

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

Resolution Establishing Fees for)
Fire Department's Administration) Resolution No. __
of the California Health and Safety Code,)
Chapter 6.95: Hazardous Plans and)
Inventory)

WHEREAS, Chapter 6.95, Division 20 of the California Health and Safety Code, section 25500 et seq. (Chapter 6.95) establishes a comprehensive scheme for regulating the storage and handling of hazardous waste; and

WHEREAS, (1) the Santa Barbara County Fire Department (Fire Department) has been designated as the local enforcement agency of Chapter 6.95 within the County of Santa Barbara by Santa Barbara County Ordinance No. 4215, (2) the Fire Department has been designated pursuant to Chapter 6.11 of the Health and Safety Code, (hereinafter Chapter 6.11), as the Certified Unified Program Agency (CUPA) for enforcement of various designated hazardous materials programs, including Chapter 6.95; and

WHEREAS, section 25404.5 of Chapter 6.11 requires a single fee system (1) to replace the fees levied by the County of Santa Barbara pursuant to sections 25513 and 25535.2 of Chapter 6.95 and section 101325 of the Health and Safety Code, and, (2) to provide for the payment of the necessary and reasonable costs incurred in administering the provisions of Chapter 6.95, including, but not limited to, permitting and inspection responsibilities; and

WHEREAS, section 25404.2 of Chapter 6.11 provides that the CUPA shall process a single unified program facilities permit program for purposes of administering and enforcing Chapter 6.95; and

WHEREAS, section 25404.5, subdivision (b), of Chapter 6.11 provides that the CUPA will collect a state surcharge for the purposes of implementing Chapter 6.11; and

WHEREAS, the board of supervisors adopted Resolution No. 00-205 establishing hazardous materials program fees; and

WHEREAS, the Fire Department has recommended an increase in the fee schedule set forth in Resolution No. 00-205; and

WHEREAS, the board of supervisors finds that the fees set forth in this resolution are exempt from CEQA review pursuant to Public Resources Code section 21080, subdivision (b)(8)(1) and (2) (14 CCR section 15273), 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 section 6062a; and

WHEREAS, the fees may be revised as needed by the 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:

1) The fees for the administration and the enforcement of Chapter 6.95 by the Fire Department, which are set forth in the attached fee schedule, are hereby adopted and are to be effective on _____, 2001.

2) The fees established by this Resolution shall be administered as component part of the single fee system required by section 25404.5 of Chapter 6.11.

3) Resolution No. 00-205 of June 6, 2001, is hereby repealed on the date that the fees imposed by this resolution become effective. The repeal of Resolution 00-205 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 ____ of _____, 2001, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

By _____
Chair of the Board of Supervisors

Attest:
Michael F. Brown
Clerk of the Board

By _____
Deputy

Approved as to form:
Stephen Shane Stark
County Counsel

By _____

Approved as to Accounting:
Robert W. Geis, C.P.A.
Auditor-Controller

By _____