

ORDINANCE NO. C.S. 1114

**AN ORDINANCE ADOPTING A NEW FEE AND AMEND EXISTING FEES  
COLLECTED BY THE DEPARTMENT OF PUBLIC WORKS**

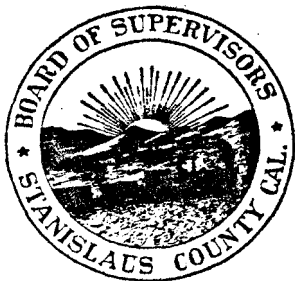
THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE  
OF CALIFORNIA ORDAINS AS FOLLOWS:


**Section 1.** Fees to be collected by the Department of Public Works are adopted and amended as set forth in the Department of Public Works Fee Schedule attached hereto as Exhibit A and incorporated by reference, copy of which is on file with the Clerk of the Board of Supervisors and is available for public inspection and copying in that office in accordance with the California Public Records Act.

**Section 2.** This ordinance shall take effect 30 days from and after the date of its passage and before the expiration of 15 days after its passage it shall be published once, with the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor Chiesa seconded by Supervisor Withrow, the foregoing Ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 8th day of May, 2012, by the following called-vote:

AYES: Supervisors: Chiesa, Withrow, Montieth, De Martini, and Chairman  
NOES: Supervisors: None O'Brien  
ABSENT: Supervisors: None



  
\_\_\_\_\_  
William O'Brien, Chairman  
Of the Board of Supervisors of the  
County of Stanislaus, State of California

ATTEST:

CHRISTINE FERRARO TALLMAN, Clerk of the  
Board of Supervisors of the County of Stanislaus,  
State of California

By Christine Ferraro

APPROVED AS TO FORM:

JOHN P. DOERING  
County Counsel

By Thomas E. Boze  
Thomas E. Boze  
Deputy County Counsel

**EXHIBIT "A"**  
**2012 PUBLIC WORKS FEES (EFFECTIVE JULY \_\_\_\_, 2012)**

Fee Description	Fiscal Year Adopted	Fee Amount
<b>Excavation Permits</b>		
California Street & Highways 1464; CCR, Division 2, Chapter 5.5, Article 2		
Permit (includes \$5 ea. FPA & GIS)	2009	\$ 20
Inspection per 500 ft of trench in unpaved area	2012	\$ 180
Inspection per 250 ft of trench in paved area	2012	\$ 180
Encroachment Permits-Driveway construction	2012	\$ 180
Utility (trench) cuts*	2011	\$7.30/sf of trench area

\*Exceptions: pavements not maintained by County; excavations performed at request of County; excavations in pavements scheduled for resurfacing within 2 years

<b>Construction Permits-Street Improvements</b>		
California Street & Highways 1464		
Permit (includes \$5 ea. FPA & GIS)	2009	\$ 40
Curb & Gutter per 250 lineal feet	2012	\$ 180
Sidewalks per 250 lineal feet	2012	\$ 180
Matching Pavement per 250 lineal feet	2012	\$ 180
Drywell Inspection	2012	\$ 90
Reinspections (hourly rate)	2012	\$ 90
Construction Inspection (hourly rate)*	2012	\$ 90
Improvement Plan Checking (hourly rate)*	2012	\$ 90
Improvement Plan Checking \$10 one-time charge		\$ 10

\*Actual inspection time to be charged against a deposit of 10% of Engineer's estimate of total project cost.

<b>Road Use Permit</b>		
California Street & Highways 982; CCR, Division 2, Chapter 2		
Parade Permit	2009	\$ 50
Transportation Permit		
Annual	2009	\$ 90
Daily	2009	\$ 16
<b>Land Survey</b>		
Subdivision Map Act 66451.2, Chapter 3, Article 1		
Subdivision Map Processing (per map)	2004	\$ 1,390
Plus additional per lot and block	2004	\$ 10
Parcel Map Processing (per map)	2004	\$ 1,390
Plus additional per parcel	2004	\$ 10
Survey Map Processing (per request)	2004	\$ 565
Certificate of Compliance Processing (per request)	2004	\$ 695
Road Abandonment Processing (per request)	2004	\$ 1,110
Lot Line Adjustment Processing		
A2 Zoning District (per lot line application)	2004	\$ 695
All Other Zoning Districts (per lot line application)	2004	\$ 210

**EXHIBIT "A" (Continued)**  
**2012 PUBLIC WORKS FEES (EFFECTIVE August 9, 2010)**  
 Fees Collected by Planning

Fee Description	Fiscal Year Adopted	Actual Cost	Fee Amount
Adult Business Permit	2010		\$ 70
Ag Grievances *(1)	2010	Actual Cost/Minimum charge deposit	\$ 210
Community Plan Amendment	2010	Actual Cost/Minimum charge deposit	\$ 340
Condition of Approval or Development Standard Modification*(2)	2010		\$ 450
Development Agreement*(1)	2010	Actual Cost/Minimum charge deposit	\$ 210
Grading Permit - Application Processing Fee	2010		\$30
Grading Permit - Plan check	2010	Actual Cost/Per hour	\$85
Grading Permit - Field inspection	2010	Actual Cost/Per hour	\$85
Grading Permit - NPDES Risk Level 1 *(3)	2012	Actual cost-per hour/Deposit required	\$450
Grading Permit - NPDES Risk Level 2 *(3)	2012	Actual cost-per hour/Deposit required	\$675
Grading Permit - NPDES Risk Level 3 *(3)	2012	Actual cost-per hour/Deposit required	\$855
General Plan Amendment *(1)	2010	Actual Cost/Minimum charge deposit	\$ 210
Historical Site Review (Staff Approval)	2010		\$ 70
Historical Site Permit (@site /Planning Commission)	2010		\$ 210
Mine Use Permit/Reclamation Plan (RP)/RP Amendment *(1)	2010	Actual Cost/Minimum charge deposit	\$ 255
Parcel Maps (R, C, M, LI, IBP, PD, PI Zones) *(2)	2012		\$ 450
Parcel Maps (A-2 Zone non-Williamson Act and < 4 parcels + remainder) *(2)	2012		\$ 450
Parcel Maps (A-2 Zone with Williamson Act or > 4 parcels + remainder) *(2)	2012		\$ 450
Recirculation of Mitigated Negative Declaration *(1)	2010	Actual Cost/Minimum charge deposit	\$ 210
Rezone *(1)	2010	Actual Cost/Minimum charge deposit	\$ 210
Specific Plans *(1)	2010	Actual Cost/Minimum charge deposit	\$ 340
Staff Approval Permit-with referral	2010		\$70
Street Name Change	2010		\$ 125
Subdivision Ordinance Exception	2010		\$ 140
Tentative Subdivision Map	2010	Actual Cost/Minimum charge deposit	\$ 550
Use Permit-Agricultural-All Tiers *(2)	2012		\$ 450

Use Permit - Non-agricultural zones *(2)	2012		\$	450
Use Permit-Required Board of Supervisors Approval *(2)	2012		\$	450
Zoning Ordinance Variance	2010		\$	160
Williamson Act Contract	2010		\$	70
Zoning Ordinance Amendment	2010	Actual Cost/Minimum charge deposit	\$	210

\*(1) Fees described above that require a deposit and are charged at "actual cost" have a minimum charge associated with them. The deposit required is the minimum charge and is non-refundable.\* This DOES NOT include any necessary consultant costs for environmental review, specialized studies, financial consulting or any other expert consulting services potentially needed by the County for processing these applications. Monthly draws against the deposit will be made based on staff time and materials needed to process the applications. Staff costs and expenses will be billed at fully burdened weighted labor rates at the time of services rendered.

All additional staff time and expenses needed to complete the application processing that exceed the deposit amount will be charged at actual cost, including labor charged at the weighted labor rate. Invoices will be calculated on a quarterly basis and forwarded to the applicant for balance of payment. If the deposit reaches 20% of the initial deposit or less, the Applicant will be asked to make a subsequent deposit in an amount dependent upon the amount of work left to complete on processing. Applicants will be expected to pay the subsequent deposit within 30 days of invoice date. In the event that the account is not paid within 30 days of the invoice date, processing will be suspended until such time that payment is made. Any remainder will be used to reconcile the final bill. If there is a balance remaining after reconciling the final bill, a refund check will be mailed to applicant. Public hearings will not be scheduled until payment in full is received.

\*(2) Department of Public Works charges for Condition of Approval or Development Standards Modifications, Parcel Maps, and Use Permits reflect a minimum charge of 5 hours at a weighted labor rate of \$70 per hour. Additional time required for these requests will be charged at the same rate.

\*(3) Fees described above that require a deposit and are charged at "actual cost". Staff costs and expenses will be billed at fully burdened weighted labor rates at the time of services rendered. Any deposit balance remaining at the completion of the project will be reimbursed to the applicant.

\* Fees may be refunded if the Planning Director, or his appointed designee, determines extraordinary circumstance warranting a refund exist.

STANISLAUS COUNTY ORDINANCE C.S. 1114

Upon motion of Supervisor Chiesa, seconded by Supervisor Withrow, Ordinance C.S. 1114 was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 8th day of May 2012, by the following called vote:

AYES: SUPERVISORS: Chiesa, Withrow, Monteith, De Martini and Chairman O'Brien,  
NOES: None  
ABSENT: None  
ABSTAINING: None

Ordinance C.S. 1114 amends existing fees and adopts new National Pollutant Discharge Elimination System (NPDES) Fees for the Department of Public Works - Engineering Division.

NOTICE IS FURTHER GIVEN that a full copy of the ordinance is available for review in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA. For further information, contact contact Diane Haugh in the Stanislaus County Department of Public Works at (209) 525-4100 or at 1716 Morgan Road, Modesto, CA.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: May 8, 2012

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk  
of the Board of Supervisors  
of the County of Stanislaus,  
State of California

BY:

  
Elizabeth A. King, Assistant Clerk



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Pub Dates May 15, 2012

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DECLARATION OF PUBLICATION  
(C.C.P. S2015.5)

COUNTY OF STANISLAUS  
STATE OF CALIFORNIA

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am a printer and principal clerk of the publisher of **THE MODESTO BEE**, which has been adjudged a newspaper of general circulation by the Superior Court of the County of STANISLAUS, State of California, under the date of **February 25, 1951, Action No. 46453**. The notice of which the annexed is a printed copy has been published in each issue thereof on the following dates, to wit:

**MAY 15, 2012**

I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed at **MODESTO, California** on

**MAY 15, 2012**

*Marie Dickman*

(Signature)

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5/8/12 A2a  
ORD-55-P-2