

**ORDINANCE NO. 620
(AS AMENDED THROUGH 620.4)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE
NO. 620 PROVIDING FOR IMPOSITION OF CHARGES FOR INSPECTION AND
TESTING OF CERTAIN COMMERCIAL AND NON-COMMERCIAL WEIGHING AND
MEASURING INSTRUMENTS**

The Board of Supervisors of the County of Riverside, Ordains as Follows:

SECTION 1. TITLE. This ordinance shall be known as the "Inspection and Testing of Non-Commercial Weighing and Measuring Instruments Ordinance."

SECTION 2. PURPOSE AND AUTHORITY. The purpose of the ordinance is to establish a schedule of fees for inspecting and testing certain commercial and non-commercial weighing and measuring instruments when the testing can legally be performed by a registered repairman. Ordinance No. 599 provides for owners of commercial weighing and measuring instruments to pay registration fees to partially defray the costs of inspecting and testing the instruments. The Business and Professions Code mandates the inspection and testing of these instruments. However, the County has no provision to recover costs for inspecting and testing instruments that are not mandated by the Business and Professions Code, such as non-commercial devices. The authority for this ordinance is Division 5, Chapter 2, Article 2 (beginning with Section 12210) of the California Business and Professions Code. The ordinance is adopted pursuant to Title 2, Division 2, Part 2, Chapter 1, Article 7 (beginning with Section 25120) of the Government Code.

SECTION 3. DEFINITIONS. Unless otherwise specifically provided or required by the context, certain terms or expressions used herein have meanings as set forth below:

- A. "Weighing and measuring instruments" shall mean "weighing instruments" or "measuring instruments" as each are respectively defined by Section 12500 of the California Business and Professions Code, excepting there from any retail scale used primarily for the purpose of weighing feed and seed.
- B. "Commercial purposes" shall have the meaning assigned to it by Section 12500 of the California Business and Professions Code.
- C. "Weights and Measures Division" means the Weights and Measures Division of the Department of Agriculture of the County of Riverside.
- D. "Sealer" means the Sealer of Weights and Measures of the Department of Agriculture and his duly authorized agents.

SECTION 4. FEES. All fees shall be based on the recommended schedule of fees published by the Division of Measurement Standards, State Department of Food and Agriculture, as revised from time to time. All fees collected shall be credited to the General Fund of the County and used only for the administration and enforcement of laws pertaining to the Weights and Measures Division.

SECTION 5. FEES FOR NON-COMMERCIAL DEVICES.

- A. The fees for the inspection and testing of non-commercial weighing and measuring devices shall be paid in accordance with the following schedule. All charges to be on a portal to portal basis plus mileage charges as indicated. Standby time will be computed at the same hourly rate as indicated for the particular device:

<u>Type of Device</u>	<u>Price Per Hour</u>
Small Capacity Scales	\$85.00*
Large Capacity Scales (all scales exceeding 3,000 lbs. capacity)	100.00*
Retail Gasoline Dispensers	70.00
Wholesale Petroleum Meters	70.00
Liquified Petroleum Gas Meters	70.00
All Other Devices	70.00

***Mileage charge to be added for scale testing.**

\$1.50 per mile for any vehicle up to 10,000 lbs. GVW, plus \$85.00 or \$100.00 per hour.

\$2.00 per mile for vehicles 10,000 lbs. to 40,000 lbs. GVW, plus \$100.00 per hour.

\$2.50 per mile for vehicles exceeding 40,000 lbs. GVW, plus \$130.00 per hour.

- B. An additional fee of equal amount shall be collected when devices are tested after 5:00 p.m. on weekdays, or on Saturdays, Sundays and Holidays.
- C. No devices will be tested between the hours of 8:00 p.m. and 8:00 a.m.
- D. Whenever a device cannot be sealed after the first test, and if additional tests are required, a fee of like amount shall be collected for each additional test.
- E. Whenever specialized equipment is rented to perform a requested test, the cost of the rented equipment will be prorated to the requesting agency.
- F. All requests for inspection will be made in writing.

SECTION 6. FEES FOR COMMERCIAL DEVICES WHEN REQUESTED BY OWNER/USER.

- A. The fees for the inspection and testing of commercial weighing and measuring devices when requested by owner/user shall be paid in accordance with the following schedule. All charges to be on a portal to portal basis plus mileage charges as indicated. Standby time will be computed at the same hourly rate as indicated for the particular device:

<u>Type of Device</u>	<u>Price Per Hour</u>
Small Capacity Scales.....	\$85.00*
Large Capacity Scales (all scales... exceed 3,000 lbs. capacity).....	100.00* 130.00*
Retail Gasoline Dispensers.....	70.00
Wholesale Petroleum Meters.....	70.00
Liquified Petroleum Gas Meters.....	70.00
All Other Devices.....	70.00

***Mileage charge to be added for scale testing.**

\$1.50 per mile for any vehicle up to 10,000 lbs. GVW, plus \$85.00 or \$100.00 per hour.

\$2.00 per mile for vehicles 10,000 lbs. to 40,000 lbs. GVW, plus \$100.00 per hour.

\$2.50 per mile for vehicles exceeding 40,000 lbs. GVW, plus \$130.00 per hour.

- B. An additional fee of equal amount shall be collected when devices are tested after 5:00 p.m. on weekdays, or on Saturdays, Sundays and Holidays.
- C. No devices will be tested between the hours of 8:00 p.m. or 8:00 a.m.
- D. Whenever a device cannot be sealed after the first test, and if additional tests are required, a fee of like amount shall be collected for each additional test.
- E. Whenever specialized equipment is rented to perform a requested test, the cost of the rented equipment will be prorated to the requesting agency.
- F. All requests for inspection will be made in writing.

SECTION 7. PAYMENT OF FEES AND PENALTIES.

Fees for the inspection and testing of weighing and measuring devices shall be due and payable upon completion of the services. Fees not paid upon completion of the services shall be subject to a surcharge of 10% of the total fees together with a charge for costs of collection and attorney fees, if any.

SECTION 8:

This ordinance shall take effect thirty (30) days after adoption.

Adopted: 620 Item 3.4 of 12/31/1985 (Eff: 01/30/1986)

Amended: 620.1 Item 3.5 of 10/14/1986 (Eff: 11/13/1986)

620.2 Item 3.5 of 10/20/1987 (Eff: 11/19/1987)

620.3 Item 9.4 of 03/06/1990 (Eff: 04/05/1990)

620.4 Item 9.3 of 05/09/2006 (Eff: 06/08/2006)