Art Temporary Event Late or Modified Application Fee (Supplemental fee paid in addition to required fee if application submittal is less than 14 days prior to the event and/or if any modifications are made to the submitted application less than 14 days prior to the event): \$289

Body Art Reinspection Fee (assessed if repeated noncompliance makes reinspection necessary): Assessed at the approved hourly rate as authorized in subsection (m).

Notification fee for single-use-needle mechanical ear-piercing only facilities: \$51

Services to Body Art Blood Borne Pathogen Training Providers: Assessed at the approved hourly rate as authorized in subsection (m), for time expended.

(3) Organized Camps Permits

Seasonal: \$920

Year Round: \$1,670

(4) Public Bath House Annual Permit: \$1,037

(5) Food Handler per Section 61.102.

Education Certificate Food Handler (each certificate): \$3

Food Handler Training Booklets: \$0.40

Food Manager Training Packet: \$2

(6) Services to food handler training providers: Assessed at the approved hourly rate as authorized in subsection (m), for time expended.

(7) Hazard Analysis Critical Control Point (HACCP) Plan Review (in accordance with the California Health and Safety Code section 114419): Assessed at the approved hourly rate as authorized in subsection (m), for time expended.

(8) Modified Health Permit (includes Standard Operating Procedure review and subsequent facility inspection): Assessed at the approved hourly rate as authorized in subsection (m).

(g) LAND USE FEES:

Duration of fees:

With the exception of, renewable permits and deposit accounts, permits are valid for one year 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 Section 65.104 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 subsection(m) of this section for authorized billing rates.

(1) Recycled Water Plan Check Fees, as provided for in Section 67.521(d): Assessed at the approved hourly rate as authorized in subsection (m).

(2) Recycled Water Inspection, as provided for in Section 67.523: Assessed at the approved hourly rate as authorized in subsection (m).

(3) OWTS Layout-Report Review/Percolation Test, as provided for in Section 68.361:

Percolation Test/ Soil Profile Review: \$952

Layout Report: New Construction: \$1,789

Layout Report: Additions/Pools: \$1,606

Modification/Revision to Approved Layout: \$1,102

Layout Diagram/Information Review: over the counter, no field investigation: \$311

(4) Onsite Wastewater System permit, as provided for in Section 68.326:

Septic Tank / Seepage Pit Destruction Stand Alone Project as assessed at the approved hourly rate as authorized in subsection (m).

Septic Tank / Seepage Pit Destruction with Repair Project as assessed at the approved hourly rate as authorized in subsection (m).

Holding Tank / Vaulted-Privy / Other Sanitation Facilities Project Review as assessed at the approved hourly rate as authorized in subsection (m).

Holding Tank / Vaulted-Privy / Other Sanitation Facilities Installation Permit as assessed at the approved hourly rate as authorized in subsection (m).

Standard Onsite Wastewater System Installation Permit: \$994

Standard Onsite Wastewater System Re-Inspection: \$380

Standard Onsite Wastewater System Repair Installation Permit: \$969

Treated Onsite Wastewater System Installation Permit: \$1,753

Treated Onsite Wastewater System Major Repair Installation Permit: \$1,669

Treated Onsite Wastewater System Annual Operating Permit, as provided for in Section 68.334: \$624

Onsite Wastewater System Enforcement Fee, as provided for in Section 68.336: Assessed at the approved hourly rate as authorized in subsection (m), minimum two hours.

Qualified Professional, Licensed Installer, Qualified Service Provider, Owner-Builder Demonstration (Consultation Review): Assessed at the approved hourly rate as authorized in subsection (m), minimum two hours.

Qualified Professional, Licensed Installer, Qualified Service Provider, Owner-Builder
Annual Registration: \$80

(5) Lot Line Adjustment/Certificate of Compliance/Conditional Certificate of Compliance, up to four lots as provided for in Sections 81.901 et seq./81.1103/81.1104, field investigation needed: \$1,949

(6) Lot Line Adjustment/Certificate of Compliance/Conditional Certificate of Compliance over the counter, no field investigation: \$440

(7) Graywater System Permits

Plan Review - with field check, as provided for in Section 68.361: \$924

Installation Inspections, as provided for in Section 68.361: \$820

Re-Inspection Fee, as provided for in Section 68.361: \$350

(8) Complaint response. Department costs to investigate a complaint and to verify return to compliance not otherwise recovered through a reinspection fee, only if the complaint is substantially validated: Assessed at the approved hourly rate as authorized in subsection (m).

(9) Sewage Pumper Examination Fee, as provided for in Section 68.602: \$210

(10) Sewage Pumper Base Registration Fee, as provided for in Section 68.604(a): \$321

(11) Sewage Pumping Vehicle (per vehicle), as provided for in Section 68.604(b): \$203

(12) Sewage Pumping Vehicle complaint response. Department costs to investigate a complaint of non-compliance by a sewage pumping vehicle, and Department costs to verify return to compliance not otherwise recovered through a reinspection fee, only if the complaint is substantially validated: Assessed at the approved hourly rate as authorized in subsection (m).

(13) Grading Plan, Major, as provided for in Section 87.204: \$872

(14) Deposit for a Special Projects Application Review as provided for in Section 68.361. (Initial deposit, additional funds at the hourly rate may be required for full cost recovery): \$1,616

(15) Deposit for a Tentative Map as provided for in Section 81.201 et seq. (Initial deposit, additional funds at the hourly rate may be required for full cost recovery): \$3,719

(16) Deposit for Tentative Parcel Map on Septic or Sewer as provided for in Section 81.201 et seq. (Initial deposit, additional funds at the hourly rate may be required for full cost recovery): \$2,021

(17) Deposit for Major Use Permits, Standard Application Review as provided for in Section 68.361 (Initial deposit, additional funds at the hourly rate may be required for full cost recovery): \$2,011

(18) Major Use Permit Modification/Minor Deviation as provided for in Section 68.361: \$1,206

(19) Discretionary Project Review as provided for in Section 68.361: \$1,215

(20) Administrative Permit Standard Application as provided for in Section 68.361: \$1,308

(21) Major Project Pre-application Conference as provided for in Section 68.361: \$1,557

(22) Pre-application Conference (Initial Consultation – No Permit) as provided for in Section 68.361: \$479

(23) Site Plan Application as provided for in Section 68.361: \$1,088

(h) WELL FEES:

Duration of fees.

Well permit applications are valid for 120 days from the date of approval.

(1) Well Permit Application, as provided for in Section 67.441.B

(a) Domestic Well: \$1,572

(b) Public Water Supply Well: \$2,810

(c) Well Destruction: \$1,442

(d) Monitoring Wells/Soil Boring (permit)

(i) Borings:

Initial Soil Boring: \$478

Each Additional Soil Boring at a single site: \$142

(ii) Monitoring Wells (Ground Water/Vadose Wells/Cathodic Protection Wells)

Initial Monitoring Well: \$873

Each Additional Monitoring Well at a single site: \$551

(iii) Monitoring Well Destruction

Initial Monitoring Well Destruction: \$425

Each Additional Monitoring Well Destruction at a single site: \$266

(e) Soil Vapor Survey (per site): \$1,620

(2) Extension of Permit: \$112

(3) Inactive Well Declaration: \$898

(4) Plan Check Re-submittal Fee. Assessed at the approved hourly rate as authorized in subsection (m).

(5) Water Well Inspection Fee: For plan check inspections and final well permit re-inspections. Assessed at the approved hourly rate as authorized in subsection (m).

(6) Monitoring Well Re-inspection Fee (per site): \$710

(7) Variance Requests. For review of variance from State Well Standards. Assessed at the approved hourly rate as authorized in subsection (m).

(8) Discretionary/CEQA Review. For compliance with CEQA requirements for discretionary actions. Minimum charge, 2 hours at the approved hourly rate as authorized in subsection (m).

(9) Collected Water Sample from Private Well: \$838

(10) 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.

(11) Miscellaneous Well Program Fee. Includes Well Program activities where no fee is specifically indicated. Assessed at the approved hourly rate as authorized in subsection (m).

(12) Complaint Response. Department costs to investigate a complaint and to verify return to compliance not otherwise recovered through a reinspection fee, only if the complaint is substantially validated. Assessed at the approved hourly rate as authorized in subsection (m).

(13) Enforcement Fee for noncompliance with permitting requirements and conditions as provided for in Section 67.440. Assessed at the approved hourly rate as

authorized in subsection (m).

(i) STATE SMALL WATER SYSTEM FEES:

(1) State Small Water System Change of Ownership/Permit Amendment/Plan Review Fee, as provided for in California Health and Safety Code, Sections 101325 and 116340. Assessed at the approved hourly rate as authorized in subsection (m).

(2) State Small Water System

Annual Drinking Water Operating Permit Fee, as provided in California Health and Safety Code, Sections 101325, 116340: \$1,665

(3) Enforcement fee, as provided for in California Health and Safety Code, Section 116650:

Assessed at the approved hourly rate as authorized in subsection (m), 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 California Health and Safety Code Section 116701.

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

Annual Permit Fees:

(1) Municipal Solid Waste Landfills (active):

Large – Permitted to receive more than 500 tons per day: \$77,310

Small – Permitted to receive 500 tons or less per day: \$38,871

(2) Transfer/Processing Facilities and Operations:

(a) Extra Major Large - Sites that require twelve inspections per year: \$37,791

Large Volume Transfer/Processing Facility (permitted to receive/process more than 3,000 tons per day)

(b) Major Large - Sites that require twelve inspections per year: \$24,503

Large Volume Transfer/Process Facility (permitted to receive/process more than 1,000 tons per day and up to 3,000 tons per day)

(c) Minor Large - Sites that require twelve inspections per year: \$18,134

Large Volume Transfer/Process Facility (permitted to receive/process up to 1,000 tons per day)

Inert Debris Processing Facility

Large Volume CDI Debris Processing Facility

Large Volume C&D Wood Debris Chipping and Grinding Facility

(d) Medium - Sites that require twelve inspections per year: \$11,337

Medium Volume Transfer/Processing 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 Chipping and Grinding Facility

(e) Limited/Small - Sites that require four inspections per year: \$5,183

Limited Volume Transfer/Processing Operation (less than 15 tons or 60 cubic yards (whichever is greater))

Small Volume CDI Debris Processing Operation

Small Volume C&D Wood Debris Chipping and Grinding Operation

Inert Debris Type A Only Processing Operation

(f) Limited/Small - Sites that require two inspections per year: \$2,591

Limited Volume Transfer/Processing Operation (less than 15 tons or 60 cubic yards (whichever is greater))

Small Volume CDI Debris Processing Operation

Small Volume C&D Wood Debris Chipping and Grinding Operation

Inert Debris Type A Only Processing Operation

(g) Sealed Container Transfer Operations - Sites that require one inspection per year: \$1,067

Operation where solid wastes remain at all times within unopened containers on-site and are not stored for more than 96 hours

(h) Recycling Center - Sites that require one inspection per year: \$1,067

CDI Recycling Center

Inert Debris Recycling Center

(3) CDI Waste Disposal Facility - Sites that require twelve inspections per year: \$18,140

(4) Inert Debris Type A Disposal Facility - Sites that require twelve inspections per year: \$11,877

(5) Inert Debris Engineered Fill Operation - Sites that require four inspections per year: \$5,140

(6) Compostable Materials Handling and In-Vessel Digestion Facilities and Operations:

(a) Full Permit - Sites that require twelve inspections per year: \$14,757

(b) Registration Permit Tier or Enforcement Agency Notification -- Sites that require twelve inspections per year: \$15,117

(c) Registration Permit Tier or Enforcement Agency Notification -- Sites that require four inspections per year: \$5,364

(d) Enforcement Agency Notification - Sites that require two inspections per year: \$2,721

(e) Registration Permit Tier or Enforcement Agency Notification - Sites that require one inspection per year: \$1,188

(7) Closed Sites Annual Fees:

(a) Monthly - Sites that require twelve (12) inspections per year: \$40,080

(b) Quarterly Large Landfills - Sites that require four (4) inspections per year: \$11,992

(c) Quarterly Burns Sites/Small Landfills - Sites that require four (4) inspections per year: \$6,479

(d) Annual - Sites that require one inspection per year: \$1,566

Other Solid Waste Fees:

(8) Solid waste handling fees - All solid waste handlers within the jurisdiction of the County of San Diego LEA shall remit \$0.24 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 Local Enforcement Agency (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.

(9) LEA Review of Required Submissions

LEA processing of application or notification materials for a solid waste facility permit or other allowed operating status, and processing of related informal submissions by project proponents inquiring concerning a solid waste facility permit or a potential permit modification or revision, and review and processing of any required technical reports or proposed plans related to solid waste management activity or the correction of illegal or unpermitted activity. This includes but is not limited to the costs of reviewing reports, investigation plans, closure plans, and evidence of financial ability. To be paid by the applicant or project proponent, based on LEA time expended at the approved hourly rate as authorized in subsection (m). The LEA may require that a deposit be made against the estimated cost of reviewing or processing each submission by the operator applicant or project proponent.

(10) Unauthorized or Non-Compliant Solid Waste Activity

LEA investigation and resolution of any solid waste activity conducted without a required permit or in accordance with state solid waste regulations, including LEA review of any required reports to the LEA. Also the Department costs to investigate a complaint of non-compliance at a facility required to have a solid waste facility permit or other entitlement to operate, or in accordance with state solid waste regulations, and the Department's costs to verify return to compliance not otherwise recovered through a reinspection fee, if but only if the complaint is substantially validated: To be paid by the responsible party based on LEA time expended at the approved hourly rate as

authorized in subsection (m), if unpermitted or otherwise illegal or non-compliant activity is substantially validated: Assessed at the approved hourly rate as authorized in subsection (m). This fee is in addition to any fines or penalties imposed for the unpermitted activity-compliant activity, and in addition to any permit application fees that may apply. The LEA may require that a deposit be made against the estimated cost of reviewing or processing each submission by the responsible party.

**(k) UNIFIED PROGRAM AND HAZARDOUS MATERIALS PROGRAM FEES,
MEDICAL WASTE FEES:**

(1) Unified Program Facility or Medical Waste Generator Facility Annual Permit Base Fee (Required for all Permits except as noted. A Medical Waste Generator Facility which is also a Unified Program Facility shall be subject to one base fee): \$443

Reinspection Fee: \$443

Additional Processing Fee where facility information and other program elements that are subject to electronic reporting in CERS are not submitted, repeatedly not accepted, or not up to date and Small Medical Waste Generator Registration applications repeatedly not accepted: Assessed at the approved hourly rate as authorized in subsection (m).

(2) Hazardous and Medical Waste

(a) Per hazardous waste and/or medical waste: \$93

(b) Per universal waste at or above hazardous materials business plan inventory threshold: \$93

(3) Onsite Hazardous Waste Treatment (Tiered Permitting) Facility Annual Fees

(a) Conditional Exemption per unit: \$305

(b) Conditional Authorization per unit: \$534

(c) Permit by Rule per unit: \$913

(4) Hazardous Material Response Plans and Inventory Annual Permit

(a) Per hazardous material: \$93

(b) Maximum fee for hazardous materials: \$3,720

(c) Minimal Inventory Variation Low Risk Business Operations: \$529

(5) Underground Storage Tank Annual Operating Permit, Per Tank: \$546

(6) Underground Hazardous Materials Storage Tank Special Permits

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

Base Fee (includes one (1) tank): \$2,928

Each Additional Tank: \$750

(b) Underground Storage Tank Closure/Removal

Base Fee (up to 11 hours): \$2,282

Closure/Removal projects requiring more than 11 hours: Assessed at the approved hourly rate as authorized in subsection (m).

(c) Plan Re-Review and Plan Extension: \$216

(d) Underground Storage Tank Modification/Upgrade that involves inspection

Base Fee (up to 10 hours): \$2,020

Modification/Upgrade projects requiring more than 10 hours: Assessed at the approved hourly rate as authorized in subsection (m)

(e) Underground Storage Tank Additional Plan Check
Inspection/Reinspection: \$966

(f) Underground Storage Tank Consultation Fee: Assessed at the approved hourly rate as authorized in subsection (m).

(7) Unified program facilities subject only to Chapter 6.5 of the California Health and Safety Code as small quantity hazardous waste generators, and no other unified program requirements, and which generate less than 200 pounds per month of medical waste annual permit (Annual Permit Base Fee not required): \$157

(8) Small Quantity Medical Waste Generator Biennial Registration: \$203

(9) Payment for medical waste onsite treatment permit application review and processing:

(a) Initial Application: Assessed at the approved hourly rate as authorized in subsection (m). Two hour minimum.

(b) Review or Revised Application(s): Assessed at the approved hourly rate as authorized in subsection (m). Two hour minimum.

(10) Business establishments that generate 200 or more pounds of medical waste in any month of a 12-month period annual permit: \$865

(11) Hazardous Materials Management Business Plan (HMBP) Review for sites amending their HMBP as part of the Building Permit process (fee per site): \$472

(12) Hazardous Materials Management Business Plan (HMBP) Review for sites evaluated as part of the Building Permit process (Exempted Sites; fee per site): \$107

(13) Preliminary workscope assessment where no fee is specifically indicated. (Includes Risk Management Plans and other technical assistance.) Assessed at the approved hourly rate as authorized in subsection (m), minimum two hours.

(14) California Accidental Release Program (CalARP) and Risk Management Plans (RMPs)

(a) Program 1 annual fee: \$410

(b) Program 2 & 3 annual fee: \$493

(c) RMP review work and additional inspection/ audit costs that exceed the annual fee: Assessed at the approved hourly rate as authorized in subsection (m).

(15) Day Care Questionnaire Review for City of San Diego (fee per site): \$361

(16) Fee for Low-Risk Unified Program Facilities designated by the Director of Environmental Health and Quality (Unified Program Facility Annual Permit Base Fee not required):

(a) Annual flat fee for Silver-Only Waste Generator facilities pursuant to HSC §25143.13 and 68.902: \$90

(b) One-time fee for Unstaffed, Remote Location facilities pursuant to HSC §25507.02 and 68.902:(one-time fee per facility): \$1,265

(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. \$452

(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 facility Fees, the Hazardous Materials Fees, the Aboveground Petroleum Storage Act 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. \$28,903

(20) Facilities subject to the Aboveground Petroleum Storage Act (APSA) annual fee:

Small APSA (total petroleum storage capacity of less than 10,000 gallons or Conditionally Exempt): \$345

Large APSA (total petroleum storage capacity of 10,000 gallons or more): \$430

(21) Deposit for a preliminary risk assessment where no fee is specifically indicated. (Includes oversight and investigation of contaminated ground water/soil and other technical assistance): Minimum charge, 20 hours at the approved hourly rate as authorized in subsection (m)(9). Initial deposit, additional funds at the approved hourly rate as authorized in subsection (m) may be required for full cost recovery.

(22) Corrective Action Oversight. The responsible party or the person requesting the County's oversight of corrective action shall pay the County for its oversight costs. Funds to pay for the Department oversight of corrective action pursuant to section 68.915 of this code shall be advanced to and retained by the County as specified herein.

An initial deposit as specified in section (k)(22)(a) below shall be made by the responsible party or the person requesting oversight. Actual time expended by the Department in oversight shall be charged to this deposit account at the approved hourly rate as authorized in subsection (m)(9).

Additional deposits shall be made to the deposit account by the responsible party or person requesting oversight as specified by the County, to maintain a positive balance sufficient to cover anticipated oversight costs in that case for two to three months. Upon completion of work and closure of the case, any funds not expended shall be returned to the responsible party or person seeking oversight.

(a) Corrective Action Initial Deposit: \$5,675

(23) Regulated facility complaint response: The Department's costs to investigate a complaint or an agency referral regarding non-compliance at a facility required to have a Unified Program Facility Permit, Medical Waste Generator Facility Permit or Small Quantity Medical Waste Generator Biennial Registration, including the Department's costs to verify return to compliance. Applicable if the complaint is substantially validated:

Department labor, including travel time, assessed at the approved hourly rate as authorized in subsection (m), payable by and invoiced to the facility operator as a regulatory program fee.

Note: If an emergency response is undertaken, Chapter 8 of Division 8 of this Title is also applicable. If removal and disposal of abandoned hazardous waste or hazardous material is undertaken on a non-emergency basis, subsection (k)(25) of this Section is also applicable. For the Hazardous Incident Response Team Emergency Response, the approved Environmental Health Specialist hourly rate is authorized in subsection (m)(8).

(24) Other complaint response: Department costs to investigate a complaint or an agency referral regarding improper management of hazardous wastes or hazardous materials at any place not otherwise required to have a Unified Program Facility Permit. This includes the Department's costs to verify proper on-site management, or the removal and proper subsequent disposition of those materials or wastes. Applicable if the complaint is substantially validated:

Department labor, including travel time, assessed at the approved hourly rate authorized in subsection (m), payable by and invoiced to the person who owns or controls the hazardous waste or material, as a regulatory program fee.

Note: If an emergency response is undertaken, Chapter 8 of Division 8 of this Title is also applicable. If removal and disposal of abandoned hazardous waste or hazardous material is undertaken on a non-emergency basis, subsection (k)(25) of this Section is also applicable. For the Hazardous Incident Response Team Emergency Response the approved Environmental Health Specialist hourly rate is authorized in subsection (m)(8).

(25) Hazardous waste and hazardous material abatement. The Department's costs to remove and manage, or to arrange for the removal and proper management of, hazardous wastes or hazardous materials that have been abandoned, where there is no immediate need for an emergency response:

Department labor, including travel time, assessed at the approved hourly rate specified in subsection (m), plus all other costs incurred, including but not limited to costs, costs of equipment usage, the cost of supplies, contract service costs, administrative and overhead costs, and the cost of legal services incurred. Payable by and invoiced to the responsible party if identified. Payable by the property owner or lessee if the responsible party cannot be identified. For the Hazardous Incident Response Team Emergency Response the approved Environmental Health Specialist hourly rate is specified in subsection (m)(8).

The appeal and lien provisions of Chapter 8 of Division 8 of this Title are applicable to invoices issued under this subsection (k)(25).

This subsection does not limit the County's ability to instead order the abatement of, or to abate or summarily abate, a public nuisance and pursue cost recovery as provided in Chapter 2 of Division 6 of Title 1 of this code.

(l) RADIATION SHIELDING PLAN CHECK FEES:

- (1) Radiation Shielding Plan Check Fee (base fee includes two rooms): \$108
- (2) For more complex plan checks: Sites are billed at the approved hourly rate as authorized in subsection (m)(7) for additional plan check and inspection costs that exceed the hours covered by the fee calculated above.

(m) MISCELLANEOUS DEPARTMENT FEES:

- (1) Duplicate permit, license, grade card, registration, or other required document under any Department program (per document): \$18
- (2) Health regulated business name change: \$30
- (3) Copies of Documents: Fees are allowed under the California Public Records Act (Government Code Section 6253(b)), are set by the County of San Diego Auditor and Control and can be found here: <https://www.sandiegocounty.gov/content/sdc/auditor/feeschedule.html>.
- (4) Vector Control Technician hourly rate for which no fee is specifically indicated, including consultation services (minimum charge one hour, each additional ½ hour will be charged one half of the hourly rate): \$192
- (5) Vector Ecologist hourly rate for which no fee is specifically indicated, including consultation services (minimum charge one hour, each additional ½ hour will be charged one half of the hourly rate): \$259
- (6) Environmental Health Technician hourly rate for which no fee is specifically indicated, including consultation services (minimum charge one hour, each additional ½ hour will be charged one half of the hourly rate): \$131
- (7) Environmental Health Specialist hourly rate for which no fee is specifically indicated, including consultation services (minimum charge one hour, each additional ½ hour will be charged one half of the hourly rate): \$196
- (8) Hazardous Incident Response Team Emergency Response hourly rate for which no fee is specifically indicated, including consultation services (minimum charge one hour, each additional ½ hour will be charged one half of the hourly rate): \$255
- (9) Site Assessment and Mitigation Program hourly rate for which no fee is specifically indicated, including consultation services (minimum charge one hour, each additional ½ hour will be charged one half of the hourly rate): \$287

(10) Recycled Water Program hourly rate for which no fee is specifically indicated, including consultation services (minimum charge one hour, each additional ½ hour will be charged at one half of the hourly rate): \$300

(11) Expedited services will be provided at the request of the customer when possible. These services will be provided by staff working paid overtime. Assessed at one and a half times the approved hourly rate as authorized in subsection (m).

(12) Cost for services provided for which a deposit is required will be assessed at the approved hourly rate as authorized in subsection (m). Costs for expedited services provided for which a deposit is required will be assessed at one and a half times the approved hourly rate as authorized in subsection (m).

(13) **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.

(14) Fees for sample collection, laboratory costs, and project oversight shall be assessed at the approved hourly rate as authorized in subsection (m) and for all laboratory costs associated with sampling and analysis.

(15) Vector Laboratory 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	\$433
5426	Agricultural Scientist	\$234
4317	Disease Research Scientist	\$185

(16) The following fees shall be paid to the Department for Vector Laboratory services:

Laboratory tests: \$57

(Amended by Ord. No. 6599 (N.S.), effective 7-7-83; amended by Ord. No. 6809 (N.S.), effective 8-2-84; amended by Ord. No. 6972 (N.S.), effective 7-18-85; amended by Ord. No. 7061 (N.S.), effective 12-5-85; amended by Ord. No. 7142 (N.S.), effective 6-27-86; amended by Ord. No. 7299 (N.S.), effective 6-11-87; amended by Ord. No. 7356 (N.S.), effective 9-10-87; amended by Ord. No. 7495 (N.S.), effective 7-21-88; amended by Ord. No. 7617 (N.S.), effective 5-18-89; amended by Ord. No. 7647 (N.S.), effective 8-4-89; amended by Ord. No. 7797 (N.S.), effective 9-6-90; amended by Ord. No. 7931 (N.S.), effective 7-18-91; amended by Ord. No. 8007 (N.S.), effective 12-26-91; amended by Ord. No. 8118 (N.S.), effective 9-3-92; amended by Ord. No. 8279 (N.S.), effective 8-19-93; amended by Ord. No. 8458 (N.S.), effective 11-17-94; amended by Ord. No. 8553 (N.S.), effective 8-10-95, operative 8-10-95; amended by Ord. No. 8568 (N.S.), effective 8-17-95; amended by Ord. No. 8604 (N.S.), effective 11-17-95; amended by Ord. No. 8614 (N.S.), effective 1-4-96; amended by Ord. No. 8680 (N.S.), operative 7-1-96; amended by Ord. No. 8747 (N.S.), operative 1-1-97; amended by Ord. No. 8856 (N.S.), effective 1-15-98; amended by Ord. No. 8866 (N.S.), effective 1-6-98; amended by Ord. No. 8919 (N.S.), effective 7-9-98; subsections (l)--(r) repealed by Ord. No. 8962 (N.S.), effective 9-23-98; amended by Ord. No. 9269 (N.S.), effective 12-15-00; amended by Ord. No. 9322 (N.S.), effective 5-4-01; amended by Ord. No. 9444 (N.S.), effective 4-12-02; amended by Ord. No. 9524 (N.S.), effective 1-10-03; amended by Ord. No. 9530 (N.S.), effective 3-14-03; amended by Ord. No. 9579 (N.S.), effective 8-8-03; amended by Ord. No. 9664 (N.S.), effective 8-14-04; amended by Ord. No. 9767 (N.S.), effective 5-5-06; amended by Ord. No. 9859 (N.S.), effective 6-15-07, operative 7-1-07; amended by Ord. No. 9883 (N.S.), effective 10-19-07; amended by Ord. No. 10037 (N.S.), effective 3-26-10; amended by Ord. No. 10065 (N.S.), effective 8-13-10; amended by Ord. No. 10098 (N.S.), effective 1-7-11; amended by Ord. No. 10219 (N.S.), effective 8-24-12; amended by Ord. No. 10229 (N.S.), effective 11-9-12; amended by Ord. No. 10238 (N.S.), effective 1-4-13; amended by Ord. No. 10317 (N.S.), effective 2-7-14; amended by Ord. No. 10350 (N.S.), effective 9-5-14; amended by Ord. No. 10379 (N.S.), effective 4-17-15; amended by Ord. No. 10412 (N.S.), effective 2-26-16; amended by Ord. No. 10473, effective 7-1-17; amended by Ord. No. 10487, effective 7-1-17; amended by Ord. No. 10488, effective 7-1-17; amended by Ord. No. 10536 (N.S.), effective 7-1-18; amended by Ord. No. 10606 (N.S.), effective 7-1-19; amended by Ord. No. 10680 (N.S.), effective 9-4-20; amended by Ord. No. 10709 (N.S.), effective 1-15-21; amended by Ord. No. 10733 (N.S.), effective 7-1-21; amended by Ord. No. 10786 (N.S.), effective 7-1-22; amended by Ord. No. 10848 (N.S.), effective 7-1-23)

Section 9. Section 67.430 of the San Diego Code is hereby amended to read as follows:

SEC. 67.430. INVESTIGATION.

The Director may, upon reasonable cause to believe that an abandoned well or other well is causing a nuisance by polluting or contaminating ground water, or constitutes a safety hazard, investigate the situation to determine whether such nuisance does in fact exist. The Director shall have the power, when in the performance of their duty and upon first presenting their credentials and identifying themselves as an employee of the Department to the person apparently in control of the premises, if available, to enter upon any such premises between the hours of 8:00 a.m., and 6:00 p.m., to discover or inspect anything or condition which appears to indicate such a nuisance. The Director may examine such premises, things or conditions, take such samples and make such tests as needed and take any other steps reasonably necessary for the proper investigation and determination of whether such a nuisance exists.

(Amended by Ord. No. 5405 (N.S.), effective 3-22-79, operative 3-23-79; amended by Ord. No. 7309 (N.S.), effective 7-2-87; amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95; amended by Ord. No. 10238 (N.S.), effective 1-4-13; amended by Ord. No. 10709 (N.S.), effective 1-15-21; amended by Ord. 10927 (N.S.), effective 1-10-25)

Section 10. Section 68.315 of the San Diego Code is hereby amended to read as follows:

SEC. 68.315. DIRECTOR MAY AUTHORIZE ALTERNATIVE TOILETS.

The Director may authorize use of an alternative toilet for use when no public sewer is available for a campsite, park, or trail, or for an approved temporary structure or use, or for occasional supplemental sewage disposal capacity for a commercial use, or for an extractive use or other industrial use in an isolated area, such as a facility that receives solid waste. Alternative toilets shall be approved, installed, and maintained in accordance with the standards in the LAMP. Alternative toilets shall not be approved where a water closet is required.

(Amended by Ord. No. 9273 (N.S.), effective 12-15-00; amended by Ord. No. 10136 (N.S.), effective 4-15-11; amended by Ord. No. 10927 (N.S.), effective 1-10-25)

Section 11. Section 68.1101 of the San Diego Code is hereby amended to read as follows:

SEC. 68.1101. PURPOSE.

Publisher's Note: This Section has been AMENDED by new legislation (Ord. 10709, adopted 12-09-2020). The text of the amendment will be incorporated below when the ordinance is codified.

Editor's Note--The above Publisher's Note is included as it appears in Ord. No. 10927 (N.S.). However, the referenced Ord. No. 10709 has already been codified.

It is the intent of the Board of Supervisors that the Director shall implement Division 20, Chapter 6.95 of the Health and Safety Code. It is further the intent of the Board of Supervisors that the Director of the Department of Environmental Health and Quality expand the application of the Business Plan, Area Plan, other reporting, disclosure and monitoring requirements of Division 20, Chapter 6.95 of the Health and Safety Code in a manner hereinafter prescribed.

(Amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95; amended by Ord. No. 9293 (N.S.), effective 1-12-01; amended by Ord. No. 10927 (N.S.), effective 1-10-25)

Section 12. Section 94.1.713.0 of the San Diego Code is hereby amended to read as follows:

SEC. 94.1.713.0. SEWER REQUIRED.

Section 713 of the California Plumbing Code is revised to read:

Sec. 713.0 Sewer required.

Sec. 713.1 Sewer connection required. Every building in which plumbing fixtures are installed shall have a connection to a public sewer except as provided in section 713.2.

Sec. 713.2 On-site wastewater treatment system. When a public sewer is not available for use, drainage piping from buildings and premises shall be connected to an approved on-site wastewater treatment system.

Sec. 713.3 Graywater system. The Director of the Department of Environmental Health and Quality may issue a permit for the installation and operation of a graywater system in the unincorporated area of the County that complies with Chapter 16A of the County Plumbing Code and sections 68.301 et seq. relating to on-site wastewater treatment systems. All plumbing and drainage for a building up to and including the

point of connection with any component of the graywater system shall comply with this chapter and shall be subject to inspection and approval by the building official.

(Added by Ord. No. 10146 (N.S.), effective 5-13-11; repealed and reenacted by Ord. No. 10464 (N.S.), effective 4-14-17; repealed and adopted by Ord. No. 10651 (N.S.), effective 2-28-20; amended by Ord. No. 10709 (N.S.), effective 1-15-21; repealed and adopted by Ord. No. 10829 (N.S.), effective 3-10-23)

Section 13. Section 96.1.APP.H100 of the San Diego Code is hereby amended to read as follows:

SEC. 96.1.APP.H100. REPORTING FORMS.

Appendix H, sec. H100 is added to the California Fire Code to read:

SECTION H100

REPORTING FORMS

H100.1 Reporting forms. Hazardous Materials reporting forms currently adopted by San Diego County Department of Environmental Health and Quality Hazardous Materials Management Unit which cover the same areas as forms contained in this Appendix are adopted by reference and take precedence over this Appendix.

(Added by Ord. No. 10337 (N.S.), effective 6-19-14; repealed and reenacted by Ord. No. 10465 (N.S.), effective 4-14-17; repealed and reenacted by Ord. No. 10659 (N.S.), effective 3-26-20; amended by Ord. No. 10709 (N.S.), effective 1-15-21; repealed and reenacted by Ord. No. 10833 (N.S.), effective 4-13-23)

Section 14. Effective Date. This Ordinance shall take effect (30) days after its adoption. Within fifteen days after the date of adoption of this ordinance, a summary shall be published once with the name of those members voting for and against the same in the newspaper of general circulation published in the County of San Diego.

APPROVED AS TO FORM AND LEGALITY
David J. Smith, Acting County Counsel

BY: Gregory L. Lusitana, Senior Deputy
County Counsel