



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **C-1**

November 23, 2010

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

Dear Supervisors:

**ORDINANCE AMENDING TITLE 16 - HIGHWAYS OF THE
LOS ANGELES COUNTY CODE
RELATING TO FEES AND CHARGES FOR SERVICES
NEW FEES AND FEE INCREASES FOR ACTIVITIES
AFFECTING THE COUNTY ROAD RIGHTS OF WAY
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to approve an Ordinance amending Chapters 16.08, 16.10, 16.19, 16.22, 16.24, and 16.27 of the County Code to add new fees and increase existing fees to achieve full recovery of the costs incurred by the Department of Public Works for permit processing, issuance, inspections, and other activities affecting County roads and road rights of way and miscellaneous services; amend the language regarding annual fee adjustments based on the Consumer Price Index; authorize the collection of an investigation fee for unpermitted work affecting County roads and road rights of way by third parties; define single trip and annual transportation permits and oversize extralegal loads; and authorize the Road Commissioner to collect issuance fees for single trip and annual transportation permits.

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

1. Find that the proposed Ordinance is exempt from the California Environmental Quality Act.

2. Introduce, waive reading, and adopt the proposed Ordinance amending Chapters 16.08, 16.10, 16.19, 16.22, 16.24, and 16.27 of the County Code to add new fees and increase existing fees to achieve full recovery of the costs incurred by the Department of Public Works for permit processing, issuance, and inspections affecting County roads and road rights of way and miscellaneous services; amend the language regarding annual fee adjustments based on the Consumer Price Index; authorize the collection of an investigation fee for unpermitted work affecting County roads and road rights of way by third parties; define single trip and annual transportation permits and oversized extralegal loads; and authorize the Road Commissioner to collect issuance fees for single trip and annual transportation permits.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The proposed Ordinance pertaining to Title 16 - Highways of the Los Angeles County Code:

- Amends Section 16.08.110 to further define when highways permits expire and authorize the Road Commissioner to grant permit extensions under certain circumstances;
- Amends Sections 16.10.020, 16.10.090, 16.19.050, 16.24.020, 16.24.040, and 16.27.050 to increase existing fees to achieve full recovery of the costs incurred by the Road Commissioner in performing highway inspection (see enclosure);
- Deletes Section 16.10.150 pertaining to highway surface repairs. This section is obsolete and no longer used by the Department of Public Works.
- Adds Section 16.10.155 to authorize the Road Commissioner to impose a fee for processing highway permit applications;
- Adds Section 16.10.170 to authorize the Road Commissioner to suspend or revoke a highway permit when the permit has been issued in error, on the basis of incorrect information, or in violation of the County Code;
- Adds Section 16.10.180 to authorize the collection of a fee to achieve full recovery of the costs incurred by the Road Commissioner to investigate work performed without a required highway permit;

- Adds Section 16.22.035 to define single trip and annual transportation permits for oversized loads; and
- Adds Section 16.22.090 to authorize the Road Commissioner to collect issuance fees for single trip and annual transportation permits.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). The proposed Ordinance would establish new fees and increase existing fees to fully fund the costs incurred by the Department of Public Works for permit issuance, processing, inspection, and other activities performed in connection with requests from private parties and public agencies to encroach upon County road rights of way.

The proposed Ordinance would also ensure reimbursement of the Road Commissioner's costs incurred in the investigation of unpermitted activities affecting County of Los Angeles (County) facilities and property by third parties.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The proposed Ordinance will allow the Road Commissioner full recovery of the costs to review and process permit applications, provide field inspections, and investigate unpermitted activities.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The purpose of increasing the road fees is to recover actual cost expenditures. The last moderate increases on the road fees occurred in September 1998 and November 2000, with small annual adjustments made thereafter that were based on the Consumer Price Index. This Ordinance proposes the collection of permit processing fees, which the County Code currently does not have, and represents a necessary function performed by the Department of Public Works for the various road permits issued. The collection of these fees is essential to recovering full cost of the expenditures.

Pursuant to Government Code, Section 66018, prior to adopting a new fee or approving an increase in an existing fee, the Board of Supervisors must hold a public hearing at which oral or written presentations may be made as part of a regularly scheduled

meeting. Notice of the time and place of the meeting must be published in accordance with Government Code, Section 6062a.

The proposed Ordinance has been reviewed and approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

Adoption of the proposed Ordinance is for the purpose of meeting operating expenses and is exempt from the California Environmental Quality Act pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273(a) of the California Environmental Quality Act Guidelines.

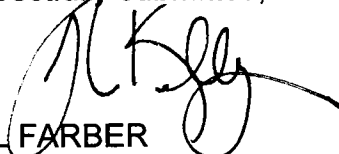
IMPACT ON CURRENT SERVICES (OR PROJECTS)

The proposed Ordinance will have no impact on any County project or service.

CONCLUSION

Please return two adopted copies of this letter and two signed originals of the Ordinance to the Department of Public Works, Construction Division.

Respectfully submitted,


GAIL FARBER
Director of Public Works

GF:JTS:ma

Enclosure

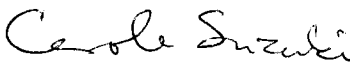
c: Chief Executive Office
County Counsel
Executive Office
Office of Affirmative Action Compliance

ANALYSIS

This Ordinance amends Title 16 – Highways, of the Los Angeles County Code, by:

- Amending Section 16.08.110 to further define when highway permits expire and to authorize the road commissioner to grant permit extensions under certain circumstances;
- Amending Sections 16.10.020, 16.10.090, 16.19.050, 16.24.020, 16.24.040, and 16.27.050 to increase existing fees to achieve recovery of all costs incurred by the road commissioner in performing highway inspections;
- Deleting Section 16.10.150 pertaining to highway surface repairs. This section is obsolete and no longer used by the Department of Public Works.
- Adding Section 16.10.155 to authorize the road commissioner to impose a fee for processing highway permit applications;
- Adding Section 16.10.170 to authorize the road commissioner to suspend or revoke a highway permit when the permit has been issued in error, on the basis of incorrect information, or in violation of the County Code;
- Adding Section 16.10.180 to authorize the collection of a fee to achieve recovery of all costs incurred by the road commissioner to investigate work performed without a required highway permit;
- Adding Section 16.22.035 to define single trip and annual transportation permits for oversized loads; and
- Adding Section 16.22.090 to authorize the road commissioner to collect issuance fees for single trip and annual transportation permits.

ANDREA SHERIDAN ORDIN
County Counsel

By 
CAROLE B. SUZUKI
Deputy County Counsel
Public Works Division

CBS:me

Requested: 04/30/09
Revised: 01/19/10

ORDINANCE NO. _____

An ordinance amending Title 16 – Highways of the Los Angeles County Code, relating to highway permits.

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

SECTION 1. Section 16.08.110 is hereby amended to read as follows:

16.08.110 **Permits — ~~Period of validity to be specified~~Expiration and extension.**

Each permit shall specify the ~~time the permit shall become null and void and the permit shall become null and void on the date so specified unless the commissioner extends the time~~date when the permit expires. Each permit shall expire if the work authorized by such permit is not commenced within sixty (60) days from the date of issuance or said work is not diligently prosecuted to completion, as determined by the commissioner.

The commissioner ~~may~~shall have the discretion to extend the ~~time~~expiration date up to two (2) times, upon written request by the permittee, submitted to the commissioner prior to the date of expiration of the permit, demonstrating that if in his opinion the work for which the permit was issued was delayed in completion because of inclement weather, strikes, an acts of God, or other causes not within the control of the permittee. Each extension period shall be limited to a period of sixty (60) days from the date the permit is set to expire. The permittee shall pay a non-refundable permit extension fee equivalent to the issuance fee prescribed in Section 16.10.020

of this code, provided no changes have been made to the original application and plans for such work. The permit application and plans shall be kept on file with the commissioner for thirty (30) days after expiration of the permit.

SECTION 2. Section 16.10.020 is hereby amended to read as follows:

16.10.020 Issuance fee.

Unless otherwise specified in this title, the issuance fee for ~~all~~the reproduction and distribution of each highway permits shall be \$~~54~~141.00. On July 1st of each year, the fee imposed by this section shall be reviewed by the ~~director of public works~~commissioner and the amount of the fee shall be adjusted as follows: Calculate the percentage movement between ~~April~~March of the previous year and ~~April~~March of the current year in the Consumer Price Index (CPI) for all urban consumers in the Los Angeles, ~~Anaheim and – Riverside – Orange County~~ areas, as published by the United States Government Bureau of Labor Statistics, adjust the fee by said percentage amount, and round up to the nearest dollar. No adjustment shall ~~decrease~~increase ~~the~~any fee to an amount more than the amount necessary to recover and ~~no fee shall exceed the reasonable cost of providing the services for which the fee is imposed. If it is determined that the reasonable amount necessary to recover the cost of providing the services exceeds this adjustment, the director of public works may present fee proposals to the board of supervisors for approval.~~

Section 3. Section 16.10.090 is hereby amended to read as follows:

16.10.090 ~~Unit f~~ Fees for inspection and other costs.

~~The board of supervisors may establish unit fees for inspection costs incurred by the director of public works due to the permittee's activity.~~A. Subject to Section

16.10.070, each applicant for a highway permit shall pay applicable inspection fees to the commissioner, according to the following schedule:

A. ~~_____~~ The unit fees for highway permit inspections shall be:

1. General

<u>Pre-inspection site visit</u>	<u>\$111 each site visit</u>
<u>Inspections during non-business hours (up to 4 hours)</u>	<u>\$443 each inspection</u>
<u>Additional inspections during non-business hours (over 4 hours)</u>	<u>\$106 each hour</u>

2. Construction Inspection

Curb drain	\$126 <u>147</u> each <u>drain</u>
Parkway drain	<u>\$607 each drain</u>
Residential driveway	192 <u>\$517</u> each <u>driveway</u>
Commercial driveway	254 <u>\$631</u> each <u>driveway</u>
Paving 500 square feet or less	<u>\$707 each</u>
<u>Paving greater than 500 square feet</u>	<u>Actual cost</u>
Sidewalk 100 linear feet or less	<u>171 each</u>
<u>Sidewalk and Curb and Gutter</u>	
<u>50 linear feet or less</u>	<u>\$394</u>
<u>Greater than 50 linear feet to 250 linear feet</u>	<u>\$394 plus \$1.97 per linear foot in excess of 50 linear feet</u>
<u>Greater than 250 linear feet to 500 linear feet</u>	<u>\$788 plus \$1.33 per linear foot in excess of 250 linear feet</u>

<u>Greater than 500 linear feet</u>	<u>Actual cost</u>
<u>New Well Construction</u>	
<u>Diameter 8" or less, and depth 50 feet or less</u>	<u>\$332 each well</u>
<u>Diameter greater than 8", or depth greater than 50 feet</u>	<u>Actual cost</u>
<u>Well Destruction</u>	
<u>Diameter 6" or less and depth 50 feet or less</u>	<u>\$759 each well</u>
<u>Diameter greater than 6" but not exceeding 18", and depth 25 feet or less</u>	<u>\$869 each well</u>
<u>Diameter greater than 6" but not exceeding 18", and depth greater than 25 feet but not exceeding 50 feet</u>	<u>\$980 each well</u>
<u>Diameter greater than 18", or depth greater than 50 feet</u>	<u>Actual cost</u>
<u>Pole Removal/Replacement</u>	<u>\$427 each pole</u>
<u>3. Encroachment Inspection</u>	
<u>Lane closure/detour (per day)</u>	<u>\$235 each day</u>
<u>Awning (per address)</u>	<u>\$284 each address</u>
<u>Monitoring of existing wells (allows monitoring for one year)</u>	<u>373\$493 each year</u>
<u>Barrier fence</u>	<u>192 each</u>
<u>Crane operations (per day)</u>	<u>\$363 each day</u>
<u>Temporary storage of construction materials (per day)</u>	<u>95\$234 each day</u>

Filming in road right-of-way (per day)	299 \$312 each day
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4. Excavation Inspection

Utility service cut (1-3 within one block)	126 \$467 each
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Potholing (including roadway restoration; 1-3 potholes within one traffic control setup not to exceed one block per day)

<u>Depth 10 feet or less</u>	<u>\$316 each day</u>
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<u>Depth exceeding 10 feet</u>	<u>Actual cost</u>
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Soil borings (including roadway restoration; 1-3 borings within one traffic control setup not to exceed one block per day)

<u>Diameter 6" or less, and depth not exceeding 50 feet</u>	<u>\$427 each day</u>
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<u>Diameter greater than 6" but not exceeding 18", and depth not exceeding 25 feet</u>	<u>\$538 each day</u>
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<u>Diameter greater than 6" but not exceeding 18", and depth greater than 25 feet but not exceeding 50 feet</u>	<u>\$648 each day</u>
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<u>Diameter greater than 18", or depth greater than 50 feet</u>	<u>Actual cost</u>
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5. Transportation Inspection

<u>Escorted moveOversize Extralegal Load inspections (up to 4 hours)</u>	383 \$905 each
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<u>Oversize Extralegal Load inspection (greater than 4 hours)</u>	<u>Actual cost</u>
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All other fees for transportation permit shall be in accordance with the latest fee schedule published by the state of California Department of Transportation.

An Oversize Extralegal Load is defined as a load with the following dimensions:
A height between 18 feet and 20 feet, a width between 16 feet and 22 feet, or a length
between 125 feet and 145 feet.

The ~~unit~~ fees for highway permit inspections not described above or elsewhere in the county code shall be based on the actual cost incurred by the ~~director of public works~~ commissioner.

B. ~~The unit fees for m~~Mainline plan review fees shall be based on the total linear footage as shown on the plans and shall be charged according to the following schedule:

Main Line Plan Review

0 — 15,000 linear feet	\$176 280 plus \$0.22 <u>34</u> /linear foot
<u>Greater than 15,000 linear feet</u>	<u>Actual cost</u>

~~Mainline plan reviews greater than 15,000 linear feet shall be charged based on the actual costs incurred by the director of public works.~~

C. On July 1st of each year, ~~the~~each fee imposed by this section, ~~except transportation permit fees that are based on the latest fee schedule published by the state of California Department of Transportation,~~ shall be reviewed by the ~~director of public works~~commissioner and the amount of each fee shall be adjusted as follows: Calculate the percentage movement between ~~April~~March of the previous year and ~~April~~March of the current year in the Consumer Price Index (CPI) for all urban consumers in the Los Angeles, ~~Anaheim,~~ and ~~— Riverside —~~ Orange County areas, as published by the United States Government Bureau of Labor Statistics, ~~and~~ adjust each fee by said percentage amount, ~~however, the fees described in subsection A of this~~

~~section shall be and rounded up to the nearest dollar. No adjustment shall decreaseincrease any fee and no fee shall exceed to an amount more than the amount necessary to recover the reasonable cost of providing the services for which the fee is imposed. If it is determined that the reasonable amount necessary to recover the costs of providing the services in excess of this adjustment, the director of public works may present fee proposals to the board of supervisors for approval.~~

SECTION 4. Section 16.10.150 is hereby deleted:

~~16.10.150 Highway surface repairs — Computation of costs.~~

~~The director of public works' costs of repairing and restoring the highway surface shall be calculated as follows:~~

Excavation Repairs	
0—100 square feet	\$ 4.59/square foot
101—1,000 square feet	1.85/square foot
1,001—10,000 square feet	1.39/square foot
More than 10,001 square feet	0.92/square feet

~~On July 1st of each year the fees imposed by this section shall be reviewed by the director of public works and the amount of each fee shall be adjusted as follows: Calculate the percentage movement between April of the previous year and April of the current year in the Consumer Price Index (CPI) for all urban consumers in the Los Angeles, Anaheim, and Riverside areas, as published by the United States Government Bureau of Labor Statistics and adjust each fee by said percentage amount. No adjustment shall decrease any fee and no fee shall exceed the reasonable cost of~~

~~providing the services. If it is determined that the reasonable amount necessary to recover the costs of providing the services exceeds this adjustment, the director of public works may present fee proposals to the board of supervisors for approval.~~

SECTION 5. Section 16.10.155 is hereby added to read as follows:

16.10.155 **Fees for permit processing.**

A. Permit processing includes, but is not limited to, providing customer service and information, reviewing permit application packages for completeness, permit tracking and retrieval, cashiering, and cost accounting. Each applicant for a highway permit shall pay permit processing fees to the commissioner, according to the following schedule:

Excavation, construction and encroachment permits	\$258 each permit
Joint trench excavation permit for each dry utility	\$515 each permit
Road closure (construction or excavation work)	\$366 each permit
Banners and pennants	\$440 each permit
Traffic control plan review	Actual cost (\$350.00 minimum)

Highway permit processing fees not set forth above or elsewhere in the county code shall be based on the actual cost incurred by the commissioner.

B. Beginning on July 1, 2010, and thereafter on each succeeding July 1st, each fee imposed by this section shall be reviewed by the commissioner and the amount of each fee shall be adjusted as follows: Calculate the percentage movement between March of the previous year and March of the current year in the Consumer

Price Index (CPI) for all urban consumers in the Los Angeles – Riverside – Orange County area, as published by the United States Government Bureau of Labor Statistics, adjust each fee by said percentage amount, and round up to the nearest dollar. No adjustment shall increase any fee to an amount more than the amount necessary to recover the reasonable cost of providing the services for which the fee is imposed.

SECTION 6. Section 16.10.170 is hereby added to read as follows:

16.10.170 **Suspension or revocation.**

The commissioner may, in writing, suspend or revoke a highway permit whenever the commissioner determines that the permit was issued in error, or on the basis of incorrect information, or that the permit is in violation of any provision of this code.

SECTION 7. Section 16.10.180 is hereby added to read as follows:

16.10.180 **Investigation fee for work without permit.**

In addition to being subject to any and all penalties prescribed by law, including under this code, any person failing to obtain a highway permit as required by Section 16.06.010 of this code shall pay the commissioner an investigation fee in the amount determined by the commissioner to be necessary to recover all costs incurred in investigating the failure to obtain a highway permit. The commissioner shall have the discretion to waive the investigation fee in instances when the commissioner determines that the work performed without a permit was performed as a result of an emergency or urgent circumstances which precluded timely application for a highway permit, provided that an application for a highway permit is filed as soon as possible following the commencement of the unpermitted work and all of the requirements for a highway

permit are met. This section shall not be construed to authorize any work that requires a highway permit to be performed without a highway permit.

SECTION 8. Section 16.19.050 is hereby amended to read as follows:

16.19.050 Permit — Fee.

Upon proper application on forms provided by the commissioner, containing all the information that is required by Sections 16.08.010 and 16.08.020, and following payment of all applicable fees required by this Division 1, the commissioner shall issue the applicant an annual drop box debris container permit. An issuance nonrefundable annual drop box debris container permit fee of \$3021,705 shall be charged for an annual drop box debris container permit which will allow the permittee to place an unlimited number of drop box debris containers on highways if all requirements of this chapter and all other applicable laws are met. Notwithstanding the issuance of an annual drop box debris container permit to the owner of the drop box debris container, no drop box debris container shall be placed on a highway without a permit issued pursuant to Section 16.06.010 of this code to the person requesting the drop box debris container from such owner. On July 1st of each year, the fee imposed by this ~~chapter~~section shall be reviewed by the ~~director~~commissioner, and the amount of the fee shall be adjusted as follows: Calculate the percentage movement between ~~April~~March of the previous year and ~~April~~March of the current year in the Consumer Price Index (CPI) for all urban consumers in the Los Angeles, ~~Anaheim, and – Riverside – Orange County~~ areas, as published by the United States Government Bureau of Labor Statistics; ~~1~~1 adjust the fee by said percentage amount; and, ~~7~~7 round up to the nearest dollar. No adjustment shall ~~decrease~~increase the fee to an amount more or

~~less than the amount necessary to recover the reasonable cost of providing the services for which the fee is imposed. If it is determined that the reasonable amount necessary to recover the costs of providing the services exceeds this adjustment, the director may present fee proposals to the board of supervisors for approval.~~

SECTION 9. Section 16.22.035 is hereby added to read as follows:

16.22.035 **Moving permit — Definitions.**

A "single trip moving permit" means a moving permit issued by the commissioner pursuant to Chapter 16.22 for a single trip from one point of origin to a final destination taking place within three (3) consecutive days. An "annual trip moving permit" means a moving permit issued by the commissioner pursuant to Chapter 16.22 which is valid for a period of one (1) year from the date of permit issuance.

SECTION 10. Section 16.22.090 is hereby added to read as follows:

16.22.090 **Moving permit — Issuance fees.**

Each applicant for a single trip moving permit or an annual trip moving permit shall pay to the commissioner the maximum amount shown on the latest fee schedule published by the State of California Department of Transportation.

SECTION 11. Section 16.24.020 is hereby amended to read as follows:

16.24.020 **Permit — Application and fee.**

Upon proper application on forms provided by the ~~director~~commissioner, which ~~may require any of the~~containing all information ~~described in that~~ is required by Sections 16.08.010 and 16.08.020 of this ~~d~~Division 1, and following payment of all applicable fees required pursuant to this Division 1, the ~~director~~commissioner shall issue the applicant an annual news rack permit for each requested news rack or group

of news racks as defined in Section 16.24.070 D that meets all of the requirements of this chapter. Notwithstanding any other provision of this Division 1, the ~~director~~commissioner may not refuse to issue a news rack permit properly applied for. Each application must be accompanied by a site map showing the width of the sidewalk and the location of each proposed news rack installation and any and all structures, encroachments or objects of any kind or character located within 25 feet of the proposed installation including, but not limited to, traffic signals, street light poles, fire hydrants, bus benches, utility poles, telephones, building entrances, driveways and parking meters. Each application shall be accompanied by a nonrefundable permit ~~application~~annual news rack permit fee of ~~\$54~~141.00 for each proposed news rack or ~~\$67~~186.00 for each proposed group of two news racks or ~~\$84~~226.00 for each proposed group of three news racks. ~~If the permit for the placement of a new news rack or new group of news racks is issued after the beginning of the calendar year, then the fee shall be reduced by \$1.00 per news rack for each month less than the full calendar year. The~~ fee shall offset the costs of administration and inspection services incurred by the ~~director of public works~~commissioner in connection with the review of the application and the costs of monitoring and enforcing the News Rack Ordinance. Each news rack or group of news racks proposed to be placed or maintained on or projecting onto any highway shall require a separate permit. On July 1st of each year, ~~the~~each fee imposed by this section shall be reviewed by the commissioner and the amount of each fee shall be adjusted as follows: Calculate the percentage movement between ~~April~~March of the previous year and ~~April~~March of the current year in the Consumer Price Index (CPI) for all urban consumers in the Los Angeles, ~~Anaheim and~~ – Riverside – Orange County

areas, as published by the United States Government Bureau of Labor Statistics, adjust ~~the~~each fee by said percentage amount, and round up to the nearest dollar. No adjustment shall ~~decrease~~ increase ~~the~~any fee to an amount more ~~or less~~ than the amount necessary to recover the cost of providing the services for which the fee is imposed. ~~If it is determined that the reasonable amount necessary to recover the cost of providing the services exceeds this adjustment, the director may present fee proposals to the board of supervisors for approval. No permit issuance fee shall be required for the issuance of a permit for a news rack or group of news racks.~~

SECTION 12. Section 16.24.040 is hereby amended to read as follows:

16.24.040 . Permit — Expiration and renewal.

Each news rack permit shall expire at the end of the calendar year in which it was issued. The holder of multiple news rack permits may renew annually all news rack permits in one permit renewal application. A permit renewal application must be received by the ~~director~~commissioner a minimum of thirty (30) days before the expiration of the permit or permits, comply with all of the requirements of this chapter and be accompanied by a non-refundable permit renewal application fee of ~~\$36~~101.00 in addition to ~~\$15~~35.00 for each news rack permit to be renewed. On July 1st of each year, ~~the~~each fee imposed by this section shall be reviewed by the commissioner and the amount of each fee shall be adjusted as follows: Calculate the percentage movement between ~~April~~March of the previous year and ~~April~~March of the current year in the Consumer Price Index (CPI) for all urban consumers in the Los Angeles, ~~Anaheim~~ and ~~– Riverside –~~ Orange County areas, as published by the United States Government Bureau of Labor Statistics, adjust ~~the~~each fee by said percentage amount, and round up

to the nearest dollar. No adjustment shall ~~or decrease~~increase the any fee to an amount more ~~or less~~ than the amount necessary to recover the reasonable cost of providing the services for which the fee is imposed. If it is ~~determined that the reasonable amount necessary to recover the cost of providing the services exceeds this adjustment, the~~ director may present fee proposals to the board of supervisors for approval.

SECTION 13. Section 16.27.050 is hereby amended to read as follows:

16.27.050 Permit — Fee.

Each applicant for an annual outdoor sidewalk dining permit under this chapter shall pay a nonrefundable permit application fee of \$3911,088.00 in addition to any fee imposed pursuant to Part 12 of Chapter 22.56 of the county code; ~~e~~Each holder of such a permit shall be required to submit a renewal application along with a nonrefundable fee of \$123340.00 each year to obtain a new annual permit. ~~The~~On July 1st of each year, each fees imposed by this section shall be reviewed ~~annually~~ by the ~~director~~commissioner and, ~~on July 1, 1997, and thereafter on each succeeding July 1st,~~ the amount of ~~the~~each fees shall be adjusted as follows: Calculate the percentage of movement between ~~April~~March of the previous year and March of the current year in the Consumer Price Index (CPI) for all urban consumers in the Los Angeles, ~~Anaheim and~~ — Riverside — Orange County areas, as published by the United States Government Bureau of Labor Statistics, adjust each fee by said percentage amount, and round up to the nearest dollar. ~~Provided, however, that n~~No adjustment shall ~~decrease~~increase any fee ~~and no fee shall exceed~~ to an amount more than the amount necessary to recover the reasonable cost of providing the services for which the fee is imposed. If it is ~~determined that the reasonable amount necessary to recover the costs of providing the~~

~~services exceeds this adjustment, the director may present fee proposals to the board of supervisors for approval.~~

[1608110FPCC]

DEPARTMENT OF PUBLIC WORKS
CONSTRUCTION DIVISION
PROPOSED CONSTRUCTION ROAD PERMIT FEES
FY 2010-2011

Auditor Controller's Letter dated 05/07/09 ¹	Original County Code Section	Revised County Code Section	ITEM DESCRIPTION	Current Fee \$ FY 2010-2011 ²	Proposed Fee \$ FY 2010-2011	Percentage Increase %	Date Fee was Introduced	Date CPI was Introduced	Percentage Increase % Distributed Per Year
ROAD ORDINANCE SECTION 2 - 16.10.020 - Issuance Fee.									
1	16.10.020	16.10.020	Issue highway permit ³	\$62	\$141	171%	1996	1996	12.2%

ROAD ORDINANCE SECTION 3 - 16.10.090 - Fees for inspection and other costs.

PART A1. General									
28	New Fee	16.10.090A1	Pre-inspection site visit	Actual Cost	\$111 each site visit	N/A	N/A	N/A	N/A
25	New Fee	16.10.090A1	Inspections during non-business hours (up to 4 hours)	Actual Cost	\$443 each inspection	N/A	N/A	N/A	N/A
26	New Fee	16.10.090A1	Additional inspections during non-business hours (over 4 hours)	Actual Cost	\$106 each hour	N/A	N/A	N/A	N/A

PART A2. Construction Inspection									
2	16.10.090A2	16.10.090A2	Curb drain	\$128 each	\$147 each drain	15%	Sept. 22, 1998	Sept. 22, 1998	1.2%
3	16.10.090A2	16.10.090A2	Parkway drain	\$619 each	\$619 each drain	0%	Sept. 22, 1998	Sept. 22, 1998	0.0%
4	16.10.090A2	16.10.090A2	Residential driveway	\$196 each	\$517 each driveway	164%	Sept. 22, 1998	Sept. 22, 1998	13.6%
5	16.10.090A2	16.10.090A2	Commercial driveway	\$259 each	\$631 each driveway	148%	Sept. 22, 1998	Sept. 22, 1998	12.3%
6	16.10.090A2	16.10.090A2	Paving - 500 square feet or less	\$720 each	\$720 each inspection	0%	Sept. 22, 1998	Sept. 22, 1998	0.0%
7	New Fee	16.10.090A2	Paving greater than 500 square feet	Actual Cost	Actual Cost	N/A	N/A	N/A	N/A
7	16.10.090A2	Deleted	Sidewalk, 100 linear feet or less	\$174 each	New structure below	N/A	Sept. 22, 1998	Sept. 22, 1998	N/A
7	New Fee	16.10.090A2	Sidewalk and Curb and Gutter ⁴ 50 linear feet or less	\$174	\$394 each	126%	Sept. 22, 1998	Sept. 22, 1998	11%
			Greater than 50 linear feet to 250 linear feet	Actual Cost	\$394 +\$1.97 per linear foot in excess of 50 linear feet	N/A	N/A	N/A	N/A
			Greater than 250 linear feet to 500 linear feet	Actual Cost	\$788 +\$1.33 per linear foot in excess of 250 linear feet	N/A	N/A	N/A	N/A
			Greater than 500 linear feet	Actual Cost	Actual Cost	N/A	N/A	N/A	N/A
27	New Fee	16.10.090A2	New Well Construction	Actual Cost	\$332 each well	N/A	N/A	N/A	N/A
			Diameter 8" or less, and depth 50 feet or less	Actual Cost	Actual Cost	N/A	N/A	N/A	N/A
			Diameter greater than 8", or depth greater than 50 feet	Actual Cost	Actual Cost	N/A	N/A	N/A	N/A
24	New Fee	16.10.090A2	Well Destuctions	Actual Cost	\$759 each well	N/A	N/A	N/A	N/A
			Diameter 6" or less and depth 50 feet or less	Actual Cost	\$869 each well				
			Diameter greater than 6" but not exceeding 18", and depth 25 feet or less	Actual Cost					
			Diameter greater than 6" but not exceeding 18", and depth greater than 25 feet but not exceeding 50 feet	Actual Cost	\$980 each well				
			Diameter greater than 18", or depth greater than 50 feet	Actual Cost	Actual Cost				
29	New Fee	16.10.090A2	Pole Removal/Replacement	Actual Cost	\$427 each pole	N/A	N/A	N/A	N/A

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Auditor's Controller's Letter dated 05/07/09 ¹	Original County Code Section	Revised County Code Section	ITEM DESCRIPTION	Current Fee \$ FY 2010-2011 ²	Proposed Fee \$ FY 2010-2011	Percentage Increase %	Date Fee was Introduced	Date CPI was Introduced	Percentage Increase % Distributed Per Year
PART A3. Encroachment Inspection									
20	New Fee	16.10.090A3	Lane closure/etour (per day)	Actual Cost	\$235 each day	N/A	N/A	N/A	N/A
21	New Fee	16.10.090A3	Awning (per address)	Actual Cost	\$284 each address	N/A	N/A	N/A	N/A
12	16.10.090A3	16.10.090A3	Monitoring of existing wells (allows monitoring for one	\$380 each	\$493 each year	30%	Sept. 22, 1998	Sept. 22, 1998	2.5%
	16.10.090A3	Deleted	Barrier fence ³	\$196 each	\$196 each	0%	Sept. 22, 1998	Sept. 22, 1998	N/A
13	16.10.090A3	16.10.090A3	Crane operations (per day)	\$370 each	\$370 each day	0%	Sept. 22, 1998	Sept. 22, 1998	0.0%
14	16.10.090A3	16.10.090A3	Temporary storage of construction materials (per day)	\$97 each	\$234 each day	141%	Sept. 22, 1998	Sept. 22, 1998	11.8%
19	16.10.090A3	16.10.090A3	Flaming in road right-of-way (per day)	\$305 each day	\$312 each day	2%	Sept. 22, 1998	Sept. 22, 1998	0.2%

PART A4. Excavation Inspection									
8	16.10.090A4	16.10.090A4	Utility service cut (1-3 within one block)	\$128 each	\$457 each	265%	Sept. 22, 1998	Sept. 22, 1998	22.1%
22	New Fee	16.10.090A4	Potholing (including roadway restoration: 1-3 potholes within one traffic control setup not to exceed one block per day)			N/A	N/A	N/A	N/A
			Depth 10 feet or less	Actual Cost	\$316 each day				
			Depth exceeding 10 feet	Actual Cost	Actual Cost				
23	New Fee	16.10.090A4	Soil borings (including roadway restoration: 1-3 borings within one traffic control setup not to exceed one block per day)			N/A	N/A	N/A	N/A
			Diameter 6" or less, and depth not exceeding 50 feet	Actual Cost	\$427 each day				
			Diameter greater than 6" but not exceeding 18", and depth not exceeding 25 feet	Actual Cost	\$538 each day				
			Diameter greater than 6" but not exceeding 18", and depth greater than 25 feet but not exceeding 50 feet	Actual Cost	\$648 each day				
			Diameter greater than 18", or depth greater than 50 feet	Actual Cost	Actual Cost				

PART A5. Transportation Inspection									
11	16.10.090A5	16.10.090A5	Escorted Move/Oversize Extralegal Load Inspections (up to 4 hours) ⁶	\$390 each	\$905 each	132%	Sept. 22, 1998	Sept. 22, 1998	11.0%
	New Fee	16.10.090A5	Oversize Extralegal Load Inspection (greater than 4 hours)	Actual Cost	Actual Cost	N/A	N/A	N/A	N/A

PART B. Mainline Plan Review Fees									
9	16.10.090B	16.10.090B	Mainline Plan Review	\$179 + \$0.22/linear foot	\$280 + \$0.34/linear foot	56%, 54%	Sept. 22, 1998	Sept. 22, 1998	4.7%, 4.5%
			0 - 15,000 linear feet	Actual Cost	Actual Cost	N/A	Sept. 22, 1998	Sept. 22, 1998	N/A
			Greater than 15,000 linear feet						

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ROAD ORDINANCE SECTION 4 - 16.10.150 - Highway surface repairs - Computation of costs.									
	16.10.050	Deleted	Highway Surface Repairs ³						
			0-100 square feet	\$4.68/square foot	\$7.01	50%	Sept. 22, 1998	Sept. 22, 1998	N/A
			101-1,000 square feet	\$1.89/square foot	\$2.82	49%	Sept. 22, 1998	Sept. 22, 1998	N/A
			1,001-10,000 square feet	\$1.42/square foot	\$2.13	50%	Sept. 22, 1998	Sept. 22, 1998	N/A
			More than 10,001 square feet	\$0.94/square foot	\$1.40	49%	Sept. 22, 1998	Sept. 22, 1998	N/A

ROAD ORDINANCE SECTION 5 - 16.10.155 - Fees for permit processing.

30	New Fee	16.10.155	Permit Processing Excavation, construction and encroachment permits Joint trench excavation permit for each dry utility Road closure (construction or excavation work) Banners and pennants	Actual Cost Actual Cost Actual Cost Actual Cost	\$258 each permit \$515 each permit \$366 each permit \$440 each permit	New Fees	N/A	N/A	N/A
31	New Fee	16.10.155	Traffic control plan review	Actual Cost	Actual Cost (\$350 minimum)	New Fee	N/A	N/A	N/A

ROAD ORDINANCE SECTION 8 - 16.19.050 - Permit - Fee.

15		16.19.050	Drop Box Container Permit (ANNUAL PERMIT)	\$308	\$1,705	454%	1999	1999	41.2%
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ROAD ORDINANCE SECTION 10 - 16.22.090 - Moving permit - Issuance fees.

10		16.10.090A5	Moving Permit Issuance Fees (Per the latest fee schedule published by the State of California Department of Transportation) ⁸						
			Single Trip Moving Permit	\$16	\$16	0%	N/A	N/A	N/A
			Annual Trip Moving Permit	\$90	\$90	0%	N/A	N/A	N/A

ROAD ORDINANCE SECTION 11 - 16.24.020 - Permit - Application and fee.

16		16.24.020	News Rack Permit (ANNUAL PERMIT)	\$52	\$141	171%	1998	1998	14.3%
			Single news rack	\$68	\$186	174%	1998	1998	14.5%
			Two news racks per group	\$83	\$226	172%	1998	1998	14.4%
			Three news racks per group						

ROAD ORDINANCE SECTION 12 - 16.24.040 - Permit - Expiration and renewal.

17		16.24.040	News Rack Permit Renewals (ANNUAL PERMIT)	\$37	\$101	173%	1998	1998	14.4%
			Permit renewal application fee	\$15	\$35	133%	1998	1998	11.1%
			Each news rack permit renewal						

ROAD ORDINANCE SECTION 13 - 16.27.050 - Permit - Fee.

18		16.27.050	Outdoor Sidewalk Dining Permit (ANNUAL PERMIT)	\$398	\$1,088	173%	Oct. 25, 1996	Oct. 25, 1996	12.4%
			Permit application fee	\$126	\$340	170%	Oct. 25, 1996	Oct. 25, 1996	12.1%
			Permit renewal application fee						

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Footnotes:

1. The Auditor-Controller approved Public Works' proposed fees in a letter dated May 7, 2009.
2. The current fee for each item description for Fiscal Year 2010-2011 was subject to a Consumer Price Index (CPI) increase of either 1.7% or 1.9%.
3. Highway permits include Construction, Encroachment, and Excavation types of permits.
4. The "Sidewalk and Curb and Gutter" tier structure was adjusted at the request of County Counsel's Fred Praeflle to capture the full range within the tier structure and to be consistent with other items in the ordinance.
5. "Barrier fence" was eliminated since Public Works no longer issues these types of permits.
6. "Escorted Move" was replaced with "Oversize Extralegal Load inspections (up to 4 hours)" to conform with the language used by the State of California's Department of Transportation.
7. "Highway surface repairs" was eliminated since the cost of providing this service became cost-prohibitive for the customer. The costs include, but are not limited to, equipment, labor, and materials.
8. The moving permit issuance fees for single trip and annual trip types of permits were not listed in the new Road Ordinance since a change in the State's fees would require a change in County Code Section 16.22.090 every time. For convenience, the State's current fees are listed.

NOTES:

1. The Awning Inspection fee will be based on "per address" instead of per number of awnings. In other words, each address may put up as many awnings as they wish. Majority of the projects will not have more than 4 or 5 awnings.
2. Potholing Inspection includes: 1) Preconstruction Meeting, 2) Traffic Control-setup inspection, 3) Right-of-Way Restoration, 4) Depth Verification, 5) Travel Time, and 6) BMP Violation Notices Issued.
3. Well Destruction Inspection includes: 1) Preconstruction Meeting, 2) Traffic Control-setup inspection, 3) Right-of-Way Restoration, 4) Depth Verification, 5) Travel Time, and 6) BMP Violation Notices Issued, etc.
4. Preinspection required for: 1) Driveways, 2) Curb Drains, 3) Parkway Drains, etc. Preinspection may also be made at the request of the property owner or on an as-needed basis as determined by Public Works.
5. Pole Removal/Replacement Inspection includes: 1) Preconstruction Meeting, 2) Traffic Control setup inspection, 3) Right-of-Way Restoration, and 4) Travel Time.
6. Permit Application Review and Processing includes: 1) Public Counter Service, 2) Preliminary Permit Entry and Setup, 3) Project and Receipt Generation, and 4) Project Completion/Permit Closing.
7. Well Construction Inspection includes: 1) Preconstruction Meeting, 2) Traffic Control setup inspection, 3) Right-of-Way Restoration, 4) Depth Verification, 5) Travel Time and 6) BMP Violation Notices Issued.
8. Construction Type Permits include the installation of street improvements such as driveway aprons, curbs, gutters, trees, sidewalks, curb drains, parkway drains, landscaping, road restoration and resurfacing with asphalt, concrete, and slurry seals, etc.; installation of groundwater monitoring wells, destruction of monitoring wells, etc.
9. Excavation Type Permits include the excavation and installation of utility pipes, utility poles, seepage pits, performing soil sampling, water sampling, soil and water contamination investigations, potholing to locate underground pipes and other substructures, grading, trenching, and shoring activities, etc.
10. Encroachment Type Permits include temporary use of the public right of way including placement of traffic control devices, wireless facilities on poles, scaffolds, canopies, bus benches, news racks, drop box debris containers, sidewalk dining tables and chairs, adopt-a-highway cleanup activities, performing filming activities and road closures for construction work, block parties, and special events; installation of wireless facilities on poles, permanent banners, overhead banners, awnings, painting of house numbers on curbs, etc.
11. Transportation Type Permits include single and annual operating permits, oversized loads including extralegal loads, inspection of oversized loads during the transportation, documentation of any damage to facilities while oversized loads are transported, etc.
12. Annual Type Permits are permits that expire every year on December 31st or one year from the date that the permit was issued.
13. Issuance fees for construction, excavation, transportation, encroachment, and filming permits do not involve plan check nor inspection.
14. Permit Mainline check fees are plan check fees for mainline utility installations.
15. Oversized Extra Legal Loads are transportation loads that exceed the legal dimensions for height, width, length, and weight. These are any loads, which due to their design, cannot be reasonably reduced in size or weight so that they can be legally transported as loads without a transportation moving permit. This fee covers up to 4 hours of moving inspection.
16. Actual Cost Moving Permits are transportation moving permits for oversized extralegal loads where the moving inspection will exceed 4 hours.