San Bernardino County Flood Control District

Schedule of Fees Ordinance No. FCD 18-01

Effective July 1, 2018

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		permits will be negotiated as leases on an individual basis. Existing									
land use permits will be reissued as leases upon expiration of the											
permit.		permit.									

Deposits for Developer Deposit Accounts and Project Trust Accounts:

An initial deposit is required for each actual cost service or process. The initial deposit is as specified in this ordinance. If no amount is specified, the initial deposit is the San Bernardino County Flood Control District's initial estimate of the actual cost of the service or process. The San Bernardino County Flood Control District may revise its estimate at any time during the processing of the service or process. If a revised estimate is higher than a previous estimate, the San Bernardino County Flood Control District may require an additional deposit. Notice of any required additional deposit and deposit shall be mailed (including email) to the applicant. The notice shall include the date by which the deposit must be made, and shall inform the applicant that unless provision for payment is made by the date specified, the application will be deemed denied without prejudice, without further action by the San Bernardino County Flood Control District. Any such denial without prejudice is not appealable. Each estimate shall be the result of a good faith attempt to determine the probable actual cost of the service or process based on the nature of the project, the District's experience in processing similar services or processes, and applicable rates. In addition, the Flood Control Engineer or designee has the authority, with agreement of the applicant, to increase or decrease the required initial deposit amounts based on the complexity of the service or process. Initial deposits or any additional deposits or all services or processes related to a project shall be placed and combined into a Project Trust Account. Such combined deposited funds will be utilized as the source of payment for any flat fee service, security deposit, or actual cost service on that project. In addition, deposits may also be placed in a Development Deposit Account. Deposited funds in a Developer Deposit

4. Applicant's obligation to pay actual cost:

The applicant shall pay the actual cost of the project, regardless of any estimate; except that the applicant is not obligated for costs incurred after the applicant delivers to the San Bernardino County Flood Control District either an unconditional written withdrawal of the application, or a written notice to stop work which includes a waiver of any applicable time limits for processing the application.

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Waiver/refund of fees:

- Except as otherwise provided by law, the San Bernardino County Flood Control District Board of Supervisors, by Board action, can waive or refund any fee set forth in this ordinance or any other fee levied by the Flood Control District provided one of the following conditions is met:
 - A. The service for which the fee was levied has not and will not be performed; or
 - B. The fee was collected in error; or
 - C. For other good cause shown, provided such waiver/refund would serve a San Bernardino County Flood Control District purpose
- In the event of a disaster, or other good cause shown to serve a San Bernardino County Flood Control District purpose, the Flood Control Engineer may waive or refund any fee set forth in
 this Ordinance or any other fee levied by the San Bernardino County Flood Control District provided all of the following conditions are met:
 - A. Exigent conditions exist whereby obtaining Board approval of the fee waiver/refund would not be immediately feasible; and
 - B. The amount of the waiver/refund would not exceed \$3,000 per event; and
 - C. The San Bernardino County Flood Control District receives concurrence from the County Administrative Office
- The Flood Control Engineer, or designee, may refund any fee or deposit set forth in this ordinance provided one of the following conditions is met:
 - A. The service for which the fee or deposit was levied has not and will not be performed; or
 - B. The fee or deposit was collected in error; or
- C. Unused deposit monies remain on actual cost projects when all charges for the project have been recorded.
- 4. Agencies with an elected board and cities are exempt from the filing fees and administrative amendment fee.
- 5. The State is exempt from the filing, administrative amendment and review fees.