

ORDINANCE NO. ()

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING SONOMA COUNTY CODE SECTION 30-14 TO INCREASE REGISTRATION FEES FOR AUTOMATIC POINT OF SALE STATIONS (COMMERCIAL RETAIL SCANNERS) AND ADJUSTING FEES TO RECOVER THE REASONABLE COST TO PROVIDE SERVICES FOR THE CERTIFIED UNIFIED PROGRAM AGENCY HAZARDOUS MATERIALS PROGRAM, VINEYARD AND ORCHARD SITE DEVELOPMENT AND AGRICULTURAL GRADING AND DRAINAGE (VESCO) PROJECT REVIEW, CANNABIS CULTIVATION PROGRAM, HEMP REGISTRATION, CERTIFIED FARMERS' MARKET PROGRAM, FARM LABOR CONTRACTOR REGISTRATIONS, AND PHYTOSANITARY CERTIFICATE/CERTIFICATE OF COMPLIANCE FEES

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

Section I (CODIFIED). **Section 30-14 of the Sonoma County Code is hereby amended to read as follows:**

Section 30-14 Annual Registration Fee

An annual registration fee is required of each business location in the county that operates a point-of-sale system for commercial purposes. The annual registration fees are established by the Board of Supervisors to recover the reasonable cost of providing that service as set forth in the Agricultural Commissioner's Fee Schedule attached hereto as Exhibit A.

Section II. In addition, Sonoma County Code Chapter 29 authorizes the Board to adopt a schedule of fees and charges for services provided and permits issued pursuant to Chapter 29 of the Sonoma County Code to recover the reasonable cost of providing such services and issuing such permits; and

Section III. Health and Safety Code Chapter 6.95, Section 25513 authorizes the Board to adopt a schedule of fees to recover the costs incurred by the County in carrying out the provisions of Chapter 6.95 of Division 20 of the Health and Safety Code, and Sonoma County Code Chapter 11 and Chapter 36 authorizes the Board of Supervisors to establish fees and hourly rates for providing various reviews, inspections, permits and services made, issued and provided by the Department of Agriculture/Weights and Measures; and

Section IV. California Business and Professions Code Sections 12210, 12241 and 13350, California Code of Regulations Title 4, Chapter 3, Article 3, Section 4075 and Title 3, Section 1392. 8, California Food and Agriculture Code Section 11734 and Sections 5850-5852, Government Code Section 6253, Sonoma County Code Chapters 11, 26, 37 and other provisions of law authorize the Board of Supervisors to establish fees to recover

the reasonable cost of providing for various inspections, reinspections, testing, certificates, registrations and services made, issued and provided by the County Agricultural Commissioner/Sealer of Weights and Measures (collectively referred to as "Agricultural Commissioner Services").

Section V. To recover the reasonable costs of providing Agricultural Commissioner Services as documented by the NBS Consulting Fee Study dated August 21, 2021, it is necessary to adjust those Agricultural Commissioner fees as set forth in Exhibit A attached hereto and incorporated herein as though set forth in full (collectively referred to as "Agricultural Commissioner Fees"), commencing July 1, 2023.

Section VI. Based on information presented to this Board, this Board finds that the proposed Agricultural Commissioner Fees comply with all legal requirements, including Art. XIII C, Section 1(e)(1)-(3) of the California Constitution.

Section VII. In all other respects, previous fee resolutions and ordinances setting Agricultural Commissioner Fees and hourly rates shall remain in full force and effect.

Section VIII. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section IX. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, introduced on the 21st day of March, 2023, and finally passed and adopted this 9th day of May, 2023, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: Rabbitt: Gore: Hopkins: Coursey:

Ayes: Noes: Absent: Abstain:

WHEREUPON, the Chair declared the above and foregoing Ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Christina Rivera,
Clerk of the Board of Supervisors