

Meeting Date: May 24, 2023 (02)

ORDINANCE NO. 10848 (NEW SERIES)

ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF REGULATORY
ORDINANCES TO ADJUST DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY
REGULATORY PROGRAM FEES AND ASSOCIATED ORDINANCE REVISIONS

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

Section 1. Purpose.

This ordinance adjusts fees payable to the Department of Environmental Health and Quality (DEHQ) during Fiscal Year 2023-24 (and continuing until amended) as directed by the Board of Supervisors on April 19, 2023 in order to continue to meet program objectives, provide a level of service expected by stakeholders and customers, and fully recover costs except in two cases: (1) where alternative funding has been used to offset increases to permit fees; and (2) where the Board of Supervisors (Board) has previously directed the waiver or discounting of fees. Where fees are set below DEHQ expected costs, supplemental non-fee revenues are expected to be available to make up those deficits. Annual adjustment to fees are planned, to implement the Department's commitment to the Board to make recovering costs a regular part of business, while providing stakeholders an opportunity to plan for fee adjustments.

Section 2. Section 61.102 of the San Diego County 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.

"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. Limited beverage service does not include any operation that requires the mixing of ingredients, addition of ice or garnishes to a beverage, or the addition of any potentially hazardous ingredients.

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

"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.

"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.

"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.

"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).

"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.

Section 3. Section 65.107 of the San Diego County Code is hereby amended to read as follows:

SEC. 65.107. FEES.

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

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

(1) **Restaurant Annual Permits:**

1 to 10 employees: \$809

11 to 25 employees: \$948

26 to 100 employees: \$1,124

101 or more employees: \$2,006

Each food preparation areas at a restaurant type food facility in excess of three (3) at the same location: \$624

(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: \$564

(3) **Miscellaneous Food Facilities Facility** (as defined in section [61.102](#)) Annual Permit: \$200

(4) Prepackaged Retail Markets Food Facility (may also include prepackaged retail markets that make ice and dispense non-potentially hazardous beverages), Annual Permits: \$245

(5) Wholesale Food Warehouse Annual Permits:

Warehouse (1-19,999 square feet): \$588

Warehouse (20,000 square feet and greater): \$733

(6) Satellite Food Service Operation (operating in accordance with the California Health and Safety Code sections 113899 and 114067) Annual Permit: \$144

(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: \$175

10,000 square feet and over: \$229

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

1 to 10 employees: \$909

11+ employees: \$1,217

Each delicatessen and/or food preparation area at a retail market in excess of three (3) at the same location: \$540

(9) Retail Food Processing Facility Annual Permit: \$733

(10) Full Service Catering Facility and Direct Sales Catering Annual Permit: \$686

(11) School Food Processing Facility Annual Permit: \$472

(12) School Food Auxiliary Facility Annual Permit: \$346

(13) Licensed Health Care Facility Annual Permit: \$756

(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 calendar year. This exemption does not apply to the late application submittal fees):

Single Location Swap Meet Vendor - Annual Permit: \$107

Prepackaged Foods/Limited Beverage Service - Single Event Permit: \$142

Prepackaged Foods/Limited Beverage Service - Annual Permit: \$346

Unpackaged Foods - Single Event Permit: \$241

Unpackaged Foods (with approved commissary or other approved facility and food safety certification if handling potentially hazardous foods) - Annual Permit: \$661

Temporary Food Facility Event Organizer - Single Event Permit: \$362

Temporary Food Facility Event Organizer - Annual Permit (Identical Event held at same location): \$638

(15) Certified Farmers Market Annual Permits:

Certified Farmers Market: \$461

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): \$760

(16) Fisherman's Market Annual Permit: \$1,084

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

Single Event Permit: \$142

Annual Permit: \$346

(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.: \$184

(19) Vending Machine or Prepackaged Food Facility Commissary Annual Permit: \$390

(20) Unpackaged Mobile Food or Food Preparation Commissary Annual Permit: \$462

(21) Mobile Food Facility or Mobile Support Unit (as defined in California Health & Safety Code Section 113818) 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): \$243

Mobile Support Unit: \$255

Carts and Vehicles: Prepackaged foods/ice cream/produce/tamale carts: \$220

Limited Food Preparation (one limited food preparation cart and one auxiliary unit): \$495

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: \$600

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: \$727

Mobile Food Facility with full food preparation: \$730

(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: \$373

(24) Cottage Food Operations:

Class A - Initial Annual Registration with up to 10 food label reviews: \$223

Class A - Annual Registration Renewal: \$89

Class B - Initial Annual Permit with up to 10 food label reviews: \$506

Class B - Annual Permit Renewal: \$347

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: \$646

Annual Permit Renewal: \$322

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: \$345

Prepackaged Annual Registration: \$345

(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: \$168

(2) For every 10 units or any part thereof, in addition to the base fee: \$19

(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: \$411

(2) Two (2) bodies of water: \$529

(3) Three (3) bodies of water: \$780

(4) Four (4) bodies of water: \$877

(5) Five (5) bodies of water: \$975

(6) Additional fee for each body of water in excess of five (5): \$172

(7) Dormant body of water: \$149

(8) Activity Pool/Spray Grounds/Interactive Features (per feature/pool): \$557

(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: \$1,889
 - (b) Additional fee for each body of water in excess of one (1): \$770
 - (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): \$1,516
 - (d) Minor Remodel of one (1) body of water: \$428
 - (e) Additional fee for a Minor Remodel of each body of water over one (1), (If with concurrent inspections for all bodies of water): \$183
 - (f) Renovation for each one (1) body of water: \$702
 - (g) Remodel for each one (1) body of water: \$1,286
 - (h) 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).
 - (i) 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): \$1,474
- (b) 2,000-5,999 Square Feet (up to three preparation areas): \$1,855
- (c) 6,000- 9,999 Square Feet (up to three preparation areas): \$3,028
- (d) 10,000 Square Feet and over (one preparation area): \$3,273
- (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: \$653
- (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: \$777
 - (b) 8,000 Square Feet and over: \$963
- (4) Multiple Kitchen Complex Plan Review: \$1,388
- (5) Food Facility Minor Remodel Plan Review: \$644
- (6) Mobile Food Facility Plan Check/Mobile Food Support Unit: \$555
- (7) Food Facility Plan Revision as provided for in Section [61.106](#): \$392
- (8) Pool Facility Major Remodel Plan Revision and Body of Water as Built Plan as provided for in Section [67.302.5](#): \$435
- (9) 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: \$195
- (10) Miscellaneous Facilities Plan Review
 - (a) Body Art Plan Review as regulated under [66.305](#) (Body Art Facility): \$598
 - (b) Massage Plan Review as regulated under [66.513](#) (Massage Establishment): \$566
 - (c) Other Miscellaneous Facilities as regulated under Section [66.606](#) (Bath Houses) or for other miscellaneous establishments where a plan review is required. \$449
- (11) Expedited Plan Review: Two times the plan check fee.
- (12) Expedited Plan Check Inspection: Assessed at one and a half times the approved hourly rate as authorized in subsection (m), minimum two hours.
- (13) Food Plan Check Office Consultation: \$178
- (14) Food Plan Check Field Consultation: \$384
- (15) Pool Plan Check Office Consultation: \$190
- (16) Pool Plan Check Field Consultation: \$379
- (17) Body Art Plan Check Office Consultation: \$191
- (18) Body Art Plan Check Field Consultation: \$381
- (19) Massage Plan Check Office Consultation: \$191

(20) Massage Plan Check Field Consultation: \$381

(21) 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. \$332

(22) 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. \$347

(f) MISCELLANEOUS PROGRAM FEES:

(1) Massage Establishment Annual Permit: \$246

(2) Body Art Facility Annual Permit: \$435

Body Art Practitioner Registration (includes annual practitioners and practitioners working in conjunction with a body art temporary event): \$165

Body Art Temporary Event Sponsor: \$754

Body Art Temporary Event Booth: \$88

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.): \$259

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: \$45

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: \$861

Year Round: \$1,559

(4) Public Bath House Annual Permit: \$1,019

(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.

(g) LAND USE FEES:

Duration of fees:

With the exception of well permits, renewable permits and deposit accounts, permits are valid for one year from the date of approval. Well permit applications are valid for 120 days from the date of approval. Renewable permits expire one year from the date they are issued. The permit for sewage pumping vehicles shall expire on December 31 of each year; refer to 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) Well Permit Application, as provided for in Section [67.441.B](#)

Domestic Well: \$1,042

Public Water Supply Well: \$2,014

Well Destruction: \$1,019

Inactive Well Declaration: \$705

Well Water Permit Time Extension: \$81

(4) Collected Water Sample from Private Well: \$648

(5) Layouts/Percolation Test, as provided for in Section [68.361](#):

New Construction: \$1,355

Additions/Pools: \$1,217

Layout/Percolation Test Time Extension: \$753

Layout over the counter, no field investigation: \$159

(6) Onsite Wastewater System permit, as provided for in Section [68.326](#):

Conventional Onsite Wastewater System Inspection: \$606

Conventional Onsite Wastewater System Re-Inspection: \$287

Conventional Onsite Wastewater System Repair Inspection: \$578

Treated Onsite Wastewater System Installation Inspection: \$1,210

Treated Onsite Wastewater System Major Repair Inspection: \$1,242

Treated Onsite Wastewater System Annual Operating Permit, as provided for in Section [68.334](#): \$410

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.

(7) 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: \$1,204

(8) Lot Line Adjustment/Certificate of Compliance/Conditional Certificate of Compliance, over the counter, no field investigation: \$288

(9) Graywater System Permits

Plan Review - with field check, as provided for in Section [68.361](#): \$569

Installation Inspections, as provided for in Section [68.361](#): \$485

Re-Inspection Fee, as provided for in Section [68.361](#): \$247

(10) 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).

(11) Sewage Pumper Examination Fee, as provided for in Section [68.602](#): \$107

(12) Sewage Pumper Base Registration Fee, as provided for in Section [68.604\(a\)](#): \$207

(13) Sewage Pumping Vehicle (per vehicle), as provided for in Section [68.604\(b\)](#): \$153

(14) 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).

(15) Grading Plan, Major, as provided for in Section [87.204](#): \$482

(16) 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): \$1,235

(17) 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): \$3,195

(18) 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): \$1,698

(19) 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): \$1,445

(20) Major Use Permit Modification/Minor Deviation as provided for in Section [68.361](#): \$845

(21) Discretionary Project Review as provided for in Section [68.361](#): \$706

(22) Administrative Permit Standard Application as provided for in Section [68.361](#). \$899

(23) Major Project Pre-application Conference as provided for in Section [68.361](#). \$905

(24) Pre-application Conference as provided for in Section [68.361](#). \$308

(25) Site Plan Application as provided for in Section [68.361](#). \$661

(h) MONITORING WELLS FEES:

(1) Monitoring Wells/Soil Boring (permits)

Borings:

Initial Soil Boring: \$372

Each Additional Soil Boring at a single site: \$113

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

Initial Monitoring Well: \$670

Each Additional Monitoring Well at a single site: \$420

(3) Monitoring Well Destruction

Initial Monitoring Well Destruction: \$314

Each Additional Monitoring Well Destruction at a single site: \$201

(4) Monitoring Well Re-inspection Fee (per site). \$575

(5) Extension of Permit: \$81

(6) Soil Vapor Survey (per site): \$1,230

(7) 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.

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

(9) 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)(8). Initial deposit, additional funds at the approved hourly rate as authorized subsection (m) may be required for full cost recovery.

(i) SMALL WATER SYSTEM FEES:

(1) 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: \$1,478

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

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 Section 116625.

(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: \$66,415

Small - Permitted to receive 500 tons or less per day: \$32,519

(2) **Transfer/Processing Facilities and Operations:**

(a) **Extra Major Large - Sites that require twelve inspections per year:** \$32,519

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:** \$19,794

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:** \$14,745

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:** \$9,493

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:** \$4,040

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:** \$2,121

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: \$923

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: \$923

CDI Recycling Center

Inert Debris Recycling Center

(3) CDI Waste Disposal Facility - Sites that require twelve inspections per year: \$14,106

(4) Inert Debris Type A Disposal Facility - Sites that require twelve inspections per year: \$9,248

(5) Inert Debris Engineered Fill Operation - Sites that require four inspections per year: \$4,040

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

(a) Full Permit - Sites that require twelve inspections per year: \$12,119

(b) Registration Permit Tier or Enforcement Agency Notification -- Sites that require twelve inspections per year: \$11,715

(c) Registration Permit Tier or Enforcement Agency Notification -- Sites that require four inspections per year: \$4,040

(d) Enforcement Agency Notification - Sites that require two inspections per year: \$2,121

(e) Registration Permit Tier or Enforcement Agency Notification -- Sites that require one inspection per year: \$899

(7) Closed Sites Annual Fees:

(a) Monthly - Sites that require twelve (12) inspections per year: \$32,519

(b) Quarterly Large Landfills - Sites that require four (4) inspections per year: \$9,695

(c) Quarterly Burnsites/Small Landfills – Sites that require four (4) inspections per year: \$5,162

(d) Annual - Sites that require one inspection per year: \$1,212

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 \$0.19 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): \$398

Reinspection Fee: \$398

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: \$86

(b) Per universal waste at or above hazardous materials business plan inventory threshold: \$86

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

(a) Conditional Exemption per unit: \$277

(b) Conditional Authorization per unit: \$486

(c) Permit by Rule per unit: \$833

(4) Hazardous Material Response Plans and Inventory Annual Permit

(a) Per hazardous material: \$86

(b) Maximum fee for hazardous materials: \$3,440

(c) Minimal Inventory Variation Low Risk Business Operations: \$480

(5) Underground Storage Tank Annual Operating Permit, Per Tank: \$480

(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): \$2,574

Each Additional Tank: \$643

Plan Re-Review and Plan Extension: \$188

(b) Closure/Removal

Base Fee (includes one (1) tank): \$1,842

Each Additional Tank: \$464

(c) Plan Re-Review and Plan Extension: \$188

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

Base Fee (includes entire facility): \$2,498

Plan Re-Review and Plan Extension: \$188

(e) Underground Storage Tank modification that involves one inspection

Base Fee (includes entire facility): \$1,778

Plan Re-Review and Plan Extension: \$188

(f) Underground Storage Tank Additional Plan Check Inspection/Reinspection: \$847

(g) 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): \$135

(8) Small Quantity Medical Waste Generator Biennial Registration: \$184

(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: \$771

(11) Hazardous Materials Management Business Plan (HMBP) Review for sites amending their HMBP as part of the Building Permit process (fee per site): \$426

(12) Hazardous Materials Management Business Plan (HMBP) Review for sites evaluated as part of the Building Permit process (Exempted Sites; fee per site): \$94

(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: \$347

(b) Program 2 & 3 annual fee: \$415

(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): \$318

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

(a) Facilities designated pursuant to sections [68.902\(b\)](#) and [68.909.5](#) of this Code, including Photographic Imaging Waste annual fee: \$81

(Note: Facilities with a valid Small Quantity Medical Waste Generator Biennial Registration are not subject to this fee.)

(b) Unstaffed, Remote Location (one-time fee per facility): \$1,162

(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. \$403

(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: \$25,680

(20) Aboveground Petroleum Storage Act (APSA) annual fee is based on the total aggregate shell capacity of petroleum in Aboveground Storage Tank(s) (AST) (maximum quantity):

Program Level I (1,320 - 9,999 gal): \$293

Program Level II (10,000 - 100,000 gal): \$356

Program Level III (100,001 - 1,000,000 gal): \$465

Program Level IV (1,000,001 - 10,000,000 gal): \$1,580

Program Level V (10,000,001 - 100,000,000 gal): \$1,921

(21) 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)(21)(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)(8).

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

(22) 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)(24) 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)(7).

(23) 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)(24) of this Section is also applicable. For the Hazardous Incident Response Team Emergency Response approved the Environmental Health Specialist hourly rate is authorized in subsection (m)(7).

(24) 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)(7).

The appeal and lien provisions of Chapter 8 of Division 8 of this Title are applicable to invoices issued under this subsection (k)(24).

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): \$100

(2) For more complex plan checks: Sites are billed at the approved hourly rate as authorized in subsection (m)(6) 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): \$182

(5) 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): \$112

(6) 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): \$184

(7) 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): \$208

(8) 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): \$271

(9) 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): \$226

(10) 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).

(11) 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).

(12) Modified Health Permit (includes Standard Operating Procedure review and subsequent facility inspection): Assessed at 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	\$470
5426	Agricultural Scientist	\$244
4317	Disease Research Scientist	\$237

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

Laboratory tests: \$49

Save body: \$25

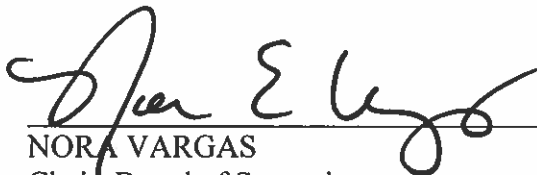
Section 4. Effective Date. This Ordinance shall take effect on July 1, 2023, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the Daily Transcript, a newspaper of general circulation published in the County of San Diego.

APPROVED AS TO FORM AND LEGALITY

Claudia G. Silva, County Counsel

BY: Gregory L. Lusitana, Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 24th day of May 2023.


NORA VARGAS
Chair, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Vargas, Anderson, Desmond
NOT PRESENT: Lawson-Remer
ABSENT: (District 4 Seat Vacant)

ATTEST my hand and the seal of the Board of Supervisors this 24th day of May 2023.

ANDREW POTTER
Clerk of the Board of Supervisors

By 
Savannah Perez, Deputy



Ordinance No.: 10848 (N.S.)
Meeting Date: 05/24/2023 (02)