

PUBLIC HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SERVICES
LAND DEVELOPMENT REVIEW

ATTACHMENT H1

**RESOLUTION OF THE BOARD OF SUPERVISORS
County of Santa Barbara, State of California**

**IN THE MATTER OF ADOPTING)
FEES FOR ENVIRONMENTAL)
HEALTH SERVICES LAND)
DEVELOPMENT REVIEW)**

RESOLUTION NO. _____

WHEREAS, the County of Santa Barbara is authorized to establish reasonable fees for the processing of tentative, final, and parcel maps, and other procedures authorized by local ordinance pursuant to Government Code §66451.2; and

WHEREAS, Government Code §66016 authorizes the Board of Supervisors to approve an increase in an existing fee or service charge by resolution; and

WHEREAS, the last fee schedule resolution was effective December 1, 2009; and

WHEREAS, the last Consumer Price Index increase was applied in 2013; and

WHEREAS, the fees established by this resolution will recover the costs of administering land use review by the Environmental Health Services Division of the Public Health Department (hereafter, Environmental Health Services) within the County; and

WHEREAS, the Board of Supervisors finds that the fees set forth in this resolution are exempt from California Environmental Quality Act (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 and materials; and

WHEREAS, 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 County of Santa Barbara has complied with the notification requirements of Government Code §66016, subdivision (a), including making data for the fees available for public inspection for at least 10 days before the public hearing; 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.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED, as follows:

That the fees set forth in the attached fee schedule are hereby adopted pursuant to Government Code §§66016 and 66451.2. Said fees are to become effective on July 1, 2019.

Resolution 09-328 is hereby repealed on the date that the fees imposed by this resolution become effective. The repeal of Resolution 09-328 shall not affect any obligation to pay any fees incurred under said resolution, and said obligation shall continue in effect after said resolution is repealed, and the County of Santa Barbara may take any appropriate action in regard to any delinquent fees imposed pursuant to said resolution.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of _____, 2019, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

COUNTY OF SANTA BARBARA

STEVE LAVAGNINO

Chair, Board of Supervisors

Date: _____

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: _____
Deputy Clerk

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:
BETSY M. SCHAFFER, CPA
AUDITOR-CONTROLLER

By: _____
Deputy County Counsel

By: _____
Deputy

APPROVED
VAN DO-REYNOSO, MPH, PhD
DIRECTOR
PUBLIC HEALTH DEPARTMENT

By: _____

**SANTA BARBARA COUNTY PUBLIC HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SERVICES FEE SCHEDULE
LAND DEVELOPMENT**

1. Case Review, Application plus Hourly fees

A fee is required on all applications for Land Use case review and approval. The application fee is part of the overall plan review project and is non-refundable. The application fee shall be deposited with Santa Barbara County Planning and Development Department (Planning and Development) by the applicant, prior to determination by Planning and Development of application completeness.

Application Fee	\$255
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2. Hourly Case Review Fees

An hourly fee will be applied to an applicant’s accounting record for costs associated with full case review, site visits, consultation, report review, letter writing, public meeting attendance, and determining compliance with project conditions. Environmental Health Services will not issue case approval until all applicable fees have been paid.

Hourly Case Review	\$161 per hour
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3. Hourly Rate \$161

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

- A. Pre-application assessments, special consultations, recycled water project review, generation of reports or correspondence, or other activities related to a land use project and requested by a project applicant or the County Department of Planning and Development.
- B. Required activities of Environmental Health Services staff related to appeals of approved land use cases.

4. Additional Program Charges

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

5. 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. For the first 30 days of delinquency, any unpaid portion will have a penalty of 10% assessed.
- B. After 30 days of delinquency, an additional 15% of the unpaid balance will be assessed and a Final Notice will be issued.
- C. If the fee is not paid within three weeks from the date of the Final Notice, the facility may be referred to either the Santa Barbara County Treasurer/Tax Collector’s office or 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. 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 resolution 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 resolution.

6. **Contest of Charges**

Any person required to pay fees or charges pursuant to this fee resolution may file 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 resolution.

Such written notice shall be filed with the 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 (or designee) 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.

7. **Fee Waiver**

Any person required to pay fees pursuant to this fee resolution 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 statement of fees. 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.