

WAIVER OF COUNTY FEES POLICY

This policy shall supersede Resolution No. 2015-030, Waiver of County Fees, adopted by the Trinity County Board of Supervisors on March 17, 2015, which succeeded Policy No. 2003-03(P), Waiver of County Fees adopted by the Trinity County Board of Supervisors on December 2, 2003.

In order to provide for the uniform application of County Fee Waivers and to provide for a reasonable, non-discriminatory basis for determining those entities eligible and qualified for the waiver of fees, it is the **Purpose, Policy** and **Procedure** of the Board of Supervisors, that:

I. PURPOSE:

- A. To recognize that many service organizations, non-profit entities, and other local public agencies provide public benefit to the citizens of Trinity County and that the cost of the County providing services should normally be paid by the organization as a cost of conducting the activity.
- B. To establish policies and procedures regarding consideration of requests for waiver of County fees, permit charges, and other administrative costs.
- C. Give special consideration for emergency projects by public agencies, and for life threatening fire safety needs being addressed for the public.
- D. Authorize the County 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. The proposed project contemplated under the fee waiver request is not for the purpose of fund raising;
- C. Fees shall not be waived for completed projects;
- D. 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.
- E. Fee waivers shall not be granted for projects that require a Time and Materials agreement, unless approved by the Board of Supervisors.
- F. Fee waivers applications shall only be accepted and considered from service organizations, non-profit entities, and local public agencies.
- G. Fees may be waived for building permits, encroachment permits, variances, zone reclassifications, administrative permits, use permits, administrative hearings or other County permits, only if the County Administrative Officer makes any one of the affirmative findings as specified below:
 1. The applicant's financial resources are such that, without waiver of fees, the project would not go forward and the proposed project provides a public benefit to the citizens of Trinity County;
 2. The applicant has been delayed due to action/inaction taken by the County and there is compelling documentation to support this finding.
 3. Facility or project proposed by a service organization, non-profit, or other public agencies, will provide a public benefit to the citizens of Trinity County;
 4. The applicant provides emergency and/or first responder services which are of public benefit;
 5. 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;
 6. The project is being carried out by a service organization, non-profit, or local public agency and is an emergency project, and/or primarily to address unresolved life threatening and/or fire safety issues for the public;

H. A fee for appeal of a decision of the approving authority may not be waived.

III. PROCEDURE:

A. Applicant:

1. Application Submittal Process
 - i. An applicant applying for a fee waiver shall submit a completed Waiver of County Fees application to the department that charges the fee(s) in question.
 - ii. The request shall contain a description of the project and associated fees, along with documentation necessary to establish eligibility for a waiver.
 - iii. Be signed by an authorized signer.
2. An applicant applying for a fee waiver based upon non-profit status shall submit the necessary documentation to verify such status.
3. An applicant for a fee waiver based upon financial hardship/low-income will be required to certify gross annual income and household size.
4. 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.

B. County:

1. Application Processing
 - i. The department that charges the fee in question shall review the application, determine eligibility and make recommendation(s) in writing to the Department Head. Determinations shall be made in accordance with all applicable laws, regulations and policies.
 - ii. The Department Head will review the request and present the application and a recommendation to the County Administrative Officer.
 - iii. The County 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 at the next regularly scheduled Board of Supervisors meeting during his/her report out.
 - iv. The County 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 \$2,500. Fee waivers over \$2,500 shall require the approval of the Board of Supervisors.
 - The County Administrative Officer, or designated staff, will prepare the board agenda request for consideration under *County Matters*.
 - The Deputy Board Clerk will notify the applicant of the scheduled date for any fee waiver being sent to the Board of Supervisors for consideration.
 - The County Administrative Officer will review approved/denied waiver requests with the Board of Supervisors quarterly [March, June, Sept., and Dec.]
2. If a previous waiver was granted for the same project, no additional waiver will be granted, unless approved by the Board of Supervisors.
3. 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

**TRINITY COUNTY
APPLICATION FOR WAIVER OF COUNTY FEES**

Pursuant to County Fee Waiver Policy

- 1. Eligible entities shall include public entities and private non-profit entities that meet the criteria listed in Section 2.**
- 2. Fees may be waived for building permits, encroachment permits, variances, zone reclassifications, administrative permits, use permits, administrative hearings or other County permits, only if the County Administrative Officer makes any one of the affirmative findings as specified below (check all that to your request):**
 - The applicant's financial resources are such that, without waiver of fees, the project would not go forward and the proposed project provides a public benefit to the citizens of Trinity County;
 - The applicant has been delayed due to action/inaction taken by the County and there is compelling documentation to support this finding;
 - Facility or project proposed by a service organization, non-profit, or other public agencies, will provide a public benefit to the citizens of Trinity County;
 - The applicant provides emergency and/or first responder services which are of public benefit;
 - 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;
 - The project is being carried out by a service organization, non-profit, or local public agency and is an emergency project, and/or primarily to address unresolved life threatening and/or fire safety issues for the public;
- Please provide a written explanation/justification for all checked above items.
- 3. Fees shall not be waived on completed projects.**
- 4. Fees shall not be waived on 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.**
- 5. Fee shall not be granted for projects that require a Time and Materials agreement, unless approved by the Board of Supervisors.**
- 6. If a private, non-profit corporation, please demonstrate that your agency provides significant public services to Trinity County residents in a manner that does not discriminate on the basis of age, sex, handicap, color, creed, religion or national origin.**

All applications for fee waivers shall be made in writing, signed by a duly authorized officer or individual representing the Entity, and **submitted directly to the Department Head of the County Department that applicant is requesting a fee waiver.**

Name of Applicant: _____

Mailing address, phone number and email address of Applicant:

County Department Processing Application or Permit Requiring Fee:

Amount of Fee(s) broken down by County Department:

Department	Fee
	\$
	\$
	\$

Description of Project (attach separate sheet if needed):

Signature of Applicant: _____ Date: _____

For County Use Only

Department Head Recommendation:

- Approve as submitted*
- Deny as submitted*

Signature of Department Head: _____ *Date:* _____

Sent to CAO on _____ *(date)*

CAO Decision:

- Approve as submitted*
- Send to BOS for Review*
- Deny as submitted*

Signature of CAO: _____ *Date:* _____