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## **PART 10**

### **GENERAL PROVISIONS**

Sec. 10.010. Imposition of Fees

Sec. 10.020. Waiver of Fees

Sec. 10.030. Processing Applications or Permits; Fees

#### **Sec. 10.010. Imposition of Fees.**

Fees adopted by resolution of the Board of Supervisors shall be collected by the Department indicated and deposited with the Treasurer-Tax Collector of Napa County. The fees shall be credited to a revenue account of the Department that collected the fee unless otherwise indicated. The amount of the prescribed fee does not include the fee for any environmental impact assessment required in connection therewith. No part of any fee shall be refundable, unless otherwise indicated. Under no circumstances shall a refund be processed for an amount less than \$15.00 or more than one year after fee payment.

#### **Sec. 10.020. Waiver of Fees.**

- (a) Unless otherwise specified, the County officer or employee responsible for collecting any fee established herein, or on appeal the County Executive Officer, may waive said fee if the following findings are made:
- (1) The waiver of the fee will advance a public policy; and
  - (2) The waiver of the fee is in the public interest and will promote a public benefit; and
  - (3) The applicant is a non-profit organization; and

- (4) The non-profit organization approved for a temporary event fee waiver or special event on roadways/road closure fee waiver has provided written assurance that a designated percentage of the proceeds of said event will be donated for the public benefit of the citizens of Napa County; and
- (5) The fee is not for a building, public works, or other permit whose user fee has been established to recover the full cost of service, according to County policy with the exception of roadways/road closure permits.
- (b) Each department shall keep and maintain records of the nature, number and dollar amount of fees waived by the various County departments, and shall quarterly submit copies of those records to the County Executive Officer.
- (c) The County Executive Officer shall prepare annual reports regarding the nature, number and dollar amount of fees waived by the various County departments and shall present those reports to the Board of Supervisors for review.
- (d) The Planning, Building, and Environmental Services Director shall reduce fees in the following amounts for all building permits submitted after October 7, 2017, for structures damaged or destroyed in the 2017 Napa Fire Complex:
  - (1) Plan Review – Environmental Health Fee by 50%; and
  - (2) Plan Review – Engineering Fee by 50%; and
  - (3) Plan Review – Planning Fee by 50%; and
  - (4) Plan Review – Standard by 50%; and
  - (5) Imaging Plan Retention by 100%; and
  - (6) Permit Issuance by 100%; and
  - (7) Building Inspection by 25%; and
  - (8) General Plan Surcharge by 100%.

To qualify for a fee reduction, the structure must meet all of the following criteria:

- (1) The original structure must have been legally established; and
- (2) The original structure must have been red- or yellow-tagged by the County as a structure damaged or destroyed in the 2017 Napa Fire Complex; and
- (3) The applicant must submit a complete building permit application to repair or replace the damaged or destroyed structure.

Only the initial replacement structure (defined as up to 125% of the pre-fire legally established livable space) shall qualify for a fee refund. Subsequent applications to modify, expand, or alter the initial replacement structure, after the replacement building permit has been issued, shall not have their fees reduced under these provisions.

For those permit applications submitted prior to the adoption of this Policy, the PBES Director shall issue refunds to the payee consistent with the above fee reductions.

Fee reductions shall expire on December 31, 2022. No permit applications submitted after the deadline shall be entitled to a fee reduction.

- (e) Public Right of Way Encroachment Permit Fees collected under Section 140.020 may be waived for the Town of Yountville and the Cities of American Canyon, Napa, St. Helena, and Calistoga if the jurisdiction has entered into an agreement with the County’s Director of Public Works to reciprocate such fees waivers within their jurisdiction. ~~(Reserved)~~
- (f) Upon a showing of a unique public benefit, the Director of Public Works shall have the sole discretion to waive Public Right of Way Encroachment Permit Fees otherwise collected under Section 140.020 without complying with subsections 10.020(a)(3, 4, and 5) of this Part III of the Policy Manual. Any encroachment fee waivers authorized pursuant to the Director’s discretion must comply with all other provisions of Section 10.020 “Waivers”. ~~(Reserved)~~

- (g) Upon request of an owner/operator, the Airport Manager shall have the discretion to waive up to two (2) nights of Overnight Parking Fees otherwise collected under Section 30.020 where the aircraft is being used (a) in connection with assisting a non-profit 501(c)(3) providing a public service, or (b) in support of Airport sponsored business and events.  
(Reserved)
- (h) The fees otherwise required to be paid by Section 80.020 (b) are waived in the case of applicants whose peddling or soliciting consists exclusively of the solicitation of orders to be filled solely by interstate shipment on behalf of business who do not maintain a place of interstate business and exemption shall be claimed yearly by filing by the application with the Director the following declaration, under penalty of perjury:
- “I declare that my business activity under the Napa County Solicitors and Peddlers Law will consist exclusively of the solicitation of orders to be filled solely by interstate shipment from business who do not maintain a place of intrastate business in the State of California.”
- Applicants who claim said exemption shall receive a permit restricted to the solicitation of orders to be filled solely by interstate shipment from businesses who do not maintain a place of intrastate business in the State of California.
- (i) The fees required by Section 115.110 may be waived by the Director of Public Works if the animal and bite victim reside at the same residence.
- (j) The Director or other Administrative Authority of the Environmental Health Division of Planning, Building and Environmental Services may waive up to 10% of the fees in Section 110.150 and 110.200 for facilities conducting a Department approved self-auditing program, such as the Green Business Program, which demonstrates reductions in Department expenses.
- (k) (Reserved)
- (l) Notwithstanding 10.020 (a) – (k) above, a non-profit organization approved for a Fee Waiver for a Temporary Event shall still pay a minimum processing fee of \$149 per application, as well as any applicable late fees.

**Sec. 10.030. Processing Applications or Permits; Fees.**

If a fee is not established elsewhere in this booklet for the processing of an application or permit, the fee shall be as follows:

- (a) Where publication or legal advertising is required \$50.00
- (b) Where publication or legal advertising is not required \$20.00