

Ordinance No. 24-001

AN ORDINANCE OF THE COUNTY OF ORANGE, CALIFORNIA AMENDING SECTIONS 5-5-1, 5-5-3, 5-5-5, 5-5-6, 5-5-9, 5-5-10, 5-5-11, 5-1-12, 5-5-13 AND DELETING SECTION 5-5-8 OF THE CODIFIED ORDINANCES OF THE COUNTY OF ORANGE TO PROVIDE FOR REGISTRATION AND INSPECTION OF RETAIL MOTOR FUEL DEVICES AND PRICE SCANNERS AND TO INCREASE THE MAXIMUM ANNUAL FEES FOR REGISTRATION OF ALL COMMERCIAL WEIGHING AND MEASURING INSTRUMENTS.

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

SECTION 1: Sections 5-5-1, 5-5-3, 5-5-5, 5-5-6, 5-5-9, 5-5-10, 5-5-11, 5-5-12 and 5-5-13 of the Codified Ordinances of the County of Orange are hereby amended to read as follows:

Sec. 5-5-1. Authority and purpose.

This article is adopted pursuant to Division 5 of the Business and Professions Code, for the purpose of establishing a system for registering commercial weighing and measuring instruments and point of sale systems, and to recover the costs of inspection and testing pursuant to Sections 12210, 12210.3, 12210.5, 12211, 12240 and 13350.

Sec. 5-5-3. Registration certificate required.

No person shall use any weighing or measuring instrument or point-of-sale system, for commercial purposes without having a current registration certificate for such instrument or system. The certificate shall be in addition to any other certificate, license or permit which may be required by the County or any other public entity.

Sec. 5-5-5. Term of registration certificate.

A registration certificate shall be valid to June 30 of each year from the date of issuance and may be renewed from year to year for successive one-year periods upon payment of the applicable fee prescribed by section 5-5-6. The business owner/operator is responsible for renewing the registration on an annual basis.

Sec. 5-5-6. Fees.

The annual fee for devices and Point of Sale Systems to be used at a location throughout the term of the certificate shall be as prescribed in section 12240, 13350, 12210.5, 12210(b), and 12210.3 of the Business and Professions Code.

Sec. 5-5-9. Transfer of certificate.

A registration certificate is not transferable from one person to another, and is valid only for type devices or point-of-sale location for the specific location for which it is issued.

Sec. 5-5-10. Posting certificate.

Every person using any weighing or measuring instrument for which a registration certificate is required under the provisions of this article shall keep such certificate conspicuously posted at all times at the location where such instrument is being used or at a central location.

Sec. 5-5-11. Registration invoicing period.

The registration period shall commence on July 1 of each calendar year and terminate on June 30 of the following calendar year.

Sec. 5-5-12. Delinquent registrations.

Permittees who fail to pay new or renewed registration fees, in full, on or before the 45 days following invoice date will be subject to a penalty of one-quarter the total registration fee. The business owner/operator is responsible for registration or renewal on an annual basis.

Sec. 5-5-13. Annual registration fees.

- (a) The annual registration fees shall be assessed at the maximum amount authorized by Section 12240 of the California Business and Professions Code, as amended or superseded. The annual registration fees shall be the lower of either the State authorized maximum or the County's full recovery cost, based on OC Public Works determination of actual costs.
- (b) Pursuant to Business and Professions Code Section 12240, the annual registration fee shall consist of
 - (1) The applicable location fee, and
 - (2) All applicable device fees such as gas/electric/water meter fees, livestock scale fees, weighing devices, stationary and truck mounted LPG meter fees, compressed natural gas meter, wholesale and vehicle meter fees and general device fee.
- (c) Fees for testing of water submeters, including out of county water submeters, in accordance with Section 12210.3 of the California Business and Professions Code shall be:

	Current Fee	FY 24-25	FY 25-26	FY 26-27 or after
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Water Submeter Hourly Rate	\$163.00/hour + \$1.11/mile	\$ 172.00/hour	\$ 180.00/hour	\$ 180.00/hour
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- (d) Fees for inspecting and testing of commercial device at request of the owner or user authorized by Section 12210.5 of the California Business and Professions Code when inspection or testing of the device could legally be performed by a registered service agency shall be the State authorized schedule of uniform fees.
- (e) Fees for inspecting and testing of noncommercial device upon the request of any person, firm or corporation, calibrate, test, weigh, and measure, and certify to the accuracy of weights and measures and weighing and measuring devices, and instruments, tools, and accessories connected therewith authorized by Section 12210 (b) of the California Business and Professions Code shall be:

	Current Fee	FY 24-25	FY 25-26	FY 26-27 or after
Noncommercial Device Hourly Rate	\$163.00/hour + \$1.11/mile	\$ 172.00/hour	\$ 180.00/hour	\$ 180.00/hour

- (f) Fees for annual registration of Point-of-Sale Systems authorized by Section 13350(d) of the California Business and Professions Code shall be:

	FY 24-25	FY 25-26	FY 26-27 or after
Point of Sales System Location with 1-3 Price Scanners	\$ 155.00	\$ 163.00	\$ 165.00
Point of Sales System Location with 4-9 Price Scanners	\$ 236.00	\$ 249.00	\$ 252.00
Point of Sales System Location with 10+ Price Scanners	\$ 390.00	\$ 410.00	\$ 415.00

SECTION 2: Section 5-5-8 of the Codified Ordinances of the County of Orange is hereby deleted.