ANALYSIS

This ordinance amends Title 8 – Consumer Protection and Business Regulations of the Los Angeles County Code, Chapter 4, relating to fees and fee category definitions for inspections conducted by the Department of Public Health by:

- Modifying Title 8 definitions relating to public health fees to make them consistent with the definitions found in State laws and regulations, and to create new categories of service fees; and
- Modifying Title 8 fee provisions.

ANDREA SHERIDAN ORDIN
County Counsel

By
GRACE V. CHANG
Principal Deputy County Counsel
Health Services Division

GVC:vn

Requested: 12/15/11
Revised: 01/17/12

ORDINANCE NO. 2012-0012

An ordinance amending Title 8 – Consumer Protection and Business Regulations of the Los Angeles County Code.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 8.04.088 is hereby amended as follows:

8.04.088 Community event~~/seasonal event permit~~ organizer.

"Community event~~/seasonal event permit~~ organizer" means ~~written authorization to operate issued by the County health officer to a community event sponsor or food booth following approval of an application and payment of the appropriate service fee~~a person who is responsible for the maintenance of all areas and facilities that are used by the public or are shared by food booths at a community event.

SECTION 2. Section 8.04.089 is hereby amended as follows:

8.04.89 Community event/seasonal event permit ~~sponsor/organizer~~.

"Community event/seasonal event permit ~~sponsor/organizer~~" means ~~a person who is responsible for the maintenance of all areas and facilities that are used by the public or are shared by food booths at a community event~~written authorization to operate issued by the County health officer to a community event organizer or food booth following approval of an application and payment of the appropriate service fee.

SECTION 3. Section 8.04.110 is hereby deleted in its entirety:

~~**8.04.110 Day care center.**~~

~~"Day care center" means any place or premises, including a nursery school, used for full or part day reception and care or education, apart from or in the absence of their~~

~~parent or guardian, with or without compensation, of seven or more children under the age of 16 years, which children are unrelated to the operator.~~

SECTION 4. Section 8.04.190 is hereby amended to read as follows:

8.04.190 Food vehicle, independent delivery.

A. "Independent ~~wholesale~~delivery food vehicle" means any motorized conveyance delivering any of the following foods, or any combination thereof, either as a retail independent delivery vehicle pursuant to a prior order or as wholesale independent distributor:

1. ~~Wholesale independent m~~Milk or other dairy products~~distributor vehicle~~;

2. ~~Wholesale independent m~~Meat, fish, shellfish, or other seafood ~~distributor vehicle~~;

3. ~~Wholesale independent b~~Bakery goods ~~distributor vehicle~~;

4. ~~Wholesale independent f~~Fruit and vegetables ~~distributor vehicle~~;

5. ~~Wholesale independent g~~Groceries~~y distributor vehicle~~;

6. Ice or beverages;

7. Any other type of food or food product.

~~6. Combination of the above;~~

~~7. Or any vehicle from which bakery products, fish, shellfish, seafood, fruit, vegetables, meats, poultry, jelly, preserves, relish, milk or any other dairy products,~~

~~food or food products, ice, or beverages, whether in bulk, canned, wrapped, bottled, packaged, or any other form, are sold or kept for sale at wholesale or for distribution to the retailer.~~

B. Vehicles used by a fixed-location restaurant, food warehouse, fruit and vegetable market, food market, or food processing establishment having a valid public health permit under this chapter to deliver food products from said establishment to other locations shall not be required to have a separate public health permit under this chapter.

C. Any "independent ~~wholesale~~delivery food vehicle" originating outside of the jurisdiction of the health officer, ~~c~~County of Los Angeles, which has been inspected by the health officer at the jurisdiction of origin and which bears an identification that the jurisdiction of origin has issued a public health permit shall not be required to obtain a public health permit under this chapter.

SECTION 5. Section 8.04.200 is hereby amended to read as follows:

8.04.200 Food vehicle, retail.

A. "Retail food vehicle" means any motorized or non-motorized conveyance or portable food service unit upon which prepackaged or approved unpackaged food is sold or offered for sale at retail. Categories of retail food vehicles include:

1. Animal food vehicle;
2. Bakery ~~distributor~~ vehicle ~~(independent, retail)~~;
3. Fish peddler vehicle;
4. Food vehicle— Department of Motor Vehicles exempt;

5. Food salvage distributor vehicle;

6. Fruit and vegetable vehicle;

7. Grocery ~~distributor~~ vehicle;

8. ~~Independent i~~Ice ~~distributor~~ vehicle;

9. ~~Independent retail m~~Meat vehicle;

10. ~~Independent m~~Milk ~~distributor~~ vehicle~~, not a processor-owned milk delivery vehicle~~;

11. Industrial catering vehicle;

12. Limited food vehicle;

13. Unpackaged food vehicle;

14. Prepackaged food cart, a non-motorized vehicle, from which the operator dispenses prepackaged and labeled food;

15. Any combination of the above;

16. Or any vehicle, including, but not limited to, a mobile food facility, from which animal food, bakery products, fish, shellfish, seafood, fruits, vegetables, meats, poultry, preserves, jelly, relish, milk or other dairy products, food or food products, ice or beverages, whether in bulk, canned, wrapped, bottled, packaged, or any other form, are sold or kept for sale at retail ~~or are distributed to the consumer~~.

B. Vehicles owned and operated by a fixed-location food market, restaurant or other business having a valid public health permit under this chapter to deliver food products from said establishment to other locations shall not be required to have a separate public health permit under this chapter.

SECTION 6. Section 8.04.720 is hereby amended to read as follows:

8.04.720 Fee schedule.

Business Classification	**Permit Fee**
Animal food market	$175.00
Animal keeper:	
Category I	454.00
Category II	562.00
Category III	616.00
Boarding home:	
7 to 15 persons	508.00
16 to 50 persons	616.00
51 or more persons	681.00
Body art:	
Body art establishment	783.00
Body art technician independent operator	212.00
Caterer:	
0 to 999 square feet	1,895.00
1,000 to 1,999 square feet	2,069.00
2,000 or more square feet	2,624.00
Certified farmers' markets sponsor:	
1 to 20 certified producers	187.00
21 or more certified producers	281.00

Business Classification	Permit Fee
Children' s camp	671.00
Children' s day camp	865.00
Commercial sex venue	1,088.00
Commercial laundry:	
Less than 4,000 square feet	260.00~~519.00~~
More than 4,000 square feet	671.00
~~Day care center:~~	
~~7 to 15 children~~	~~454.00~~
~~16 to 50 children~~	~~508.00~~
~~51 or more children~~	~~541.00~~
Fertilizer manufacturer	1,557.00
Food demonstrator	379.00
Food facility or food establishment reinspection	126.00
Food market, retail:	
25 to 1,999 square feet— low risk	251.00
25 to 1,999 square feet— moderate risk	629.00
25 to 1,999 square feet— high risk	1,003.00
2,000 or more square feet— low risk	337.00
2,000 or more square feet— moderate risk	719.00
2,000 or more square feet— high risk	1,166.00

Business Classification	Permit Fee
Food market, wholesale	856.00
Food market complex, wholesale	1,250.00
Food processing establishment:	
Less than 2,000 square feet of food preparation	2,000.00
2,000 to 5,999 square feet of food preparation	2,354.00
6,000 square feet or more of food preparation	2,624.00
Reinspection— all sizes	174.00
Food salvager	1,817.00
Food vehicle:	
Food vehicle, independent delivery	110.00
Mobile food facility— food cart, low risk	342.00~~602.00~~
Mobile food facility— food cart, high risk	671.00
Mobile food facility— food vehicle, low risk	602.00
Mobile food facility— food vehicle, high risk	787.00
Food vehicle commissary:	
0 to 10 vehicles	498.00
11 or more vehicles	567.00
Food vehicle storage facility	332.00

Business Classification	Permit Fee
Food vehicle cleaning and storage facility	366.00
Food warehouse:	
1 to 4,999 square feet	352.00
5,000 or more square feet	387.00
Garment manufacturing establishment:	
Up to 1,000 square feet	519.00
1,001 to 4,999 square feet	584.00
5,000 to 9,999 square feet	606.00
10,000 to 19,999 square feet	627.00
More than 20,000 square feet	692.00
Garment manufacturing complex	671.00
Hotel or motel:	
6 to 10 rooms	433.00
11 to 20 rooms	433.00
21 to 50 rooms	530.00
51 to 100 rooms	552.00
101 rooms and over	649.00
Laundry (self-service):	
Less than 4,000 square feet of work rooms	162.00
4,000 square feet or more of work rooms	221.00
Multiple-dwelling units:	

Business Classification	Permit Fee
Apartments— 5 to 10 units	299.00
Apartments— 11 to 20 units	309.00
Apartments— 21 to 50 units	368.00
Apartments— 51 to 100 units	394.00
Apartments— 101+ units	417.00
Condominiums— 5 to 10 units	110.00
Condominiums— 11 to 20 units	120.00
Condominiums— 21 to 50 units	133.00
Condominiums— 51 to 100 units	194.00
Condominiums— 101 or more units	284.00
Personal hawker	195.00~~863.00~~
Private boarding school	649.00
Private school cafeteria	476.00
Recycled water:	
Inspection	260.00
Use site registration	65.00
Residential hotel/single room occupancy:	
6 to 10 units	433.00
11 to 20 units	433.00
21 to 50 units	530.00
51 to 100 units	552.00
101 or more units	649.00

Business Classification	Permit Fee
Restaurant:	
0 to 30 seats— low risk	277.00
0 to 30 seats— moderate risk	625.00
0 to 30 seats— high risk	1,049.00
31 to 60 seats— low risk	299.00
31 to 60 seats— moderate risk	663.00
31 to 60 seats— high risk	1,138.00
61 to 150 seats— low risk	322.00
61 to 150 seats— moderate risk	729.00
61 to 150 seats— high risk	1,196.00
151 seats or more— low risk	348.00
151 seats or more— moderate risk	810.00
151 seats or more— high risk	1,250.00
(In computing drive-in restaurant seating capacity, each customer parking space shall be calculated as equivalent to a seating capacity of two. Notwithstanding any of the foregoing, when the restaurant is a snack bar or refreshment stand on the premises of a walk-in or drive-in theater, as set forth in Section 8.04.400 of this chapter, the fee shall be equivalent to that imposed on a restaurant of less than thirty (30) seats.)	
Senior feeding site	314.00
~~Sewage pumper truck~~Septic tank, cesspool, chemical toilet, or seepage – pit	182.00~~422.00~~

Business Classification	Permit Fee
cleaning vehicle	
Swap meet prepackaged food booth	158.00
Swimming pool or public swimming area:	
High risk:	
First pool at location	876.00
Each additional pool at the same location	454.00
Low risk:	
First pool at location	238.00
Each additional pool at the same location	141.00
Moderate risk:	
First pool at location	584.00
Each additional pool at the same location	303.00
Theater (including drive-in)	234.00
Tobacco retail license fee	235.00
Toilet rental agency	476.00
Vending machines	62.00
Water systems:	
15 to 24 service connections	1,103.00
25 to 99 service connections	1,233.00
100 to 199 service connections	1,363.00

Business Classification	Permit Fee
Local small water system (1 to 4 service connections)	714.00
State small water system (5 to 14 service connections)	844.00
Non-community water system non-transient	844.00
Non-community water system transient	844.00
Wiping rag business	714.00

SECTION 7. Section 8.04.728 is hereby amended to read as follows:

8.04.728 Service charges – Basis – Payment.

A. Whenever another government jurisdiction requires a person to secure an inspection, evaluation, report or approval by the County health officer, necessitating the County health officer to provide a service, such person shall pay a fee to offset the costs incurred by the County health officer as set forth in this section.

B. Any person who voluntarily seeks to secure, from the County health officer, an inspection, evaluation, report, approval, or other service not listed in Section 8.04.720 shall pay a fee to offset the costs incurred by the County health officer as set forth in this section.

C. Requests for special services described in Subsections A and B of this section shall be made on forms provided for that person by the County health officer. Services provided by the County health officer that are not listed in Section 8.04.720

and that are not detailed in the Schedule of Service Charge in Subsection F, shall be charged in accordance with the following Standard Hourly Billing Rate Schedule. All applicable fees, as provided in this chapter, shall be paid at the time of application or request.

Position Classification	Rate ($/hr)
Chief Environmental Health Specialist	$153.00
Clerical— Blended	68.00
Environmental Health Specialist II	116.00
Environmental Health Specialist III/IV Environmental Health Staff	129.00
Environmental Health Technician	77.00
Epidemiologist	148.00
Industrial Hygienist	141.00
Senior Radiation Protection Specialist	139.00

D. The County health officer, upon request and in his discretion, may provide to a party requesting plan review an Expedited Construction Inspection. ~~An~~The initial Expedited Construction Inspection shall ~~consist of an initial and final inspection to~~ be completed within ~~ten (10) working days~~forty-eight (48) hours from receipt of payment of the fee. A~~The~~ fee ~~shall be~~ charged ~~at the rate of one and a half (1.5) times~~shall be one half (0.5) of the appropriate plan check fee and shall cover the cost of the initial and, if the County health officer deems it necessary, a final construction inspection. If a final construction inspection is deemed necessary, the party shall submit a separate request

for such final construction inspection which shall be completed within forty-eight (48) hours from the time said request is received. Any additional construction inspections will be charged according to the Standard Billing Hourly Rate Schedule in Subsection C above.

E. The County health officer, upon request and in his discretion, may provide to a party requesting ~~plan review~~ an Expedited Plan Check Review Process. An Expedited Plan Check Review Process shall consist of the initial plan review to be completed within ten (10) working days from receipt of payment of the fee and one follow-up plan review, and upon separate request, an initial and, if the County health officer deems it necessary, a final construction inspection to be completed within forty-eight (48) hours from the time said request is received. A fee shall be charged at the rate of one and a half (1.5) times the appropriate plan check fee and shall cover the cost of the expedited initial and follow-up plan review and the expedited initial and final construction inspections. Any additional reviews or inspections will be charged according to the Standard Billing Hourly Rate Schedule in Subsection C above.

F. Following is the Schedule of Service Charges for services provided by the County health officer. Failure to pay said fees constitutes a violation of this section and may be prosecuted as such.

Backflow prevention assembly (each):	$20.00
Backflow prevention device tester:	
Biennial certification examination tester fee	296.00

Listing of certified backflow prevention device testers	240.00
Body art establishment, temporary	258.00
Body art technician:	
Triennial certificate of registration	47.00
Body art temporary event sponsor	1,426.00
Coastal Commission— Approval in concept	392.00
Community event (a separate permit is required for each event and each location):	
Community event organizer ~~or sponsor~~	311.00
Temporary food booth— demonstrator	51.00
Temporary food booth— prepackaged	71.00
Temporary food booth— prepackaged with food sampling	101.00
Temporary food booth— food preparation	160.00
Temporary food booth at certified farmers' market-Annual, food preparation	441.00
Temporary food booth at certified farmers' market-Annual, Prepackaged	143.00
Temporary food booth at certified farmers' market-Annual, Prepackaged with food sampling	182.00
Entomology:	
Specimen identification	41.00
Massage parlor:	

Massage parlor inspection	175.00
Mountain cabin site:	
County health officer inspection (per United States Forest Service requirements)	Functional hourly rate
Nondiagnostic laboratories:	
Annual fee	150.00
Additional fee site	48.00
Additional diagnostic test fee	144.00
Owner initiated inspection:	
a. Restaurant— low risk	287.00
b. Restaurant— moderate risk	340.00
c. Restaurant— high risk	383.00
d. Food market retail— low risk	250.00
e. Food market retail— moderate risk	312.00
f. Food market retail— high risk	333.00
Private sewage disposal system:	
County health officer inspection (per VA/FHA requirements)	365.00
County health officer permit (per Title 28, Los Angeles County Code, Ordinance 2269, Section 1109):	
New system	389.00
Existing system	454.00

Public health license waiver letter request (garment industry)	249.00
Public/state water system enforcement activities:	
Public water system administrative hearing	324.00
Public water system citation	649.00
Public water system NOV	260.00
State— local water system administration hearing	324.00
State— local water system citation	519.00
State— local water system NOV	260.00
Site transfer/site address change	51.00
Soft serve high count resample	389.00
Swimming pool service technician/apprentice exam and certification:	
Swimming pool service technician/apprentice exam	184.00
Swimming pool service technician/apprentice technician certification renewal fee	65.00
Water sampling— commercial for USDA	714.00
Water supply yield:	
Water supply yield test— commercial	1,038.00
Water supply yield test— residential four (4) connections or less	844.00

Water supply yield test— residential each additional connections beyond four (4)	519.00
Water treatment system evaluation	519.00
Wells:	
Monitoring well construction (less than twenty-five (25) wells per parcel)	519.00
Monitoring well construction twenty-five (25) or more wells per parcel	130.00
Well construction (production, cathodic, irrigation)	844.00
Well destruction— or renovation (production, cathodic, irrigation)	1,103.00
Geothermal heat exchange well construction	519.00
Well application cancellation	65.00
Well site plan review	584.00

[804110GCCC]

SECTION 8. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.

Chairman

ATTEST:

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of March 6, 2012 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

	Ayes		Noes
Supervisors	Gloria Molina	Supervisors	None
	Mark Ridley-Thomas		
	Zev Yaroslavsky		
	Don Knabe		
	Michael D. Antonovich		

Effective Date: April 5, 2012

~~Operative Date:~~

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By _____
Deputy

APPROVED AS TO FORM:
JOHN KRATTLI
Acting County Counsel

By _____
John Krattli
Acting County Counsel

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