

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AMENDING FEE SCHEDULE FOR WEIGHTS AND MEASURES REPEAT INSPECTIONS AND TESTING, RESCHEDULING, STAND-BY CHARGES, AND NON-COMMERCIAL DEVICE INSPECTIONS

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, Section 12210.5 of the Business and Professions Code enables a County, if authorized by the County Board of Supervisors, to establish a schedule of fees for inspecting or testing of weighing and measuring devices by request of the owner or user of such device, including repeat testing or inspection requested by such owner or user due to weighing and measuring devices found to be outside the tolerances or specifications set by the California Department of Food and Agriculture upon an annual initial inspection prescribed by California Business and Professions Code Section 12210(a); and,

WHEREAS, fees for repeat inspections and testing requested by owners or users will cover the additional costs incurred by the County Agricultural Commissioner/Sealer required by these repeat tests or inspections. Those businesses that have made it a priority to comply with weights and measures device requirements should not be responsible for the additional costs caused by the failed devices; and

WHEREAS, a stand-by charge inspection fee would apply to those instances where a commercial device owner requests that a Biologist/Standards Specialist and the County's equipment be available while a device is being adjusted, or when a final retest to seal the device is done but the fee would not include the time performing the initial inspection; and,

WHEREAS, a repeat inspection fee would apply to those instances where a commercial device owner or the licensed service agent he hires to adjust a device requests a final retest to seal the device. The fee would not include the time performing the initial inspection; and,

WHEREAS, a rescheduling fee will be charged for businesses that fail to keep mutually agreed upon appointments with Department staff or arrive late to scheduled inspection appointments; and,

WHEREAS, Business and Professions Code Section 12210.5 requires that the above described fees be based on a uniform schedule of fees established by the Secretary of the California Department of Food and Agriculture; and,

WHEREAS, Section 12210 (b) of the Business and Professions Code states that the Board of Supervisors may authorize the County Sealer to establish from time to time a schedule of fees to cover the cost of the inspection and testing of non-commercial weighing and measuring devices; and,

WHEREAS, on June 10, 2003, this Board adopted a fee schedule for non-commercial weighing and measuring devices; and,

WHEREAS, the implementation of the charges set forth in Exhibit "A" would allow the County to recover the costs of providing these services; and,

WHEREAS, this Board has been presented with and has examined the need for and desires to implement the fee schedule attached as Exhibit "A" to this resolution; and,

WHEREAS, the schedule of fees attached as Exhibit "A" to this resolution follows the

uniform schedule of fees established by the Secretary of California Department of Food and Agriculture:

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that

The amended fee schedule is approved and the Sealer of Weights and Measures is authorized and directed to charge, implement and collect the attached schedule of fees in the instances set forth herein for and on behalf of the County of San Mateo.

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EXHIBIT A

TO

RESOLUTION AMENDING THE FEE SCHEDULE FOR WEIGHTS AND
MEASURES REPEAT INSPECTION AND TESTING, RESCHEDULING, STAND-
BY CHARGES, AND NON-COMMERCIAL DEVICE INSPECTIONS

UNIFORM SCHEDULE OF FEES
California Department of Food and Agriculture
DMS Notice D-08-11, January 1, 2009

Description	Amount/Hr.
a) Small capacity scales	\$100.00 per hour *
b) Large capacity scales	\$100.00 per hour *
(All scales greater than 3,000 lbs. Capacity)	\$130.00 per hour *
c) Retail gasoline dispensers	\$70.00 per hour *
d) Wholesale petroleum meters	\$90.00 per hour *
e) Liquefied petroleum Gas meters	\$90.00per hour *
f) All other Commercial Devices	\$70.00 per hour *

* One Hour Minimum