Ordinance amending the Administrative Code, Section 1.10, to revise registration fees for inspecting agricultural products; and making environmental findings.

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

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

Section 1. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. ___ and is incorporated herein by reference.

Section 2. The San Francisco Administrative Code is hereby amended by amending Section 1.10, to read as follows:

SEC. 1.10. INSPECTION OF AGRICULTURAL PRODUCTS PRIOR TO SHIPMENT – INSPECTION FEES.

(a) The fees to be charged for inspection and certificates for agricultural products to be shipped, effective October 1, 1995-January 1, 2013, shall be as follows:

(a) Number of packages:

<table>
<thead>
<tr>
<th>Number of Packages</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$29.00</td>
</tr>
<tr>
<td>101</td>
<td>$35.00</td>
</tr>
<tr>
<td>201</td>
<td>$40.00</td>
</tr>
</tbody>
</table>
| 501               | $35.00-40.00 plus one cent per package over 500
(b) The fees for each certificate of fumigation shall be $30.00.

(c) Twenty-five dollars shall be the minimum charge for any single certificate.

(d) State of California Fees. In addition to the fees set forth above, the California Code of Regulations, Title 3, Division 4, Chapter 7, Subchapter 1, Section 4603, requires each county agricultural commissioner to collect the following fees on behalf of the California Department of Food and Agriculture for recovery of the Department’s administrative costs, and to remit these funds to the Department.

1. Federal Phytosanitary Certificates, per certificate:

   (A) U.S. Department of Agriculture Phytosanitary Certificate Tracking System (PCIT) ................................................................. $5.30

   (B) If PCIT is not used ................................................................. $5.30

(2) State of California Certificates, per certificate:

   (A) Original State of California phytosanitary certificate or certificate of quarantine issued for interstate movement, if PCIT is used ......................................................... $5.30

   (B) If PCIT is not used ................................................................. $5.30

(де) The County Agricultural Commissioner may develop procedures for the collection of any fees authorized by this Section.

(f) Beginning with fiscal year 2013-2014, the fee set forth in the Section may be adjusted each year, without further action by the Board of Supervisors, as set forth in this Section. Not later than April 1, the Director shall report to the Controller the revenues generated by the fee for the prior fiscal year.
year and the prior fiscal year's costs of operation, as well as any other information that the Controller
determines appropriate to the performance of the duties set forth in this Section.

(g) Not later than May 15, the Controller shall determine whether the current fee has produced
or is projected to produce revenues sufficient to support the costs of providing the services for which
the fee is assessed and that the fee will not produce revenue which is significantly more than the costs
of providing the services for which the fee is assessed. The Controller shall, if necessary, adjust the fee
upward or downward for the upcoming fiscal year as appropriate to ensure that the program recovers
the costs of operation without producing revenue which is significantly more than such costs. The
adjusted fee shall become operative on July 1.

Section 3. Effective Date. This ordinance shall become effective 30 days from the
date of passage.

Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to
amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
punctuation, charts, diagrams, or any other constituent part of the Administrative Code that
are explicitly shown in this legislation as additions, deletions, Board amendment additions,
and Board amendment deletions in accordance with the "Note" that appears under the official
title of the legislation.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By:
VIRGINIA DARIO ELIZONDO
Deputy City Attorney

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