



THOMAS L. GARTHWAITE, M.D.
Director and Chief Medical Officer

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COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
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July 24, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPROVAL TO AMEND LOS ANGELES COUNTY CODE TITLE 8 AND TITLE 20
PUBLIC HEALTH SERVICE LICENSE AND PERMIT FEES
(All Districts) (3 Votes)**

IT IS RECOMMENDED THAT FOLLOWING THE PUBLIC HEARING YOUR BOARD:

Approve the attached Los Angeles County Code Title 8 and Title 20 public health license and permit fees increase by an amount no greater than five percent, effective 30 calendar days after the passage of the action, to allow the Department of Health Services' Environmental Health programs to recover loss revenue due to increased service costs.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

In approving the recommended actions, the Board is allowing the Department of Health Services (DHS or Department) to amend Los Angeles County Code Title 8 and Title 20 public health license and permit fees by amount no greater than five percent to allow the Department to recover its costs for the various program services provided by Environmental Health.

Environmental Health is a regulatory agency within the DHS that performs mandated services related to food, housing, water, liquid and solid waste, and vectors. State and local health and safety codes provide for the authority to carry out regulatory activities that promote a safe and healthy environment, which are offset by the collection of license/permit and other service fees.

Implementation of Strategic Plan Goals

The fee increase is to improve the quality of public health services while securing cost-based reimbursement for services with no net County cost.

FISCAL IMPACT/FINANCING:

Based on a court judgement in 1999, the Department established a designated revenue account to receive Public Health Environmental Health fee revenues, from which it draws funds to pay for Environmental Health operations. The initial accumulated balance of \$10.89 million was used to offset expenditures in excess of current fee revenues through FY 2001-02. The court judgement permitted fee increases once the accumulated balance was depleted, subject to the standard that, although in any one year, fee revenues may be less than or more than program expenses, over a period of years, fee revenues may not exceed program expenses.

The Board approved fee increases for FY 2001-02 and FY 2002-03, which were projected to achieve balance between revenues and expenditures. However, actual revenues and expenditures resulted in a \$1.5 million deficit for FY 2001-02 and a forecasted deficit of \$1.4 million for FY 2002-03, which were offset by Net County cost in those years. The primary reasons for these deficits are increased rents stemming from the displacement of staff from County-owned space to private leased space and the increasing net expenditures for staff retirement benefits.

DHS Environmental Health's projected operating cost for Fiscal Year (FY) 2003-04 is \$57.4 million. Estimated revenues for FY 2003-04 are \$52.6 million. An approved five percent increase in public health license and permit fees will generate \$2.5 million in revenue, increasing revenues to \$55.1 million for FY 2003-04. This will result in an estimated \$2.2 million excess in expenditures over revenues in this fiscal year. With the overall fiscal environment in consideration, the Department is not proposing a fee increase sufficient to cover all projected expenditures. This would require a fee increase in excess of fourteen percent. Rather, to address the budget shortfall for FY 2003-04, DHS Environmental Health has developed a hiring and staffing plan designed to keep expenditures consistent with the revenue generated.

Provisions within the Los Angeles County Code limit all fees to cost recovery only. Further, fee increases will be applied only to public health license and permit fees services already being provided.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

Pursuant to Government Code, Section 66018, a local agency must hold a public hearing as part of a regularly scheduled meeting of the Board of Supervisors, before adopting an ordinance, resolution, or other legislative enactment adopting a new fee, and shall publish notice of the public hearing in a newspaper in accordance with Government Code, Section 6062a. On August 20, 2002, following a public hearing, the Board approved fee increases for regulatory and inspection activities, and ordinance amendments to the Los Angeles County Code, Title 8 and Title 20, for FY 2002-03.

The Honorable Board of Supervisors
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CONTRACTING PROCESS

It is not appropriate to advertise the recommended Los Angeles County Code Title 8 and Title 20 public health license and permit fees increases on the Office of Small Business Countywide Web Site, as a business opportunity.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The plan developed to eliminate the projected budget shortfall for FY 2003-04 will affect the inspection frequency and response capability of Environmental Health. The anticipated impact will be somewhat lower inspection frequencies; somewhat increased response time; somewhat longer approval periods for plan check, but still within mandated requirements; and fewer sweeps or investigations of unlicensed activities related to food vendors, garment manufacturers and illegal dumpsites. Generally, the Department expects program adjustments while maintaining basic services at reduced levels.

Negative Declaration/Environmental Impact Reports:

Not applicable.

Conclusion

It is requested that the Executive Officer, Board of Supervisors return the adopted ordinance and stamped letter with four certified copies to the Director of Environmental Health, at 5050 Commerce Drive Baldwin Park, California 91706.

Respectfully submitted,



Thomas L. Garthwaite, M.D.
Director and Chief Medical Officer

TLG:gti

Attachments (1)

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors

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ANALYSIS

This ordinance amends Title 8 - Consumer Protection and Business Regulations, and Title 20 - Utilities, of the Los Angeles County Code relating to fees and fee schedules for inspections conducted by the Department of Health Services by:

- Increasing many of the inspection fees found in Title 8; and
- Increasing many of the inspection fees and Permit and regulatory services fees found in Section 20.64.110.

LLOYD W. PELLMAN
County Counsel

By 
CHRISTINA A. SALSEDA
Deputy County Counsel
Public Services Division

CAS:ec

7/10/03 (requested)

7/16/03 (revised)

ORDINANCE NO. _____

An ordinance amending Title - 8 Consumer Protection and Business Regulations and Title 20 - Utilities of the Los Angeles County Code, relating to fees and fee schedules for inspections conducted by the Department of Health Services.

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

SECTION 1. Section 8.04.720 is hereby amended to read as follows:

8.04.720 Fee schedule.

Animal keeper:

Category I	\$204.00 <u>214.00</u>
Category II	253.00 <u>266.00</u>
Category III	307.00 <u>322.00</u>

Boarding home:

5 to 15 persons	485.00 <u>194.00</u>
16 or more persons	286.00 <u>300.00</u>

Body art:

Body art establishment	405.00 <u>110.00</u>
Body art technician independent operator	405.00 <u>110.00</u>

Certified farmers' markets:

Number of certified producers:

1 to 20	261.00 <u>274.00</u>
21 to 35	447.00 <u>469.00</u>
36 or more	745.00 <u>782.00</u>

Children's camp	313.00 <u>329.00</u>
Commercial laundry:	
Less than 4,000 square feet	133.00 <u>140.00</u>
More than 4,000 square feet	292.00 <u>307.00</u>
Day care center:	
7 to 15 children cared for	218.00 <u>229.00</u>
16 or more children	295.00 <u>310.00</u>
Fertilizer manufacturer	560.00 <u>588.00</u>
Food demonstrator	126.00 <u>132.00</u>
Reinspection	42.00 <u>44.00</u>
Food market, retail:	
More than 10, but less than 51 square feet	187.00 <u>196.00</u>
51 square feet, but less than 2,000 square feet	443.00 <u>465.00</u>
2,000 square feet, but less than 6,000 square feet	567.00 <u>595.00</u>
6,000 square feet or more	834.00 <u>876.00</u>
Reinspection -- all sizes	84.00 <u>88.00</u>

Food market, wholesale	443.00 <u>465.00</u>
Reinspection	170.00 <u>179.00</u>

Food processing establishment:

Less than 2,000 square feet of food preparation rooms	754.00 <u>792.00</u>
2,000 to 5,999 square feet of food preparation rooms	1,303.00 <u>1,368.00</u>
6,000 square feet or more of food preparation rooms	1,962.00 <u>2,060.00</u>
Reinspection -- all sizes	214.00 <u>225.00</u>

Food salvager	1,385.00 <u>1,454.00</u>
Reinspection	304.00 <u>319.00</u>

Food vehicle:

a. Independent wholesale:	
For each vehicle	78.00 <u>82.00</u>
Reinspection	44.00 <u>46.00</u>
b. Retail:	
For each vehicle	238.00 <u>250.00</u>
Reinspection	79.00 <u>83.00</u>
c. Dairy:	
For each vehicle	78.00 <u>82.00</u>
Reinspection	44.00 <u>46.00</u>

d.	Limited	425.00	<u>446.00</u>
	Reinspection	141.00	<u>148.00</u>
e.	Unpackaged food vehicles which sell or dispense nuts, produce, pretzels and similar bakery products, or candy	303.00	<u>318.00</u>
	Reinspection	101.00	<u>106.00</u>
f.	Unpackaged food vehicles which sell or dispense popcorn, snow cones, hot dogs, or whole fish	425.00	<u>446.00</u>
	Reinspection	141.00	<u>148.00</u>
g.	Prepackaged	241.00	<u>253.00</u>
	Reinspection	80.00	<u>84.00</u>
Food vehicle commissary:			
	0 to 10 vehicles	389.00	<u>408.00</u>
	11 to 60 vehicles	711.00	<u>747.00</u>
	61 vehicles and above, plus trucks	1,171.00	<u>1,230.00</u>
	Reinspection of all sizes	130.00	<u>137.00</u>
	Food vehicle storage facility	265.00	<u>278.00</u>
	Reinspection	32.00	<u>34.00</u>

Food vehicle cleaning and storage facility	293.00 <u>308.00</u>
Reinspection	75.00 <u>79.00</u>
Food warehouse	389.00 <u>408.00</u>
Reinspection	140.00 <u>147.00</u>
Fruit and vegetable market, wholesale	443.00 <u>465.00</u>
Reinspection	170.00 <u>179.00</u>
Garment manufacturing establishment:	
Less than 1,000 square feet	311.00 <u>327.00</u>
1,001 to 4,999 square feet	406.00 <u>426.00</u>
5,000 to 9,999 square feet	488.00 <u>512.00</u>
10,000 to 19,999 square feet	583.00 <u>612.00</u>
More than 20,000 square feet	699.00 <u>734.00</u>
Hotel without swimming pool:	
6 to 10 rooms	280.00 <u>294.00</u>
11 to 50 rooms	437.00 <u>459.00</u>
51 rooms and over	1,177.00 <u>1,236.00</u>
Hotel with swimming pool:	
6 to 10 rooms	519.00 <u>545.00</u>
11 to 50 rooms	677.00 <u>711.00</u>
51 rooms and over	1,418.00 <u>1,489.00</u>

Laundry (self-service):

Less than 4,000 square feet of work rooms	133.00 <u>140.00</u>
4,000 square feet or more of work rooms	292.00 <u>307.00</u>

Milk warehouse	131.00 <u>138.00</u>
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Mobile food-preparation unit	555.00 <u>583.00</u>
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Reinspection	185.00 <u>194.00</u>
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Multiple-dwelling units without swimming pool:

Apartments -- 5 to 20 units	149.00 <u>156.00</u>
Apartments -- 21 to 50 units	223.00 <u>234.00</u>
Apartments -- 51 or more units	291.00 <u>306.00</u>
Condominiums -- 5 to 20 units	74.00 <u>78.00</u>
Condominiums -- 21 to 50 units	111.00 <u>117.00</u>
Condominiums -- 51 or more units	146.00 <u>153.00</u>

Multiple-dwelling units with swimming pool:

Apartments -- 5 to 20 units	387.00 <u>406.00</u>
Apartments -- 21 to 50 units	461.00 <u>484.00</u>
Apartments -- 51 or more units	529.00 <u>555.00</u>
Condominiums -- 5 to 20 units	193.00 <u>203.00</u>
Condominiums -- 21 to 50 units	230.00 <u>242.00</u>
Condominiums -- 51 or more units	265.00 <u>278.00</u>

Personal hawker	126.00 <u>132.00</u>
Reinspection	42.00 <u>44.00</u>
Pet food store	187.00 <u>196.00</u>
Reinspection	86.00 <u>90.00</u>
Picnic service operator	494.00 <u>519.00</u>
Private boarding school	388.00 <u>407.00</u>
Processor-owned milk-delivery vehicle:	
For each vehicle	54.00 <u>57.00</u>
Public water system:	
a. State small water systems	881.00 <u>925.00</u>
b. Community water systems:	
200 to 1,000 services or users	1,301.00 <u>1,366.00</u>
1,001 to 5,000 services or users	1,550.00 <u>1,628.00</u>
5,001 or more services or users	2,005.00 <u>2,105.00</u>

Restaurant:

For seating capacity of:

Under 11	443.00 <u>465.00</u>
11 to 30	564.00 <u>592.00</u>
31 to 60	652.00 <u>685.00</u>
61 to 100	731.00 <u>768.00</u>
101 to 150	927.00 <u>973.00</u>
151 to 200	942.00 <u>989.00</u>
201 to 400	1,033.00 <u>1,085.00</u>
401 or over	1,172.00 <u>1,231.00</u>
Reinspection: 1 to 100 seats	87.00 <u>91.00</u>
Reinspection: 101 or more seats	85.00 <u>89.00</u>

(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 11 seats.)

Septic tank, cesspool, chemical toilet or sewage seepage pit:	
For each cleaning vehicle	180.00 <u>189.00</u>
Swap meet prepackaged food stand	126.00 <u>132.00</u>
Reinspection	42.00 <u>44.00</u>
Swimming pool or public swimming area	238.00 <u>250.00</u>
Theater (including drive-in)	163.00 <u>171.00</u>
Toilet rental agency	366.00 <u>384.00</u>
Tourist court without swimming pool:	
6 to 10 rooms	280.00 <u>294.00</u>
11 to 50 rooms	437.00 <u>459.00</u>
51 or more rooms	1,177.00 <u>1,236.00</u>
Tourist court with swimming pool:	
6 to 10 rooms	519.00 <u>545.00</u>
11 to 50 rooms	677.00 <u>711.00</u>
51 or more rooms	1,418.00 <u>1,489.00</u>
Vending machines	49.00 <u>51.00</u>
Reinspection	23.00 <u>24.00</u>
Wiping rag business	133.00 <u>140.00</u>

SECTION 2. Section 8.04.725 is hereby amended to read as follows:

8.04.725 Plan check and site inspection fees. The plan check and site inspection fees required to be paid at the time of submitting plans are as follows:

Business Classification	Plan Check And Site Inspection Fees
Body art establishment	215.00 <u>226.00</u>
Mobile body art establishment	215.00 <u>226.00</u>
Cross-connection	1,078.00 <u>1,132.00</u>
Food facility remodel, 300 square feet or less	219.00 <u>230.00</u>
Food market, wholesale and retail: 10 to 50 square feet	253.00 <u>266.00</u>
51 to 1,999 square feet	386.00 <u>405.00</u>
2,000 to 5,999 square feet	510.00 <u>536.00</u>
6,000 or more square feet	639.00 <u>671.00</u>
Food processing establishment: 1 to 1,999 square feet	401.00 <u>421.00</u>
2,000 to 5,999 square feet	639.00 <u>671.00</u>
6,000 or more square feet	936.00 <u>983.00</u>

Food salvager	371.00 <u>390.00</u>
Food vehicle, retail	272.00 <u>286.00</u>
Food vehicle commissary	292.00 <u>307.00</u>
Food vehicle storage facility	140.00 <u>147.00</u>
Food vehicle cleaning and storage facility	140.00 <u>147.00</u>
Food warehouse	292.00 <u>307.00</u>
Laundry facility	95.00 <u>100.00</u>
Radiation health:	
Dental	231.00 <u>243.00</u>
Other	457.00 <u>480.00</u>
Restaurant:	
0 to 60 seats	605.00 <u>635.00</u>
61 to 200 seats	907.00 <u>952.00</u>
201 or more seats	969.00 <u>1,017.00</u>
Swimming pool, public	646.00 <u>678.00</u>

SECTION 3. 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 related to a business 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 for businesses that are not listed in Section 8.04.720 and that are not detailed in the following schedule shall be charged at the rate of \$50.50 per hour. All applicable fees, as provided in this chapter, shall be paid at the time of application.

D. The following is the schedule of fees 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): \$~~14.00~~15.00

Backflow prevention device tester:

Biennial certification examination tester fee ~~237.00~~249.00

Listing of certified backflow prevention device testers ~~191.00~~201.00

Body art technician:

Triennial certificate of registration ~~25.00~~ 26.00

Entomology:

Specimen identification ~~15.00~~ 16.00

Massage parlor:

Massage parlor inspection ~~199.00~~209.00

Massage technician exam ~~127.00~~133.00

Mountain cabin site:

Health officer inspection (per United States
Forest Service requirements) Functional hourly rate

Nondiagnostic laboratories:

Annual fee	456.00 <u>139.00</u>
Additional fee site	45.00
Additional diagnostic test fee	133.00

Owner initiated inspection	493.00 <u>203.00</u>
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Private sewage disposal system:

Health officer inspection (per VA/FHA requirements)	292.00 <u>307.00</u>
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Health officer permit (per Title 28, Los Angeles County Code, Ordinance 2269, Section 1109):

New system	628.00 <u>659.00</u>
Existing system	576.00 <u>605.00</u>

Site transfer/site address change	42.00 <u>44.00</u>
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Soft serve high count resample	79.00 <u>83.00</u>
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Swimming pool service exam and certification:

Swimming pool service technician exam	132.00 <u>139.00</u>
Swimming pool service apprentice certification	25.00 <u>26.00</u>

Temporary events (a separate permit and fee is required per event):

Carnival	335.00 <u>352.00</u>
Carnival concession stand	132.00 <u>139.00</u>

Unlicensed activities:

One hour or less	50.00
More than one hour but less than three hours	125.00
Three or more hours	250.00

Water treatment systems:

Evaluation investigation fee	160.00 <u>168.00</u>
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Wells:

Application for permit; well drilling and destroying or conversion of existing well (per requirement of Los Angeles County Code Sections 11.38.150, 11.38.160, and 11.38.260)	261.00 <u>274.00</u>
Well monitoring	160.00 <u>168.00</u>

SECTION 4. Section 20.64.110 is hereby amended to read as follows:

20.64.110 Permit and regulatory service fees.

Every solid waste facility operator, waste collector or small volume transfer station must pay the following fees to the enforcement agency:

A. Waste collector:

1. Permit application fee No fee
2. Regulatory service fees:
 - a. Each business ~~\$804.00~~ 844.00
 - b. Each waste collection vehicle ~~53.00~~ 56.00

The above fees are to be paid annually.

B. Solid waste facility:

1. Permit application fees:

- a. New application 797.00837.00
- b. Application to revise or modify existing permit 797.00837.00

2. Regulatory services fees:

a. Disposal site or facility:

- i. Where specific tonnages of waste are
Measured 0.17 8 per ton
- ii. Where weight of waste is not
measured in tonnage .015 6 per cubic yard

b. Transfer/processing station:

- i. Where specific tonnages of waste
are measured 0.17 8 per ton
- ii. Where weight of waste is not measured
in tonnage .015 6 per cubic yard

The above regulatory fees are to be paid monthly.

c. Small volume transfer station:

i. Permit application fees:

(A) New applications 797.00837.00

(B) Application to revise or
modify existing permit 797.00837.00

ii. Regulatory services fee 1,201.001,261.00

The above regulatory services fee is to be paid annually.

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