

RESOLUTION NO. 66,761-N.S.

CHANGES TO THE PLANNING AND DEVELOPMENT DEPARTMENT'S MASTER
FEE SCHEDULE

WHEREAS, the master fee schedule of the Planning Department is comprised of six different agencies: Building and Safety, Land Use Planning, Toxics Management Division (TMD), Public Works - Engineering, Office of Transportation and Housing Code Enforcement; and

WHEREAS, the Council of the City of Berkeley held a public hearing on May 20, 2014 to review the proposed changes to the TMD fee schedule which was approved by Resolution No. 66,598-N.S. effective July 1, 2014; and

WHEREAS, City staff discovered a portion of the text from the Master Fee Schedule did not print because of a clerical error. In addition, there were several categories with no fee increase, therefore, they were identified with the word "same" to suggest there was no change; and

WHEREAS, the clerical corrections have been made and the spreadsheet has been updated to reflect the actual amounts.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that fees for all development-related services provided by the Planning and Development Department shall be set forth in Exhibit A, attached hereto and incorporated herein, with an effective date of September 9, 2014.

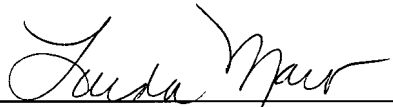
BE IT FURTHER RESOLVED that Resolution No. 66,598-N.S. be rescinded effective September 9, 2014.

The foregoing Resolution was adopted by the Berkeley City Council on September 9, 2014 by the following vote:

Ayes: Anderson, Arreguin, Capitelli, Maio, Moore, Wengraf, Worthington,
Wozniak and Bates.

Noes: None.

Absent: None.


Linda Maio, Mayor Pro Tempore

Attest: 
Mark Numainville, CMC, City Clerk

**Chapter C - TOXICS MANAGEMENT DIVISION
Certified Unified Program Agency (CUPA)**

Description																																
SECTION 1: Underground Storage of Haz. Materials Fees																																
1) Annual Operating Permit																																
a. First Tank Per Facility		\$1,575																														
b. Each Additional Tank		\$525																														
2) Miscellaneous Fees																																
a. New Installation																																
Base Fee (includes one tank)		\$4,200																														
Each Additional Tank		\$525																														
Additional Reviews/Inspections		\$210/hour																														
b. Closure/Removal - Business																																
Base Fee (includes one tank)		\$1,575																														
Each Additional Tank		\$735																														
Additional Reviews/Inspections		\$210/hour																														
c. Closure/Removal - Residential - Per Tank		\$630																														
d. Inspection or Repair/Replacement/Modification		\$210/hour																														
SECTION 2: Aboveground Petroleum Storage Act (APSA)																																
1) APSA Annual Fee Per Regulated Facility (<10,000 gal.)		\$210																														
2) APSA Annual Fee Per Regulated Facility (≥10,000 gal.)		\$315																														
3) Additional Inspection/Review		\$210/hour																														
SECTION 3: Hazardous Materials Management Fees																																
<p>1) Annual Fees - Hazardous Materials Release Response Plans (HMRRP) and Inventory Registration. Fees are based on total number of hazardous materials present (Table 1) and aggregate quantity of hazardous materials (Table 2). NOTE: All solids are measured in pounds, liquids in gallons, and gases in cubic feet at Standard Temperature and Pressure (STP).</p>																																
	FEES																															
	A-1	\$315																														
	A-2	\$630																														
	A-3	\$1,208																														
	A-4	\$1,785																														
	A-5	\$2,940																														
	B-1	\$420																														
	B-2	\$788																														
	B-3	\$1,575																														
	B-4	\$2,363																														
	B-5	\$3,360																														
	C-1	\$473																														
	C-2	\$945																														
	C-3	\$1,943																														
	C-4	\$2,940																														
	C-5	\$3,780																														
	D-1	\$578																														
	D-2	\$1,155																														
	D-3	\$2,363																														
	D-4	\$3,518																														
	D-5	\$4,410																														
<p>Table 1. TOTAL NUMBER OF HAZARDOUS MATERIALS ON SITE</p> <table border="1"> <thead> <tr> <th>Type</th> <th>Range</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>1 - 10</td> </tr> <tr> <td>B</td> <td>11 - 25</td> </tr> <tr> <td>C</td> <td>26 - 50</td> </tr> <tr> <td>D</td> <td>>50</td> </tr> </tbody> </table>			Type	Range	A	1 - 10	B	11 - 25	C	26 - 50	D	>50																				
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A	1 - 10																															
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<p>Table 2. AGGREGATE MAXIMUM QUANTITY OF HAZARDOUS MATERIALS ON SITE</p> <table border="1"> <thead> <tr> <th></th> <th>Gallons</th> <th>Cu. Ft.</th> <th>Lbs.</th> <th></th> </tr> </thead> <tbody> <tr> <td>1</td> <td>55 - 275</td> <td>200 - 999</td> <td>500 - 999</td> <td>D-1</td> </tr> <tr> <td>2</td> <td>276 - 549</td> <td>1,000 - 4,999</td> <td>1,000 - 9,999</td> <td>D-2</td> </tr> <tr> <td>3</td> <td>550 - 999</td> <td>5,000 - 24,999</td> <td>10,000 - 24,999</td> <td>D-3</td> </tr> <tr> <td>4</td> <td>1,000 - 10,000</td> <td>25,000 - 100,000</td> <td>25,000 - 100,000</td> <td>D-4</td> </tr> <tr> <td>5</td> <td>>10,000</td> <td>>100,000</td> <td>>100,000</td> <td>D-5</td> </tr> </tbody> </table>				Gallons	Cu. Ft.	Lbs.		1	55 - 275	200 - 999	500 - 999	D-1	2	276 - 549	1,000 - 4,999	1,000 - 9,999	D-2	3	550 - 999	5,000 - 24,999	10,000 - 24,999	D-3	4	1,000 - 10,000	25,000 - 100,000	25,000 - 100,000	D-4	5	>10,000	>100,000	>100,000	D-5
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Chapter C - TOXICS MANAGEMENT DIVISION	
Certified Unified Program Agency (CUPA)	
b. Etiological Agent Registration Fee	\$210
c. Radiological Materials Registration Fee	\$210
d. Limited hazardous materials registration for businesses handling hazardous materials under the <u>BMC Title 15</u> threshold but must report under Chapter 50 of the California Fire Code	\$210
e. Facilities subject to HMBP disclosure under Chapter 15 due to the handling of gases that are classified as a hazard for purposes of Section 5194 of Title 8 of the California Code of Regulations only for hazards due to simple asphyxiation or release of pressure, in aggregate quantities <1,000 cubic feet	\$210
SECTION 4: Hazardous Waste Generator and Treater Permit Registration Fees	
1) Annual Fees	
a. < 55 Gallons per year	\$210
b. >= 55 Gallons and <2Tons	\$260
c. >= 2 Tons and <5 Tons	\$315
d. >= 5 Tons and <12 Tons	\$945
e. >= .12 Tons and <25 Tons	\$1,995
f. >= 25 Tons and <50 Tons	\$4,200
g. >= 50 Tons and <125 Tons	\$6,090
h. >= 125 Tons to < 250 Tons	\$7,140
i. >= 250 Tons to < 500 Tons	\$13,230
j. >= 500 Tons and < 1,000	\$21,420
k. >= 1,000 Tons to <2,000 Tons	\$30,870
l. >= 2,000 Tons to < 4,000 Tons	\$41,580
m. >= 4,000 Tons	\$54,600
n. Acutely Hazardous Waste (>1 kg./month) Registration fee	\$420
o. Hazardous Waste Contingency Plan Review for Treatment, Storage, Disposal Permitted Waste Facilities	\$210/hour
p. Conditionally Exempted Permit Fee	\$420
q. Conditionally Authorized Permit Fee	\$735
r. Permit by Rule	\$1,785
s. Universal Waste	\$210/hour
SECTION 5: Site Remediation Investigation Fees	
1) Report Reviews/Site Visits/Plan Checks	\$210/hour
2) Third Party Professional Reviews	Actual Cost plus handling
3) Additional Reviews/Inspections	\$210/hour
4) Subsurface Investigation Permits:	
a. Monitoring Wells Installation/Destruction	
First Well	\$420
Each Additional Well	\$150
b. Soil Borings (5 feet or greater depth)	
First Boring	\$210
Each Additional Boring	\$150

Chapter C - TOXICS MANAGEMENT DIVISION	
Certified Unified Program Agency (CUPA)	
SECTION 6: Risk Management Plan Fees	
1) Third Party Professional Review	Actual Cost plus handling
2) Staff Participation in Hazardous Operability Study/Review/Oversight/Audit (1-hour min)	\$210/hour
3) Regulated Substance Registration fee (Extremely Hazardous)	
Program 1	\$5,040
Program 2	\$10,080
Program 3	\$14,070
SECTION 7: Miscellaneous Fees	
1) Miscellaneous hourly billing (all others)	\$210/hour
2) Copies of Documents	A.R. 3.3A
3) Clerical Staff	\$120/hour
4) Permit Service Center Review Fee (1/2 hour minimum)	\$210/hour
5) Emergency Response and Oversight of Clean-up Activities from Spills and Releases (3-hour minimum)	\$210/hour
6) Emergency Response Contractor	Actual Cost plus handling
7) Emergency Response Materials	Actual Cost plus handling
8) Penalty for Late Filing of Annual HMBP (charged for every month after deadline)	10% or \$50 min. per month
9) Penalty for Late Filing of Annual HWG Report (charged for every month after deadline)	10% or \$50 min. per month
10) Penalty for nonpayment of fees:	
After 60 days of initial billing date, assess a 10% penalty of the billed amount.	10% penalty of the billed amount
After 120 days of initial billing date, assess an additional 15% penalty of the original billed amount.	An additional 15% penalty of the original billed amount
11) Penalty for businesses operating without a valid permit	Double the Fee
12) Penalty for unpermitted UST installation/removal/modification; well construction, installation, destruction and/or modification	Double the Fee
13) Administrative fee for lien processing	\$210/hour
SECTION 8: State Surcharge	
All applicable state surcharges determined by the State are required to be billed and collected from regulated facilities and remitted to CalEPA quarterly.	