

1 [Registration Fees for Inspecting and Testing Commercial Weighing and Measuring Devices]

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3 **Ordinance amending the San Francisco Administrative Code, Chapter 1, by amending**
 4 **Section 1.13-5 to update registration fees for inspecting and testing commercial**
 5 **devices as authorized by California Business and Professions Code Sec. 12210.5 and**
 6 **set by the California Department of Food and Agriculture, and deleting obsolete**
 7 **language.**

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NOTE: Additions are *single-underline italics Times New Roman*;
 9 deletions are *strike-through italics Times New Roman*.
 Board amendment additions are double-underlined;
 10 Board amendment deletions are ~~strike-through normal~~.

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11 Be it ordained by the People of the City and County of San Francisco:

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Section 1. The Planning Department has determined that the actions contemplated in
 13 this Resolution are in compliance with the California Environmental Quality Act (California
 14 Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of the
 15 Board of Supervisors in File No. _____, and is incorporated herein by reference; and

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Section 2. The San Francisco Administrative Code is hereby amended by amending
 17 Section 1.13-5, to read as follows:

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18 **SEC. 1.13-5. WEIGHTS AND MEASURES—PERMITS AND FEES**

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(a) Registration Fees. All weighing and measuring devices *used for commercial*
 20 *purposes, as defined in subdivision (e) of Section 12500 of the Business and Professions Code, shall be*
 21 *registered annually with inspected or tested by* the County Sealer of Weights and Measures.
 22 *pursuant to Business and Professions Code Section 12210 shall be registered annually with the County*
 23 *Sealer.* The fee charged by the County Sealer for such registration shall be used to offset the
 24 costs of inspecting and testing *of* said devices *pursuant to Section 12240 of the Business and*
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1 Professions Code and to recover the cost of carrying out Business and Professions Code Section
2 12211.

3 (b) Calculation of Fees. The amount of the fees shall be set to recover the total costs
4 of inspection and testing incurred by the County Sealer for each annual registration, but shall
5 not exceed the maximum annual charges authorized under California Business and
6 Professions Code Section 12240. Each registration fee shall include both a business location
7 component and a device fee component. The registration fees shall be ~~phased-in~~ according to
8 the following schedule:

9 ~~(1) Beginning January 1, 2006, the registration fee shall be sixty dollars (\$60) per business~~
10 ~~location, plus 60 percent of the maximum device fee listed in subsections (c)(1)--(7) below;~~

11 ~~(2) Beginning January 1, 2007, the registration fee shall be eighty dollars (\$80) per business~~
12 ~~location, plus 80 percent of the maximum applicable device fee listed in subsections (c)(1)--(7) below;~~

13 ~~(3) Beginning January 1, 2008, and thereafter, the registration fee shall be one~~
14 ~~hundred dollars (\$100) per business location, plus a 100 percent of the maximum applicable~~
15 ~~device fee listed in subsections (c)(1)--(7) below.~~

16 (c) Device Fees.

17 (1) For large capacity weighing devices, other than livestock, with capacities of 10,000
18 pounds or greater, the device fee shall not exceed two hundred fifty dollars (\$250) per device;

19 (2) For smaller capacity weighing devices, other than livestock scales, with capacities
20 of a least 2,000 pounds but less than 10,000 pounds, the device fee shall not exceed one
21 hundred fifty dollars (\$150) per device;

22 (3) For livestock scales with capacities of 10,000 pounds or greater, the device fee
23 shall not exceed one hundred fifty dollars (\$150) per device;

24 (4) For livestock scales with capacities of at least 2,000 pounds but less than 10,000
25 pounds, the device fee shall not exceed one hundred dollars (\$100) per device;

1 (5) For liquefied petroleum gas meters, truck mounted or stationary, the device fee
2 shall not exceed one hundred seventy-five dollars (\$175) per device.

3 (6) For wholesale and vehicle meters, the device fee shall not exceed twenty-five
4 dollars (\$25) per device;

5 (7) For all other commercial weighing or measuring devices not listed above, the
6 device fee shall not exceed twenty dollars (\$20) per device. For purposes of this subsection
7 (c)(7), the total annual registration fee shall not exceed the sum of one thousand dollars
8 (\$1,000) for each business location.

9 (d) Business Locations. For purposes of this Section, a single business location is
10 defined as: (1) each vehicle containing one or more commercial devices; or, (B) each
11 business location that uses different categories or types of commercial devices that require
12 the use of specialized testing equipment and that necessitates not more than one inspection
13 trip by a weights and measures official.

14 (e) Utility Meters. For marinas, mobilehome parks, recreational vehicle parks, and apartment
15 complexes, where the owner of the marina, park, or complex owns and is responsible for the utility
16 meters, the device fee shall not exceed two dollars (\$2) per device per space or apartment. Marinas,
17 mobilehome parks, recreational vehicle parks, and apartment complexes for which the above fees are
18 assessed shall be inspected and tested as frequently as required by regulation. ~~The electric meter and~~
19 gas vapor meter of a mobile home park, recreational vehicle park, and apartment complex, where the
20 owner of the park or complex owns and is responsible for the utility meters, shall be inspected and
21 tested as frequently as required by regulation. An annual fee of \$60 per park or complex, and a fee of
22 \$2 per space or apartment unit shall be collected from the owner of the park or complex for the
23 inspection and testing of the meter.

24 (f) Rules and Regulations. The County Sealer shall promulgate such rules and
25 regulations as are reasonable and necessary to implement this ordinance.

1 (g) Penalties. The penalty for fees not paid within 30 days of billing shall be 100
2 percent.

3 APPROVED AS TO FORM:

4 DENNIS J. HERRERA, City Attorney

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6 By:

Terence J. Howzell
Deputy City Attorney

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