

**ORDINANCE AMENDING THE
CUPA FEE SCHEDULE**

ORDINANCE NO. 5255

An ordinance of the County of Santa Barbara amending the existing Certified Unified Program Agency (CUPA) Fee Schedule to adjust for increased costs of doing business.

WHEREAS, Chapter 18C, Article III provides that the local Certified Unified Program Agency shall process applications, issue permits, make inspections, and carry out an enforcement program per California Health and Safety Code, Chapter 6.11 (§25404 *et seq.*), Chapter 6.5, (§25100 *et seq.*), Chapter 6.67 (§25270 *et seq.*), Chapter 6.7, (§25280 *et seq.*) and Chapter 6.95 (§25500 *et seq.*); and

WHEREAS, the present fees for administration of the Certified Unified Program Agency have remained unchanged since the adoption of Ordinance 5079, effective July 1, 2019; and

WHEREAS, pursuant to California Government Code section 54985, the County Board of Supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing a product or service; and

WHEREAS, pursuant to Government Code section 54986, the County of Santa Barbara has in connection with the above fees, held a public hearing as part of a regularly scheduled meeting and published notice of the meeting, including a general description of the matter to be considered, in accordance with Government Code §6062a; and

WHEREAS, the Board of Supervisors finds that the fees set forth in this Ordinance are exempt from CEQA review pursuant to 14 CCR 15273 and Public Resources Code §21080, subd. (b)(8)(A) and (B) in that the fees will be used for operating expenses and for the purchase of supplies, equipment or materials; and

WHEREAS, the fees may be revised as needed by the Santa Barbara County Board of Supervisors, and if the revision does not occur, the existing fees shall remain in effect.

THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA ORDAINS:

1. That the fees set forth in the attached Schedule of Fees are hereby adopted pursuant to Chapter 6.11 (§25404 *et seq.*), Chapter 6.5 (§25100 *et seq.*), Chapter 6.67 (§25270 *et seq.*), Chapter 6.7 §25280 and Chapter 6.95 (§25500 *et seq.*) of the California Health Safety Code and §§ 54985 and 54986 of the California Government Code and said fees are to become effective on July 3, 2025.
2. The Director of Environmental Health Services shall annually review and may adjust fees adopted herein pursuant to the changes to the Consumer Price Index (CPI). Adjustments shall be rounded to the nearest dollar and become effective no earlier than July 1 of each year and appropriate notice shall be provided to the public 60 days prior to the adjustment effective date. Consumer Price Index adjustments shall be based on the All Urban Consumers, Los Angeles-Riverside-Orange County area and shall use the percent change of that index from January through December of the year prior to the effective date.
3. Ordinance 5079, effective July 1, 2019, is hereby repealed on the above-mentioned date that the fees imposed by this Ordinance become effective. The repeal of Ordinance 5079 shall not affect any obligation to pay any fees incurred under said Ordinance, and said obligation shall continue

in effect after said Ordinance is repealed, and the County of Santa Barbara may take any appropriate action in regard to any delinquent fees imposed pursuant to said Ordinance.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 3rd day of June, 2025, by the following vote:

AYES: Supervisor Lee, Capps and Hartmann

NOES: Supervisor Nelson

ABSTAIN: Supervisor Lavagnino

ABSENT: None

ATTEST:

Mona Miyasato
County Executive Officer
Clerk of the Board

By: Shirley LaGuerra
Deputy Clerk

COUNTY OF SANTA BARBARA:

Laura Capps

By: [Signature]
Chair, Board of Supervisors
Date: 6-3-25

RECOMMENDED FOR APPROVAL:

Mouhanad Hammami, Director
Public Health Department

Signed by:
By: Mouhanad Hammami
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Department Head

APPROVED AS TO ACCOUNTING FORM:

Betsy M. Schaffer, CPA
Auditor-Controller

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By: [Signature]
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Deputy

APPROVED AS TO FORM:

Rachel Van Mullem
County Counsel

Signed by:
By: Lindy Giacopuzzo
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Deputy County Counsel

**SANTA BARBARA COUNTY PUBLIC HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SERVICES (EHS)**

CERTIFIED UNIFIED PROGRAM AGENCY (CUPA)

FEE SCHEDULE

1. Permit Fees

An annual Permit is required for all CUPA facilities. The annual permit fee shall be based on:

- **Business Plan (BP)** permit fees are categorized by "Level" based on quantity of material stored or handled on site. The BP Levels are as follows:
 - BP Level 1: 55-275 gallons; 500-2,500 lbs; 200-1,000 cubic ft.
 - BP Level 2: 276-500 gallons; 2,501-5,000 lbs; 1,001-2,000 cubic ft.
 - BP Level 3: 501-5,500 gallons; 5,001-50,000 lbs; 2,001-20,000 cubic ft.
 - BP Level 4: 5,501-10,000 gallons; 50,001-100,000 lbs; 20,001-40,000 cubic ft.
 - BP Level 5: >10,000 gallons; >100,000 lbs; >40,000 cubic ft.
- **Generator** (hazardous waste) permit fees are based on quantity of hazardous waste generated during a calendar year.
- **Above Ground Petroleum Storage Act (APSA)** permit fees are based on quantity of petroleum stored on site.
- **Underground Storage Tank** permit fees are based on number of operating tanks at a facility.
- **Risk Management Plan** permit fees are based on the severity of the risks posed by the facility which coincide with the type of Extremely Hazardous substance a facility is storing/handling, facility release history, and the type of business the facility is engaged in (e.g., chemical processing versus chemical storage, etc.). Facility risk, established and defined as Programs 1-4 in 19 CCR § 5050.4 of the California Code of Regulations, are expressed below as RMP Levels 1- with Level 4 being the highest risk category.

Service	Fee Description	Fee
BUSINESS PLANS		
One Time Business or Site Exemption Fee	Annual Fee	\$ 158
Business Plan BP Level 1	Annual Fee	\$ 421
Business Plan BP Level 2	Annual Fee	\$ 439
Business Plan BP Level 3	Annual Fee	\$ 456
Business Plan BP Level 4	Annual Fee	\$ 474
Business Plan BP Level 5	Annual Fee	\$ 509
Business Plan Beverage Carbonation Only	Annual Fee	\$ 421
GENERATORS		
Hazardous Waste Very Small Quantity Generator	Annual Fee	\$ 347
Hazardous Waste Small Quantity Generator	Annual Fee	\$ 454
Hazardous Waste non-RCRA Large Quantity Generator	Annual Fee	\$ 1,038
Hazardous Waste RCRA Large Quantity Generator	Annual Fee	\$ 1,303
ABOVEGROUND PETROLEUM STORAGE ACT (APSA)		
APSA Tanks in Underground Area - Less than 1,320 gallons	Annual Fee	\$ 404
APSA Conditionally Exempt Facilities	Annual Fee	\$ 440
APSA Tier I Facilities (10,000 gallons or less, no individual tank more than 5,000 gal)	Annual Fee	\$ 844

Service	Fee Description	Fee
APSA Tier II Facilities (10,000 gallons or less, has individual tank more than 5,000 gal)	Annual Fee	\$ 951
APSA Non-Qualified Facilities (more than 10,000 gallons)	Annual Fee	\$ 1,195
UNDERGROUND STORAGE TANKS		
UST Annual Operating Permit (1st tank)	Annual (1st tank)	\$ 2,008
UST Annual Operating Permit (each additional tank)	Each additional tank	\$ 497
RISK MANAGEMENT PLAN / CalARP		
RMP / CalARP Program Level 1 - Base Fee	Annual Fee	\$ 1,582
RMP / CalARP Program Level 2 - Base Fee	Annual Fee	\$ 2,960
RMP / CalARP Program Level 3 - Base Fee	Annual Fee	\$ 4,748
RMP / CalARP Program Level 4 - Base Fee	Annual	\$ 5,136
OTHER FEES/SERVICES		
PBR (Permit by Rule)	Annual Fee	\$ 348
PBR-HHW (Household Hazardous Waste)	Annual Fee	\$ 213
Conditionally Exempt*	Annual Fee	\$ 220

* Includes Conditionally Exempt Commercial Laundries (CECL), Conditionally Exempt Specified Waste Streams (CESW), Conditionally Exempt Small Quantity Treatment (CESQT), and Conditionally Exempt Limited (CEL)

2. Underground Storage Tank Plan Review Fees, Application plus hourly fees

All proposed new or modified Underground Storage Tanks (UST) must submit a Plan Review application, on a form approved by the Director of Environmental Health Services, with the appropriate application fee. The application fee shall also be applied when a facility re-initiates UST operations after having been closed for business. Note: UST facilities that have been operating without benefit of permit will not be exempt from application fees. The application fee is part of the overall plan review project and is non-refundable.

Application Fee \$145

Hourly plan review fees include plan review, construction evaluation and final inspection services. Plans that are found to be unsatisfactory will be returned for revision. Environmental Health Services will not issue plan approval or final construction approval until all applicable fees have been paid.

Hourly Plan Review Fee \$214 per hour

3. Other Services – Hourly Rate

An hourly rate fee, determined by the number of person-hours expended by CUPA personnel, including reasonable travel time and rounded up to the nearest one-quarter hour, shall be charged for the following services:

- Violation Re-inspection Fee – Follow-up and/or re-inspections when violations remain uncorrected after a routine/original inspection. The hourly rate shall apply to all subsequent re-inspections, including reasonable travel time, until all violations have been corrected.
- Consultation Services – Special inspections or consultations requested by operators or prospective new facility operators.
- Notices of Violation – Preparation, issuance and monitoring of compliance in conjunction with a Notice of Violation or other enforcement action.

Hourly Rate \$214 per hour

4. **Other Risk Management Plan Services – Hourly Rate**

An hourly rate fee, determined by the number of person-hours expended by CUPA Risk Management Plan (RMP) personnel, including reasonable travel time and rounded up to the nearest one-quarter hour, shall be charged for the following services:

- A. Violation Re-inspections – Follow-up and/or re-inspections when violations remain uncorrected after a routine/original inspection and first follow-up and/or re-inspection. The hourly rate shall apply to all subsequent re-inspections, including reasonable travel time, until all violations have been corrected.
- B. Consultation Services – Special inspections or consultations requested by operators or prospective new facility operators.
- C. Notices of Violation – Preparation, issuance and monitoring of compliance in conjunction with a Notice of Violation or other enforcement action.

Hourly RMP Rate \$214 per hour

5. **Emergency Response / Complaint Response – Hourly Rate**

An hourly rate fee, determined by the number of person-hours expended by CUPA personnel, including reasonable travel time and rounded up to the nearest one-quarter hour, shall be charged for the following services:

- A. Emergency/Complaint Response: On-call personnel and services from the CUPA Emergency Response Unit of the County of Santa Barbara, Department of Environmental Health Services for incidents involving hazardous materials. Emergency response may include, but is not limited to: providing technical assistance, sampling, hazard identification, investigation and enforcement as needed or requested by emergency response agencies.

Hourly Rate \$321 per hour

6. **Additional Program Charges**

Photocopies, each	\$ 0.35
Returned Check fee	\$ 41.00

7. **Delinquent Fees**

Fees that are invoiced by Environmental Health Services as outlined in this fee schedule, which are not paid by the due date on the invoice shall be considered delinquent, and the following additional charges added:

- A. During the first thirty (30) days of delinquency, any unpaid portion of the permit fee will have a penalty of 10% assessed.
- B. After thirty days of delinquency, an additional penalty of 15% of the unpaid balance will be assessed and a Final Notice will be issued.
- C. If the fee, and any penalty assessed pursuant to this Ordinance, is not paid within 30 days from the date on the Final Notice, the unpaid balance may be referred to the County’s contracted collection agency for collection. In addition to the fee(s) and any penalties associated with delinquent fee(s) as described above, accounts referred for collection shall be charged for the actual cost associated with collection efforts as set forth by the collection agency. The delinquency fees are in addition to any other remedies available to the County.
- D. If any person required to pay a fee pursuant to this Ordinance has an outstanding balance due for any service rendered by Environmental Health Services, any past due amount shall be paid before Environmental Health Services will approve a subsequent application from that person or

renewal of an existing permit for that person, unless such past due amount is waived or reduced as provided in this Ordinance.

8. Prorating of Fees

The County reserves the right to prorate all fees described in this ordinance at the discretion of the Director of Environmental Health Services.

9. Contest of Charges

Any person required to pay fees or charges pursuant to this Ordinance may file a written notice of contest of fees accompanied by such materials as will support the claim for relief, including payment in full as invoiced, with the Director (or designee) of Environmental Health Services for determination of the correct amount of fees due under this Ordinance.

Such written notice shall be filed with said Director (or designee) within 45 days after mailing or personal delivery of the fee invoice or other notification of fees due. This period may be extended by the Director upon a showing of good cause. Upon receipt of such written notice of contest of fees, the Director (or designee) shall make a decision on said contested fees. The decision shall be final with no further right of review. Failure to include payment in full as invoiced will result in denial of review.

Refunds made as a result of this process shall be paid by Environmental Health Services and shall not include interest.

10. Fee Waiver

Any person required to pay fees pursuant to this fee ordinance may file a written application, including payment in full as invoiced, with the Board of Supervisors for a waiver or reduction of any said fees, or any part thereof. The Board of Supervisors may waive or reduce the fees to the extent permitted by law and public policy, upon a showing of good cause by the applicant. The application shall be filed with the Clerk of the Board of Supervisors within 45 days after mailing or personal delivery of the fee invoice. Failure to include payment in full as invoiced will result in denial of review.

Refunds made as a result of this process shall be paid by Environmental Health Services and shall not include interest.