

# County of Ventura

## County Executive Office



### **AMENDMENT #1**

## **Fiscal Year 2021-22 County Services Rates & Fees**

**June 22, 2021**



# COUNTY of VENTURA

COUNTY EXECUTIVE OFFICE  
**MICHAEL POWERS**  
County Executive Officer

**Mike Pettit**  
Assistant County Executive Officer

**Kaye Mand**  
County Chief Financial Officer

**Shawn Atin**  
Assistant County Executive Officer/  
Human Resources Director  
Labor Relations

June 22, 2021

Board of Supervisors  
County of Ventura  
800 South Victoria Avenue  
Ventura, California 93009

**SUBJECT: Public Hearing Regarding Adoption of Resolutions Amending Service Rates and Fees for Various Services of the County for Fiscal Year (FY) 2021-22 and Authorizing the Discounting of Certain Fees and Waiving of Certain Fees, Late Fees and Penalties for COVID-19 Impacted Businesses**

**RECOMMENDATION:**

Approve and adopt resolutions amending service rates and fees for various services of the County (Exhibits 1, 2 and 3) for FY 2021-22 and authorize the discounting of certain fees and waiving of certain fees, late fees and penalties for COVID-19 impacted businesses.

**FISCAL/MANDATES IMPACT:**

Although state law does not mandate that a county establish and impose service rates and fees, state law does set limits on certain types of fees if a county does decide to charge service rates and fees to help pay for such services. The amount of revenue collected from many service rates and fees is dependent on the volume of services demanded by the public.

**Fee Waiver**

In FY 2020-21 the Resource Management Agency (RMA) reduced or waived certain fees for those businesses impacted by and subject to closure due to the COVID 19 pandemic. On May 18, 2021, your Board approved that these rates and fees continue to be reduced or waived for FY 2021-22 at a total cost of \$2,250,000. The recommended action today would waive an additional \$1,343,700 of these fees for a total of \$3,593,700.

**DISCUSSION:**

Annually, your Board approves service rates and fees for the various services of the County based on the Board's policy of full cost recovery. On May 18, 2021, your Board adopted resolutions establishing and amending the service rates and fees for various services of the County, Watershed Protection District, and Fire Protection District for FY 2021-22 and authorizing the discounting of certain fees and waiving of certain fees, late fees and penalties for COVID-19 impacted businesses. Since that time, we have further evaluated rates and fees charged to impacted businesses and are recommending to reduce or waive certain service rates and fees for RMA effective July 1, 2021.

**Resource Management Agency**

To help address the financial impact on businesses due to the COVID-19 pandemic, the County kept RMA fees related to businesses flat. In addition, as was done in FY 2020-21, a total of \$2,250,000 of fee waivers will be funded by the General Fund in FY 2021-22 for businesses severely impacted by the pandemic.

The fee waivers included:

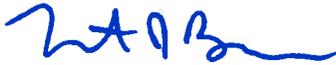
- 50% reduction of annual permit/registration fees for body art practitioners
- 50% reduction of annual permit/registration fees for food facilities such as food courts, restaurants, temporary and mobile food facilities
- For businesses storing hazardous materials/waste (i.e., automotive repair and other industrial operations), 100% of the base fee portion of their annual permit will be waived

On May 18, 2021, your Board directed staff to review the feasibility of a 100% fee waiver for certain fees related to food facilities and body art that were already reduced by 50%. After careful review, we recommend these fees be reduced 100%. The increased cost of this recommendation is \$1,343,700 and will initially be funded by the General Fund. Potential reimbursement by Coronavirus State and Local Fiscal Recovery Funds included in the American Rescue Plan Act may occur as eligibility guidelines for reimbursement become available.

In accordance with state law, the Office of the Clerk of the Board has issued a public notice for the public hearing on establishing and amending service rates and fees for the County Board of Supervisors. Documentation justifying these changes is available to the public upon request from the respective departments, agencies or the County Executive Office. This letter has been reviewed by the County Executive Office, the Auditor-Controller's Office and County Counsel.

If you have any questions, please contact me at (805) 662-6868.

Sincerely,



Robert Bravo  
Deputy Executive Officer



*M.P.* Michael Powers  
County Executive Officer

- Exhibit 1 – Resolution Amending Rates and Fees for Various County Services
- Exhibit 2 – Attachment 3 – Resolution Establishing RMA EHD Fees Pertaining to Issuance of Permits for Food Facilities, Organized Camps, Massage Businesses, and Public Swimming Pools
- Exhibit 3 – Attachment 10 – Resolution Establishing RMA EHD Fees for Various Permits, Registrations, Exemptions and Appeals Relating to Medical Waste and Body Art

RESOLUTION NO. 21-108

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA  
AMENDING RATES AND FEES FOR VARIOUS SERVICES**

**WHEREAS**, the Board of Supervisors of the County of Ventura (County) may, by resolution, establish and amend service rates and fees within its authority; and

**WHEREAS**, the Board of Supervisors of the County and Watershed Protection District (formerly Flood Control District) and the Board of Directors of the Fire Protection District, by resolution dated December 19, 1995, entitled "A Joint Resolution Establishing Rates and Fees for Various County and District Agencies and Departments" (1995 Resolution), established rates and fees for various County services and departments and the Districts; and

**WHEREAS**, the rates and fees established by the 1995 Resolution have been amended from time to time by subsequent resolutions, and was last amended on May 18, 2021, for fiscal year 2021-22; and

**WHEREAS**, the rates and fees may be amended by subsequent resolutions; and

**WHEREAS**, the proposed rates and fees as set forth herein are consistent with state law and the policy of the Board of Supervisors of full cost recovery whenever feasible; and

**WHEREAS**, the proposed rates and fees are reasonably related to the burden imposed on the various County programs and the corresponding County benefits received by the service rate payer;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors that:

1. Various service rates and fees established by resolution for the Resource Management Agency for Fiscal Year 2021-22 are hereby amended as set forth in this resolution.
2. The County rates and fees are consistent with state law. The fees charged do not exceed the estimated reasonable costs of the regulatory activity they support, and those costs are apportioned to individual payers in a manner that bears a fair or reasonable relationship to the payers' burdens on or benefits from the regulatory activity. The documentation and analysis supporting the amount of the rates and fees are on file with the County agencies involved in the calculations and are incorporated herein by reference.
3. The service rates and fees are hereby amended and shall be effective as follows:

- a. July 1, 2021, for the fees pertaining to the issuance of permits for food facilities, organized camps, massage businesses, and public swimming pools, as provided in the resolution set forth in Attachment 3; and
- b. July 1, 2021, for fees for various permits, registrations, exemptions and appeals relating to medical waste and body art, as provided in the resolution set forth in Attachment 10.

4. To the extent required by law, the foregoing rates and fees are ratified as of the effective dates set forth above.

Upon motion of Supervisor Huber, seconded by Supervisor Long, the foregoing resolution was passed and adopted on 22 day June, 2021.

By: Linda Parks  
Chair, Board of Supervisors  
County of Ventura

ATTEST: MICHAEL POWERS  
Clerk of the Board of Supervisors  
County of Ventura, State of California

By: Don Key  
Deputy Clerk of the Board



**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF VENTURA  
ESTABLISHING FEES PURSUANT TO  
VENTURA COUNTY ORDINANCE CODE SECTION 4616  
PERTAINING TO ISSUANCE OF PERMITS FOR FOOD FACILITIES, ORGANIZED  
CAMPS, MASSAGE BUSINESSES, AND PUBLIC SWIMMING POOLS**

**WHEREAS**, Ventura County Ordinance Code section 4616 authorizes the Board of Supervisors of the County of Ventura (Board) to adopt by resolution a schedule establishing certain fees required by Ventura County Ordinance Code sections 4603, 4607, 4611, and 4612 and other related fees;

**WHEREAS**, the Board last adopted such fees by resolution dated May 18, 2021;

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the Board that the following definitions and fee schedule are hereby adopted pursuant to Ventura County Ordinance Code section 4616:

I. DEFINITIONS:

A. ADMINISTRATIVE

1. "Consultation, or facility inspection, or report preparation services" means any professional services provided by the Environmental Health Division Director of the Ventura County Resource Management Agency (Director), in response to a request for such services, for which there is no fee other than the fees established by this resolution.
2. "Construction Inspection" means inspection of the construction of any facility for which a Permit to Construct, as defined in Ventura County Ordinance Code section 4306 is required. A maximum number of three (3) construction inspections will be allotted to each facility under construction to determine code compliance prior to the issuance of a Permit to Operate.
3. "HACCP Inspection" means any Hazard Analysis Critical Control Point (HACCP) inspection or activity conducted to determine compliance with sections 114417.6, 114419, 114419.1, 114419.2, and 114419.3 of the Health and Safety Code.
4. "Non-Compliance Inspections" means any inspection of an operation for which a Permit to Operate is required that is made by the Director to ensure code compliance that is not a routine inspection.

5. "Operation without a permit" means any facility that requires a permit to operate from the Environmental Health Division of the Ventura County Resource Management Agency as the Enforcement Agency, in accordance with the California Retail Food Code, that is in operation without the necessary permit.
6. "Routine Inspection" means any inspection of an operation for which a Permit to Operate is required that is made by the Director to ensure code compliance on a regular schedule established by the Director for that purpose, and also the first follow-up inspection, if any, to such regularly scheduled inspection.
7. "Application for, and a Permit Processing Fee for, a new non-permanent food facility" means any inspection, or administrative activity conducted to determine if the facility is in compliance with applicable sections of the Health and Safety Code.

#### B. PUBLIC SWIMMING POOL SUBCATEGORIES

1. "General use pool" means any public swimming pool that is not a special use pool.
2. "Special use pool" means a pool designed and used exclusively for a single purpose such as wading, instruction, diving, competition or medical treatment where a licensed professional in the healing arts is in attendance.
3. "Spray ground" means a pool with no standing water in the splash zone and consists of a surge basin with a recirculation system from which water is directed through water features for contact with pool users.

#### C. FOOD FACILITY SUBCATEGORIES

1. "Adjunct food facility" means any business that offers food at retail as an adjunct service (such as food offered within pharmacies, video stores, gift shops, department stores, etc.). Foods that are offered are limited to prepackaged non-potentially hazardous food, except prepackaged ice cream.
2. "Bakery" means any permanent food facility, and "bakery section" means any portion thereof, where the majority of food products offered at retail consists of breads, pies, cakes, pastries, cookies, doughnuts, crackers and other similar products which are baked, cooked or prepared on the premises.
3. "Bar" means any permanent food facility, and "bar section" means any portion or on the premises thereof, that serves alcoholic

beverages and nonpotentially hazardous food for consumption on the premises.

4. "Catering Operation" means an operation in conjunction with its permitted permanent food facility that provides food service at a permitted Host Facility, as defined in section 113806.1 of the Health and Safety Code.
5. "Community Event Organizer" means the person or organization that is in control of any community event, as defined in section 113755 of the Health and Safety Code, at which at least one temporary food facility operates.
6. "Delicatessen section" means any portion of a permanent food facility that provides potentially hazardous foods that are ready-to-eat or that require little preparation for serving (such as portioning and packaging of meats, cheeses, soups, salads, prepared hot food items), or used as ingredients in the assembly of sandwiches at the permanent food facility.
7. "Fish/seafood section" means any portion of a permanent food facility where the majority of food products offered at retail consists of non-prepackaged fish and/or seafood products to be prepared, cooked, or consumed off the premises.
8. "Food Court common facilities" means the common/shared support facilities such as restrooms, utensil wash facilities, janitorial facilities, trash disposal facilities, and common seating areas for more than one retail food facility located within defined boundaries, enclosed wholly or partly by building or walls or circumscribed by a single building, and facing an open courtyard typically containing shared customer seating. The common/shared facilities are maintained and under the sole control of on-site personnel, and located separate from non-food related facilities in a retail shopping center.
9. "Food demonstrator" means any person who dispenses, prepares, or offers for human consumption any beverage, condiment, confection, food, food additive, or other edible substance for the purpose of inducing customers to taste-test or purchase such product or equipment.
10. "Food production operation" means any area of a permanent food facility that is one the following:
  1. Bakery section
  2. Bar section
  3. Delicatessen section
  4. Fish/seafood section

5. Frozen yogurt/ice cream section
  6. Independently operated food area
  7. Meat section
  8. Open-air barbecue
  9. Outdoor Wood-Burning Oven
  10. Remote Storage Facility
  11. Satellite Food Service
  12. Commissary
11. "Food Warehouse" means a storage facility operated by a public school district or food bank which stores only prepackaged food and produce where no food preparation is conducted on site.
  12. "Frozen yogurt/ice cream section" means any portion of a permanent food facility where the food products offered at retail consist of frozen yogurt and/or ice cream.
  13. "Independently operated food area" means any portion of a permanent food facility that contains equipment, food preparation, retail prepackaged food sales, and/or storage areas that are separate from other food preparation areas within a permanent food facility.
  14. "Liquor store" means any permanent food facility where the majority of food products offered at retail consists of prepackaged alcoholic beverages and non-potentially hazardous prepackaged food, except prepackaged ice cream.
  15. "Market" means any permanent food facility where the majority of food products offered at retail consists of prepackaged food; may offer produce, and may include one or more food production operations within the permanent food facility premises.
  16. "Meat section" means any portion of a permanent food facility where the majority of food products offered at retail consists of meat and poultry products to be prepared, cooked, and consumed off the premises.
  17. "Mobile food facility/type 1" means any mobile food facility which is limited to the handling of prepackaged, non-potentially hazardous food and whole uncut produce.
  18. "Mobile food facility/type 2" means any mobile food facility which handles prepackaged, potentially hazardous food, whole fish and whole aquatic invertebrates, or bulk dispensing of non-potentially hazardous beverages.
  19. "Mobile food facility/type 3" means any mobile food facility restricted

to limited food preparation as defined in section 113818 of the Health and Safety Code.

20. "Mobile food facility/type 4" means any mobile food facility conducting food preparation other than limited food preparation as defined in section 113818 of the Health and Safety Code.
21. "Produce Stand" means a food facility that sells, offers for sale, or gives away only produce and/or shell eggs and may include up to 10% of the total square footage of prepackaged, non-potentially hazardous food products.
22. "Push Cart" means a non-motorized vehicle which is limited to the sale of prepackaged frozen confectionaries and prepackaged non-potentially hazardous foods.
23. "Remote Storage Facility" means an enclosure where food products and food related items are stored on the same premises as but not within a permitted food facility.
24. "Restaurant" means any permanent food facility that primarily conducts food preparation and offers food products at retail and may include one or more food production operations within the permanent food facility premises.
25. "Satellite Food Service" includes facilities as defined in Health and Safety Code section 113899 and also includes satellite facilities operated by a school, senior meal program or similar institution which conduct limited food preparation of food items prepared at an offsite food facility.
26. "Swap Meet Prepackaged Food Stand" means any temporary food facility operating at a swap meet which is limited to only prepackaged non-potentially hazardous food and whole uncut produce.
27. "Temporary Food Facility/Type 1" or "TFF-1" means a temporary food facility that handles unpackaged and/or potentially hazardous foods as defined in Health and Safety Code section 113871.
28. "Temporary Food Facility/Type 2" or "TFF-2" means a temporary food facility that handles only prepackaged, non-potentially hazardous foods or whole uncut produce.
29. "Ventura County Fair Food Preparation Vendor" means a food facility operating at and during the Ventura County Fair wherein food preparation is conducted.

## II. APPLICATION FOR AND ISSUANCE OF PERMIT TO CONSTRUCT FEES

Fees required by Ventura County Ordinance Code section 4603 for a plan review and issuance of a Permit to Construct are as follows:

### A. PUBLIC SWIMMING POOLS

1. General use pool – The fee for each general use pool shall be based upon the square footage of the pool surface area as follows:

<u>Surface Area</u>	<u>Fee</u>
1,000 sq. ft. or less	\$1,479.08
More than 1,000 sq. ft.	\$2,211.41

2. Special use pool – The fee for each special use pool or spray ground is \$2,158.88.
3. Re-surfacing – When the Permit to Construct is for only the re-surfacing of a public swimming pool, the fee is \$373.89.
4. Plan Resubmittal – The fee for resubmittal of pool plans for the second and each subsequent resubmittal will be \$263.68.
5. Additional Construction Inspection – The fee for an additional construction inspection for the fourth and each subsequent construction inspection shall be \$263.68.
6. Alterations – When the Permit to Construct is for only the alteration of an existing public swimming pool the fee shall be \$235.87 per item.

### B. ORGANIZED CAMPS

1. The fee for plan review and the permit to construct or remodel food facilities operating within an organized camp shall be equal to the amount identified in section II.C. of this resolution for the square footage of the areas being constructed or remodeled.
2. The fee for the construction of general use pools operating within an organized camp shall be equal to the amount identified in section II.A.1. of this resolution for the square footage of the pool surface area.
3. The fee for the construction of a special use pool operating within an organized camp shall be equal to the amount identified in section II.A.2. of this resolution.

4. The fee for the re-surfacing or alteration of a general use pool, or special use pool operating within an organized camp, shall be equal to the amount identified in section II.A.3. of this resolution.
5. In addition to the fee required in 6. below, the plan review fee for the construction or remodel of buildings and structures used or intended for sleeping purposes and shower and toilet facilities within an organized camp shall be an amount equal to the contract hourly rate as established annually by the Board of Supervisors for the Environmental Health Specialist IV classification multiplied by the number of person-hours or fraction thereof expended by the Environmental Health Division in providing such services; provided that minimum of two hours shall be charged for each plan review.
6. In addition to the fee charged in items 1 through 5 above for the Environmental Health Division plan review of organized camps for compliance with the Health and Safety Code, the fee for structural plan check by the Building and Safety Division of the Ventura County Resource Management Agency, of the construction or remodel of all other structures and buildings within an organized camp shall be equal to the amount identified in the Ventura County Building and Safety Fee Schedule as most recently established by the Board of Supervisors for the type of construction or remodel proposed.

C. FOOD FACILITIES

1. The fee for plan review and a permit to construct for each food facility that is a permanent food facility or satellite food service shall be based upon the square footage of areas being constructed or remodeled as follows:

<u>Floor Space</u>	<u>Fee</u>
1,999 sq. ft. or less	\$1,253.51
1,999 sq. ft. or less, prepackaged food only	\$875.50
2,000 sq. ft. or more	\$2,689.33
2,000 sq. ft. or more, prepackaged food only	\$1,905.50

Parking spaces and seating areas in walk-in theaters and auditoriums shall not be included in the computation of square footage.

2. When the plan review consists of one or more of the following activities, the fee for each shall be \$285.31:
  - a. reviews of a Host Facility or a Catering Operation;
  - b. replacement of existing equipment, installation of new equipment, excluding exhaust hoods;
  - c. addition or replacement of a walk-in refrigerator/freezer unit; and
  - d. construction of customer toilet facilities.
3. Plan Resubmittal – The fee for resubmittal of food plans for the second and each subsequent resubmittal will be \$263.68.
4. Additional Construction Inspection – The fee for an additional construction inspection for the fourth and each subsequent construction inspection shall be \$263.68.

### III. PLAN REVIEW FEES

#### A. ALL OTHER FACILITIES

Except as otherwise provided in this section, the plan review fee for all other facilities where a Permit to Construct is not required shall be an amount equal to the contract hourly rate as established annually by the Board of Supervisors for the Environmental Health Specialist IV classification multiplied by the number of person-hours or fraction thereof expended by the Environmental Health Division in providing such services; provided that a minimum of one-half hour shall be charged for each plan review.

#### B. ADJUNCT FOOD FACILITY AND FOOD FACILITY THAT HANDLES ONLY PREPACKAGED, NOT POTENTIALLY HAZARDOUS FOOD

The fee for each adjunct food facility and food facility that handles only prepackaged, not potentially hazardous food is \$114.33.

#### C. MOBILE FOOD FACILITY TYPE 1, 2, 3/MOBILE SUPPORT UNIT

The fee for each mobile food facility and mobile support unit is \$622.12.

#### D. MOBILE FOOD FACILITY TYPE 4

The fee for each mobile food facility type 4 is \$801.34.

### IV. APPLICATION FOR, AND PERMIT TO OPERATE FEES - REGULAR TERM

Fees required by Ventura County Ordinance Code sections 4606 and 4607 for the

issuance of a regular term Permit to Operate, are as follows:

A. ORGANIZED CAMP FEES

The fee for each organized camp is \$483.59 plus an additional fee of \$288.92 for each food facility and \$143.69 for each public swimming pool at the camp site. The fee shall be in lieu of any other food facility fee or public swimming pool fee established by this resolution for any food facility or pool at the camp site.

B. PUBLIC SWIMMING POOL FEES

1. The fee for each public or public school swimming pool up to 3000 sq. ft. surface area is \$367.71 for the first pool and \$186.43 for each additional pool at the same assessor parcel number.
2. The fee for each public or public school swimming pool greater than 3000 sq. ft. surface area is \$590.19 for the first pool and \$186.43 for each additional pool at the same assessor parcel number.

C. MESSAGE BUSINESS FEE

The fee for each message business location is \$0.00.

D. FOOD FACILITY FEES

1. Adjunct Food Facility – The fee for each adjunct food facility shall be based on the square footage of the floor space utilized for the maintenance, use, and operation for the purpose of storing, handling, portioning, packaging, or selling bulk non-potentially hazardous foods as follows:

<u>Floor Space</u>	<u>Fee</u>
1 through 999 sq. ft.	\$0.00
\$1,000 or more sq. ft.	\$0.00

2. Bakery – The fee for each bakery shall be based on the square footage of the floor space utilized for the maintenance, use, and operation for the purpose of storing, handling, packaging, or selling of bakery items.

<u>Floor Space</u>	<u>Fee</u>
1 through 1,999 sq. ft.	\$0.00

2,000 sq. ft. or more            \$0.00

3. Bakery Section – The fee for each bakery section within a permanent food facility is \$179.22, which is in addition to any other Permit to Operate fees applicable to that permanent food facility.
4. Bar – The fee for each bar shall be based upon the indoor seating capacity, plus any outdoor seating if the outdoor capacity is greater than 10 seats:

<u>Seating Capacity</u>	<u>Fee</u>
1 through 24	\$0.00
25 through 49	\$0.00
50 through 99	\$0.00
100 or more	\$0.00

5. Bar Section – The fee for each bar section within or on the premises of a permanent food facility is \$0.00, which is in addition to any other Permit to Operate fees applicable to that permanent food facility.
6. Catering Operation – The fee for each catering operation shall be \$186.43.
7. Certified Farmers' Market – The fee for the application and permit processing for each (new) certified farmers' market is \$430.28.
  - a. The fee for a permit to operate for each Certified Farmers' Market is \$0.00.
8. Commissary – The fee for each commissary shall be based upon the number of mobile food facilities, mobile support units, or vending machines serviced as follows:

<u>Units Serviced</u>	<u>Fee</u>
1 through 2	\$111.24
3 through 10	\$223.51
11 through 24	\$288.40
25 through 39	\$520.15

40 through 59	\$666.41
60 or more	\$786.92

The foregoing fee is in addition to any other Permit to Operate fees that may be applicable to the units serviced by the commissary.

9. Community Event Organizer Event Permit – The fee paid by each community event organizer to obtain a permit for a community event shall be determined in accordance with the following schedule:

Fee Category	Single-day Event	Multi-day Event
1-5 TFFs	\$0.00	\$0.00
6-20 TFFs	\$0.00	\$0.00
Over 20 TFFs	\$0.00	\$0.00

- a. The annual Community Event Organizer Event Permit fee for a Certified Farmers' Market is \$0.00 where 1-5 TFFs operate and \$607.96 where 6 or more TFF-1 operate.
- b. The annual Community Event Organizer Event Permit fee for the Ventura County Fair is \$0.00.
- c. Any non-profit charitable organization operating as a community event organizer shall receive a full waiver of the community event fee that would otherwise be charged, provided both of the following requirements are met:
  1. At least one member of the non-profit charitable organization maintains an active Temporary Food Facility/Community Event Certificate of Training issued by the Environmental Health Division; and this member is available at the event.
  2. The application for the community event must be received by the Environmental Health Division at least 30 days prior to the operation of any food facility at the event that is the subject of the application.

10. Cottage Food Operation

- a. The initial registration fee for a Cottage Food Operation Class A is \$202.91.
- b. The annual registration renewal fee for a Cottage Food Operation Type A is \$101.97.

- c. The annual permit fee for a Cottage Food Operation Class B is \$293.55.
- 11. Delicatessen Section – The fee for each delicatessen section within a permanent food facility is \$186.43, which is in addition to any other Permit to Operate fees applicable to that permanent food facility.
- 12. Farm Stand – The fee for each farm stand is \$0.00.
- 13. Fish/Seafood Section – The fee for each fish/seafood section within a permanent food facility is \$87.55, which is in addition to any other Permit to Operate fees applicable to that permanent food facility.
- 14. Fishermen's Market – The fee for each fishermen's market is \$548.92.
- 15. Food Court Common Facilities – The fee for each food court common facilities is \$0.00.
- 16. Food Demonstrator
  - a. The fee for each food demonstrator that distributes prepackaged food products is \$0.00.
  - b. The fee for each food demonstrator that prepares food for distribution is \$0.00.
- 17. Food Warehouse – The fee for each food warehouse is \$443.93.
- 18. Frozen Yogurt/Ice Cream Section – The fee for each frozen yogurt/ice cream section within a permanent food facility is \$87.55, which is in addition to any other Permit to Operate fees applicable to that permanent food facility.
- 19. Host Facility – The fee for each host facility is \$0.00.
- 20. Independently Operated Food Area – The fee for each independently operated food area within a permanent food facility is \$0.00, which is in addition to any other Permit to Operate fees applicable to that permanent food facility.
- 21. Limited Service Charitable Feeding Operation – The initial and annual registration fee for each limited service charitable feeding operation is \$0.00.
- 22. Liquor Store – The fee for each liquor store shall be based on the square footage of the floor space utilized for the maintenance, use, and operation for the purpose of storing, handling or selling of food

and beverages as follows:

<u>Floor Space</u>	<u>Fee</u>
1 through 499 sq. ft.	\$310.03
500 through 999 sq. ft.	\$356.38
1,000 through 1,999 sq. ft.	\$387.28
2,000 through 3,999 sq. ft.	\$501.61
4,000 or more sq. ft.	\$877.56

23. Market – The fee for each market shall be based upon the square footage of the facility as follows:

<u>Floor Space</u>	<u>Fee</u>
1 through 499 sq. ft.	\$443.93
500 through 999 sq. ft.	\$599.46
1,000 through 1,999 sq. ft.	\$620.06
2,000 through 2,999 sq. ft.	\$839.45
3,000 through 3,999 sq. ft.	\$909.49
4,000 through 4,999 sq. ft.	\$1,253.51
5,000 through 9,999 sq. ft.	\$1,319.43
10,000 through 19,999 sq. ft.	\$1,375.05
20,000 through 29,999 sq. ft.	\$1,530.58
30,000 through 39,999 sq. ft.	\$1,909.62
40,000 sq. ft. or more	\$2,281.45

24. Meat Section – The fee for each meat section within a permanent food facility is \$186.43, which is in addition to any other Permit to Operate fees applicable to that permanent food facility.

25. Mobile Food Facilities
- a. The fee for each mobile food facility/type 1 is \$0.00.
  - b. The fee for each mobile food facility/type 2 is \$0.00.
  - c. The fee for each mobile food facility/type 3 is \$0.00.
  - d. The fee for each mobile food facility/type 4 is \$0.00.

26. Mobile Support Unit – The fee for each mobile support unit is \$0.00.

27. Open-Air Barbecue Facility/Outdoor Wood-Burning Oven – The fee for each open-air barbecue facility or outdoor wood-burning oven is \$0.00, which is in addition to any other Permit to Operate fees applicable to the food facility operating it.

28. Produce Stand – The fee for each produce stand is based upon the square footage of the floor surface of the stand and any appurtenant structures where food is stored as follows:

<u>Floor Space</u>	<u>Fee</u>
1 through 999 sq. ft.	\$288.40
1,000 sq. ft. or more	\$387.28

29. Push Cart – The fee for each push cart shall be \$0.00.

30. Remote Storage Facility – The fee for each remote storage facility is \$0.00, which is in addition to any other Permit to Operate fees applicable to the permanent food facility it serves.

31. Restaurant – The fee for each restaurant shall be based upon the indoor seating capacity, plus any outdoor seating if the outdoor capacity is greater than 10 seats:

<u>Seating Capacity</u>	<u>Fee</u>
1 through 49	\$0.00
50 through 149	\$0.00
150 or more	\$0.00

The seating capacity of restaurants which serve food exclusively or primarily for consumption off the premises or which do not have

identifiable seats shall be determined by dividing by 25 the total square footage of the facility. The foregoing fee is in addition to any other Permit to Operate fees that may be applicable to an independent food production operation or a commissary within the restaurant premises.

32. Restricted Food Service Facility – The fee for a restricted food service facility is \$0.00.

33. Satellite Food Service

a. The fee for each satellite food service that handles prepackaged potentially hazardous food or conducts food preparation is \$0.00.

b. The fee for each satellite food service that offers only prepackaged non-potentially hazardous food is \$0.00.

34. Swap Meet Prepackaged Food Stand – The fee for each swap meet prepackaged food stand is \$0.00.

35. Temporary Food Facility (TFF) – The fee for a permit to operate each TFF shall be based on the types of foods that are prepared and/or offered to the public pursuant to the following schedule:

a. Fees

1. The fee for a TFF-1 shall be \$0.00 per event.
2. The fee for a TFF-2 shall be \$0.00 per event.
3. The annual fee for each annual TFF-1 shall be \$0.00.
4. The annual fee for a TFF-2 shall be \$0.00.

b. A non-profit charitable organization operating a non-profit charitable TFF within the limitations described in Health and Safety Code section 114332.1 shall receive a full waiver of the TFF fee that would otherwise be charged provided the following requirements are met:

1. At least one member from the non-profit charitable organization maintains an active Temporary Food Facility/Community Event Certificate of Training issued by the Environmental Health Division, and this member is available at the event.
2. The application for the TFF must be included with the community event organizer event application and submitted to the Environmental Health Division at least 30 days prior to the operation of the TFF at the community event.

- c. All other applications for a TFF must be included with the community event organizer event application and submitted to the Environmental Health Division at least 30 days prior to the operation of the TFF at the community event.

36. Vending Machine – The fee for each vending machine is \$0.00.

37. Ventura County Fair Food Preparation Vendor – The fee for a Ventura County Fair Food Preparation Vendor is \$0.00.

#### V. PERMIT TO OPERATE-SHORT TERM

The fee required by Ventura County Ordinance Code section 4608 for a short-term Permit to Operate shall be an amount equal to 50 percent of the fee for the corresponding regular-term Permit to Operate, or an amount equal to the contract hourly rate as established annually by the Board of Supervisors for the Environmental Health Specialist III classification, whichever amount is larger.

#### VI. LATE PAYMENT FEE

The late payment fee required by Ventura County Ordinance Code section 4608, subdivision (a), to be paid in conjunction with the late renewal of a regular-term Permit to Operate, shall be as follows:

- A. No late payment fee shall be imposed if the renewal fee is paid
  - 1. before the expiration date of the permit being renewed;
  - 2. after the expiration date but before the Director has sent a bill for the regular renewal fee; or
  - 3. after the expiration date but within 30 calendar days after the Director has sent such bill.
- B. If the regular renewal fee is paid after the expiration date but within 31 to 60 calendar days after the Director has sent a bill for the regular renewal fee, the late payment fee shall be equal to 10 percent of the regular renewal fee.
- C. If the regular renewal fee is paid after the expiration date and more than 60 calendar days after the Director has sent a bill for the renewal fee, the late payment fee shall be an amount equal to 30 percent of the regular renewal fee.

VII. REPLACEMENT FEE

The fee required by Ventura County Ordinance Code section 4611 for the issuance of each replacement permit or sticker is \$28.84.

VIII. TRANSFER FEE

The fee required by Ventura County Ordinance Code section 4612 for each transfer of a Permit to Operate is \$28.84.

IX. CONSULTATION, INSPECTION, OR REPORT PREPARATION SERVICES FEE

The fee for consultation, or inspection services, or the preparation of any report not otherwise provided for in this resolution shall be an amount equal to the contract hourly rate as established annually by the Board of Supervisors for the Environmental Health IV classification multiplied by the number of person-hours or fraction thereof expended by the Environmental Health Division in providing such services; provided that a minimum of two person-hours shall be charged for each inspection.

X. HACCP FEE

The fee for each HACCP inspection shall be an amount equal to the contract hourly rate as established annually by the Board of Supervisors for the Environmental Health Specialist IV classification multiplied by the number of person-hours or fraction thereof expended by the Environmental Health Division in providing such services; provided that a minimum of one person-hour shall be charged for each inspection.

XI. NON-COMPLIANCE INSPECTION FEE

The fee for each non-compliance inspection shall be \$202.91.

XII. OPERATION WITHOUT A PERMIT FEE

When the Environmental Health Division determines a facility is operating without the required permit, the initial fee to obtain the required permit shall be three times the cost of the associated permit.

XIII. INSPECTION FEE WAIVER

When the Environmental Health Division determines a facility has been financially impacted due to the novel coronavirus pandemic, the Director is authorized to reduce, by up to 50%, any inspection fee applicable to that facility and to waive, in full or in part, any related late fees or penalties.

**BE IT FURTHER RESOLVED AND DETERMINED** by the Board that the fees herein comply with state law, including the aforementioned statutes. The fees charged do not exceed the estimated reasonable costs of the regulatory activity they support, and those costs are apportioned to individual payers in a manner that bears a fair or reasonable relationship to the payers' burdens on or benefits from the regulatory activity. The documentation and analysis supporting the amount of the fees are on file with the County agencies involved in the calculations and are incorporated herein by reference.

**BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** by the Board that the resolution adopted May 18, 2021, is repealed effective July 1, 2021, except section II (Permit to Construct Fees) and section III (Plan Review Fees), which shall be repealed effective on the 60th day after the date of adoption this resolution.

**BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** by the Board that this resolution is hereby adopted, and the fees herein shall become operative on July 1, 2021, except section II (Permit to Construct Fees) and section III (Plan Review Fees), which shall become operative on the 60th day after the date of adoption of this resolution.

On motion by Supervisor Huber, seconded by Supervisor Long, and duly carried, the foregoing resolution was passed and adopted on June 22, 2021.

Linda Parks  
Chair, Board of Supervisors

ATTEST:

MICHAEL POWERS  
Clerk of the Board of Supervisors  
County of Ventura, State of California.



By Jon Key  
Deputy Clerk of the Board

RESOLUTION NO. 21-110

**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF VENTURA  
ESTABLISHING FEES FOR VARIOUS PERMITS,  
REGISTRATIONS, EXEMPTIONS AND APPEALS  
RELATING TO MEDICAL WASTE AND BODY ART**

**WHEREAS**, Ventura County Ordinance Code section 4579 provides that fees for the issuance of any registration, permit, or exemption, or for the filing by an applicant of any appeal, pursuant to the Medical Waste Management Act (Health and Safety Code, § 117600 et seq.) and Safe Body Art Act (Health and Safety Code, § 119300 et seq.) or Ventura County Ordinance Code sections 4565 through 4579 shall be prescribed by resolution of the Board of Supervisors of the County of Ventura; and

**WHEREAS**, by resolution adopted July 16, 1991, the Board prescribed fees to implement the provisions of the Medical Waste Management Act; and

**WHEREAS**, by resolution adopted June 5, 2012, the Board prescribed fees to implement the provisions of the Safe Body Art Act; and

**WHEREAS**, by various subsequent resolutions, the Board has amended the fees, most recently by resolution adopted May 18, 2021; and

**WHEREAS**, it is desirable to affirm such fees;

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED** by the Board that the following fees are hereby adopted:

I. Medical Waste Fees

1. The fee for a two-year registration of a small-quantity generator issued pursuant to Health and Safety Code section 117925 shall be paid in two annual installments of \$194 each, with the first installment coming due on the date of issuance of the registration and the second installment coming due on the first anniversary of the date of issuance; provided, however, that any installment coming due after termination of the registration shall be excused.

2. The fee for a two-year registration of a small-quantity generator issued pursuant to Ventura County Ordinance Code section 4573 shall be paid in annual installments \$120, with the first installment coming due on the date of issuance of registration and the second installment coming due on the first anniversary of the date of issuance; provided, however, that any installment coming due after termination of the registration shall be excused.
3. The fee for a one-year registration of a large-quantity generator issued pursuant to Health and Safety Code section 117950 shall come due on the date of issuance of the registration and shall be determined as follows.

- a. Where the generator is a "community clinic," a "free clinic," a "surgical clinic," a "chronic dialysis clinic," or a "rehabilitation clinic" as defined in Health and Safety Code section 1204, subdivisions (a) and (b), the fee shall be \$650.
- b. Where the generator is a "general acute care hospital" as defined in Health and Safety Code section 1250, subdivision (a), the fee shall be based on the number of beds in the facility, as of the date of registration, as follows:

<u>Number of Beds</u>	<u>Fee</u>
1 - 99	\$1,165
100 - 199	\$1,553
200 or more	\$2,136

- c. Where the generator is an "acute psychiatric hospital" as defined in Health and Safety Code section 1250, subdivision (b), the fee shall be \$389.
- d. Where the generator is a "skilled nursing facility" as defined in Health and Safety Code section 1250, subdivision (c), the fee shall be based on the number of beds in the facility, as of the date of registration, as follows:

<u>Number of Beds</u>	<u>Fee</u>
1 - 99	\$536
100 - 199	\$679
200 or more	\$777

- e. Where the generator is a "clinical laboratory" as defined in Business and Professions Code section 1206, subdivision (a)(3), the fee shall be \$389.

- f. Where the generator is a veterinary clinic or a veterinary hospital, the fee shall be \$389.
- g. Where the generator is a medical office that does not fall into any of the categories listed above, the fee shall be \$389.
- h. Where the generator is not a medical office and does not fall into any of the categories listed above, the fee shall be \$389.
- i. Where the generator is a Biotech facility as defined in Ventura County Ordinance Code section 4566, subdivision (a), the fee shall be based on the number of buildings, as follows:

<u>Number of Buildings</u>	<u>Fee</u>
1 - 5	\$406
6 or more	\$812

- j. Where the generator falls into more than one of the categories listed above, the highest applicable fee shall be paid.
4. The fee for a five-year permit for an on-site medical waste treatment facility issued pursuant to Health and Safety Code section 118130 shall be paid in five equal annual installments, the first coming due on the date of issuance of the permit, and the remaining four coming due on the four successive anniversaries of the date of issuance; provided, however, that any installment coming due after termination of the permit shall be excused; provided, further, that the installment shall be excused if the operator of the facility is also a registered small-quantity generator or a registered large-quantity generator. Each annual installment shall be equal to the amount of the highest annual registration fee or registration fee installment payable by any generator to be served by the treatment facility.
  5. The annual fee for a permit for a common storage facility issued pursuant to Health and Safety Code section 117928 shall come due on the date of initial issuance and on each successive anniversary thereof until the permit expires or is terminated, shall be based on the number of generators served by the facility, as of the anniversary date and shall be computed as follows:

<u>No. of Generators Served</u>	<u>Fee</u>
10 or fewer	\$154
11 - 49	\$389
50 or more	\$777

6. The fee for filing any appeal or petition for hearing pursuant to Ventura County Ordinance Code section 4578 shall be \$191.
- II. Body Art Fees are based on the Environmental Health Specialist IV contract hourly rate as of due date and calculated using the multipliers described below.
1. The fee for a one-year registration as a Practitioner issued pursuant to the Safe Body Art Act (SBAA), Health and Safety Code section 119306 shall come due on the date of issuance of the registration and on each successive anniversary thereof and calculated on 1.0 hour of time.
  2. The annual health permit fee for a Body Art Facility issued pursuant to SBAA, Health and Safety Code section 119312 shall come due on the date of issuance of the permit and on each successive anniversary thereof and calculated on 3.0 hours of time.
  3. The fee for a one-year registration as a Practitioner issued pursuant to SBAA, Health and Safety Code section 119306 who is also a Body Art Facility Owner as defined in Health and Safety Code section 119301(q) shall come due on the date of issuance of the registration and on each successive anniversary thereof and calculated on 0.5 hours of time.
  4. The annual health permit fee for a Body Art Vehicle defined in SBAA, Health and Safety Code section 119301(ab) and issued pursuant to SBAA, Health and Safety Code section 119316 shall come due on the date of issuance of the permit and on each successive anniversary thereof and calculated on 1.5 hours of time.
  5. The permit fee for a Body Art Sponsor as defined in SBAA, Health and Safety Code section 119301(y) and issued pursuant to SBAA, Health and Safety Code section 119318 shall come due on the date of issuance and calculated on 9.0 hours of time.
  6. The permit fee for a Temporary Body Art Facility as defined in Ventura County Ordinance Code section 4566(l) and issued pursuant to SBAA, Health and Safety Code section 119317.5 shall come due on the date of issuance and calculated on 0.5 hours of time.
  7. The fee to submit for approval plans to construct a Body Art Facility pursuant to SBAA, Health and Safety Code section 119312(h) shall come due on the date plans are submitted and calculated on 6.0 hours of time.
  8. The fee to submit for approval plans to construct a Body Art Vehicle as defined in SBAA, Health and Safety Code section 119301(ab) and pursuant to SBAA, Health and Safety Code section 119312(h) shall come due on the date plans are submitted and calculated on 3.0 hours of time.

9. The notification fee for a Mechanical Stud and Clasp Ear Piercing facility as described in SBAA, Health and Safety Code section 119325 shall be \$45.00 and due upon submittal on the Mechanical Stud and Clasp Ear Piercing Notification form.
10. The fee for the review of a Bloodborne Pathogen Exposure Control Training program to ensure compliance with the requirements set forth in the SBAA, Health and Safety Code section 119307(c) and gain approval as an approved Bloodborne Pathogen Exposure Control Training program shall come due on the date the training program is submitted and calculated on 6.0 hours of time.
11. When the Environmental Health Division determines a Body Art Facility has been financially impacted due to the novel coronavirus pandemic, the Director is authorized to reduce, by up to 100%, any fee applicable to that Body Art Facility and to waive, in full or in part, any related late fees or penalties.

### III. Delinquent Payment Formula

If any fee or installment on a fee required in sections I. or II. of this resolution is not paid on or before the delinquency date, the person liable for that fee or installment shall also pay an additional amount equal to:

1. 10 percent of the fee or installment if the fee or installment plus such additional amount are paid within 30 days after the delinquency date; or
2. 30 percent of the fee or installment if the fee or installment or such additional amount is paid more than 30 days after the delinquency date. The term "delinquency date" means:
  - a. in the case of a generator, facility or hauler that is unlawfully operating without a current registration, permit or exemption to which the fee or installment pertains, the date on which such illegal operation commenced; and
  - b. in the case of a generator, facility or hauler that is operating with a current registration or permit to which the fee or installment pertains, the due date specified in this resolution for such fee or installment.

The additional amount specified in this section is imposed to compensate the County for the estimated additional cost associated with processing late applications and payments and not as a penalty.

**BE IT FURTHER RESOLVED AND DETERMINED** by the Board that the fees herein are consistent with state law. The fees charged do not exceed the estimated reasonable costs of the regulatory activity they support, and those costs are apportioned to individual payers in a manner that bears a fair or reasonable relationship to the payers' burdens on or benefits from the regulatory activity. The documentation and analysis supporting the amount of the fees are on file with the County agencies involved in the calculations and are incorporated herein by reference.

**BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** by the Board that the resolution adopted May 18, 2021, is repealed effective July 1, 2021, this resolution is hereby adopted, and the fees herein shall become operative on July 1, 2021.

On motion by Supervisor Huber, seconded by Supervisor Long, the foregoing resolution was passed and adopted on June 22, 2021.

Linda Parks  
Chair, Board of Supervisors

ATTEST:

MICHAEL POWERS,  
Clerk of the Board of Supervisors  
County of Ventura, State of California.



By Jon Key  
Deputy Clerk of the Board