

RESOLUTION NO. 21-065

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF VENTURA
ESTABLISHING FEES FOR VARIOUS PERMITS,
REGISTRATIONS, EXEMPTIONS AND APPEALS
RELATING TO MEDICAL WASTE AND BODY ART**

WHEREAS, Ventura County Ordinance Code section 4579 provides that fees for the issuance of any registration, permit, or exemption, or for the filing by an applicant of any appeal, pursuant to the Medical Waste Management Act (Health and Safety Code, § 117600 et seq.) and Safe Body Art Act (Health and Safety Code, § 119300 et seq.) or Ventura County Ordinance Code sections 4565 through 4579 shall be prescribed by resolution of the Board of Supervisors of the County of Ventura; and

WHEREAS, by resolution adopted July 16, 1991, the Board prescribed fees to implement the provisions of the Medical Waste Management Act; and

WHEREAS, by resolution adopted June 5, 2012, the Board prescribed fees to implement the provisions of the Safe Body Art Act; and

WHEREAS, by various subsequent resolutions, the Board has amended the fees, most recently by resolution adopted June 9, 2020; and

WHEREAS, it is desirable to affirm such fees;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board that the following fees are hereby adopted:

I. Medical Waste Fees

1. The fee for a two-year registration of a small-quantity generator issued pursuant to Health and Safety Code section 117925 shall be paid in two annual installments of \$194 each, with the first installment coming due on the date of issuance of the registration and the second installment coming due on the first anniversary of the date of issuance; provided, however, that any installment coming due after termination of the registration shall be excused.

2. The fee for a two-year registration of a small-quantity generator issued pursuant to Ventura County Ordinance Code section 4573 shall be paid in annual installments \$120, with the first installment coming due on the date of issuance of registration and the second installment coming due on the first anniversary of the date of issuance; provided, however, that any installment coming due after termination of the registration shall be excused.
3. The fee for a one-year registration of a large-quantity generator issued pursuant to Health and Safety Code section 117950 shall come due on the date of issuance of the registration and shall be determined as follows.

- a. Where the generator is a "community clinic," a "free clinic," a "surgical clinic," a "chronic dialysis clinic," or a "rehabilitation clinic" as defined in Health and Safety Code section 1204, subdivisions (a) and (b), the fee shall be \$650.
- b. Where the generator is a "general acute care hospital" as defined in Health and Safety Code section 1250, subdivision (a), the fee shall be based on the number of beds in the facility, as of the date of registration, as follows:

<u>Number of Beds</u>	<u>Fee</u>
1 - 99	\$1,165
100 - 199	\$1,553
200 or more	\$2,136

- c. Where the generator is an "acute psychiatric hospital" as defined in Health and Safety Code section 1250, subdivision (b), the fee shall be \$389.
- d. Where the generator is a "skilled nursing facility" as defined in Health and Safety Code section 1250, subdivision (c), the fee shall be based on the number of beds in the facility, as of the date of registration, as follows:

<u>Number of Beds</u>	<u>Fee</u>
1 - 99	\$536
100 - 199	\$679
200 or more	\$777

- e. Where the generator is a "clinical laboratory" as defined in Business and Professions Code section 1206, subdivision (a)(3), the fee shall be \$389.

- f. Where the generator is a veterinary clinic or a veterinary hospital, the fee shall be \$389.
- g. Where the generator is a medical office that does not fall into any of the categories listed above, the fee shall be \$389.
- h. Where the generator is not a medical office and does not fall into any of the categories listed above, the fee shall be \$389.
- i. Where the generator is a Biotech facility as defined in Ventura County Ordinance Code section 4566, subdivision (a), the fee shall be based on the number of buildings, as follows:

Number of Buildings	Fee
1 - 5	\$406
6 or more	\$812

- j. Where the generator falls into more than one of the categories listed above, the highest applicable fee shall be paid.
4. The fee for a five-year permit for an on-site medical waste treatment facility issued pursuant to Health and Safety Code section 118130 shall be paid in five equal annual installments, the first coming due on the date of issuance of the permit, and the remaining four coming due on the four successive anniversaries of the date of issuance; provided, however, that any installment coming due after termination of the permit shall be excused; provided, further, that the installment shall be excused if the operator of the facility is also a registered small-quantity generator or a registered large-quantity generator. Each annual installment shall be equal to the amount of the highest annual registration fee or registration fee installment payable by any generator to be served by the treatment facility.
 5. The annual fee for a permit for a common storage facility issued pursuant to Health and Safety Code section 117928 shall come due on the date of initial issuance and on each successive anniversary thereof until the permit expires or is terminated, shall be based on the number of generators served by the facility, as of the anniversary date and shall be computed as follows:

<u>No. of Generators Served</u>	<u>Fee</u>
10 or fewer	\$154
11 - 49	\$389
50 or more	\$777

6. The fee for filing any appeal or petition for hearing pursuant to Ventura County Ordinance Code section 4578 shall be \$191.
- II. Body Art Fees are based on the Environmental Health Specialist IV contract hourly rate as of due date and calculated using the multipliers described below.
1. The fee for a one-year registration as a Practitioner issued pursuant to the Safe Body Art Act (SBAA), Health and Safety Code section 119306 shall come due on the date of issuance of the registration and on each successive anniversary thereof and calculated on 1.0 hour of time.
 2. The annual health permit fee for a Body Art Facility issued pursuant to SBAA, Health and Safety Code section 119312 shall come due on the date of issuance of the permit and on each successive anniversary thereof and calculated on 3.0 hours of time.
 3. The fee for a one-year registration as a Practitioner issued pursuant to SBAA, Health and Safety Code section 119306 who is also a Body Art Facility Owner as defined in Health and Safety Code section 119301(q) shall come due on the date of issuance of the registration and on each successive anniversary thereof and calculated on 0.5 hours of time.
 4. The annual health permit fee for a Body Art Vehicle defined in SBAA, Health and Safety Code section 119301(ab) and issued pursuant to SBAA, Health and Safety Code section 119316 shall come due on the date of issuance of the permit and on each successive anniversary thereof and calculated on 1.5 hours of time.
 5. The permit fee for a Body Art Sponsor as defined in SBAA, Health and Safety Code section 119301(y) and issued pursuant to SBAA, Health and Safety Code section 119318 shall come due on the date of issuance and calculated on 9.0 hours of time.
 6. The permit fee for a Temporary Body Art Facility as defined in Ventura County Ordinance Code section 4566(l) and issued pursuant to SBAA, Health and Safety Code section 119317.5 shall come due on the date of issuance and calculated on 0.5 hours of time.
 7. The fee to submit for approval plans to construct a Body Art Facility pursuant to SBAA, Health and Safety Code section 119312(h) shall come due on the date plans are submitted and calculated on 6.0 hours of time.
 8. The fee to submit for approval plans to construct a Body Art Vehicle as defined in SBAA, Health and Safety Code section 119301(ab) and pursuant to SBAA, Health and Safety Code section 119312(h) shall come

due on the date plans are submitted and calculated on 3.0 hours of time.

9. The notification fee for a Mechanical Stud and Clasp Ear Piercing facility as described in SBAA, Health and Safety Code section 119325 shall be \$45.00 and due upon submittal on the Mechanical Stud and Clasp Ear Piercing Notification form.
10. The fee for the review of a Bloodborne Pathogen Exposure Control Training program to ensure compliance with the requirements set forth in the SBAA, Health and Safety Code section 119307(c) and gain approval as an approved Bloodborne Pathogen Exposure Control Training program shall come due on the date the training program is submitted and calculated on 6.0 hours of time.
11. When the Environmental Health Division determines a Body Art Facility has been financially impacted due to the novel coronavirus pandemic, the Director is authorized to reduce, by up to 50%, any fee applicable to that Body Art Facility and to waive, in full or in part, any related late fees or penalties.

III. Delinquent Payment Formula

If any fee or installment on a fee required in sections I. or II. of this resolution is not paid on or before the delinquency date, the person liable for that fee or installment shall also pay an additional amount equal to:

1. 10 percent of the fee or installment if the fee or installment plus such additional amount are paid within 30 days after the delinquency date; or
2. 30 percent of the fee or installment if the fee or installment or such additional amount is paid more than 30 days after the delinquency date. The term "delinquency date" means:
 - a. in the case of a generator, facility or hauler that is unlawfully operating without a current registration, permit or exemption to which the fee or installment pertains, the date on which such illegal operation commenced; and
 - b. in the case of a generator, facility or hauler that is operating with a current registration or permit to which the fee or installment pertains, the due date specified in this resolution for such fee or installment.

The additional amount specified in this section is imposed to compensate the County for the estimated additional cost associated with processing late applications and payments and not as a penalty.

BE IT FURTHER RESOLVED AND DETERMINED by the Board that the fees herein are consistent with state law. The fees charged do not exceed the estimated reasonable costs of the regulatory activity they support, and those costs are apportioned to individual payers in a manner that bears a fair or reasonable relationship to the payers' burdens on or benefits from the regulatory activity. The documentation and analysis supporting the amount of the fees are on file with the County agencies involved in the calculations and are incorporated herein by reference.

BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED by the Board that the resolution adopted June 9, 2020, is repealed effective July 1, 2021, this resolution is hereby adopted, and the fees herein shall become operative on July 1, 2021.

On motion by Supervisor Ramirez, seconded by Supervisor Long, the foregoing resolution was passed and adopted on May 18, 2021.

Linda Parker
Chair, Board of Supervisors

ATTEST:

MICHAEL POWERS,
Clerk of the Board of Supervisors
County of Ventura, State of California.



By Tom Key
Deputy Clerk of the Board