

**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 SAFE DRINKING )  
WATER ACT, HEALTH AND SAFETY )  
CODE §116270 ET SEQ. )**

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**RESOLUTION NO.** 19-113

**WHEREAS**, §§116270-116751 of the California Health and Safety Code, known as the California Safe Drinking Water Act ("Water Act") provides that primary enforcement of the provisions of the Water Act for water systems with fewer than 200 services connections shall be with local health agencies meeting primacy program requirements; and

**WHEREAS**, §116565(f) of the California Health and Safety Code provides that a public water system under the jurisdiction of a local primacy agency shall pay the fees specified in said section to the local primacy agency in lieu of the state board; and

**WHEREAS**, pursuant to §116330 of the California Health and Safety Code, the State Water Resources Control Board has delegated the Environmental Health Services Division of the Public Health Department (hereafter, Environmental Health Services) as the Local Primacy Agency to administer the Water Act within the County of Santa Barbara; and

**WHEREAS**, §16-47 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**, §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 administering have remained unchanged since the adoption of Resolution 09-326, effective December 1, 2009; and

**WHEREAS**, the fees established by this resolution will recover costs of administering and enforcing the Water Act within the County; 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 County 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 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 schedule of fees hereto, are hereby adopted pursuant to §101325 and §116565(f) of the California Health and Safety Code and §16-47 of the Santa Barbara County Code. Said fees are to be assessed against all persons as defined in §116275, subdivision (g) of the California Health and Safety Code, and said fees are to become effective July 1, 2019.

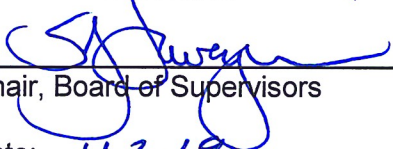
Resolution 09-326, effective December 1, 2009, is hereby repealed on the above-mentioned date that the fees imposed by this resolution become effective. The repeal of Resolution 09-326 shall not affect any obligation to pay any fees incurred under said resolution, and said obligation shall continue in 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 2nd day of April, 2019, by the following vote:

- AYES: <sup>S</sup>Supervisors Williams, Hart, and Hartmann
- NOES: Supervisors Adam and Lavagnino
- ABSTAIN: None
- ABSENT: None

COUNTY OF SANTA BARBARA

STEVE LAVAGNINO

  
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 Chair, Board of Supervisors

Date: 4-2-19


ATTEST:  
MONA MIYASATO  
COUNTY EXECUTIVE OFFICER  
CLERK OF THE BOARD

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

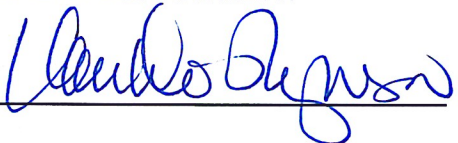
APPROVED AS TO FORM:  
MICHAEL C. GHIZZONI  
COUNTY COUNSEL

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

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

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

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

By:   
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**SANTA BARBARA COUNTY PUBLIC HEALTH DEPARTMENT  
ENVIRONMENTAL HEALTH SERVICES FEE SCHEDULE**

**PUBLIC WATER SYSTEMS - DOMESTIC WATER SUPPLY PROGRAM**

**1. Annual Fees - Fixed Rate**

An annual operating fee is required for public water systems under the jurisdiction of the local primacy agency for inspection, surveillance, administration and enforcement activities. It does not cover sampling costs. The annual fee for public water systems shall be based upon the number of service connections or the type of water system. The public water systems under the jurisdiction of the local primacy agency are defined by the Health & Safety Code, §116275.

Community Water System	\$ 2,022
Non-Community Water System	\$ 1,654

**2. Construction/Plan Review Fees - Application, plus hourly fees**

All proposed new water systems or modifications to existing water systems must submit a Plan Review application, on a form approved by the Director of Environmental Health Services, with an application fee. The application fee is part of the overall plan review project and is non-refundable. Systems that have been operating without benefit of permit will be subject to all applicable fees.

Application Fee	\$ 255
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Hourly plan review fees include: plan review, issuance of approval for the construction of a domestic water system, construction evaluation, final approval and issuance of a Domestic Water Supply Permit. Plans that are found to be unsatisfactory may be returned for revision or denied. Environmental Health Services will not issue plan approval or final construction approval until all applicable fees have been paid.

Hourly Plan Review Fee	\$ 161/per hour
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**3. Amendment/Change of Ownership**

\$ 276

**4. Other Services – Hourly Rate**

\$ 161

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 in the administration and enforcement of the provisions of the Health and Safety Code §116270 - 116751:

**A. Non-Compliance Reinspection Fee (each occurrence)**

An hourly rate fee will be charged 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. Evaluation of systems constructed or modified, or service connections illegally connected to public water systems, without a valid permit or approval to construct.**

- C. Notices of Violation - Preparation, issuance and monitoring of compliance in conjunction with a Notice of Violation or other enforcement action.
- D. Preparation and issuance of public notifications and conducting a public hearing pursuant to Health and Safety Code §116625.
- E. Staff time spent on waivers, exemptions, variances or consultation related to permits to construct or operate a domestic water supply system.

**5. Additional Program Charges**

Photocopies each	\$ 0.35
Returned	\$ 41.00

**6. Prorating of Fees**

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

**7. Delinquent Fees**

Fees that are invoiced by Environmental Health Services as outlined in this fee schedule and 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 permit fee will have a penalty of 10% assessed.
- B. After 30 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 resolution, is not paid within three weeks from the date on the Final Notice, the unpaid balance 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.

**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 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 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.

**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.