



# COUNTY OF EL DORADO, CALIFORNIA

## BOARD OF SUPERVISORS POLICY

Subject: <b>FEE WAIVING</b>	Policy Number: <b>B-2</b>	Page Number: <b>1 of 3</b>
	Originally Adopted: <b>11/08/1988</b>	Last Revised Date: <b>04/02/2019</b>

### I. PURPOSE

The purpose of this policy is to:

- A. Establish policies and procedures regarding consideration of requests for waiver of County fees, permit charges, and other administrative costs.
- B. Give special consideration for emergency projects by public agencies, and for life threatening fire safety needs being addressed for the public.
- C. Authorize the Chief Administrative Officer to waive fees according to established procedure and report said waivers to the Board of Supervisors.

### II. POLICY

- A. Except as otherwise provided by ordinance, County departments and offices shall charge all public agencies and non-profit organizations the same filing fees and other costs as those charged to private citizens, where those fees are levied to offset the County's costs to provide related services.
- B. Fees may be waived for building permits, encroachment permits, variances, zone reclassifications, administrative permits, use permits, or other County permits, only if the Chief Administrative Officer makes any one of the affirmative findings as specified below:
  1. The levying of the fee in question would result in extreme financial hardship to the requesting entity;
  2. The applicant has been delayed due to actions taken by the County;
  3. A facility or project proposed by a non-profit corporation or special district will provide a substantial public benefit;
  4. There is no actual cost to the County for the expense in question. For example, if the Building Department is required to inspect a structure, the fee related to providing this service will be levied. However, if inspection is not required, the fee may be waived;
  5. The project is being carried out by a local public agency and is an emergency project;



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6. The project is being carried out by a private agency primarily to address unresolved life threatening and/or fire safety issues for the public;
  7. The project has been damaged or destroyed by an act or event that has been declared a disaster by the Board of Supervisors, or a theft or crime where insurance is inadequate to pay the applicable fees.
- C. A fee for appeal of a decision of the approving authority may not be waived.

### III. PROCEDURE

- A. Fee waivers will be monitored per fiscal year and reviewed along with County operations, staffing and revenue status. The County relies on fees, permit charges, and other administrative charges for cost recovery. Consideration is given to the impacts of pro-bono work to ensure no delay is caused in meeting internal goals for timely plan review/inspections.
- B. An applicant applying for a fee waiver shall present a request in writing to the Department Head of the department that charges the fee in question. The request shall contain a description of the project in question along with documentation necessary to establish eligibility for a deferral or waiver.
- C. An applicant applying for a fee waiver based upon non-profit status shall submit the necessary documentation to verify such status.
- D. An applicant for a fee waiver based upon financial hardship/low-income will be required to certify gross annual income and household size. The department that charges the fee in question will use the annual Department of Housing and Urban Development (HUD) area Median Family Income table to determine eligibility. Current low-income eligibility is set at 80% area Median Family Income (OR persons age 62 or over on a fixed, very low income as defined by HUD).
- E. A maximum amount of up to \$1,000 may be waived for each requestor per project per fiscal year (July 1 through June 30), unless approved by the Board of Supervisors.
- F. The department that charges the fee in question shall review the request, determine eligibility and make recommendations in writing to the Department Head. Determinations shall be made in accordance with all applicable laws, regulations and policies.
- G. The Department Head will review the request and present it to the Chief Administrative



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Officer. The Chief Administrative Officer will approve or disapprove the request for fee waiver in accordance with provisions set forth in this policy and report said waivers to the Board of Supervisors.

- H. The Chief Administrative Officer shall have the discretion and authority to waive all or a portion of the fees for projects that meet these criteria up to \$1,000. Fee waivers over \$1,000 shall require the approval of the Board of Supervisors.
- I. If a previous waiver was granted for the same project, no additional waiver will be granted, unless approved by the Board of Supervisors.
- J. This policy does not apply to annual operating permits or licenses. Fee waivers will not be granted to individuals or businesses responsible for the payment of an annual permit to operate or license unless approved by the Board of Supervisors.
- K. Fee waivers shall not be granted for projects that require a Time and Materials agreement, unless approved by the Board of Supervisors.

**IV. RESPONSIBLE DEPARTMENT:**

Chief Administrative Office  
 El Dorado County Department Responsible for the Fee (as delineated by Fee Resolutions)

**V. DATES (ADOPTED, REVISED, NEXT REVIEW):**

<b>Originally Adopted:</b>	11/08/1988		
<b>Last Revision :</b>	04/02/2019	<b>Next Review:</b>	04/02/2023