

File No. 100717

Committee Item No. 9

Board Item No. 40

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee BUDGET AND FINANCE

Date 6/21/10

Board of Supervisors Meeting

Date 6/29/10

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

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Completed by: Gail Johnson

Date 6/18/10

Completed by: [Signature]

Date 6/24/10

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

04

01/02/10

1 [Registration Fees for Inspecting and Testing Commercial Weighing and Measuring Devices]  
 2  
 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.

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

10  
 11 Be it ordained by the People of the City and County of San Francisco:

12 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. 100717

16 , and is incorporated herein by reference; and

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

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

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

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.

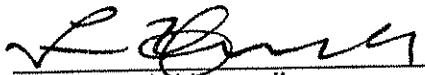
14 (e) Utility Meters. For marinas, mobilehome parks, recreational vehicle parks, and apartment  
15 complexes, where the owner of the marina, park, or complex owns and is responsible for the utility  
16 meters, the device fee shall not exceed two dollars (\$2) per device per space or apartment. Marinas,  
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.

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APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney

By:   
Terence J. Howzell  
Deputy City Attorney

LEGISLATIVE DIGEST

[Registration Fees For Inspecting and Testing Commercial Weighing and Measuring Devices ]

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

Existing Law

Section 1.13-5 of the San Francisco Administrative Code sets forth registration fees for inspecting and testing commercial weighing and measuring devices. Section 1.13-5 also provides that the fees shall be set to recover the total costs of inspection and testing incurred for each annual registration, but shall not exceed the maximum annual charges authorized under State law.

Amendments to Current Law

The amendment would increase the registration fees established under existing law. The fees established under the amendment are set to recover the total costs of inspection and testing incurred for each annual registration, but do not exceed the maximum annual charges authorized under State law.

