

**PUBLIC HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SERVICES**

FOOD FACILITIES

ATTACHMENT B

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

**IN THE MATTER OF ADOPTING FEES FOR)
ENVIRONMENTAL HEALTH SERVICES)
PURSUANT TO THE CALIFORNIA RETAIL)
FOOD CODE, HEALTH & SAFETY CODE)
§113700 ET SEQ.)**

RESOLUTION NO. _____

WHEREAS, California Health and Safety Code §113713 provides that primary responsibility for enforcement of the provisions of the California Retail Food Code (Health and Safety Code §113700 et seq.) shall be with the local enforcement agency; and

WHEREAS, Environmental Health Services of the Public Health Department (hereafter, Environmental Health Services) is the designated agency to administer the California Retail Food Code within the County of Santa Barbara; and

WHEREAS, Santa Barbara County Code §16-23 provides that every person owning or operating a food facility shall obtain a health permit, with the permit valid on payment of required fees; and

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

WHEREAS, California Health and Safety Code §114381 provides that the County Board of Supervisors may establish fees for permits and related services for food facilities, and that such fees shall be sufficient to cover the expenses of administering and enforcing the California Retail Food Code; and

WHEREAS, California 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, the present fees for retail food facilities services have remained unchanged since the adoption of Resolution 19-108, effective July 1, 2019; and

WHEREAS, the present fees for Microenterprise Home Kitchen Operations have remained unchanged since the adoption of Resolution 21-31, effective April 1, 2021; and

WHEREAS, this Resolution will repeal Resolution 19-108 and Resolution 21-31; and

WHEREAS, the fees established by this resolution are reasonably related to the burden imposed on the County and will recover the costs of administering and enforcing the California Retail Food Code within the County of Santa Barbara; and

WHEREAS, the Board of Supervisors finds that the fees set forth in this resolution are exempt from California Environmental Quality Act of 1970 (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 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:

1. That the fees which are set forth in the attached schedule of fees are hereby adopted pursuant to §114381 and §101325 of the California Health and Safety Code. Said fees are to be assessed against all persons as defined in Health and Safety Code §113855 and are to become effective on April 11, 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. Resolution 19-108 effective July 1, 2019 and Resolution 21-31 effective April 1, 2021, are hereby repealed on the above-mentioned date that the fees imposed by this resolution become effective. The repeal of Resolutions 19-108 and 21-31 shall not affect any obligation to pay any fees incurred under said resolutions, and said obligation shall continue in effect after said resolutions are 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 _____, 2025, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Mona Miyasato
County Executive Officer
Clerk of the Board

COUNTY OF SANTA BARBARA:

Laura Capps

By: _____
Deputy Clerk

By: _____
Chair, Board of Supervisors

Date: _____

RECOMMENDED FOR APPROVAL:

Mouhanad Hammami, Director
Public Health Department

APPROVED AS TO ACCOUNTING FORM:

Betsy M. Schaffer, CPA
Auditor-Controller

Signed by:
Mouhanad Hammami
52B22B04C70B4FC...
By: _____
Department Head

Signed by:
C. Schaffer
A99ED5BD71D04FB...
By: _____
Deputy

APPROVED AS TO FORM:

Rachel Van Mullem
County Counsel

Signed by:
Lindy GiacopuzziKotz
B081EBAD8CD440F...
By: _____
Deputy County Counsel

**SANTA BARBARA COUNTY PUBLIC HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SERVICES (EHS) FEE SCHEDULE
FOOD FACILITIES**

1. Health Permit Fees

An annual Health Permit is required for the operation of all retail food facilities. The annual permit fee shall be based on the total square footage of floor space of the food facility (including any room, building, or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving, manufacturing, packaging, transporting, salvaging, or otherwise handling food at the retail level) unless assigned a fixed fee as indicated in the "Type of Fee" column below. Food facilities include, but are not limited to: bakeries, bars, bed and breakfasts, cafeterias, certified farmers' markets, coffee shops, convenience stores, commissaries, grocery stores, licensed health care facilities, mobile food facilities, mobile support units, produce stands, restaurants, snack bars, temporary food facilities, caterers, host kitchens, cottage food and home kitchen operations, micromarkets and vending machines. Any other terms not specifically defined herein shall have the meanings set forth in Health and Safety Code §113728 et seq.

Service/Permit	Type of Fee	Fee
Retail Food Facilities		
Health Permit: Low Risk	Annual Fee	\$ 356
Health Permit: Shared Kitchen Use	Annual Fee	\$ 356
Health Permit: Host Kitchen	Annual Fee	\$ 386
Health Permit: <500 square feet	Annual Fee	\$ 386
Health Permit: 501-1500 square feet	Annual Fee	\$ 560
Health Permit: 1501-3000 square feet	Annual Fee	\$ 823
Health Permit: 3001-10,000 square feet	Annual Fee	\$ 897
Health Permit: over 10,000 square feet	Annual Fee	\$1,130
Mobile Food Facilities (MFF)		
MFF: Food Prepared in Commissary	Annual Fee	\$ 398
MFF: Fully Labeled Pre-packaged	Annual Fee	\$ 286
MFF: Food Prepared in Vehicle	Annual Fee	\$ 542
MFF: Compact Mobile Food Operation	Annual Fee	\$ 341
Other Food		
Seasonal Mobile Food Facility <6 Months (Limited Food Preparation Only)	Fixed Fee	\$ 698
Seasonal Food Facility: <6 Months (Limited Food Preparation Only - Excludes Restaurants)	Fixed Fee	\$ 560
Satellite Dining Facility	Annual Fee	\$ 253
School Dining Facility	Annual Fee	\$ 806
Vending Machine w/potentially hazardous food, each	Annual Fee	\$ 296
Health Permit: Microenterprise Home Kitchen	Annual Fee	\$ 400
Cottage Food Operations: Class A Registration (Direct sales)	Annual Fee	\$ 86
Class B Permit & Pre-operating Inspection (indirect sales)	Annual Fee	\$ 342
Certified Farmers' Market		
Certified Farmers' Market (non-potentially hazardous) 2-10	Annual Fee	\$ 444

Service/Permit	Type of Fee	Fee
Certified Farmers’ Market (non-potentially hazardous) 11 or more	Annual Fee	\$ 589
Certified Farmers’ Market w/potentially hazardous food 2-10	Annual Fee	\$ 682
Certified Farmers’ Market w/potentially hazardous food 11 or more	Annual Fee	\$ 779
Fisherman’s Market	Annual Fee	\$ 400
Temporary Food Facilities (TFF)		
Swap Meet Coordinator	Annual Fee	\$ 561
Swap Meet Booth (non-potentially hazardous foods)	Annual Fee	\$ 174
TFF: Event Coordinator (including non-profit events)	Fixed Fee	\$ 716
TFF: Booth (max 500 sf) - One Time (including non-profits)	Fixed Fee	\$ 342
TFF: Booth - Low Risk (max 500 sf) - One Time (including non-profits)	Fixed Fee	\$ 172
TFF: Coordinator - Recurring*	Annual Fee	\$ 945
TFF: Booth (max 500 sf) – Recurring*	Annual Fee	\$ 482
TFF: Booth - Low Risk (max 500 sf) – Recurring*	Annual Fee	\$ 270

* Recurring Events are defined as: 25 days max within 90-day period at the same location. Permits are issued for the calendar year Jan 1 - Dec 31.

2. Plan Review Fees, Application plus hourly fees

All proposed new, remodel, or change in operation food facilities must submit a Plan Review application, on a form approved by the Environmental Health Services (EHS) Director, with the appropriate application fee. The application fee shall also be applied when a facility re-initiates operations after having been closed for business. Note: Facilities that have been operating without benefit of permit will not be exempt from application fees.

A processing fee is required on all applications for plan review and approval to construct or remodel a permanent or mobile food facility. The application fee is part of the overall plan review project and is non-refundable.

Application Fee \$145

Hourly plan review fees include plan reviewing, 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 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. Non-Compliance Reinspection Fee (each occurrence) – Follow-up investigations and/or reinspections when violations remain uncorrected after a routine/original inspection and one scheduled reinspection. The hourly rate shall apply to the second reinspection and all subsequent reinspections, 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 Rate

\$214 per hour

4. Operating Without a Permit

Pursuant to Health and Safety Code §114387, any person operating a food facility without a valid Health Permit shall be subject to closure of the food facility and a penalty not to exceed three times the cost of the Health Permit. This financial penalty shall be in addition to the plan review/construction fee and the Health Permit fee required by this resolution.

5. Additional Program Charges

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

6. Prorating of Fees

The County reserves the right to prorate all fees described in this resolution at the discretion of the EHS Director.

7. Delinquent Fees

Fees invoiced by Environmental Health Services as outlined in this fee resolution that 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 days of delinquency, any unpaid portion of the 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 delinquent fee is for a required Health Permit and such permit is not obtained within two weeks from the issuance of a Final Notice, a Notice of Violation will be issued for operating without a valid Health Permit and the facility owner will have 48 hours to obtain a valid permit or face closure. At this time, the operator will be required to pay for a valid Health Permit, as well as any penalty fees assessed during the delinquent period, before resuming operation.
- D. If the fee, including any penalty assessed pursuant to this resolution, is not paid within three weeks from the date of the Final Notice the unpaid balance may be referred to either the 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) described above, accounts referred for collection shall be charged the actual cost associated with collection efforts. The delinquency fees are in addition to any other remedies available to the County.
- E. 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.

8. Contest of Charges

Any person required to pay fees or charges 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 EHS Director (or designee) for determination of the correct amount of fees due under this resolution.

Such written notice shall be filed with the EHS 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 EHS Director upon a showing of good cause. Upon receipt of such written notice of contest of fees, the EHS Director (or designee) shall make a decision on the 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.

9. 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.