



## RESOLUTION NO.

### OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

#### RESOLUTION ESTABLISHING ENVIRONMENTAL MANAGEMENT DEPARTMENT FEE SCHEDULE AND POLICIES AND PROCEDURES

(Supersedes: Resolution 080-2019)

**WHEREAS**, pursuant to Government Code Sections 54985 and 66016, and County Ordinance Code Section 1.04.260, the Board of Supervisors of El Dorado County (“Board”) has established rates, charges, and fees for certain activities; and

**WHEREAS**, once established, rates, charges, and fees may be modified, set, or fixed by the Board by Resolution; and

**WHEREAS**, the Board adopted Resolution 204-93 on July 13, 1993, which established a Consolidated Fee Schedule including Fee Schedule Policies for the Planning Department, Department of Transportation, and Environmental Management Department related to permit processing; and

**WHEREAS**, the Consolidated Fee Schedule and Fee Policies and Procedures were amended by Resolution 139-2007 on June 12, 2007, and by Resolution 242-2014 on December 16, 2014 for Environmental Management Fees and Planning Fees; and

**WHEREAS**, all of the department functions covered by the various resolutions included herein were consolidated as divisions within the Community Development Agency (“CDA”); and

**WHEREAS**, at the time the fees were adopted in the Consolidated Fee Schedule and Policies and Procedures by Resolution 079-2016, the cost of providing the services was documented in the CDA Fee Study, dated March 22, 2016, and it was anticipated that staff would periodically return to the Board to update the fees and charges in the Consolidated Fee Schedule, based on the current approved hourly rates multiplied by the number of hours per cost of service provided by the CDA divisions; and

**WHEREAS**, on April 18, 2017, the Board adopted Ordinance 5051 reorganizing CDA into separate departments, and CDA’s Environmental Management Division is now referred to as the El Dorado County, Environmental Management Department (“EMD”); and

**WHEREAS**, the Board adopted a series of Resolutions establishing and amending the Consolidated Fee Schedule and Policies and Procedures for those functions that were formerly divisions under the CDA, which was most recently amended by Resolution 080-2019 on May 21, 2019; and

**WHEREAS**, instead of a Consolidated Fee Schedule and Policies and Procedures, a separate schedule of fees and policies and procedures will be established for each individual department; and

**WHEREAS**, the schedule of fees set forth in Exhibit A, Environmental Department Fee Schedule, attached hereto and incorporated herein by reference, includes rate increases calculated based on the current approved hourly rates multiplied by the number of hours to provide the service based on the new time study data collected by EMD; and

**WHEREAS**, EMD has performed the analysis to determine that the schedule of fees set forth in Exhibit A do not exceed the reasonable costs of providing the services or the regulatory costs for which the fees are charged.

**NOW, THEREFORE**, the Board of Supervisors of El Dorado County does hereby find, determine, and resolve as follows:

1. The fees set forth in Exhibit A, Environmental Management Department Fee Schedule, attached hereto and incorporated herein, do not exceed the reasonable costs of providing the services or the regulatory costs for which the fees are charged and are hereby adopted.
2. The new, increased, or reduced fees shown in Exhibit A shall take effect sixty (60) days from adoption of this Resolution, and any existing fees not modified in Exhibit A shall remain in full force and effect.
3. Individual fees may be added and/or modified from time to time by Board resolution amending the Environmental Management Department Fee Schedule in its entirety, incorporating those modifications in Exhibit A, subject to the necessary notice and analysis under the applicable state law.
4. The Policies and Procedures set forth in Exhibit B, Environmental Management Department Policies and Procedures, are hereby adopted and shall take effect upon execution of this Resolution.
5. The Policies and Procedures may be modified from time to time by Board resolution amending the Environmental Management Department Policies and Procedures in its entirety, incorporating those modifications in Exhibit B.
6. All rates, charges, and fees established by either resolution or Ordinance Code shall be subject to the Board of Supervisors Policy No. B-4 related to Recovery of Funds, and unpaid balances shall be subject to increase to include costs incurred by the County Department responsible for administering Revenue Recovery Services, as updated from time to time.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the following vote of said Board:

Attest:  
Kim Dawson  
Clerk of the Board of Supervisors

Ayes:  
Noes:  
Absent:

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

\_\_\_\_\_ Chair, Board of Supervisors

**ENVIRONMENTAL MANAGEMENT DEPARTMENT FEE SCHEDULE**

Hourly Rate	<u>Proposed Fee</u>
<b>Environmental Health Permit Fees</b>	<b>\$171.40</b>
1650 Bakery - Annual Permit	\$531.00
1620 Bar - Annual Permit	\$326.00
1681 Bed & Breakfast (Food Facility) - Annual Permit	\$394.00
1510 Body Art Facility - Annual Permit	\$257.00
1515 Body Art Practitioner Registration - Annual Permit	\$86.00
1640 Catering Operation - Annual Permit	\$343.00
1642 Catering Operation Add-On for Permitted Food Facilities - Annual Permit	\$171.00
1680 Commissary - Annual Permit	\$377.00
TBD Continental Breakfast (Limited Food Service Facility) - Annual Permit	\$171.00
1630 Cottage Food Operation Class "A" - Annual Registration Fee	\$86.00
1631 Cottage Food Operation Class "B" - Annual Permit	\$326.00
1516 Ear Piercing Facility Notification - One-time Registration Fee	\$51.00
1512 Event Coordinator - Temporary/Occasional Event	\$171.00
1518 Event Coordinator - Temporary/Occasional Event - Within 14 Days of Event	\$214.00
TBD Host Facility - Annual Permit	\$171.00
1613 Market/Retail - Pre-Packaged Only - Annual Permit	\$309.00
1611 Market/Retail <2000 Sq. Ft. - Annual Permit	\$514.00
1612 Market/Retail >2000 Sq. Ft. - Annual Permit	\$600.00
1614 Market+1 (Meat, Deli, Bakery, Restaurant) - Annual Permit	\$737.00
1616 Market+2 (Meat, Deli, Bakery, Restaurant) - Annual Permit	\$908.00
1617 Market+3 (Meat, Deli, Bakery, Restaurant) - Annual Permit	\$1,080.00
1615 Market+4 or More (Meat, Deli, Bakery, Restaurant) - Annual Permit	\$1,251.00
1635 Mobile Food/Pre-Packaged - Annual Permit	\$171.00
1633 Mobile Food/Roadside - Annual Permit	\$343.00
1690 Organized Camps (Fee In Addition To Fees Collected For Other Permits) - Annual Permit	\$497.00
1622 Restaurant <650 Sq. Ft. - Annual Permit	\$600.00
1623 Restaurant >650 Sq. Ft. - Annual Permit	\$771.00
1621 Restaurant/Bar - Annual Permit	\$771.00
1540 River Rafting/Food - Annual Permit	\$394.00
TBD Satellite Food Service (SFS) - Annual Permit	\$343.00
1632 Schools/Public Agencies (Food Facility) - Annual Permit	\$566.00
1511 Seasonal Fixed Food Facility (Closed For One Or More Consecutive Quarters) - Annual Permit	\$411.00
3612 Spa - Annual Permit	\$343.00
3611 Swimming Pool - Annual Permit	\$514.00
1519 Temporary Foods - Limited Food Preparation (low risk) - Annual Permit	\$171.00
1520 Temporary Foods - Open Food Preparation (high risk) - Annual Permit	\$343.00
1642 Temporary Foods Event Add-On for Permitted Food Facilities - Annual Permit	\$171.00
TBD Temporary Foods Open Food Preparation within 14 Days of Event - Single Event	\$171.00
1513 Temporary Foods Pre-Packaged (with limited food sampling/dispensing) - Single Event	\$86.00
3615 Wading Pool - Annual Permit	\$274.00
1625 Winery - Commercial Kitchen - Annual Permit	\$394.00
1627 Winery - Pre-Packaged Food - Annual Permit	\$171.00
1626 Winery - Seasonal Food Service - Annual Permit	\$343.00
<b>Plan Check Fees: New Construction</b>	
1770 Plan Check: Bakery	\$857.00
1760 Plan Check: Bar	\$686.00
1761 Plan Check: Bar and Restaurant	\$1,028.00
1782 Plan Check: Bed & Breakfast	\$514.00
1517 Plan Check: Body Art/Tattoo	\$343.00
1780 Plan Check: Caterers	\$343.00
1774 Plan Check: Market +1	\$1,028.00
1776 Plan Check: Market +2	\$1,200.00
1777 Plan Check: Market +3	\$1,371.00
1775 Plan Check: Market +4	\$1,543.00
1773 Plan Check: Market Pre-Packaged Only	\$171.00
1771 Plan Check: Market/Retail <2000 Sq. Ft.	\$686.00
1772 Plan Check: Market/Retail >2000 Sq. Ft.	\$857.00

**ENVIRONMENTAL MANAGEMENT DEPARTMENT FEE SCHEDULE**

1710 Plan Check: Other (Per Hour) - Consultations, Re-Inspections, Etc.	\$171.00
1711 Plan Check: Remodel	\$171.00 min., then T&M
1762 Plan Check: Restaurant < 650 Sq. Ft.	\$857.00
1763 Plan Check: Restaurant > 650 Sq. Ft.	\$1,028.00
1781 Plan Check: Satellite Food Service	\$343.00
1779 Plan Check: Schools/Public Agencies	\$857.00
1752 Plan Check: Spa	\$1,028.00
1750 Plan Check: Swimming Pool	\$1,028.00

**Food Handler Classes**

1900 Food Handler Mgr. Ed. - Class, Book, & Test	\$220.00
1906 Food Handler Mgr. Ed. Book & Test Only	\$126.00
1905 Food Handler Mgr. Ed. Book Only	\$57.00
1902 Food Handler Mgr. Ed. Class & Test Only	\$163.00
1904 Food Handler Mgr. Ed. Class Only	\$94.00
1903 Food Handler Mgr. Ed. Test Only	\$69.00
1901 Food Handler Mgr. Reschedule Fee	\$43.00
1907 Food Handler Mgr. Safety Re-Certification	\$95.00
1909 Food Safety Training (Per Hour)	\$171.00
1908 Mgr. Certification - Re-Test	\$69.00

**Certified Unified Program Agency (CUPA) Fees**

2350 Aboveground Petroleum Storage Act (APSA - 10,000 - 100,000) - Annual Permit	\$257.00
2351 Aboveground Petroleum Storage Act (APSA - 100,001 - 1,000,000) - Annual Permit	\$514.00
2349 Aboveground Petroleum Storage Act (APSA - Less Than 10,000) - Annual Permit	\$120.00
2110 Business Plans/Large Businesses (>1,999 Gallons above Ground) - Annual Permit	\$343.00
2109 Business Plans/Small Businesses (55-1,999 Gallons above Ground) - Annual Permit	\$257.00
TBD California Accidental Release Prevention (CalARP) - High Risk Facility	\$171.00 min., then T&M
2011 Small Quantity Hazardous Waste Generator (<55 Gallons Stored) - Annual Permit	\$257.00
2311 Underground Storage Tank - Annual Operating Permit (Per Tank/Compartment) - Annual Permit	\$548.00 min., then T&M
2118 Underground Storage Tank - Envir. Assessment-Review/File Search	\$171.00 min., then T&M
2305 Underground Storage Tank - Interior Lining Installation Permit (Per Tank/Compartment)	\$343.00 min., then T&M
2315 Underground Storage Tank - New Tank Installation & Replacement (Per Tank/Compartment)	\$514.00 min., then T&M
2390 Underground Storage Tank - Permanent Close/Abandon/Remove Permit (Per Tank)	\$685.00 min., then T&M
2348 Underground Storage Tank - Remediation, Site Assess, Invest Permit	\$583.00 min., then T&M
2347 Underground Storage Tank - Repair/Remodel/Upgrade Permit - Major (Per Tank/Compartment)	\$600.00 min., then T&M
2393 Underground Storage Tank - Temporary Closure Permit (Per Tank) Two Year Max	\$343.00 min., then T&M
2399 Underground Storage Tank Sites - Repair/Remodel/Upgrade - Minor (Per Site)	\$343.00

**CUPA State Surcharges - Set by State and Subject to Change**

APSA CUPA State Aboveground Storage Tank (AST) Fee (Per Tank)	\$26.00 *
2113 CUPA State CalARP Fee (Per Facility)	\$270.00 *
2112 CUPA State Oversight Fee (Per Facility)	\$49.00 *
2301 CUPA State Underground Storage Tank Fee (Per Tank)	\$20.00 *

**Medical Waste Fees**

2241 Med Wst-Acute Care Hosp - Annual Permit	\$514.00
2265 Med Wst-Medical/Dental/Veterinary Offices A - Annual Permit	\$343.00
2237 Med Wst-Nursing Facility 1-99 - Annual Permit	\$429.00
2238 Med Wst-Nursing Facility 100-199 - Annual Permit	\$514.00
2239 Med Wst-Nursing Facility 200 or More - Annual Permit	\$600.00
2261 Med Wst-Primary Care - Annual Permit	\$514.00
2243 Med Wst-Sm Qty with Onsite - Annual Permit	\$171.00
2240 Med Wst-Sm Qty without Onsite/Initial Filing Fee	\$86.00
2242 Med Wst-Specialty Clinics - Annual Permit	\$343.00
2266 Med Wst-Storage Fac. (2-10 Generators) - Annual Permit	\$171.00
2267 Med Wst-Storage Fac. (11-49 Generators) - Annual Permit	\$343.00
2268 Med Wst-Storage Fac. (50 or More Generators) - Annual Permit	\$686.00
2269 Med Wst-Transfer Station - Annual Permit	\$686.00

**Environmental/Geotechnical Monitoring Fees**

4373 Geothermal Wells - Heat Exchange Well	\$343.00
4350 Monitoring Well/Cathodic Protection Well Installation	\$343.00 min. then T&M
4351 Monitoring/Cathodic Protection Well Destruction	\$171.00
2114 Site Assessment - Soil Boring-GTECH/Seismic (Per Parcel)	\$343.00 min. then T&M

**Domestic Drinking Water Wells**

**ENVIRONMENTAL MANAGEMENT DEPARTMENT FEE SCHEDULE**

4672 Change of Driller	\$86.00 min., then T&M
4320 New Well Construction Permit (Individual or Irrigation Well)	\$514.00
4371 Penalty for Abandon/Destroy Without Permit	\$514.00
4370 Penalty for Drilling Without Permit	\$857.00
4671 Permit Extension	\$86.00
4673 Permit Revision	\$86.00 min., then T&M
4321 Well Deepen/Modify/Repair/Re-Construct Permits	\$86.00 min., then T&M
4322 Well Destruction Permits	\$257.00
4670 Well Permit-Public Water Well	\$686.00
<b>Real Estate Loan Health Clearance Inspection</b>	
4212 Loan Cert/Septic Only	\$257.00
4215 Loan Cert/Water and Septic (Does Not Include Lab Fees)	\$343.00
4213 Loan Cert/Water Only (Does Not Include Lab Fees)	\$257.00
4208 Water Sample	\$171.00/hour
<b>Individual Sewage Disposal Systems</b>	
4235 Penalty for Septic System Installation Without Permit	\$857.00
N/A Septage Disposal Fee (Permitted Haulers Only)	\$0.01176 per lb.
4237 Septic Annual Operating Permit - Monitoring Required	\$257.00
4227 Septic Misc. Review (Decks, Pools, Garages, Sheds, Barns, Storage, Etc.)	\$86.00
4236 Septic System Experimental/Alternative Permit	\$848.00
4225 Septic System, Abandoned Permit	\$257.00
4224 Septic System, Addition Permit	\$429.00
4217 Septic System, Commercial Addition Permit	\$514.00
4216 Septic System, Commercial Permit	\$1,114.00
4228 Septic System, Commercial Repair Permit	\$514.00
4226 Septic System, New / Single Family Permit	\$857.00
4220 Septic System, Reinspections	\$257.00
4219 Septic System, Repair Permit	\$257.00
4231 Septic System, Revision to Permit Application	\$86.00
4244 Septic Vehicles Annual Permit (Per Vehicle)	\$257.00
4233 Test Trench Feasibility Inspection	\$257.00 min., then T&M
<b>Small Public Water Systems</b>	
4624 Food Facility Water System - Operating Permit	\$257.00 min., then T&M
4638 New Community Water System - Permit Application Fee	\$617.00
4632 New Non-Community Small Water System - Permit Application Fee	\$429.00
4634 Non-Community Water System (Non-Transient) - Annual Permit	\$686.00 min., then T&M
4633 Non-Community Water System (Transient) - Annual Permit	\$514.00 min., then T&M
4622 Small Community Water System - Annual Permit	\$686.00
4644 State Small Water System - Annual Permit	\$257.00 min., then T&M
4642 Surface Water Community Water System - Annual Permit	\$617.00 min., then T&M
4643 Surface Water Non-Community Water System - Annual Permit	\$514.00 min., then T&M
4639 Water System Change in Ownership	\$189.00
<b>Construction &amp; Demolition (C &amp; D) Compliance</b>	
4400 C & D Debris Waste Management Plan Processing	\$171.00
4441 C & D Debris Diversion Compliance Fee	Double the building permit fee
4442 C & D Debris Deposit	Double the building permit fee
<b>Land Use Fees</b>	
2672 Administrative Permit / Site Plan Review	\$171.00
TBD Building Permits - Improvement Plans	\$86.00
2668 Certificate of Compliance Review-Hearing	\$257.00
2614 Conditional Use Permit	\$283.00
2669 Design Review - Major	\$343.00
2673 Design Review - Minor	\$171.00
2680 Environmental Impact Report - Notice of Preparation	\$171.00
2688 General Plan Map Amendment	\$343.00
2623 Lot Line Adjustment	\$257.00
2616 Parcel Map Revisions	\$171.00
2615 Parcel Maps (Residential/Commercial)	\$283.00 min., then T&M
2692 Planned Development	\$171.00
2671 Pre-Application Meeting	\$86.00
TBD Revision Fee	\$171.00

**ENVIRONMENTAL MANAGEMENT DEPARTMENT FEE SCHEDULE**

2617 Subdivision Maps - Preliminary	\$171.00
TBD Temporary Use Permit	\$86.00
2611 Tentative Maps of Subdivisions on Public Services (Sewer & Water)	\$171.00
2608 Tentative Maps of Subdivisions on Septic Systems 0-99 Lots	\$566.00
2609 Tentative Maps of Subdivisions on Septic Systems 100+ Lots	\$660.00
2663 Variance Application	\$283.00
2675 Zoning Change	\$171.00
2676 Zoning, Minor Wireless Communications Facility (Antenna)	\$171.00

\* Set by State and Subject to Change

**ADDITIONAL FEES**

Returned Check Fee - Tied to Maximum allowed by State	\$25.00
Copies/Duplication	15 cents per page or "printer cost" plus 5% handling fee
Maps/GIS	
Size A ( 8 1/2" x 11")	\$5.00
Size B ( 11"x 17")	\$7.50
Size C ( 18" x 24")	\$10.00
Size D ( 24" x 36")	\$15 + \$2.50 per SF over 6 SF
Miscellaneous Manuals, Etc.	Actual cost
Public Record Requests	Per Evidence Code 1563
Research Records	T&M
Revenue Recovery Referral Charge	14% of amount sent to collections
Witness Fee	T&M per applicable Government Code

## **ENVIRONMENTAL MANAGEMENT DEPARTMENT FEE POLICIES & PROCEDURES**

The following fee policies are applicable to fees collected or charged by Environmental Management Department.

### **A. APPLICABILITY**

All fees are due at time of filing the application or requesting the service. Fees are charged as either: fixed rates, fees, or charges or "Time and Materials." The fixed rates, fees, or charges are intended to cover the ordinary costs of Environmental Management for providing that service. The "Time and Materials" fees listed are an initial deposit and are described in more detail in the "Time and Materials" section.

### **B. TIME AND MATERIALS**

In all of those instances in Exhibit A – Fee Schedule where a dollar amount is provided followed by a reference to "T&M," the dollar amount is the initial minimum deposit, and the T&M means the actual cost to the applicant to process the application or permit is based on a Time and Materials method of billing. For services subject to T&M charges, the applicant will receive a monthly billing statement identifying the remaining deposit balance on account or the amount due if deposited funds have been exhausted. If monies are owed, they shall be paid within thirty (30) days as specified in Board of Supervisors Policy B-4. Any outstanding balances must be paid before action by the approving authority. To make certain there is no misunderstanding regarding the application deposit and billing process, the applicant will be required to sign an "Agreement to Pay" statement with application submittal acknowledging agreement to pay the processing costs regardless of whether the application is approved or denied.

### **C. CONVERSION TO TIME AND MATERIALS**

When, in the opinion of the Chief Administrative Officer (CAO) or Environmental Management Department Director, or their designees, the costs of processing an application will significantly exceed the required fixed fee due to the unusual complexity of the project, either the CAO or Environmental Management Department Director may convert the application to a Time and Materials billing process. When this conversion is proposed, the applicant will be notified in writing and will be requested to submit a deposit in an amount estimated to be sufficient to cover the remaining staff work to bring the application to a final decision. Staff work on the application will stop until the required deposit is provided. This conversion would occur when it is obvious the required fee is going to be insufficient, which would typically occur during or soon after the Technical Advisory Committee meeting. However, it could occur later in the process if controversy becomes more evident and/or revisions are proposed to the project to mitigate project impacts or public concerns. After the conversion, the applicant will receive a monthly billing statement identifying the remaining processing fee and/or deposit, or the amount due if deposited funds have been exhausted. If monies are owed, they should be paid before action by the approving authority.

#### **D. COUNTY AND NON-COUNTY AGENCIES ARE SUBJECT TO STANDARD FEES**

All County and non-County agencies (special districts, non-profit, etc.) shall be required to pay full application costs to offset the affected departments' processing costs. No charges shall be levied for documents/plans (one copy each) provided to public agencies.

#### **E. OTHER FEES**

Where no fee exists to cover an application process or service not normally provided by Environmental Management, or when the circumstances of the application process are unique, and when it will take more than one hour to process the application or provide the service, a fee shall be paid or deposit collected, based on an estimate of processing costs by the CAO or Environmental Management Department Director, or their designees, using the approved hourly billing rate. If a deposit is collected, the applicant will be billed based on the Time and Materials basis described above. Or as an option, the CAO or Environmental Management Department Director, or their designees, may apply a fee in another category, if such fee would adequately cover the anticipated level of effort required to process the application.

#### **F. FEE WAIVERS**

Fee waivers cannot be approved by Environmental Management. Pursuant to Board of Supervisors Policy B-2, or its equivalent, the CAO has limited authority to waive certain fees.

#### **G. COLLECTIONS**

Unpaid balances are subject to Board of Supervisors Policy B-4, Collections – Recovery of Public Funds. Balances referred to County Revenue Recovery will be assessed an amount equal to the costs incurred by the County for administering revenue recovery services.

#### **H. REFUNDS**

- 1) Fixed application fees are not refundable except as designated in 2.b. and 2.f, below.
- 2) The CAO or Environmental Management Department Director, or their designees, may authorize a refund of any unexpended Time and Materials or fixed fees upon any of the following circumstances:
  - a) The project/application is approved or denied and no further work will be required and the Time and Materials account is closed.
  - b) The applicant withdraws the application and requests a refund in writing.
    - i) The County shall discontinue work on the application within one working day from the receipt of said request, except that the County may continue to process an application involving the violation of a County ordinance.
    - ii) Where a refund is requested of a fixed fee, the refund amount shall be based upon the percentage of work completed as estimated by the CAO or Environmental Management Department Director, or their designees.



- c) The application has been deemed incomplete, information has been requested in writing by Environmental Management, and the applicant has not provided the information within a one year period.
  - d) The project/application has been placed on-hold or moved off-calendar of a Planning Commission or Board of Supervisors hearing at the request of the applicant and the applicant has not responded or requested the matter to be rescheduled for hearing within a one year period.
  - e) The project/application was moved off-calendar of a Planning Commission or Board of Supervisors hearing by the decision maker and the applicant has been requested to perform additional tasks such as: provide more information, consult with other agencies, or make revisions, but the necessary information has not been provided within a one-year period.
  - f) The deposit or fee was erroneously collected by the County.
- 3) Any refund of \$25.00 or less will not be issued; therefore, any deposit balance of \$25.00 or less will not be eligible for refund and will be retained by the County.
  - 4) It is the applicant's responsibility to keep track of the amounts submitted and to inform Environmental Management of all changes in address or ownership, including submission of a successor Agreement to Pay in the event of a change in ownership.
  - 5) After all notices have been given and four (4) years have passed the County can follow the County's escheatment process per Government Code Section 50050 – 50057 for disposing of unexpended fees.

## **I. VIOLATIONS**

- 1) Whenever any work or activities for which a permit is required has been commenced, without first obtaining said permit, an investigation may be required before a permit is issued for such work.
- 2) An investigation fee, in addition to the permit fee, may be collected by the CAO or Environmental Management Department Director, or their designees, whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee. The payment of such investigation fee shall not exempt any person from penalty prescribed by ordinance or law. The CAO or Environmental Management Department Director, or their designees may, at his or her discretion, collect this investigation fee at the time of the application or permit issuance. The CAO or Environmental Management Department Director, or their designees, at his or her discretion, may not require investigation fees in cases where the owner of property is voluntarily revealing work done without a permit and securing a permit for the work.
- 3) When a violation of any County Ordinance includes or results from the failure to attain a required permit, the fee or deposit for obtaining the permit required to correct the violation shall be double the fee or deposit amount shown, unless another ordinance or law provides for a greater amount, in which case the greater amount shall apply. The additional fee or deposit shall be treated as a non-refundable fixed fee, even if the initial amount is a deposit.

## **J. REQUIRED FEES**

No person, corporation, association, firm, business, or entity shall operate, perform, carry on, conduct, or engage in any of the activities delineated in the Environmental Management fees without paying the fee listed and obtaining a permit and/or receipt therefore from Environmental Management. A permit or receipt may be issued at any time during the year and shall expire annually on the one-year anniversary date of issuance or date of receipt, unless the permit or receipt indicates a different expiration.

## **K. SEVERABILITY**

If any title, article, section, subsection, sentence, clause, or phrase of these Policies and Procedures or any amendment thereto is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of these Policies and Procedures or amendments thereto. The Board of Supervisors declares that it would have approved these Policies and Procedures and each title, article, section, subsection, sentence, clause, and phrase of these Policies and Procedures irrespective of the fact that any one or more titles, sections, subsections, sentences, clauses, or phrases are declared invalid or unconstitutional.

## **L. NON EXCLUSIVITY**

Nothing in these Policies and Procedures or any amendment thereto shall limit or preclude the enforcement of other county ordinances, including penalties therein or any other federal, state or local laws or regulations. The remedies provided herein are cumulative to all other remedies now or hereafter available to abate or otherwise enforce a fee or permit requirement for conduct described herein. The collection or acceptance of any fee does not constitute and shall not be construed as approval or authorization of any conduct, activity, or condition that violates any federal, state, or local laws or regulations.