

PUBLIC HEALTH DEPARTMENT

ENVIRONMENTAL HEALTH SERVICES

SEPTIC SYSTEMS, GRAYWATER SYSTEMS AND  
OTHER ONSITE SEWAGE DISPOSAL SYSTEMS

ATTACHMENT E

**RESOLUTION OF THE BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

**IN THE MATTER OF ADOPTING FEES )  
FOR ENVIRONMENTAL HEALTH )  
SERVICES RELATING TO SEPTIC )  
SYSTEMS, GRAYWATER SYSTEMS, )  
AND OTHER ON-SITE SEWAGE )  
DISPOSAL SYSTEMS )**

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, California State Water Code §13282, allows individual liquid waste disposal on-site so long as the authorized public agency assures proper design and construction of said systems; and

**WHEREAS**, the County of Santa Barbara has adopted the Individual, Alternative and Community Disposal Systems Prohibitions contained in the Water Quality Control Plan, Central Coast Basin (Basin Plan), adopted by the California Central Coast Regional Water Quality Control Board and amended by Resolution 94-06 "*Individual Disposal Systems*" in 1994, and this plan provides guidelines and prohibitions concerning the disposal of sewage on-site to prevent water quality and public health problems; and

**WHEREAS**, the Environmental Health Services Division of the Public Health Department (hereafter, Environmental Health Services) is designated as the administrative authority for private sewage disposal system review and approval in Santa Barbara County Code §10-5.2(e); and

**WHEREAS**, Health and Safety Code §101325 provides that the Board of Supervisors may adopt a resolution prescribing fees to pay the reasonable expenses of the health officer incurred in the enforcement of any statute or regulation relating to public health; and

**WHEREAS**, §16-47 of the Santa Barbara County Code provides that the Board of Supervisors may adopt by resolution a schedule or schedules of required fees for specified health services by the Public Health Department; and

**WHEREAS**, the present fees for administering, reviewing and approving permits for on-site sewage disposal systems have remained unchanged since the adoption of Resolution 08-135, effective July 1, 2008; and

**WHEREAS**, the Board of Supervisors finds that the fees set forth in this resolution 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 and materials; and

**WHEREAS**, the fees established by this resolution will recover a portion of the actual costs of providing said services and administering and enforcing said statute; 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 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 permit, service, administration, and enforcement fees for all on-site sewage disposal systems reviewed and approved by Environmental Health Services are set forth in the attached schedule of fees and are hereby adopted pursuant to §10-5.2(a) and §16-47 of the Santa Barbara County Code. Said fees are to become effective December 1, 2009.

Resolution 08-135, effective July 1, 2008, is hereby repealed on the above-mentioned date that the fees imposed by this resolution become effective. The repeal of Resolution 08-135 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 \_\_\_\_\_, 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

By: \_\_\_\_\_  
Chair, Board of Supervisors

ATTEST:  
MICHAEL F. BROWN  
CLERK OF THE BOARD

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
DENNIS MARSHALL  
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:  
ROBERT GEIS  
AUDITOR-CONTROLLER

By: \_\_\_\_\_  
Deputy County Counsel

By: \_\_\_\_\_  
Deputy

**SANTA BARBARA COUNTY PUBLIC HEALTH DEPARTMENT  
ENVIRONMENTAL HEALTH SERVICES FEE SCHEDULE  
SEPTIC SYSTEMS / PRIVATE SEWAGE DISPOSAL SYSTEMS**

**1. Construction/Plan Check Fees – One time fees**

A fee is required to cover the costs of administration and enforcement of California Water Code §13282 for on-site sewage disposal system plan review and evaluation by Environmental Health Services as follows:

	<u>Fee / Hours</u>
Sewage Disposal System	\$820 / (4.0 hrs)
Repair	190 / (1.5 hrs)
Abandonment	310 / (1.5 hrs)
Evaluation/Modification	410 / (2.0 hrs)
- Review and/or modification of existing on-site sewage disposal system for purpose of building remodel/addition clearances or change in occupancy.	
Simple Evaluation	\$ 40 / (20 min)
- Evaluation of existing on-site sewage disposal system that can be accomplished at the counter in 20 minutes or less, related to a minor project that does not increase potential wastewater flow and does not require any modification of the existing system, including the building sewer or 100% expansion area	

Plan check fees include review of soil tests and Environmental Health Services records, plan check of system design, site check, approval / disapproval of permit application, construction evaluation and final clearance. Plans that are found to be unsatisfactory will be returned for revision. Plans which are unusually complex or which must be resubmitted with significant changes and require staff time in excess of the hours noted above shall be charged the standard hourly rate for the excess time. Environmental Health Services will not issue plan approval or final construction approval until all applicable fees have been paid.

**2. Hourly Rate** **\$ 136**

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

- A. Plan/record review and periodic inspection services of sites using reclaimed/recycled water or enhanced treatment systems.
- B. Graywater system plan review, approval/disapproval to construct, inspection and final clearance.
- C. Staff time in excess of the hours noted in Section 1, Construction/Plan Check Fees, necessary to complete any fixed fee service.
- D. Consultation Services – Special inspections or consultations requested by property owner
- E. Notices of Violation – Preparation, issuance and monitoring of compliance in conjunction with a Notice of Violation or other enforcement action.

### 3. **Additional Program Charges**

Photocopies each	\$ 0.35
Check returned for non-sufficient funds or closed account	35.00

### 4. **Delinquent Fees**

Environmental Health Services will not issue plan approval until all appropriate fees have been paid. 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 30 days of delinquency, any unpaid portion of the balance due 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, and any penalty assessed pursuant to this resolution, is not paid within three weeks from the date on the Final Notice, the unpaid balance may be referred to the County Treasurer/Tax Collector's office 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.

### 5. **Contest of Charges**

Any person required to pay fees pursuant to this resolution may file a written notice of contest of charges 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. If the staff time required to review and approve construction plans addressed by this resolution is at least 30 minutes less than that allotted for that particular fee category, the applicant may request a partial refund of the fee paid.

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 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.

## 6. **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 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.

**NOTICE OF EXEMPTION**

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Public Health Department

Based on a preliminary review of the project, the following activity is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN(s) N / A Case No: N / A

Location: COUNTY OF SANTA BARBARA

Project Title: ADOPTION OF FEE RESOLUTION

Project Description: RESOLUTION ESTABLISHING FEES FOR ENVIRONMENTAL HEALTH SERVICES RELATING TO SEPTIC SYSTEMS AND OTHER ON-SITE SEW-AGE DISPOSAL SYSTEMS

Exempt Status: (Check One)

- Ministerial
- Statutory
- Categorical Exemption
- Emergency Project
- No Possibility of Significant Effect [Sec 15061(b,3)].

Cite specific CEQA Guideline Section:

14 CCR 15273 \* PUBLIC RESOURCES CODE SECTION 21080(b)(8)(A) and (B)

Reasons to support exemption findings (attach additional material, if necessary):

FEES WILL BE USED TO MEET OPERATING EXPENSES AND FOR THE PURCHASE OF SUPPLIES, EQUIPMENT AND MATERIALS.

Michele Mickiewicz, MPH  
Interim Director, Public Health Department

Date

NOTE: A copy must be posted in the Santa Barbara County Planning & Development Department at least six days prior to consideration of the activity by the decision makers to comply with County CEQA guidelines and a copy must be filed with the County Clerk of the Board after project approval to begin a 35 day statute of limitation on legal challenges.

Distribution: Planning & Development Department

**DATE FILED WITH THE COUNTY CLERK**