

Additions are underlined.
 Deletions are ~~struck through~~.
 Revision markers are noted in left or
 right margins as vertical lines.

ORDINANCE NO.

**AN ORDINANCE OF THE NAPA COUNTY BOARD OF SUPERVISORS,
 STATE OF CALIFORNIA, AMENDING NAPA COUNTY CODE SECTION
 5.52.040 REGARDING ANNUAL REGISTRATION FEES FOR BUSINESSES
 USING COMMERCIAL WEIGHING OR MEASURING DEVICES AND/OR
 POINT-OF-SALE SYSTEMS**

The Board of Supervisors of the County of Napa ordains as follows:

SECTION 1. Section 5.52.040 (Annual registration fee) of Chapter 5.52 (Weighing and Measuring Device Registration) of the Napa County Code is amended to read in full as follows:

5.52.040 Annual registration fee.

- A. Weights and Measures Device Registration Fees~~Annual Registration Fees~~. The annual registration fees ~~due hereunder~~ are adopted pursuant to and under the authority of Business and Professions Code Sections 12240, as amended from time to time, ~~and 13350~~. The fees for Weighing and Measuring Device Registration shall be assessed at the maximum amount authorized in Section 12240 of the Business and Professions Code. ~~Annual fee amounts established pursuant to Business and Professions Code Section 12240 shall remain in effect until superseded by a change in Business and Professions Code Section 12240. Fee amounts established pursuant to Business and Professions Code Section 13350 shall remain in effect until superseded by a change in Business and Professions Code Section 13350. Annual registration fees are set by business location and the number of commercial devices and/or point-of-sale registers at each business location under common ownership or management, as follows:-~~

Table A
(Business Location Fees)

	Fee Authority	Fee Amount
Business location fee-	Business and Professions Code ("B&P") Section 12240(f)-	\$100.00 per business location-

Table B
(Device Fees)

Device	Fee Authority	Fee Amount
Water utility submeters	B&P Section 12240(g)(1)(A)	\$ 2.00
Electric utility submeters	B&P Section 12240(g)(1)(B)	3.00
Vapor utility submeters	B&P Section 12240(g)(1)(C)	4.00
Wholesale and vehicle meters	B&P Section 12240(m)	75.00
Liquefied petroleum gas meters	B&P Section 12240(l)(1)	185.00
Livestock scales, ≥2,000 lbs. and ;lt; 10,000 lbs.	B&P Section 12240(k)	100.00
Livestock scales, ≥10,000 lb	B&P Section 12240(k)	150.00
Weighing devices, ≥100 lbs. and ;lt; 2000 lbs.	B&P Section 12240(p)	50.00
Weighing devices, other than livestock scales, ≥2,000 lb and ;lt; 10,000 lb	B&P Section 12240(h)	150.00
Weighing devices, other than livestock scales, ≥10,000 lb	B&P Section 12240(h)	250.00
Computing scales	B&P Section 12240(n)	23.00
Jewelry and prescription scales	B&P Section 12240(o)	80.00
All other commercial weighing or measuring devices	B&P Section 12240(n)	20.00

~~**Table C**~~
~~**(Point of Sale Systems)**~~

Device	Fee Authority	Fee Amount
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Point-of-sale systems with 1—3 point-of-sale registers	B&P Section 13350(d)	180.00
Point-of-sale systems with 4—9 point-of-sale registers	B&P Section 13350(d)	269.00
Point-of-sale systems with 10 or more point-of-sale registers	B&P Section 13350(d)	329.00

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- B. Point-of-Sale Systems Fees. The point-of-sale system device fees are adopted pursuant to and under the authority of Business and Professions Code Section 13350. The point-of-sale system device fees are based on the number of point-of-sale registers at a single business location as set forth in Table AC.

Table AC
(Point-of-Sale Systems)

<u>Device</u>	<u>Fee Authority</u>	<u>Fee Amount</u>
<u>Point-of-sale systems with 1—3 point-of-sale registers</u>	<u>B&P Section 13350(d)</u>	<u>180.00</u>
<u>Point-of-sale systems with 4—9 point-of-sale registers</u>	<u>B&P Section 13350(d)</u>	<u>269.00</u>
<u>Point-of-sale systems with 10 or more point-of-sale registers</u>	<u>B&P Section 13350(d)</u>	<u>329.00</u>

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- C. Exemptions: Business location fees will be waived for a county certified producer who uses weighing and measuring devices solely in conjunction with sales at a county certified farmer's market.

SECTION 2. Pursuant to CEQA Guidelines Section 15273, CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of fees which the agency finds are for the purpose of recovering or partially recovering operating expenses.

SECTION 3. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision

shall not affect the validity of the remaining portions of this ordinance. The Napa County Board of Supervisors hereby declares it would have passed and adopted this ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

SECTION 4. This ordinance shall be effective thirty (30) days from and after the date of its passage.

SECTION 5. A summary of this ordinance shall be published at least once 5 days before adoption and at least once before the expiration of 15 days after its passage in the Napa Valley Register, a newspaper of general circulation published in Napa County, together with the names of members voting for and against the same.

The foregoing ordinance was introduced and read at a regular meeting of the Napa County Board of Supervisors, State of California, held on the ___ day of _____, 2021, and passed at a regular meeting of the Napa County Board of Supervisors, State of California, held on the ___ day of _____, 2021, by the following vote:

AYES:	SUPERVISORS	_____

NOES:	SUPERVISORS	_____

ABSTAIN:	SUPERVISORS	_____

ABSENT:	SUPERVISORS	_____

NAPA COUNTY, a political subdivision of the State of California

ALFREDO PEDROZA, Chair of the Board of Supervisors

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: Deputy County Counsel</p> <p>By: County Code Services</p> <p>Date:</p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date:- _____ _____</p> <p>Processed By: _____</p> <p>Deputy Clerk of the Board</p>	<p>ATTEST: Neha Hoskins Clerk of the Board of Supervisors</p> <p>By: _____ _____</p>
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I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE OF THE CLERK OF THE BOARD IN THE ADMINISTRATIVE BUILDING, 1195 THIRD STREET ROOM 310, NAPA, CALIFORNIA ON _____.

_____, DEPUTY
NEHA HOSKINS, CLERK OF THE BOARD