

# ORDINANCE NO. ( )

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING SONOMA COUNTY CODE SECTION 30-14 TO INCREASE REGISTRATION FEES FOR AUTOMATIC POINT OF SALE STATIONS (COMMERCIAL RETAIL SCANNERS) AND ADJUSTING FEES TO RECOVER THE REASONABLE COST TO PROVIDE SERVICES FOR THE CERTIFIED UNIFIED PROGRAM AGENCY HAZARDOUS MATERIALS PROGRAM, VINEYARD AND ORCHARD SITE DEVELOPMENT AND AGRICULTURAL GRADING AND DRAINAGE (VESCO) PROJECT REVIEW, CANNABIS CULTIVATION PROGRAM, CERTIFIED FARMERS' MARKET PROGRAM, PEST CONTROL OPERATOR AND FARM LABOR CONTRACTOR REGISTRATIONS AND FOR AGRICULTURE DIVISION, WEIGHTS AND MEASURES DIVISION, AND LAND STEWARDSHIP SECTION STAFF HOURLY RATES**

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The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

**Section I. Section 30-14 of the Sonoma County Code is hereby amended as follows:**

Section 30-14 Annual Registration Fee

An annual registration fee is required of each business location in the county that operates a point-of-sale system for commercial purposes. The annual registration fees are established by the Board of Supervisors to recover the reasonable cost of providing that service as set forth in the Agricultural Commissioner's Fee Schedule attached hereto as Exhibit A.

(Ord. No. 6197, Sec. 1, 5-16-2017; Ord. No. 6039, Sec. I(d), 6-25-213; Ord. No. 5930, § I, 4-19-2011; Ord. 5832, § 1, 2009; Ord. 5792, § 1(B), 2008; Ord. No. 5656, § 2, 2006.)

Section II. In addition, Sonoma County Code Chapter 29 authorizes the Board to adopt a schedule of fees and charges for services provided and permits issued pursuant to Chapter 29 of the Sonoma County Code to recover the reasonable cost of providing such services and issuing such permits; and

Section III. Health and Safety Code Chapter 6.95, Section 25513 authorizes the Board to adopt a schedule of fees to recover the costs incurred by the County in carrying out the provisions of Chapter 6.95 of Division 20 of the Health and Safety Code, and Sonoma County Code Chapter 11 and Chapter 36 authorizes the Board of Supervisors to establish fees and hourly rates for providing various reviews, inspections, permits and services made, issued and provided by the Department of Agriculture/Weights and Measures; and

Section IV. California Business and Professions Code Sections 12210, 12241 and 13350, California Code of Regulations Title 4, Chapter 3, Article 3, Section 4075 and Title 3, Section 1392. 8, California Food and Agriculture Code Section 11734 and Sections 5850-5852, Government Code Section 6253, Sonoma County Code Chapter 11 and 26, and other provisions of law authorize the Board of Supervisors to establish fees to recover the reasonable cost of providing for various inspections, reinspections, testing, certificates, registrations and services made, issued and provided by the County Agricultural Commissioner/Sealer of Weights and Measures (collectively referred to as "Agricultural Commissioner Services").

Section V. To recover the reasonable costs of providing Agricultural Commissioner Services as documented by the NBS Consulting Fee Study dated August 21, 2021, it is necessary to adjust those Agricultural Commissioner fees as set forth in Exhibit A attached hereto and incorporated herein as though set forth in full (collectively referred to as "Agricultural Commissioner Fees"), commencing July 1, 2022.

Section VI. Based on information presented to this Board, this Board finds that the proposed Agricultural Commissioner Fees comply with all legal requirements, including Art. XIII C, Section 1(e)(1)-(3) of the California Constitution.

Section VII. In all other respects, previous fee resolutions and ordinances setting Agricultural Commissioner Fees and hourly rates shall remain in full force and effect.

Section VIII. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section IX. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, introduced on the 22nd day of March, 2022, and finally passed and adopted this 5<sup>th</sup> day of April, 2022, on regular roll call of the members of said Board by the following vote:

**SUPERVISORS:**

Gorin:                Rabbitt:                Coursey:                Hopkins:                Gore:

Ayes:                        Noes:                        Absent:                        Abstain:

**WHEREUPON**, the Chair declared the above and foregoing Ordinance duly adopted and

**SO ORDERED.**

\_\_\_\_\_  
Chair, Board of Supervisors  
County of Sonoma

ATTEST:

\_\_\_\_\_  
Sheryl Bratton,  
Clerk of the Board of Supervisors

County of Sonoma  
 Department of Agriculture/Weights & Measures  
**Proposed Fee Schedule for Fiscal Year 2022-23**  
**Exhibit A**

Division/Unit	Fee Description (short)	Current Fee Amount	FY 22-23 Proposed Fee Amount	Proposed Effective Date
<b>Agriculture Division Hourly Rate</b>				
Agriculture	Hourly Rate <sup>[1]</sup>	\$ 177	\$ 225	7/1/2022
<b>Direct Marketing Program</b>				
Agriculture	Certified Producer's Certificate	\$ 69	\$ 76	7/1/2022
Agriculture	Certified Producer's Certificate Amendment	\$ 35	\$ 39	7/1/2022
Agriculture	Certified Farmers' Market Application/Certificate	\$ 100	\$ 112	7/1/2022
<b>Farm Labor Contractor</b>				
Agriculture	Farm Labor Contractor Registration	\$ 35	\$ 42	7/1/2022
<b>Hazardous Materials Program</b>				
Agriculture	Hazardous Material: Range 6	\$ 155	\$ 186	7/1/2022
Agriculture	Hazardous Material: Range 7	\$ 247	\$ 306	7/1/2022
Agriculture	Hazardous Waste Program (<325 gals waste/year)	\$ 145	\$ 178	7/1/2022
Agriculture	Hazardous Waste Program (>326 gals waste/year)	\$ 225	\$ 244	7/1/2022
<b>Miscellaneous</b>				
Agriculture	Grower Workshop Pre-registration	\$ 10	\$ 18	7/1/2022
Agriculture	Grower Workshop Registration at the Door	\$ 20	\$ 25	7/1/2022
<b>Pest Control Operators</b>				
Agriculture	Agricultural Pest Control Operator Registration	\$ 86	\$ 92	7/1/2022
<b>Phytosanitary Certificate / Certificate of Quarantine Compliance</b>				
Agriculture	State Phyto Certificate (Individual)	\$ 15	\$ 17	7/1/2022
Agriculture	State Phyto Certificate (Individual) – in Santa Rosa Office	\$ 8	\$ 9	7/1/2022
Agriculture	State Phyto Certificate (additional cert for the same visit)	\$ 10	\$ 12	7/1/2022

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Agriculture	State Phyto Certificate (additional cert for the same visit) – in Santa Rosa Office	\$ 5	\$ 6	7/1/2022
Agriculture	Federal Phyto Certificate (Individual)	\$ 57	\$ 66	7/1/2022
Agriculture	Federal Phyto Certificate (Individual) – in Santa Rosa Office	\$ 29	\$ 33	7/1/2022
Agriculture	Certificate of Quarantine Compliance (Individual)	\$ 15	\$ 17	7/1/2022
Agriculture	Certificate of Quarantine Compliance (Individual) – in Santa Rosa Office	\$ 8	\$ 9	7/1/2022
Agriculture	Certificate of Quarantine Compliance (additional cert for the same visit)	\$ 10	\$ 12	7/1/2022
Agriculture	Certificate of Quarantine Compliance (additional cert for the same visit) – in Santa Rosa Office	\$ 5	\$ 6	7/1/2022
<b>Cannabis Zoning Permit Application Fees</b>				
Agriculture	Cottage Outdoor <sup>[2]</sup>	\$ 1,874	\$ 1,798	7/1/2022
Agriculture	Specialty Outdoor <sup>[2]</sup>	\$ 2,190	\$ 1,798	7/1/2022
Agriculture	Small Outdoor <sup>[2]</sup>	\$ 2,508	\$ 2,472	7/1/2022
Agriculture	Renewals (Hourly) <sup>[1]</sup>	\$ 177	\$ 225	7/1/2022
<b>Miscellaneous Fees Related to Cannabis Cultivation</b>				
Agriculture	Monitoring - Indoor/Mixed Light Cultivation, Indoor Nursery	\$ 600	\$ 630	7/1/2022
Agriculture	Monitoring - Outdoor Cultivation: Cottage and Specialty	\$ 600	\$ 630	7/1/2022
Agriculture	Monitoring - Outdoor Cultivation: Small	\$ 600	\$ 899	7/1/2022
Agriculture	Monitoring - Outdoor Cultivation: Medium and Outdoor Nursery	\$ 900	\$ 899	7/1/2022
Agriculture	Re-Inspections and or Re-Reviews at Staff Hourly Rate <sup>[1]</sup>	\$ 177	\$ 225	7/1/2022

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<b>Division/Unit</b>				
Agriculture	Canopy Visit Verification / Crop Loss Inspections at Staff Hourly Rate	\$ 177	\$ 225	7/1/2022
<b>Hemp - County Ordinance</b>				
Agriculture	Registration	\$ 882	\$ 926	7/1/2022
Agriculture	Male Field Walk Inspections - Hourly Rate <sup>[1]</sup>	\$ 177	\$ 225	7/1/2022
<b>Land Stewardship Division Hourly Rate</b>				
Land Stewardship	Hourly Rate <sup>[1]</sup>	\$ 162	\$ 292	7/1/2022
<b>Frost Protection Ordinance</b>				
Land Stewardship	Registration	\$ 64	\$ 88	7/1/2022
<b>Level I Vineyard Erosion and Sediment Control Ordinance (VESCO)</b>				
Land Stewardship	Level I No Grading or Drainage <10 acres <sup>[3]</sup>	\$ 722	\$ 866	7/1/2022
Land Stewardship	Level I No Grading or Drainage 10 < 50 acres <sup>[3]</sup>	\$ 1,364	\$ 1,637	7/1/2022
Land Stewardship	Level I No Grading or Drainage 50 < 100 acres <sup>[3]</sup>	\$ 1,769	\$ 2,123	7/1/2022
Land Stewardship	Level I No Grading or Drainage > 100 acres <sup>[3]</sup>	\$ 2,280	\$ 2,736	7/1/2022
Land Stewardship	Level I With Grading and/or Drainage <10 acres <sup>[4]</sup>	\$ 1,060	\$ 1,272	7/1/2022
Land Stewardship	Level I With Grading and/or Drainage 10 < 50 acres <sup>[4]</sup>	\$ 1,695	\$ 2,034	7/1/2022
Land Stewardship	Level I With Grading and/or Drainage 50 < 100 acres <sup>[4]</sup>	\$ 2,151	\$ 2,581	7/1/2022
Land Stewardship	Level I With Grading and/or Drainage > 100 acres <sup>[4]</sup>	\$ 2,742	\$ 3,290	7/1/2022
<b>Level II Vineyard Erosion and Sediment Control Ordinance (VESCO)</b>				
Land Stewardship	Level II No Grading or Drainage <10 acres <sup>[5]</sup>	\$ 4,604	\$ 5,525	7/1/2022
Land Stewardship	Level II No Grading or Drainage 10 < 50 acres <sup>[5]</sup>	\$ 6,801	\$ 6,121	7/1/2022
Land Stewardship	Level II No Grading or Drainage 50 < 100 acres <sup>[5]</sup>	\$ 8,657	\$ 8,638	7/1/2022
Land Stewardship	Level II No Grading or Drainage > 100 acres <sup>[5]</sup>	\$ 11,444	\$ 9,842	7/1/2022

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Division/Unit	Fee Description (short)	Current Fee Amount	FY 22-23 Proposed Fee Amount	Proposed Effective Date
Land Stewardship	Level II with Grading and/or Drainage <10 acres <sup>[6]</sup>	\$ 4,936	\$ 5,923	7/1/2022
Land Stewardship	Level II with Grading and/or Drainage 10 < 50 acres <sup>[6]</sup>	\$ 7,168	\$ 8,387	7/1/2022
Land Stewardship	Level II with Grading and/or Drainage 50 < 100 acres <sup>[6]</sup>	\$ 9,090	\$ 11,317	7/1/2022
Land Stewardship	Level II with Grading and/or Drainage > 100 acres <sup>[6]</sup>	\$ 11,961	\$ 11,862	7/1/2022
<b>Level II Vineyard Erosion and Sediment Control Ordinance (VESCO) With Tree Removal</b>				
Land Stewardship	Level II No Grading or Drainage with tree removal <10 acres <sup>[5]</sup>	\$ 5,330	\$ 6,609	7/1/2022
Land Stewardship	Level II No Grading or Drainage with tree removal 10 < 50 acres <sup>[5]</sup>	\$ 7,740	\$ 9,211	7/1/2022
Land Stewardship	Level II No Grading or Drainage with tree removal 50 < 100 acres <sup>[5]</sup>	\$ 9,697	\$ 10,085	7/1/2022
Land Stewardship	Level II No Grading or Drainage with tree removal > 100 acres <sup>[5]</sup>	\$ 12,717	\$ 10,301	7/1/2022
Land Stewardship	Level II with Grading and/or Drainage with tree removal <10 acres <sup>[6]</sup>	\$ 5,644	\$ 6,829	7/1/2022
Land Stewardship	Level II with Grading and/or Drainage with tree removal 10 < 50 acres <sup>[6]</sup>	\$ 8,133	\$ 9,190	7/1/2022
Land Stewardship	Level II with Grading and/or Drainage with tree removal 50 < 100 acres <sup>[6]</sup>	\$ 10,126	\$ 11,240	7/1/2022
Land Stewardship	Level II with Grading and/or Drainage with tree removal > 100 acres <sup>[6]</sup>	\$ 13,232	\$ 15,349	7/1/2022
<b>Grading and/or Drainage Only</b>				
Land Stewardship	Grading and/or Drainage Only < 10 acres <sup>[3]</sup>	\$ 750	\$ 938	7/1/2022
Land Stewardship	Grading and/or Drainage Only 10 < 50 acres <sup>[3]</sup>	\$ 848	\$ 1,060	7/1/2022
Land Stewardship	Grading and/or Drainage Only 50 < 100 acres <sup>[3]</sup>	\$ 991	\$ 1,239	7/1/2022
Land Stewardship	Grading and/or Drainage Only > 100 acres <sup>[3]</sup>	\$ 1,137	\$ 1,421	7/1/2022

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<b>Staff Review of Permit Sonoma Projects</b>				
Land Stewardship	Staff Review of Permit Sonoma Projects	\$ 272	\$ 351	7/1/2022
<b>Weights &amp; Measures Division Hourly Rate</b>				
Weights & Measures	Hourly Rate <sup>[1]</sup>	\$ 158	\$ 228	7/1/2022
<b>Automated Point of Sale Fees</b>				
Weights & Measures	1 - 3 Point of Sale-Scanners	\$ 221	\$ 228	7/1/2022
Weights & Measures	4 - 9 Point of Sale-Scanners	\$ 332	\$ 395	7/1/2022
Weights & Measures	10 or greater Point of Sale-Scanners	\$ 378	\$ 473	7/1/2022

**Notes**

[1] Hourly rate - ¼ hour minimum charge

[2] Includes 1 application review, 1 pre-grow site inspection, and 1 annual cultivation site monitoring visit. Additional site visits will be charged at the hourly rate.

[3] Includes 1 plan review and 1 site visit. Additional site visits will be charged at the hourly rate. Engineer/Geologist charges may apply.

[4] Includes 1 plan review and 2 site visits. Additional site visits will be charged at the hourly rate. Engineer/Geologist charges may apply.

[5] Includes 2 plan reviews and 2 site visits. Additional site visits will be charged at the hourly rate. Engineer/Geologist charges may apply.

[6] Includes 2 plan reviews and 3 site visits. Additional site visits will be charged at the hourly rate. Engineer/Geologist charges may apply.