ORDINANCE NO 1200

AN ORDINANCE ESTABLISHING ANNUAL REGISTRATION FEES TO RECOVER THE COST OF TESTING AND INSPECTING WEIGHING AND MEASURING DEVICES

The Board of Supervisors of the County of Solano does hereby ordain as follows:

SECTION I

Chapter 32 of the Solano County Code is hereby added to read as follows:

ARTICLE I. Annual registration fee for Weighing and Measuring Devices.

Section 32-100. Purpose and Authority. The purpose of the Article is to establish an annual registration fee for weighing and measuring devices in order to recover the partial costs of inspecting and testing such instruments pursuant to Section 12210 of the Business and Professions Code, plus this Board's costs for the required meetings required preliminary to adoption of the fees. The authority for this Article is Article 2.1 (commencing with Section 12240) of Chapter 2 of Division 5 of the Business and Professions Code.

Section 32-101. Definitions. For purposes of this Article, unless the context otherwise requires:

(a) The term "weighing and measuring devices" shall mean those weighing and measuring devices classified by the Director of Food and Agriculture of the State
of California as subject to registration fees pursuant to Section 12241 of the Business and Professions Code. "Weighing and measuring devices" shall include small retail scales, taxi meters, and other devices of similar size and difficulty in testing, but shall not include any retail scale used primarily for the purpose of weighing feed and seed or any retail gasoline pump meters.

(b) The term "commercial purposes" shall have the meaning assigned to it by Section 12500 of the Business and Professions Code.

(c) The term "Weights and Measures Department" shall mean the Weights and Measures Department of the County of Solano.

(d) The term "Director" shall mean the Director of the Weights and Measures Department of the County of Solano.

(e) The term "person" shall have the meaning assigned to it by Section 12011 of the Business and Professional Code.

(f) The term "location" means the room enclosure, building, space or area where one or more weighing or measuring devices are located or operated.

Section 32-102. Registration Certificate Required. No person shall use any weighing or measuring device for commercial purposes without possessing a current Solano County registration certificate for such instrument. The certificate shall be in addition to any other certificate, license
or permit which may be required by Solano County or any other public entity.

Section 32-103. Application for Registration Certificate. An application for a registration certificate must be submitted to the Director in the form prescribed by the Director. The Director shall issue the registration certificate upon receipt of a completed application and payment of the applicable fee prescribed by Section 32-105 of this Chapter.

Section 32-104. Terms of Registration Certificate.

A registration certificate shall be valid for the remainder of the calendar year for which it was obtained. Each certificate shall expire on December 31 of the current year of registration and may be renewed from year-to-year for successive one-year periods upon payment of the applicable fee prescribed by Section 32-105 of this Chapter.

Section 32-105. Fees. The annual fees for weighing and measuring devices to be used at a fixed location throughout the term of the certificate shall be the maximum fees prescribed by subdivision (b) of Section 12241 of the Business and Professions Code and any subsequent amendments thereto. The maximum fees prescribed by Section 12241(b) of the Business and Professions Code as of the date of passage of this ordinance are as listed in the following table:

<table>
<thead>
<tr>
<th>Number of Devices</th>
<th>1 to 3</th>
<th>4 to 9</th>
<th>Over 9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charge per location</td>
<td>$20</td>
<td>$40</td>
<td>$60</td>
</tr>
</tbody>
</table>

Section 32-105.5. Exemption from Annual Fees. Each owner-operator of a produce stand which is open for business not more than eight months of each calendar year and which
sells exclusively products grown in Solano County shall be exempt from payment of the annual fees for a maximum of three weighing and measuring devices operated at the produce stand, provided that any such machines are transported annually by the owner-operator to the office of the Weights and Measures Department for inspecting, testing and registration.

Section 32-106. Persons to Whom Certificate Issued. A registration certificate may be issued to a corporation duly authorized to transact business in this state, or to a person operating under a fictitious name who has complied with all the provisions of Chapter 5 (Commencing with Section 17900) of Part 3 of Division 7 of the Business and Professions Code. Otherwise all such certificates shall be issued in the true name of the applicant. Except as above provided, no business, occupation or activity for which a certificate is required by this Article may be conducted under any false or fictitious name. A certificate issued to a corporation shall designate such corporation by the exact name which appears in the Articles of Incorporation of such corporation.

Section 32-107. Lost Certificate. If a current registration certificate has been lost, the person to whom it was issued may obtain a replacement from the manager upon application therefor to the Director.

Section 32-108. Transfer of Certificate A registration certificate is not transferable from one person to another, and is valid only for the specific instruments and, if the instruments are to be used at a fixed location, only for the specific location for which it is issued.

SECTION II.
This ordinance shall be published once before the expiration of FIFTEEN (15) DAYS after its final passage in the Daily Republic, a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage.

ATTEST:

JOHN S. BLACKLOCK

Clerk of the Board

of Supervisors

OSBY DAVIS, Chairman

Board of Supervisors

I, JOHN S. BLACKLOCK, Clerk of the Board of Supervisors of the County of Solano, State of California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting held June 21, 1983.

On motion of Supervisor Hewitt, Seconded by Supervisor Brann, this ordinance was adopted at a regular meeting of said Board on June 28, 1983, by the following vote:

AYES: SUPERVISORS BRANN, CUNNINGHAM, HEWITT, PIPPO, and CHAIRMAN DAVIS

NOES: SUPERVISORS: NONE

ABSENT: SUPERVISORS: NONE

WITNESS my hand and the Seal of said Board this 28th day of June, 1983.

John S. Blacklock, Clerk of the Board of Supervisors