

ORDINANCE NO. _____

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

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ORDINANCE AMENDING SECTION 5.64.060 (IMPOSITION OF FEES) OF CHAPTER 5.64 (FEES FOR ENFORCEMENT OF STATE PUBLIC HEALTH LAWS) OF TITLE 5 (BUSINESS REGULATIONS) OF THE SAN MATEO COUNTY ORDINANCE CODE, RELATING TO IMPOSITION OF FEES FOR ENFORCEMENT OF STATE PUBLIC HEALTH LAWS

The Board of Supervisors of the County of San Mateo, State of California,

ORDAINS as follows:

SECTION 1. Section 5.64.060 is hereby amended to read as follows:

5.64.060 - IMPOSITION OF FEES

- (a) Generally, any person who conducts or engages in a business or activity as defined in section 5.64.050 of this chapter, which business or activity is within the geographical area under the jurisdiction of the County Health Officer, shall be liable to pay the Environmental Health inspection fee established by ordinance of the Board of Supervisors for that business or activity within thirty days from the date of billing therefore. Such fee shall be payable annually and shall cover a period of one year from the date of payment, unless otherwise specified by the County Health Officer.
- (b) Closing or Termination of Business. The County Health Officer may, in the case of closing or termination of a business, refund not to exceed 50% of the fee when the activity was in business for less than six (6) months of the billing year.
- (c) Seasonal Businesses. A seasonal activity which is in business for six (6) months or less shall be obligated to pay 50% of the fee.
- (d) Reinspection Fee. A reinspection is any activity which occurs after a second inspection of a facility, where initial violations are not corrected and the third inspection is required to correct violations. In these cases, a reinspection fee shall be charged for the inspection as well as subsequent reinspection activities as required to correct violations documented by the division. Reinspection fees apply to facilities exempt from annual fees per [Section]

5.64.060(e) below.

(e) Exemptions from Annual Fees. The following shall be exempt from payment of annual fees imposed by this chapter:

- (1) Any business or activity operated by a blind person who has a certificate issued by the Bureau of Vocational Rehabilitation of the State of California.
- (2) Any business or activity defined in section 5.64.050, owned and operated for charitable purposes where no person benefits through the distribution of profits or other compensation.
- (3) The Director of Environmental Health may exempt a facility from payment of certain annual fees as follows:
 - (i) If the facility accepts public drop-off of sharps the Director of Environmental Health may exempt it from the Limited Medical Waste Hauler Exemption fee.
 - (ii) If the facility collects used oil or used oil filters as a County/State sanctioned public Used Oil Drop Off Center the Director may exempt it from applicable hazardous waste generator fees.
 - (iii) If the facility is a San Mateo County facility in the same budget unit as the Environmental Health Division.
- (4) The exemptions contained in sub-sections (e)(1), (e)(2) and (e)(3) do not apply to fees associated with permit application fees, plan check fees or reinspection fees.

(f) Exemptions for Farm Labor Housing and Employee Housing. Individuals and entities providing farm labor housing or employee housing may qualify for an exemption from certain fees as follows:

- (1) To be eligible for the exemptions contained in this subsection (f), an applicant must either be permitted, or have applied and been found to meet the criteria for a permit as Farm Labor Housing or Employee Housing, by the Planning and Building Department or Division of Environmental Health, respectively.
- (2) Eligible applicants under subsection (f) are exempt from all of the fees listed in Section 5.64.070 under the heading "Land Use Program", with the exception of the Exotic Animal and Confined Animal Inspection Per Hour fees.
- (3) Eligible applicants under subsection (f) are exempt from all of the fees listed in Section 5.64.070 under the heading "Water Well Program" except those fees specifically described as an "Annual Fee".
- (4) An application for an exemption shall be made to the Environmental Health Director in writing.
- (5) Farm Labor Housing and Employee Housing are not exempt from any

other fees not specifically identified in this subsection (f).

(6) The purpose of this subsection (f) is to encourage provision of quality housing for persons working in the agricultural industry and their families.

(g) Returned Checks. A service charge of \$25.00 will be added to and become part of any underlying obligation for any returned check.

(h) Any person may appeal the amount of the fee, in writing, to the Director of Environmental Health who shall determine the correctness of the amount of the fee assessed.

(i) Acting as a Unified Program Agency. In addition, any person who is required by the Environmental Health Division of the San Mateo County Health System, while it is acting as a Unified Program Agency, to take corrective action to address a release of hazardous waste or hazardous constituents at or from a hazardous waste facility or site, shall also be required to reimburse the County for the County's costs incurred related to overseeing the corrective action at the rates contained in the schedule set forth in [Section] 5.64.070

SECTION 2. This ordinance shall be effective thirty (30) days from the date of passage thereof.

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