

**ORDINANCE AMENDING THE
AGRICULTURAL COMMISSIONER'S FEE SCHEDULE**

ORDINANCE NO. 10-_____

An ordinance of the County of Santa Barbara amending the existing Agricultural Commissioner's Fee Schedule to adjust for increased costs of doing business.

WHEREAS, pursuant to Food and Agriculture Code §5102, the County Agriculture Commissioner is a state plant quarantine officer for purposes of certifying to the pest condition or pest treatment of shipments and for enforcing laws and regulations which relate to plant quarantine; and

WHEREAS, the County Agriculture Commissioner, Deputy Commissioner or Inspector may issue a certificate for the movement or entry of plant shipments once the Commissioner, Deputy Commissioner or Inspector has assessed the pest condition or treatment of any shipment of plants as provided in Food and Agriculture Code §5201; and

WHEREAS, pursuant to Food and Agriculture Code §5202, the Board of Supervisors of any County may establish a schedule of fees for any and all classes of certificates to be paid by shippers that request such certificates; and

WHEREAS, pursuant to Food and Agriculture Code §5204, the schedule of fees for the certificates must be based upon the approximate cost of the inspection; and

WHEREAS, pursuant to Government Code §54986, 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;

THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA ORDAINS AS FOLLOWS:

That the fees highlighted in the attached Schedule of Fees are hereby adopted pursuant to California Food and Agriculture Code Sections §5202 and §5204. Said fees are to be assessed against all persons requesting certificates for the movement or entry of plant shipments and are to become effective July 1, 2010.

Those fees related to Phytosanitary Inspections and hourly rates established by Resolution 08-253, effective July 1, 2008, are hereby repealed on the above-mentioned date that the fees imposed by this Ordinance become effective. The repeal of the Phytosanitary Inspection fees and hourly rates imposed by Resolution 08-253 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 _____ 2010 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

By _____
CHAIR, JANET WOLF
BOARD OF SUPERVISORS

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By _____
Deputy

APPROVED AS TO FORM:
DENNIS A. MARSHALL,
COUNTY COUNSEL

By _____
Deputy County Counsel

APPROVED AS TO FORM:
ROBERT GEIS,
AUDITOR CONTROLLER

By _____
Deputy

FEE SCHEDULE

(Only those fees highlighted in bold are modified by this Ordinance)

Phytosanitary Inspections:		
Per Inspection (11 or more units)	\$40.00 (increased from \$30)	(revised)
Per Inspection (10 units or less)	\$25.00 (increased from \$22)	(revised)
Retying fee	\$15.00	(unchanged)
Hourly fee	\$80.00 (increased from \$68)	(revised)
Export Seed Inspections:		
Per acre/per inspection	\$30.00 (\$120.00 minimum)	(unchanged) (unchanged)
Official Document Reproduction	\$.10 per page	(unchanged)
Direct Marketing		
Certified farmers market	\$250.00 annually	(unchanged)
Certified producer certificate	\$25.00 annually plus \$15 per site	(unchanged)
Farm Labor Contractors:	\$25.00 annually	(unchanged)
Ag Pest Control Business Registration:	\$50.00 annually	(unchanged)
Maintenance Gardener Pest Control Registration:	\$25.00 annually	(unchanged)
Pest Control Advisor Registration:		
Home county registrants	\$10.00 annually	(unchanged)
Outside county registrants	\$ 5.00 annually	(unchanged)
Pest Control Pilot Registration:		
Home county registrants	\$10.00 annually	(unchanged)
Outside county registrants	\$5.00 annually	(unchanged)
Structural Pest Control Registration:	\$10.00 annually	(unchanged)
Structural Pesticide Applicator:		
License Examination	\$15.00 per exam	(unchanged)
Hourly Rate:	\$80.00 (increased from \$68)	(revised)

EXHIBIT A (continued)

Weights & Measures Equipment Charge
(Hourly inspection and/or standby fees are additional)

	Per Day	Per Mile	
Sedan	\$ 23.00	\$.35	(mandated)
Pickup truck, station wagon or van	\$ 25.00	\$.35	(mandated)
Heavy capacity scale test truck and trailer (40,000 lbs. cert.)	\$200.00	\$2.00	(mandated)
LPG meter prover	\$ 50.00		(mandated)
Electric meter test unit	\$ 45.00		(mandated)
Vapor meter lab	\$100.00		(mandated)
50 gallon prover	\$ 35.00		(mandated)
100 gallon prover	\$ 35.00		(mandated)

Weights & Measures Device Registration Fees

1 device	\$ 20.00	(unchanged)
2 devices	\$ 30.00	(unchanged)
3 devices	\$ 40.00	(unchanged)
4 – 9 devices	\$ 80.00	(unchanged)
10 – 19 devices	\$120.00	(unchanged)
20 – 25 devices	\$160.00	(unchanged)
Over 25 devices	\$200.00	(unchanged)

For mobile home parks, recreational vehicle parks, and apartment complexes, where the owner of the park or complex owns and is responsible for the utility meters, the annual fee shall not exceed \$60 per park or complex, and a fee of up to \$2 per device per space or apartment.

For weighing devices, other than livestock and motor truck scales, with capacities of 20,000 pounds or greater, the registration fee shall be \$200 per device.

For motor truck scales, the registration fee shall be \$100 per device.

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Agricultural Commissioner's Office

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 AGRICULTURAL COMMISSION FEE ORDINANCE

Project Description: ORDINANCE ESTABLISHING FEES FOR INSPECTION AND CERTIFICATION OF PLANTS PRIOR TO MOVEMENT OR ENTRY OF PLANT SHIPMENT PURSUANT TO FOOD AND AGRICULTURE CODE §5202 AND §5204 .

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):

THIS ORDINANCE IS TO ENABLE THE OPERATION OF REGULATORY PROGRAMS AND AS SUCH IS CATEGORICALLY AND STATUTORILY EXEMPT FROM CEQA. FEES WILL BE USED TO MEET OPERATING EXPENSES AND FOR THE PURCHASE OF SUPPLIES, EQUIPMENT, AND MATERIALS.

Elena Morelos, Assistant Director
Agricultural Commissioner's Office

Date

NOTE: A copy must be posted in the County of Santa Barbara 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