

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
City Clerk	City Clerk Services	See table below	1,2	2005

Description	Fee
Photocopies	\$0.10/copy
Video tapes and DVDs	\$20 per tape or DVD
Audio tapes	\$5 if supplied; \$10 without
Municipal Code	Actual Cost
Municipal Code updates	Actual Cost
Appeals to City Council	\$100
Entertainment Event Permits (MMC* III-5-1.01)	\$100
Bingo Permits (MMC III-7-17.00)	\$10/regular \$25/special
Ordinances – single copies	Free for first 15 pages; thereafter, copy rate applies except for certain items listed in Res 5762
Uniform code	Cost + \$2 fee
Standard Specifications	\$25
Blueprints & maps	\$5.00 for base map; \$2/copy all other blueprints
Elections	
• Filing fee to run for office	\$0
• Fee to print candidate statement in County sample ballot	\$1,680 (as of 2006)**

*MMC = Milpitas Municipal Code

** per County Registrar of Voters

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Engineering	Permitting Automation Fee	See Below	1	Res 7590 5/16/06

RESOLUTION NO. 7590

A RESOLUTION OF THE COUNCIL OF THE CITY OF MILPITAS AMENDING THE BUILDING FEE SCHEDULE TO INCLUDE A 2.5% PERMITTING AUTOMATION FEE EFFECTIVE JULY 1, 2006

WHEREAS, the City of Milpitas wishes to collect a permitting automation fee to fund automation related to the issuance of permits and other land development activities; and

WHEREAS, The Milpitas City Council approved the amendment of the fee schedule to collect such fees on the following:

- Building Permits
- Fire Safety Construction Permits
- Eng & Planning Services
- Planning Fees
- Traffic Impact Fees
- Park in-lieu Fees
- Water Line Ext. Connection Fees
- Sewer Connection Fees
- Treatment Plant Fees
- Storm Drain Connection Fees

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Milpitas as follows:

The fee schedule is amended to include a permitting automation fee on the above listed permits and services, effective July 1, 2006.

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Engineering	Water Service Charges	See below	2	Ord. 120.20 7/20/82

Section 6 Water Service Charges

VIII-1-6.01 Water Rate Established

Water delivered by the City will be charged for on a calendar bi-monthly basis at the rates set forth in this ordinance.
(Ord. 120.20, 7/20/82)

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Engineering	Water Service Charges, Construction Water	See below	2	Ord. 120.42 5/18/04

VIII-1-6.05 Construction Water

Construction shall be considered to be of two types (a) general construction, which includes all construction other than structural, and (b) structural construction which includes construction of all types of structures. All construction water use shall be metered.

6.05-1 If a user desires general construction water service and does not wish to install a permanent water meter in accordance with subsection 6.05-2, the user shall be required to complete a permit application and deposit \$2,000 with the City. If the anticipated water usage from the construction or the value of the water meter warrants it, the City may require a general construction water deposit in excess of \$2,000. Upon receipt of the completed application and deposit, the City shall issue a general water construction permit and provide the user with a temporary meter to draw such water from city hydrants. Permits shall be granted for a period not to exceed six months with one six-month extension granted by the City upon request. If the source of construction water is a fire hydrant, an approved spanner wrench shall be used for operating the hydrant. General construction water service will be charged at the commercial water quantity rate with fixed charges as designated in Sections 6.13 and 6.14. The user shall maintain a copy of the temporary meter permit at the site when using the meter. At the conclusion of the permit period, the user shall return the meter and report the amount of water used. The City will calculate the charges and return any amounts remaining from the deposit. If a permit in excess of one year is required, a new permit is required, and the meter must be returned for inspection prior to issuance of the new permit. If a meter is damaged, destroyed, or lost, the entire deposit shall be forfeited. Use of temporary meters not issued by the City of Milpitas is prohibited.

6.05-2 Structural construction. Prior to receiving structural construction water service, the user shall open a utility account with the City, arrange for installation of the permanent water meter, and pay charges in accordance with Sections 6.13 and 6.14. (Ord. 120.42 (1), 5/18/04; Ord. 120 (part), 9/1/64)

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Engineering	Water Service Charges, Deposits for service	See below	2	Ord. 120.45 5/5/09

VIII-1-6.06 Deposits for Service

Section VIII-1-6.06-1 of the Milpitas Municipal Code is hereby repealed in its entirety and replaced with the text below to read as follows:

6.06-1 As a condition precedent to providing or restoring service for single-family residential accounts, a cash deposit of One Hundred and Fifty Dollars (\$150.00) per meter shall be required. After a continuous twelve (12) month period of satisfactory payment history, the cash deposit, without interest, may be refunded through credit to the next utility bill. Satisfactory payment history is established when a customer does not incur any one or more of the following charges within a continuous twelve month period: late payment penalties, turnoffs, or returned checks due to insufficient funds. Under no circumstances will the cash deposit be refunded if the City has any evidence of meter tampering or water diversion, regardless of payment history. Otherwise, the deposit, without interest, will be refunded through a credit to the last utility bill at the termination of service. The deposit may be waived for customers applying for residential utility service who (i) within the past five-year period terminated a former City of Milpitas utility service account with a satisfactory payment history at the time of termination or (ii) have other evidence of sufficient credit worthiness in the payment of utility services, as determined in the sole discretion of the Finance Director.

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Engineering	Water Service Charges, Meter Tests	See below	2	Ord. 120.45 5/5/09

VIII-1-6.08 Meter Tests

If requested by a customer as a result of an apparently excessive bill, the City will conduct a meter test. The customer will be requested to be present at such test. Customers may request up to three (3) meter accuracy tests in any twelve (12) month period at no charge. If additional tests are requested within the twelve (12) month period, the customer shall pay Fifty Dollars (\$50.00) for each subsequent test.

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Engineering	Water Service Charges, Time for Payment, Late fee	See below	3	Ord. 120.42 5/18/04

VIII-1-6.09 Time for Payment

All accounts are due and payable within fifteen (15) days of the date of the bill. Accounts shall become delinquent and a late fee equal to five percent of the amount due shall be imposed if payment has not been received by 5:00 p.m. on the due date.
(Ord. 120.42 (2), 5/18/04; Ord. 120 (part), 9/1/64)

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Engineering	Water Service Charges, Discontinuance of Service	See below	3	Ord. 120.42 5/18/04

VIII-1-6.10 Discontinuance of Service

Service may be discontinued for any infraction of City rules or regulations and shall be discontinued for any account, which is more than thirty (30) days delinquent. Prior to discontinuing service for delinquent accounts, a final notice shall be issued to delinquent accounts and payment shall be due within fifteen (15) days of the date of the final notice. If payment has not been received by 5:00 p.m. of the due date of the final notice, an additional late fee equal to five percent of the amount then due shall be imposed, and a twenty-four (24) hour warning notice shall be placed on an exterior door of the building where service is provided and for which payments are delinquent. If the City posts a warning notice, an additional service charge of ten dollars (\$10) shall be imposed on the delinquent account.

Said warning notice shall state that water service will be discontinued if payment of the delinquent account is not received by 5:00 p.m. of the due date indicated on the warning notice. If payment has not been received by 5:00 p.m. of the due date on the warning notice, water service shall be discontinued.

(Ord. 120.42 (3), 5/18/04; Ord. 120.13 (part), 1/4/77; Ord. 120 (part), 9/1/64)

VIII-1-6.11 Restoration of Discontinued Service

Restoration of service, which has been discontinued for nonpayment of a bill, may be had by payment of all outstanding charges to date plus a fifty-dollar (\$50.00) service charge, at the offices of City. If restoration is requested outside of normal business hours, an additional service charge of twenty-five (\$25) shall be imposed. Restoration of service, which has been discontinued for any other infraction of a rule, may be had by presentation of evidence of compliance and payment of a fifty-dollar (\$50.00) service charge at the offices of the City. The City Manager shall have authority to vary the strict application of this rule where he deems it necessary for the good of the City or to prevent undue hardship.

(Ord. 120.42 (4), 5/18/04; Ord. 120.13 (part), 1/4/77; Ord. 120 (part), 9/1/64)

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Engineering	Water Service Charges, Quantity Charges	See below	2	Ord. 120.45 5/5/09

VIII-1-6.13 Quantity Charges

The quantity charges per hundred cubic feet for metered water service shall be as follows:

Categories	Year 1 (June 4, 2009 to April 18, 2010)	Year 2 (April 19, 2010 to June 30, 2011)
Residential customers (per dwelling unit)		
1 - 20 hcf	\$1.62	\$1.77
>20+ hcf	\$3.41	\$3.72
Commercial, Industrial, Institutional and Construction Meter	\$3.71	\$4.04
Recycled Industrial Process Use	\$1.86	\$2.02
Recycled Sanitary Use (Inside Dual Plumbing)	\$1.86	\$2.02
Potable Irrigation	\$4.24	\$4.62
Recycled (Formerly Served by Wells)	\$0.75	\$0.81
Recycled (Agricultural Service)	\$0.34	\$0.37
For City Accounts (Recycled)	\$0.94	\$1.03
Recycled (All others)	\$3.39	\$3.70
Santa Clara County (Ed Levin Park)	\$1.66	\$1.94
City of Milpitas accounts (potable)	\$1.60	\$1.81

1 hcf = One Hundred Cubic Feet = 748 Gallons

No adjustments shall be granted to any water account holder due to variation in the days of service for any bimonthly billing period. Acceptable days of service range from 50 to 69 days per bimonthly billing period.

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Engineering	Water Service Charges, Bimonthly Water Meter Charges	See below	2	Ord. 120.45 5/5/09

VIII-1-6.14 Bimonthly Water Meter Charges

The bimonthly charges for water meters shall be as follows:

(a) For Residential Customers:

Water Meter Size	Year 1 (June 4, 2009 to April 18, 2010)	Year 2 (April 19, 2010 to June 30, 2011)
5/8"	\$20.56	\$22.41
3/4"	\$21.85	\$23.82
1"	\$31.04	\$33.83
1-1/2"	\$39.15	\$42.67
2"	\$51.09	\$55.69
3"	\$136.78	\$149.09
4"	\$173.33	\$188.93
6"	\$264.51	\$288.32
8"	\$346.55	\$377.74
10"	\$501.65	\$546.80

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Engineering	Water Service Charges, Bimonthly Water Meter Charges	See below	2	Ord. 120.45 5/5/09

VIII-1-6.14 Bimonthly Water Meter Charges, continued

(b) For Non-Residential Customers (excluding Recycled Water Customers who formerly used well water) :

Water Meter Size	Year 1 (June 4, 2009 to April 18, 2010)	Year 2 (April 19, 2010 to June 30, 2011)
5/8"	\$21.69	\$23.64
3/4"	\$23.06	\$25.14
1"	\$32.82	\$35.77
1-1/2"	\$41.38	\$45.10
2"	\$53.96	\$58.82
3"	\$144.45	\$157.45
4"	\$183.01	\$199.48
6"	\$279.35	\$304.49
8"	\$366.00	\$398.94
10"	\$529.79	\$577.47

(c) For Recycled Water Customers Who Formerly Used Well Water:

\$60.00 bimonthly

(d) For Temporary Construction Meter Customers:

\$150.00 bimonthly

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Engineering	Water Service Charges, Fire Service Charges	See below	2	Ord. 120.45 5/5/09

VIII-1-6.15 Fire Service Charges

VIII-1-6.15 Fire Service Charges

The bimonthly charges for “ready to serve” detector check valve fire suppression systems shall be made on the basis of the size of the detector check valve, and shall be as follows:

(a) For Residential Customers:

Detector Check Valve Size	Year 1 (June 4, 2009 to April 18, 2010)	Year 2 (April 19, 2010 to June 30, 2011)
2”	\$32.87	\$35.83
3”	\$49.38	\$53.82
4”	\$54.87	\$59.81
6”	\$71.36	\$77.78
8”	\$87.79	\$95.69
10”	\$104.26	\$113.64

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Engineering	Water Service Charges, Fire Service Charges. continued	See below	2	Ord. 120.45 5/5/09

VIII-1-6.15 Fire Service Charges, continued

(b) For All Other Customers:

Detector Check Valve Size	Year 1 (June 4, 2009 to April 18, 2010)	Year 2 (April 19, 2010 to June 30, 2011)
2"	\$34.77	\$37.90
3"	\$52.16	\$56.85
4"	\$57.96	\$63.18
6"	\$75.37	\$82.15
8"	\$92.69	\$101.03
10"	\$110.06	\$119.97

Water flowing through detector check valves shall be used solely for the purpose of fire protection and testing of such fire protection systems. In the event that water service provided through detector check valve fire suppression systems is used for purposes other than for fire protection or the testing of such fire protection systems, a quantity charge of \$14.75 per hundred cubic feet shall be imposed for water use that exceeds one hundred cubic feet per billing period.

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Engineering	Water Service Charges, Fire Service Charges. continued	See below	2	Ord. 120.45 5/5/09

VIII-1-6.16 Billing and Effective Dates of Water Rates and Charges

VIII-1-6.16 Billing and Effective Dates of Water Rates and Charges

(a) **Billing.** After the Ordinance adopting the charges set forth in this Section goes into effect, customers shall be subject to the water charges, set forth in Section 6.06 (Deposits for Service), 6.08 (Meter Tests), 6.13 (Quantity Charges), 6.14 (Bimonthly Water Meter Charges), and 6.15 (Fire Service Charges), in effect as of the beginning date of the bimonthly billing period or deposit period for which a customer is charged.

(b) **Rate Program.** The water service charges for the time period between June 4, 2009 and June 30, 2011 are as set forth in this Section. In the absence of an amendment of the rates set forth herein or adoption of a new rate ordinance, the rates for Service Year 2 (April 19, 2010 to June 30, 2011) shall also remain in effect for subsequent billing periods and service years.

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Engineering	Water Service Charges, Meter Maintenance	See below	3	Ord. 120.42 5/18/04

VIII-1-6.17 Meter Maintenance

All water meters shall be maintained, repaired and replaced by the City. Where replacement, repair or adjustment of any meter or appurtenance is made necessary by the purposeful acts, neglect, excessive demands or carelessness of the owner or occupant of any premises, any expense thereby caused to the City shall be charged to and collected from the owner or occupant of the premises. There shall be a minimum charge of one hundred fifty dollars for each such incident.

(Ord. 120.42 (8)(part), 5/18/04; Ord. 120.11, 4/16/74; Ord. 120 (part), 9/1/64)

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Engineering	Water System Connection Fees	See below	2	Ord. 120.41 6/3/03

VIII-1-7.01 Connection Fees; Computation of Fees

Prior to connection to any water line of City, or issuance of building permit (whichever occurs first), or prior to a change in use that results in an increased average daily water use due to the change in use, connectors or developers shall pay to the City a fee for connection to the City's water system as shown below:

7.01-1.1 \$1,910 per single-family residence.

7.01-1.2 \$1,164 per dwelling unit for multi-family developments.

7.01-1.3 \$5.97 per gallon per day of estimated average daily water use for non-residential sites.

Notwithstanding the foregoing, connectors or developers with projects meeting the following criteria shall be subject to the provisions of this section in effect prior to the effective date of the amendments to this section enacted by Ord. No. 120.41:

- (a) Projects requiring discretionary planning approval with applications that are deemed complete prior to July 15, 2003; and
- (b) Projects that do not require discretionary planning approval that receive building permits prior to July 15, 2003.

7.01-2 Front Footage Fees: Connector shall pay the sum of Eight Dollars (\$8.00) per front foot for each foot of connector's land which borders on a water main of City installed by City, or for which funds have been advanced by City or concerning which City has entered into a front foot reimbursement contract, even though said land may not receive water service by direct connection to said main; provided, however, connector shall not be required to pay more than One Thousand Six Hundred Eighty Dollars (\$1680.00) per dwelling unit on his land.

(a) Corner Lots: Connector shall pay one-half (1/2) of the established front footage fee per front foot for the first one hundred feet (100") on each side of a corner created by the intersection of two (2) water mains; connector shall pay the full established front footage fee for any footage in excess of the first one hundred feet (100") on each side of said corner; provided, however, that in no event shall connector pay less than the full established front footage fee multiplied by the number of front feet on the longest side of said corner.

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Engineering	Water System Connection Fees. continued	See below	2	Ord. 120.41 6/3/03

VIII-1-7.01 Connection Fees; Computation of Fees, continued

7.01-3 Dwelling Unit Benefit Fee: A hillside connector shall pay such charges as required pursuant to this Chapter for pumps, storage tanks, mains and facilities and for the additional cost of providing water service in the hillside zone for which funds have been advanced by City or concerning which City has entered into a dwelling unit benefit district reimbursement agreement.

7.01-4 Hillside connectors shall be required to pay acreage fees. Hillside connectors shall also be required to pay front foot fees unless connection fees have been computed on the basis of a dwelling unit benefit district.

7.01-5 (a) Fire Hydrant Fees: Connector shall pay a front foot fee for each foot of connector's land which borders on any street of City, provided either:

- (1) City has previously installed fire hydrants, or
- (2) Connector is not required by the Fire Chief to construct fire hydrants in accordance with Section VIII-1-6.04.

7.01-5 (b) This Subsection shall not apply in the following cases:

- (1) Connector was required to previously construct fire hydrants in the adjoining street as a condition precedent to issuance of a rezoning or approval of a tentative map.
- (2) Connector's land is included within the boundaries of Local Improvement District No. 3.

The fire hydrant front foot fee shall be equivalent to the cost of installation in accordance with a Resolution of Costs of Improvements adopted by the City Council.

(Ord. 120.41 (part), 6/3/03; Ord. 120.1, 4/6/65; Ord. 120 (part), 9/1/64)

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Engineering	Sanitary Sewer	See below	2	Ord. 208 6/17/80

Section 2.01 Rules and Regulations.

These rules and regulations, providing for the construction and use of sanitary sewer, the issuance of permits and fixing of fees therefor, the establishment of sewer rental changes and collections thereof, the providing for reimbursement of excess costs by the City of Milpitas, are hereby adopted and all matters with respect thereto shall be performed as herein specified and not otherwise.

Section 2.06 Contractor's Bonds and Insurance

All such contractors and master plumbers must file a certificate of insurance with City showing adequate public liability and property damage insurance and worker's compensation insurance and must carry adequate bonds covering performance and labor and materials in amounts specified by the City to insure the protection of the City, its officers and employees.

Section 2.07 Road Excavation Permits, Bonds Therefor

No excavation shall be made in any State highway, County road, City street or other public roadway in the City unless and until an encroachment permit be issued therefor. Application for said permit shall be made at the Office of the City Engineer and shall be accompanied by a cash deposit or, if specifically approved by the City Council, a bond in an amount and in the form approved by the City.

(Ord. 208 (part), 6/17/80)

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Engineering	Use of Public Sewers	See below	2	Ord. 208.42 2/5/08

VIII-2-5.01 Purpose of Chapter

The purpose of this chapter is to:

- (1) Provide for and regulate the disposal of sanitary sewage into the sanitary sewer system of the City in such manner and to such extent as is reasonably necessary to maintain and increase the ability of the sanitary sewer system to handle and dispose of sanitary sewage;
- (2) Provide for and regulate the disposal of industrial wastes into the sanitary sewer system of the City in such manner and to such extent as may be reasonably necessary to maintain and increase the ability of such system to handle and dispose of industrial waste without decreasing the ability of said system to handle and dispose of all sanitary sewage;
- (3) Prevent the introduction of pollutants into the sanitary sewer system which will pass through the treatment works of the San Jose/Santa Clara Water Pollution Control Plant (Plant) or otherwise be incompatible with such works or interfere with the ability of the Plant to treat, discharge and recycle wastewater, or to use or dispose of Plant biosolids;
- (4) Improve opportunities to recycle and reclaim treated effluent and wastewater sludge;
- (5) Protect the physical structures of the sanitary sewer system and the efficient functioning of its component parts;
- (6) Protect the City and its personnel; and preserve and protect the health, safety and property of the public;
- (7) Enable the City to comply with all applicable and compatible laws, rules, regulations and orders of the State of California and of the United States;
- (8) Provide for the charging and collection of various fees and other charges reasonably necessary for the acquisition, construction, reconstruction, maintenance and operation of the sanitary sewer system of the City;
- (9) Protect the environmental health of San Francisco Bay.

VIII-2-5.03 Responsibility for Enforcement

The primary responsibility for enforcement of the provisions of this Chapter shall be vested in the City Engineer or his/her authorized representative or agent. Nothing herein is intended to restrict the City Attorney with respect to criminal or civil actions which may be taken to enforce this Chapter.

(Ord. 208.42 (2) (part), 2/5/08)

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Engineering	Use of Public Sewers, continued	See below	2	Ord. 208.42 2/5/08

VIII-2-5.42 Permit Application

- (a) All persons requiring a wastewater discharge permit shall file a complete application in the form prescribed by the Director and accompanied by the applicable fees.
- (b) The Director will evaluate the data furnished by the user and may require additional information. After evaluation and approval of all the data required, the Director may issue a wastewater discharge permit subject to terms and conditions provided therein. The Permit will be co-signed by the City Engineer or his/her designee prior to issuance.
- (c) For new construction, permit applications shall be filed with the Director at the time that an application for a building permit for a new building or structure is made.
- (d) All persons discharging wastewaters into the sanitary sewer system for which a wastewater discharge permit has been issued must apply for a new permit prior to making a significant change in the operations affecting their discharge.
- (e) Permit applications, discharge reports and any other reports required by the City Engineer or Director shall be signed by an executive officer of the business filing the application. Such executive officer shall be at least at the level of vice-president, general partner, president, or an individual responsible for the overall operation of the facility applying for said permit, or meet federal requirements for NPDES applications as contained in Title 40 of the Code of Federal Regulations.

(Ord. 208.42 (2) (part), 2/5/08)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Use of Public Sewers, Delinquent Fees and Civil Penalties	See below	3	Ord. 208.42 2/5/08

VIII-2-5.48 Delinquent Fees

(a) Permit applications are due ninety (90) days prior to commencing discharge to the sanitary system or expiration of existing discharge permit. Any person who fails to file an application for a discharge permit prior to discharge shall be assessed a penalty for delinquent filing as follows:

- (1) Up to and including thirty (30) days delinquency, the penalty shall be fifty percent (50%) of the permit fee.
- (2) More than thirty (30) days but less than one year delinquency, the penalty shall be one hundred percent (100%) of the permit fee.
- (3) More than one (1) year delinquency, the penalty shall be one thousand percent (1,000%) of the permit fee.

(b) Such penalties shall be in addition to any other penalties or fines that may be levied, and in addition to any other remedies that the City may have with respect to the discharge.

VIII-2-5.54 Civil Penalties

Any person who intentionally, accidentally or negligently violates any provisions of this Chapter, any provision of any permit issued pursuant to this Chapter, or who intentionally, accidentally, or negligently discharges waste or wastewater which causes pollution, or violates any effluent limitation, national standard of performance, or national pretreatment or toxicity standard, shall be civilly liable to the City in a sum up to ten thousand dollars (\$10,000) for the first day in which such violation occurs, up to twenty-five thousand dollars (\$25,000) for the second day in which such violation occurs, and fifty thousand dollars (\$50,000) for each additional day.

(Ord. 208.42 (2) (part), 2/5/08)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Use of Public Sewers, Sewer Service Charges	See below	2	Ord. 208.44 5/5/09

VIII-2-6.01 Sewer Service Charges

The following amounts shall be assessed upon each premise maintaining a sewer connection with the City's sewage system.

(a) Residential- Bimonthly for each dwelling unit

Category	Year 1 (June 4, 2009 to April 18, 2010)	Year 2 (April 19, 2010 to June 30, 2011)
Single Family Per Dwelling Unit	\$65.08	\$70.94
Multi-Family Per Dwelling Unit	\$46.49	\$50.68
Mobile Home Parks Per Dwelling Unit	\$28.73	\$31.18

(b) Commercial, Industrial and Miscellaneous Premises.

(1) Flat Rate: For non-residential accounts, there shall be a flat rate assessed every billing cycle during which normal billing takes place, regardless of the amount of sewage discharged, in the amount of \$10.99 per bimonthly period to defray billing and sewer system administration costs, effective June 4, 2009. This amount will increase to \$11.98 per bimonthly billing period, effective April 19, 2010.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Use of Public Sewers, Sewer Service Charges, continued	See below	2	Ord. 208.44 5/5/09

(2) **Quantity and Strength Charges:** For each commercial, industrial, or miscellaneous premises, a charge for each one hundred cubic feet of water used per billing cycle shall be charged as follows:

Category	Year 1 (June 4, 2009 to April 18, 2010)	Year 2 (April 19, 2010 to June 30, 2011)
Motels, hotels & senior citizen housing developments	\$2.53	\$2.72
General offices; banks; government offices; general merchandise, retail, and shopping centers; building, hardware, and gardening material facilities; amusement centers; and theaters	\$2.54	\$2.74
City of Milpitas	\$2.54	\$2.74
Service stations, repair shops, and car washes	\$2.67	\$2.89
Eating and drinking establishments	\$4.11	\$4.52
Personal services – laundry, barber/beauty shops, cleaners	\$2.35	\$2.52
Jefferson Smurfit Corporation*	\$2.65	\$3.40
T. Marzetti Co.*	\$6.52	\$7.61

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Use of Public Sewers, Sewer Service Charges, continued	See below	2	Ord. 208.44 5/5/09

Prudential Overall Supply	\$3.08	\$3.35
Loral-Fairchild-Lockheed*	\$2.18	\$2.15
Siemens Water (previously US Filter)	\$2.36	\$2.39
Lucky Pure Water*	\$1.93	\$2.51
DS Water	\$0.97	\$0.72
Milpitas Materials*	\$2.75	\$3.00
Union Pacific Railroad	\$3.16	\$3.24
Headway Technology Corporation	\$2.65	\$2.68
Electrical and electronics design, fabrication, assembly and storage facilities	\$2.50	\$2.64
Metal fabrication, machinery, and tool fabrication facilities	\$3.31	\$3.52
Linear Technology Corporation	\$2.15	\$2.32
Seagate Technology*	\$2.44	\$2.29
Peripheral Storage	\$3.37	\$4.39
Schools, colleges and churches	\$2.94	\$3.20
Convalescent hospitals, day care centers and health service facilities	\$2.49	\$2.68
Elmwood Rehabilitation center	\$2.65	\$2.86

*These industrial customers are subject to sewer charge adjustments based on their sewer volumes, as indicated in their Sewer Flow Adjustment Agreements.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Use of Public Sewers, Sewer Service Charges, continued	See below	2	Ord. 208.44 5/5/09

(3) City of San Jose for properties known as North McCarthy Properties: \$492 bimonthly for any discharge up to 75,000 gallons per day (Maximum Flow). Excess flow charge of \$100 for each 1,000 gallons per day in excess of the Maximum Flow or part thereof.

(c) Purpose of Charge. The purpose of the sewer service charges stated herein is to defray the City's cost for operation and maintenance of the City's facilities, capital improvement costs, the City's proportionate share of costs at the San Jose-Santa Clara Water Pollution Control Plant and the debt service related thereto, and other costs related to the provision of sewage collection and treatment.

(d) Billing. After the ordinance adopting the charges set forth herein goes into effect, customers shall be subject to the sewer service charges Section in effect as of the beginning date of the bimonthly billing period for which a customer is charged.

(e) Rate Program. The sewer service charges for the time period between June 4, 2009 and June 30, 2011 are as set forth in this Section. In the absence of an amendment of the rates set forth herein or adoption of a new rate ordinance, the rates for Service Year 2 (April 19, 2010 to June 30, 2011) shall also remain in effect for subsequent billing periods and service years.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Engineering	Use of Public Sewers, continued	See below	2	See below

VIII-2-6.02 Unmetered Wastes

Where rates are herein specified to be in accordance with the use of water, all such premises shall be separately metered. Where such metering is not provided, or for newly constructed units, the City shall make a reasonable estimate of the volume of water consumed to be used as a basis for sewer service charges.

(Ord. 208, 6/17/80)

VIII-2-6.03 Authority to Disconnect

In the event of a failure to pay the charges as provided herein for sewage service, the City is authorized to disconnect sewer or water service, or both. In disconnecting such service, the City shall follow the procedures set forth in Section VIII-1-6.10. Users shall be subject to the terms of Section VIII-1-6.10. Service may be restored pursuant to the terms of Section VIII-1-6.11.

(Ord. 208.39 (2), 5/18/04; Ord. 208, 6/17/80)

VIII-2-6.04 Payment for Sewage Services

All accounts are due and payable within fifteen (15) days of the date of the bill. Accounts shall become delinquent and a late fee equal to five percent of the amount due shall be imposed if a payment has not been received by 5:00 p.m. on the due date.

(Ord. 208.39 (3), 5/18/04; Ord. 208.8, 4/ 5/83)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Use of Public Sewers, connection fees	See below	2	See below

VIII-2-7.01 Inspection Fees

Each connector shall pay a fee to City for the issuing of each permit, for the inspection of each house lateral, house sewer or side sewer, the sum of Five Dollars (\$5.00). Where connector has on file with the City cash deposit for inspection of work, no inspection fee shall be required. In such case, all cost and expenses incurred by City in inspection of the connection shall be made from said deposit.

Section 7.02 House Lateral Fee

Before the issuance of a permit for the installation of a house lateral, connector shall pay City a fee which shall include the following:

- A. An engineering charge to defray the cost of processing the permit application, which shall be an amount equal to forty cents (\$.40) times one-half the width of the street expressed in feet in which the house lateral is being constructed.
- B. A short side charge shall be collected in all cases where the main or trunk to which connection is being made is located between the center line of the street and the property to be served. Said short side charge shall be an amount equal to four dollars and fifty cents (\$4.50) times the distance in feet between the center line of the street and the main or trunk sewer to which the connection is being made. The purpose of this charge is to equalize connection cost for property on both sides of the street, and it may be disbursed as per Section 7.03 below.

In the event a house lateral is to be connected to a main or trunk sewer located within an easement, the house lateral fee shall be as determined by the City Council.

Section 7.03 Disbursements of Short Side Charges

The City Council may disburse to connectors whose house laterals connect to a main or trunk sewer at a point beyond the center line of the street an amount equal to \$4.50 times the distance in feet between the center of the street and the main or trunk sewer to which said connection was made.
(Ord. 208 (part), 6/17/80)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Use of Public Sewers, Treatment Plant fees	See below	2	See below

Section 7.04 Treatment Plant Fees

Before the issuance of a permit to connect to a house lateral, main sewer or trunk sewer Connector shall pay City a fee prepared in accordance with State Water Resources Control Board "Revenue Program Guidelines for Wastewater Agencies" and in accordance with the following schedule:

A. RESIDENTIAL

1. For each separately owned single family dwelling or for each single family dwelling of two dwellings per structure, a fee of \$880.
2. For each unit of an apartment house, multi-family structure of greater than two units per structure, or for each separately owned single family dwelling of three or more dwellings per structure, a fee of \$690 per unit.
3. For each unit or space of a mobile home park a fee of \$440 per unit or space.

B. COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL

1. For each commercial, industrial or institutional connection having an estimated consecutive peak five day dry weather sewage discharge less than 5000 gallons per day, a fee based upon the type of use and rate from the Table below. The fee shall be computed by multiplying the rate from the Table below times the estimated peak five day discharge in hundred cubic feet per day or fraction thereof.

Type of use	Rate \$/HCF/day
High strength industrial/commercial; Restaurants, eating and drinking, retail food stores.	\$4,200
Low strength industrial/commercial: All others	\$2,600

The peak five day discharge shall be established by the City Engineer. The Connector may submit data on peak discharge for review and use in the final determination by the City.

(Ord. 208.16, 6/4/85)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Use of Public Sewers, Treatment Plant fees, continued	See below	2	Ord 208.43(1) 9/16/08

Section 7.04-B

2. For each commercial, industrial or institutional connection having a consecutive peak five day dry weather sewage discharge of 5000 gallons per day or larger, the fee shall be based upon the following:
- a. \$2,293,957 times each million gallons or fraction thereof of peak five day dry weather sewage discharged, plus
 - b. \$245,251 times each one thousand pounds or fraction thereof per day of biochemical oxygen demand removal capacity required during the peak five day dry weather discharge, plus
 - c. \$134,098 times each one thousand pounds or fraction thereof per day of suspended solids removal capacity required during the peak five day dry weather discharge, plus
 - d. \$1,263,254 times each one thousand pounds or fraction thereof per day of ammonia removal capacity required during the peak five day dry weather discharge.

The removal capacity stated above shall be that capacity required by the particular loading parameter at the San Jose/Santa Clara Water Pollution Control Plant.

The City shall be responsible for estimating the discharge and loading parameters to be used for establishing the Treatment Plant Fee. The Connector may submit sewage discharge and loading data estimated for the development as a basis for the fee, subject to the review and approval of the City.

- 3 a. The Treatment Plant Fee shall be based upon the actual recorded values of flow during the first twelve months of full operation. Upon issuance of a Building Permit (or other authorization for water or sewage service), the Connector shall pay to City an initial sum to be credited to the Treatment Plant Fee due. The initial sum shall be computed based on the City Engineer's estimate of the Treatment Plant Fee.
- b. Whenever the Engineer's estimate of the Treatment Plant Fee exceeds Fourteen Thousand Dollars (\$14,000.00), the Connector may elect to pay in full or to pay in installments as follows: Fifty percent of the fee shall be paid at the issuance of the Building Permit (or other authorization for water or sewage service), and the remaining fifty percent in five equal annual installments together with interest. Interest shall be computed at the rate of 10% per annum on the unpaid balance, and accrued interest shall be paid at the same time and in addition to each annual installment.
- c. In the event that the Treatment Plant Fee shall exceed the Engineer's initial estimate, the amount of said excess shall be due and payable within 30 days upon written demand of City. Provided, however, that, upon application by Connector, City may (but shall not be required to), authorize payment of said excess as follows: sixty percent down and the remaining forty percent in four equal annual installments, together with interest at 10% per annum on the unpaid balance, accrued interest being payable at the same time and in addition to each annual installment.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Engineering	Use of Public Sewers, Treatment Plant fees, continued	See below	2	Ord 208.43(1) 9/16/08

d. If Connector elects installment payments under Subsection 3.b or 3.c hereunder, Connector shall execute an appropriate contract in a form satisfactory to City Attorney. All installment payments under 3b and 3c shall be subject to the following provision (and any contract or note therefor shall so state): In the event that Connector defaults in the payment of any installment and said installment default is not cured within 30 days of the due date, then, without any notice to Connector, the entire unpaid balance shall become immediately due and payable (together with accrued interest) without regard to maturity date. Without limitation to any remedy authorized by law or by this Chapter, and as an additional remedy, City may seek the recovery of said unpaid balance by suit in a court of competent jurisdiction and, if it prevails, shall be entitled to its costs of court and reasonable attorney fees.

e. Treatment Plant Fees are based on meter readings. If there is a single meter serving more than one individual, company or other entity (as, for example, in the case of one meter serving a building with a number of tenants, all using water), then the Treatment Plant Fee shall be computed with respect to said single meter. The party in whose name the meter is issued and all parties using said water (e.g., landlord and tenants) are liable for both the treatment Plant Fee and for monthly water and sewage charges. Provided, however, the party in whose name the meter is issued shall be primarily responsible to City for payment of Treatment Plant Fee and for monthly water and sewage charges (and the Treatment Plant Fee will be computed on said party's meter readings, regardless of the amount of water used by any other party in connection with said meter). Joint connectors may apply for separate meters and separate accounts. If separate meters are feasible, separate meters will be authorized at the expense of the connector.

f. As used in this Chapter, the term "full operation" shall mean one hundred percent utilization of a facility. "One hundred percent utilization" includes, but is not limited to, such factors as: maximum number of employees, maximum production capacity, maximum number of shifts, maximum utilization of equipment.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Engineering	Use of Public Sewers, Treatment Plant fees, continued	See below	2	Ord 208.43(1) 9/16/08

C. CHANGES IN USE

If, after the final fee is established an industrial, commercial, or institutional user changes their operation resulting in an increased discharge, then the City shall collect additional Treatment Plant Fees based upon the increased discharge and constituent parameters. This change in operation shall be in effect for a period exceeding one year. The new fee shall be established by computing the fee for the new use based upon B1 or B2 above, and then subtracting from that figure the previously paid fee. There shall be no reduction in fee based upon changes in operation or use resulting from a reduction in discharge or constituent parameters.

D. DISPOSITION OF TREATMENT PLANT FEES

All Treatment Plant Fees collected shall be deposited into the Treatment Plant Construction Fund. Any fees collected shall be used to pay capital improvement or capital operating costs at either the San Jose/Santa Clara Water Pollution Control Plant or within the City.

E. EXCLUSION OF THE TRANSIT AREA SPECIFIC PLAN DEVELOPMENT

The provisions of Sections 7.04(A) through 7.04(D) above shall not apply to Connectors located within the boundary of that planning area identified as within the Transit Area Specific Plan for permits to connect a house lateral, main sewer or trunk sewer issued after November 1, 2008. Fees for such excluded connections are set forth in Title VIII, Chapter 4 -- "Fees for New Development" of the Milpitas Municipal Code.

(Ord. 208.43(1), 9/16/08; Ord. 208.17, 8/20/85; Ord. 208.12, 3/20/84; Ord. 208.6, 10/20/81)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Use of Public Sewers, Connection Fees	See below	2	Ord 238.08 6/3/03

Section 7.05 Connection Fees for Connectors and Installers

Prior to connection to any sewer line of City or issuance of building permit (whichever occurs first), or prior to a change in use that results in an increased average daily waste water flow due to the change in use, connectors or developers shall pay to the City a fee for connection to the City's sewerage system as shown below:

- A. \$1,908 per single family dwelling unit.
- B. \$1,406 per dwelling unit at multi-family dwelling developments.
- C. \$8.52 per gallon per day of estimated average daily wastewater discharge for non-residential sites.

Notwithstanding the foregoing, connectors or developers with projects meeting the following criteria shall be subject to the provisions of this section in effect prior to the effective date of the amendments to this section enacted by Ordinance No. 208.38:

- (a) Projects requiring discretionary planning approval with applications that are deemed complete prior to July 15, 2003; and
- (b) Projects that do not require discretionary planning approval that receive building permits prior to July 15, 2003.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Use of Public Sewers, Connection Fees, continued	See below	2	Ord 238.08 6/3/03

D. REIMBURSEMENT

1. Intent; Definitions, Authority to Classify: In order to encourage the installation of sewer lines, Milpitas Sanitary District heretofore adopted the procedure of partially reimbursing those persons who install lines (i.e. "installers") for the cost of installation by funds derived from those persons who subsequently connect to the line or develop in the area benefitted by the line. Reimbursement was made pursuant to the provisions of a reimbursement contract, imposing various conditions and limitations on the right to reimbursement.

The holders of said reimbursement contracts are hereafter described as "Class A Installers."

A developer contemplates installing a major trunk sewer line commencing at the City's pump station west of Freeway 17 and ending at Main Street and which will serve a substantial portion of said City. Said installer is hereafter described as "Class B Installer."

It was (and continues to be) contemplated that future sewer lines will be installed serving the remaining portions of City and its sphere of influence. The installers of said lines are collectively referred to as "Class C Installers."

District wished and City now wishes to provide an equitable method of reimbursement for past and future installers so that:

- a. The existing rights of Class A Installers are protected within the terms of their existing reimbursement contracts.
- b. The Class B Installer will share in reimbursement in a manner and amount to encourage its investment in and construction of a relatively large main line which is necessary for both the development of the Class B Installer's subdivision and for the development of the community.
- c. Class C Installers will share in reimbursement in a sufficient amount to encourage the construction of smaller connections (recognizing that if reimbursement to the Class B Installer were to be made strictly in proportion to the cost of the line installed by it, the likely reimbursement to a prospective Class C Installer in any given case might be so small as to discourage the Class C Installer from installing his line).

There are, in addition, certain areas within the City which have been granted a credit for acreage fee; in exchange for other benefits previously conferred upon the District. In the case of developers in LID 2 (as set forth upon the assessment map of said LID 2 filed in the office of the engineer for City) an acreage and front foot credits are due. Said developers will, accordingly, contribute acreage fees of less than \$600 per acre. They will, however, be entitled upon development to apply for reimbursement as Class C Installers subject, however, to the provisions of this Chapter. The developer of Phase 2 of Planned Unit Development 8A is also entitled to a credit against future acreage fees in the amount of \$42,879.37 in exchange for other benefits conferred on the City. No acreage fees will be collected in connection with the development of Phase 2 of said PUD 8A and no reimbursement will be allowed therefor.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Engineering	Use of Public Sewers, Connection Fees, continued	See below	2	Ord 238.08 6/3/03

The City Council is hereby empowered to:

- d. Determine those geographical areas served by or benefitted by a given sewer line (herein described as "benefit area").
- e. Cause a map of a benefit area of a given sewer line to be included in the reimbursement contract between the installer of that line and the City.
- f. Establish categories of installers (as hereinabove set forth) and priorities for reimbursement to them so as to reimburse installers in accordance with the objectives and provisions of this Chapter, the provisions of existing reimbursement contracts and such additional conditions as City shall determine to be just and equitable.
- g. Enter into contracts with installers to provide for reimbursement in such a manner that installers will be encouraged to construct sewer lines of sufficient capacity to serve other developments besides their own (to the end that the greatest economic, engineering and governmental economy can be achieved and that the unnecessary and expensive duplication of sewer line facilities can be avoided).
- h. Make provision for the allocation of funds available for reimbursement in geographical areas where two or more sewer lines are located (and where the benefit areas of said respective sewer lines overlap one another).

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Use of Public Sewers, Connection Fees, continued	See below	2	Ord 238.08 6/3/03

2. Priorities of Reimbursement

a. Class A Installers

1. Reimbursement of Funds Derived Solely from Class A Benefit Area

Class A Installers shall receive reimbursement for all acreage fees paid by connectors within the benefit area of said Class A Installer in accordance with existing contracts.

2. Reimbursement If Overlap With Class B Benefit Area

If the benefit area of a Class A Installer shall overlap with the benefit area of the Class B Installer, the Class A Installer shall receive reimbursement for all acreage fees paid by connectors within the benefit area of said Class A Installer (notwithstanding said overlap) and the Class B Installer shall not receive any reimbursement from the area of overlap so long as the Class A Installer's reimbursement contract shall be unexpired. Provided, however, that the Class B Installer shall be entitled to reimbursement of 100% of all acreage fees paid from the Class B benefit area which does not overlap with the Class A or Class C benefit areas.

3. Reimbursement of Class A Installer Subject to Contract

Reimbursement of Class A Installers shall be subject to the covenants and conditions of said Class A Installer's existing reimbursement contract.

4. Assignment of Contract to City

City shall (at the sole discretion and judgment of its Council) be empowered to purchase an assignment of any Class A Installer's reimbursement contract (if the holder of the contract is willing to sell) at an equitable sum. In determining an equitable sum, consideration shall be given to the amount remaining to be reimbursed, the remaining life of the reimbursement contract and the probability of reimbursement. Upon an assignment of said reimbursement contract to City, City shall succeed to all rights of said Class A Installer under said reimbursement contract and this Chapter. The purpose of this authority is to enable City (if its Council wishes) to eliminate City's obligation to the few remaining Class A Installers so as to simplify the administration of the reimbursement program.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Use of Public Sewers, Connection Fees, continued	See below	2	Ord 238.08 6/3/03

b. Class B Installers

1. Reimbursement of Funds Derived Solely from Class B Benefit Area

The Class B Installer shall receive reimbursement of all acreage fees paid by connectors within the benefit area of the Class B Installer in accordance with his reimbursement contract.

2. Reimbursement if Overlap with Class C Benefit Area

If the benefit area of the Class B Installer shall overlap with the benefit area of one or more Class C Installer, the Class B Installer shall receive reimbursement of 60% of all acreage fees paid by connectors within the area of overlap between Class B and Class C benefit areas (and the Class C Installers shall receive 40% as hereafter provided). Provided, however, that the Class B Installer shall be entitled to reimbursement of 100% of all acreage fees paid from the Class B benefit area which does not overlap with the Class A or Class C benefit area.

c. Class C Installer

1. Reimbursement of Funds Derived Solely From Class C Benefit Area

The Class C Installer shall receive reimbursement of all acreage fees paid by connectors in accordance with his reimbursement contract.

2. Reimbursement If Overlap With Class B Benefit Area

If the benefit area of a Class C Installer shall overlap with the benefit area of the Class B Installer, the Class C Installer shall receive reimbursement of forty percent of all acreage fees paid by connectors within the area of overlap between the Class C and the Class B benefit area (and the Class B Installer shall receive 60% as heretofore provided). Provided, however, that the Class C Installer shall be entitled to reimbursement of 100% of all acreage fees paid from the Class C benefit area which does not overlap with any other benefit area.

3. Reimbursement If Overlap With Other Class C Benefit Area

If the benefit area of a Class C Installer shall overlap with the benefit area of one or more other Class C Installers, the respective Class C Installers shall receive reimbursement of all acreage fees paid by connectors within the area or areas of overlap in accordance with the following formula:

Reimbursement Due <u>Class C Installer</u>	×	Funds to be Disbursed
Total Reimbursement Due All Class C Installers		

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Engineering	Use of Public Sewers, Connection Fees, continued	See below	2	Ord 238.08 6/3/03

4. Reimbursement to Class C Installers After December 1, 1978

Class C Installers who execute a reimbursement agreement after December 1, 1978 shall receive reimbursement of all acreage fees paid by connectors on a priority based upon the date of the reimbursement agreement. The first installer shall receive all reimbursement before the second installer.

Provided, however, that any Class C Installer shall be entitled to reimbursement of 100% of all acreage fees paid from its own benefit area which does not overlap with any other benefit area.

d. Fees Derived from Outside of Benefit Area

Acreage fees derived from any area within City which is outside of an established benefit area shall be deposited to the credit of the Sewer Extension Fund.

e. Priorities Subject to Contract and Ordinance

The provisions relating to the sharing of funds available for reimbursement by any given installer (as herein provided) shall be subject to the remaining provisions of this Chapter and to the covenants and conditions of the applicable reimbursement contract.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Use of Public Sewers, Connection Fees, continued	See below	2	Ord 238.08 6/3/03

3. Disposition of Front Frontage Fees

The installer of a sewer line shall be entitled to all front footage fees collected in the City for said line to the extent that said installer has a balance due on a subsisting reimbursement contract. All front footage fees so collected shall be credited against any unpaid balance due on said contract so long as said contract shall be in full force and effect; thereafter, all front footage fees collected by City in connection with said line shall be paid into the Sewer Extension Fund.

4. Reimbursement Contracts

Any reimbursement contract shall include but shall not be limited to the following provisions:

- a. Reimbursement shall be limited to a period of 15 years from the commencement of the contract.
- b. Contracts shall not be subject to voluntary or involuntary assignment, sale or transfer without the express written consent of City.
- c. No interest shall be paid on any funds received by City to be disbursed pursuant to any reimbursement contract.

It is the intent of this Chapter that City shall be empowered to impose any additional provisions as the City Council, in its sole discretion, determines reasonable, necessary and equitable.

5. Connection Fees From Benefit Area After Reimbursement Contract Has Expired

Connection fees derived from a given benefit area after the reimbursement contract covering said area has expired or terminated shall be the property of City and shall be used for the maintenance or extension of lines anywhere within the City.

6. Interest for Acreage and Front Footage Fees

All interest derived from acreage fees and front footage fees deposited in any bank account pending disbursement shall accrue to the benefit of City.

(Ord. 238.08 (part), 6/3/03)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Use of Public Sewers, Connection Fees, continued	See below	2	Ord 238.08 6/3/03

Section 7.07 Payment of Fees

- A. Fees due and payable by connectors shall be paid prior to the issuance of a connection permit to Connector.
- B. Fees due and payable by installers shall be paid prior to the approval of the plans and specifications of the sewage system to be installed by Installer, and the City shall have the right to charge and the Installer shall pay the standard engineering fees charged by City for such work as may be done by City.
(Ord. 208 (part), 6/17/80)

Section 7.08 Expiration of Section 4.01 Permits

Any permit issued under Section 4.01 of this Chapter shall expire and become null and void unless work pursuant thereto shall be commenced within one year of the date of issuance.
(Ord. 208 (part), 6/17/80)

Section 7.09 Fee For Issuance of New Permit For Expired 4.01 Permit

- A new permit may be issued under Section 4.01 of this Chapter for the same authority granted in an expired permit thereunder upon:
- A. Payment of the sum of five dollars (\$5.00) plus
 - B. Payment of a sum equal to the difference (if any) in the permit fee at the time of the issuance of the expired permit and at the time of issuance of the new permit.
(Ord. 208 (part), 6/17/80)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering		Sewer service – Sewer Connection Inspection Fee – Each connector shall pay a fee to City for the issuing of each permit, for the inspection of each house lateral, house sewer or side sewer, the sum of Five Dollars (\$5.00). Where connector has on file with the City cash deposit for inspection of work, no inspection fee shall be required. In such case, all cost and expenses incurred by City in inspection of the connection shall be made from said deposit.. (MMC VIII-2-7.01)	\$5.00 each house lateral, house sewer or side sewer	2	Ord. 17 6/1/54
		Sewer service – House Lateral Fee – Before the issuance of a permit for the installation of a house lateral, connector shall pay City this fee. (MMC VIII-2-7.02)	See table below	2	Ord. 17 6/1/54

Category	House Lateral Fee
An engineering charge to defray the cost of processing the permit application	\$0.40 times one-half the width of the street expressed in feet in which the house lateral is being constructed. Note: In the event a house lateral is to be connected to a main or trunk sewer located within an easement, the house lateral fee shall be as determined by the City Council.
A short side charge shall be collected in all cases where the main or trunk to which connection is being made is located between the center line of the street and the property to be served. The purpose of this charge is to equalize connection cost for property on both sides of the street.	\$4.50 times the distance in feet between the center line of the street and the main or trunk sewer to which the connection is being made

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DEPARTMENT OR DIVE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	<i>DATE FEE LAST CHANGED</i>
Engineering	Sewer service – Treatment Plant Connection Fees – RESIDENTIAL – Before the issuance of a permit to connect to a house lateral, main sewer or trunk sewer Connector shall pay City a fee prepared in accordance with State Water Resources Control Board "Revenue Program Guidelines for Wastewater Agencies": (MMC VIII-2-7.04)	See table below	2	Ord. 208.6 10/20/81

Residential Category	Treatment Plant Connection Fees
For each separately owned single family dwelling or for each single family dwelling of two dwellings per structure	\$880
For each unit of an apartment house, multi-family structure of greater than two units per structure, or for each separately owned single family dwelling of three or more dwellings per structure	\$690
For each unit or space of a mobile home park	\$440

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Sewer service – Treatment Plant Connection Fees – COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL – For each commercial, industrial or institutional connection having an estimated consecutive peak five day dry weather sewage discharge less than 5000 gallons per day, a fee based upon the type of use and rate from the table below. (MMC VIII-2-7.04)	See table below	2	Ord. 208.16 6/4/85

Type of Use	Rate \$/hcf/day*
High strength industrial/commercial; Restaurants, eating and drinking, retail food stores	\$4,200
Low strength industrial/commercial: All others	\$2,600

*The fee shall be computed by multiplying the rate from the table times the estimated peak five day discharge in hundred cubic feet (hcf) per day or fraction thereof. The peak five day discharge shall be established by the City Engineer. The Connector may submit data on peak discharge for review and use in the final determination by the City.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Sewer service – CONNECTION FEES FOR CONNECTORS AND INSTALLERS – Prior to connection to any sewer line of City or issuance of building permit (whichever occurs first), or prior to a change in use that results in an increased average daily waste water flow due to the change in use, connectors or developers shall pay to the City a fee for connection to the City's sewerage system as shown below: (MMC VIII-2-7.05)	See table below	2	Ord. 238.08 6/3/03

Category	Fees
Single Family Dwellings	\$1,908 per dwelling unit
Multi-Family Dwelling Developments	\$1,406 per dwelling unit
Non-residential Sites	\$8.52 per gallon per day of estimated average daily wastewater discharge

Note: A permit for the construction of Side Sewers, House Laterals or House Sewers shall expire and become null and void unless work pursuant thereto shall be commenced within one year of the date of issuance. A new permit may be issued for the same authority granted in an expired permit thereunder upon:

A. Payment of the sum of five dollars (\$5.00) plus

B. Payment of a sum equal to the difference (if any) in the permit fee at the time of the issuance of the expired permit and at the time of issuance of the new permit. (MMC. VIII-2-7.08 and VIII-2-7.09)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Storm Drain Connection Fee. Prior to connection or discharge to any City storm drain facility (directly or indirectly), connectors shall pay City a fee for connection/discharge to the City's storm drain system. (MMC XI-16-15)	See table below	2	Ord 239.3 10/7/03

Category	Connection Fee
Single Family	
<ul style="list-style-type: none"> • Medium Density with parcel size equal or smaller than 8,710 square feet (1/5 acre) 	\$1,100 per parcel
<ul style="list-style-type: none"> • Low density, with parcel size between 8,711 and 43,560 square feet (between 1/5 acre and 1 acre) 	\$1,916 per parcel
<ul style="list-style-type: none"> • Parcel size between 43,561 and 174,240 square feet (between 1 acre and 4 acres) 	\$3,594 per parcel
<ul style="list-style-type: none"> • Parcel or single family with parcel size between 174,241 and 392,040 square feet (between 4 and 9 acres) 	\$4,792 per parcel
<ul style="list-style-type: none"> • Parcel size greater than 392,040 square feet (9 acres) 	\$6,469 per parcel
Multi-family developments	\$16,771 per acre
All others (commercial, industrial, institutional, or mixed use sites).	\$21,562 per acre
Schools (with athletic fields), otherwise consider as institutional	\$7,187 per acre
Parks	\$4,792 per acre

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Engineering		Penalties for Violation of Storm Drain Provisions – Judicial Civil Penalties (MMC XI-16-14)	\$25,000 per day for each day in which violation occurs	3	Ord 239.3 10/7/03
		Administrative citations (MMC XI-16-14)	To be established by City Council Resolution	3	Ord 239.3 10/7/03

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Engineering		Flood Plain Letter	\$100	1	Res 6449 7/18/95

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Engineering		Lot Line/Merger Adjustment	\$615	1	Res 6693 9/2/97
		Encroachment Permit Processing	Small: \$450*	1	Res 6693 9/2/97
		Street/Alley Easement/Vacation	\$545	1	Res 6693 9/2/97

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering		Recycling and Solid Waste Services	See below	2	Ord 276.1 12/15/09

**Excerpts from Ordinance No. 276.1
Approving 2010 and 2011 Annual Rate Adjustments for Recycling and Solid Waste Services and Amending Collection
Agreements with Allied Waste Services of North America LLC**

SECTION 2. APPROVED RATES

The attached Exhibit A sets forth the approved rates for recycling, yard waste and solid waste services effective January 1, 2010 and January 1, 2011, and continuing until such may be amended by further Council action.

SECTION 3. AMENDMENT OF AGREEMENTS

The collection agreements for solid waste and yard trims shall be amended to reflect the approved rates for recycling, yard waste and solid waste effective January 1, 2010 and January 1, 2011, as shown in attached Exhibit A.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	<i>DATE FEE LAST CHANGED</i>
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

**EXHIBIT A
City of Milpitas
2010/2011 Recycling and Solid Waste Service Rates**

**CITY OF MILPITAS
SINGLE UNIT SERVICE LEVEL**
 Dated: September 2, 1986; Amended: December 1988; December 20, 1990; January 8, 1991; July 21, 1992; December 15, 1992; January 4, 1994; December 20, 1994; November 21, 1995; June 4, 1996; December 17, 1996; May 4, 1999; June 1, 1999; February 20, 2001; December 17, 2002; November 16, 2004; January 15, 2008

**TABLE 1
SINGLE UNIT DWELLINGS
MONTHLY RATES**

Item	Effective January 1, 2010
ALLIED RATE	\$15.50*
FRANCHISE & BILLING FEES (1)	\$2.95*
<i>BASE RATE (SUBTOTAL)</i>	<i>\$18.45*</i>

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

RECYCLING PROGRAM	\$4.19
COMMUNITY RELATIONS	\$0.40
STABILIZATION FEE	\$0.26
TELECOMMUNICATIONS Ongoing	\$0.04
HOUSEHOLD HAZARDOUS WASTE PROGRAM	\$0.09
ADMINISTRATIVE FEE	\$0.44
STREET SWEEPING	\$0.32
BILLING RATE (TOTAL) (2)	\$24.19
CART RENTAL (3)	\$2.86

(1) Billing fee set at 0% for senior citizen and 4% for all others

(2) Amount may not be the actual amount billed to customers. The cost of other service provided under separate agreements (i.e., yard trimmings service) should be included to obtain the actual billed amount as reflected in City Council Resolution.

(3) Optional 96-gallon cart.

*Numbers have been rounded off.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

TABLE 2
SENIOR CITIZENS ⁽¹⁾
MONTHLY RATES

Item	Effective January 1, 2010
ALLIED RATE	\$7.40
FRANCHISE & BILLING FEES ⁽²⁾	\$1.01
<i>BASE RATE (SUBTOTAL)</i>	<i>\$8.41</i>
RECYCLING PROGRAM	\$2.80
COMMUNITY RELATIONS	\$0.40
TELECOMMUNICATIONS (Ongoing)	\$0.00
HOUSEHOLD HAZARDOUS WASTE PROGRAM	\$0.09
ADMINISTRATIVE FEE	\$0.22
STREET SWEEPING FEE	\$0.16
BILLING RATE (TOTAL)⁽³⁾	\$12.08
CART RENTAL ⁽⁴⁾	\$2.86

- (1) Limited to two 32 Gallon Cans or cart rented from COLLECTOR
- (2) Billing fee set at 0% for senior citizen and 4% for all others
- (3) Amount may not be the actual amount billed to customers. The cost of other services provided under separate agreements (i.e., yard trimmings service) should be included to obtain the actual billed amount as reflected in City Council Resolution.
- (4) Optional 64-gallon cart

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	<i>DATE FEE LAST CHANGED</i>
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

TABLE 3
BULKY ITEM PICK-UP
Effective January 1, 2010

Pickup fee for two items	\$48.91
Pickup fee for each additional item	\$18.43
Fee in addition to pickup fees for appliances containing refrigerants	\$ 36.37
Senior on-call fee for first two (2) pickups per year.	\$0.00

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

CITY OF MILPITAS MULTI-UNIT SERVICE LEVEL RATES

Dated: September 2, 1986; Amended: December 20, 1988; December 18, 1990; July 21, 1992;
December 15, 1992; January 4, 1994; December 20, 1994; November 21, 1995; December 17, 1996;
May 4, 1999, February 20, 2001; December 17, 2002;
November 16, 2004; January 15, 2008

SOLID WASTE COLLECTION

1. SOLID WASTE FRONT LOADER SERVICE MONTHLY RATES Effective January 1, 2010

BIN RENTAL ₍₁₎	CONTAINER SIZE (CUBIC YARDS)	FREQUENCY PER WEEK					
		1X	2X	3X	4X	5X	6X
\$14.69	1	\$70.40	\$116.39	\$159.13	\$195.80	\$237.35	\$278.88
\$14.69	1.5 ⁽²⁾	\$89.73	\$159.09	\$209.85	\$269.95	\$329.98	\$390.05
\$14.70	2	\$109.03	\$195.80	\$278.88	\$361.95	\$444.99	\$528.13
\$19.56	3	\$156.26	\$285.80	\$410.36	\$534.97	\$659.63	\$784.22
\$22.11	4	\$180.03	\$328.30	\$463.07	\$597.90	\$732.69	\$867.49
\$24.48	6	\$246.42	\$455.34	\$665.73	\$857.49	\$1,067.89	\$1,278.27
\$27.00	8	\$320.20	\$589.84	\$849.69	\$1,109.65	\$1,369.53	\$1,629.47

(1) Included in rates. Deducted from monthly rate if customer owns bin.

(2) This size no longer offered to new accounts.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	DATE FEE LAST CHANGED
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

2. WEEKLY SOLID WASTE CART SERVICE MONTHLY RATES

NUMBER OF 96 GALLON CARTS	Effective January 1, 2010
1	\$23.81
2	\$44.98
3	\$64.83
4	\$85.99

Service more frequent than once per week shall be charged at 75% above the monthly rate for each additional service day.

3. SOLID WASTE PUSH AND RETURN MONTHLY RATES Effective January 1, 2010

NUMBER OF FEET DISMOUNTED	FREQUENCY PER WEEK					
	1X	2X	3X	4X	5X	6X
Up to 25'	\$8.09	\$16.15	\$24.17	\$32.25	\$40.30	\$48.34
26'-50'	\$16.15	\$32.25	\$48.34	\$64.45	\$80.59	\$96.71
51'-75'	\$24.17	\$48.34	\$72.51	\$96.71	\$120.87	\$145.03
76'-100'	\$32.25	\$64.45	\$96.71	\$128.91	\$161.18	\$193.39
101'-125'	\$40.30	\$80.59	\$120.87	\$161.18	\$201.43	\$241.71
126'-150'	\$48.34	\$96.71	\$128.91	\$201.43	\$241.71	\$290.05
151'-175'	\$56.43	\$112.81	\$169.22	\$225.62	\$281.99	\$338.42
176'-200'	\$64.45	\$128.91	\$193.39	\$257.84	\$322.31	\$386.75

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	<i>DATE FEE LAST CHANGED</i>
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

**4. CENTRALIZED COLLECTION MULTI-FAMILY ROLL-OFF REFUSE
MONTHLY RATES**

CONTAINER SIZE (CUBIC YARDS)	Effective January 1, 2010	Effective January 1, 2011
10	\$439.04	\$474.78
20	\$626.64	\$697.30
30	\$799.40	\$904.08
40	\$982.07	\$1,120.99
50	\$1,165.21	\$1,332.65

Per unit, per month Household Hazardous Waste Fee	\$0.09
Stabilization fee	\$0.08
Per unit, per month Bus Stop Fee	\$0.02
Per unit, per month Administrative Fee	\$0.43

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

**5. CENTRALIZED COLLECTION MULTI-FAMILY ROLL-OFF
REFUSE COMPACTOR SERVICE RATES**

	Effective January 1, 2010	Effective January 1, 2011
PER SERVICE MINUTE	\$2.83	\$2.88
PER CUBIC YARD	\$22.25	\$25.41

Plus 12% Franchise Fee.

Per unit, per month Household Hazardous Waste Fee	\$0.09
Per unit, per month Stabilization Fee	\$0.08
Per unit, per month Bus Stop Fee	\$0.02
Per unit, per month Administrative Fee	\$0.43

6. SOLID WASTE MISCELLANEOUS CHARGES
Effective January 1, 2010

Lock Installation (After Delivery)	\$96.56
Bin Repairs	\$78.04
Lock (Padlock Only)	\$14.56
Container Delivery (New Account Set-Up And Bin Size Exchange)	\$51.58
Graffiti Removal	
Second and subsequent bin exchanges per calendar year	\$51.58
Allied supplies paint to Owner	no cost
Container Exchange (Dirty Container)	\$96.56

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

**7. SOLID WASTE PROGRAM
FIXED MONTHLY RATE PER DWELLING UNIT**

	Effective January 1, 2010
RECYCLING PROGRAM	\$2.78
PUBLIC INFORMATION	\$0.48
HOUSEHOLD HAZARDOUS WASTE	\$0.09
STABILIZATION FEE	\$0.08
BUS STOP SERVICE	\$0.02
ADMINISTRATIVE FEE	\$0.42
STREET SWEEPING	\$0.39
TOTAL RATE	\$4.26

RECYCLING

**8. RECYCLING PUSH AND RETURN
MONTHLY RATES Effective January 1, 2010**

NUMBER OF FEET DISMOUNTED	FREQUENCY PER WEEK					
	1X	2X	3X	4X	5X	6X
Up to 25'	\$8.09	\$16.15	\$24.17	\$32.25	\$40.30	\$48.34
26'-50'	\$16.15	\$32.25	\$48.34	\$64.45	\$80.59	\$96.71
51'-75'	\$24.17	\$48.34	\$72.51	\$96.71	\$120.87	\$145.03
76'-100'	\$32.25	\$64.45	\$96.71	\$128.91	\$161.18	\$193.39
101'-125'	\$40.30	\$80.59	\$120.87	\$161.18	\$201.43	\$241.71
126'-150'	\$48.34	\$96.71	\$128.91	\$201.43	\$241.71	\$290.05
151'-175'	\$56.43	\$112.81	\$169.22	\$225.62	\$281.99	\$338.42
176'-200'	\$64.45	\$128.91	\$193.39	\$257.84	\$322.31	\$386.75

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

**9. CENTRALIZED COLLECTION MULTI-FAMILY
ROLL-OFF RECYCLE MONTHLY RATES**

CONTAINER SIZE (CUBIC YARDS)	Effective January 1, 2010	Effective January 1, 2011
10	\$101.08	\$102.64
20	\$128.63	\$130.62
30	\$166.69	\$169.26
40	\$192.96	\$195.94
50	\$221.85	\$225.28

**10. CENTRALIZED COLLECTION MULTI-FAMILY
ROLL-OFF RECYCLE COMPACTOR SERVICE RATES**

	Effective January 1, 2010	Effective January 1, 2011
PER SERVICE MINUTE	\$2.64	\$2.68
PER CUBIC YARD	\$12.13	\$12.32
PER CUBIC YARD *	\$8.64	\$8.77

*Rate per cubic yard when recyclable loads exceed 50% of any single commodity.
Plus 12 % Franchise Fee.

**11. MOBILE HOME PARKS
SOLID WASTE AND RECYCLING MONTHLY RATES**

SERVICE LEVEL PER DWELLING UNIT	Effective January 1, 2010
One 32-gallon can	\$8.37
Two 32-gallon cans	\$12.92

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

CITY OF MILPITAS COMMERCIAL SERVICE LEVEL

Dated January 4, 1994; Amended December 20, 1994; November 21, 1995; December 17, 1996;
August 5, 1997; May 4, 1999; February 20, 2001; December 17, 2002; November 16, 2004; January
15, 2008

SOLID WASTE COLLECTION

1. FRONT LOADER SOLID WASTE SERVICE MONTHLY RATES Effective January 1, 2010

BIN RENTAL ⁽¹⁾	CONTAINER SIZE (CUBIC YARDS)	FREQUENCY PER WEEK					
		1X	2X	3X	4X	5X	6X
\$14.69	1	\$85.70	\$153.54	\$211.30	\$261.87	\$318.18	\$374.51
\$14.69	1.5 ⁽²⁾	\$110.56	\$211.17	\$282.17	\$364.05	\$445.88	\$527.71
\$14.69	2	\$135.42	\$261.87	\$374.51	\$487.07	\$599.68	\$712.35
\$19.56	3	\$194.97	\$383.20	\$552.13	\$721.06	\$889.98	\$1,058.89
\$22.11	4	\$229.01	\$448.73	\$637.30	\$825.91	\$1,014.44	\$1,203.02
\$24.48	6	\$317.05	\$628.55	\$920.99	\$1,191.69	\$1,484.12	\$1,776.55
\$26.99	8	\$413.04	\$817.14	\$1,182.87	\$1,548.75	\$1,914.55	\$2,280.37

- 1) Included in rates. Deducted from monthly rate if customer owns bin.
2) This size no longer offered to new accounts.

COLLECTOR will remit to CITY, pursuant to Subparagraph 8(d)3 of agreement, \$57,000 annually for community relations program funding.

COLLECTOR will remit to CITY, pursuant to subparagraph 8(d)3, \$98,040 for front end load and \$108,015 for roll off for the total of \$206,055 annually for city administration fee.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

2. WEEKLY SOLID WASTE CAN SERVICE
MONTHLY RATE Effective January 1, 2010

NUMBER OF 96 GALLON CARTS	RATE
1	\$27.77
2	\$54.23
3	\$78.04
4	\$103.17

NUMBER OF 32 GALLON CARTS	RATE
1-3	\$34.38
4-6	\$71.43
7-9	\$96.56
10-12	\$125.66

Service more frequent than once per week shall be charged at 75% above the monthly rate for each additional service day.

3. SOLID WASTE ROLL-OFF
SERVICE RATES*

CONTAINER SIZE (CUBIC YARDS)	Effective January 1, 2010	Effective January 1, 2011
10	\$458.17	\$494.16
20	\$649.50	\$718.18
30	\$826.20	\$927.74
40	\$1,013.32	\$1,147.89
50	\$1,205.72	\$1,373.48

*For 2.5 average hauls per month. If there are less than 2.5 hauls per month, there is an additional bin rental charge.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

**4. ROLL-OFF BIN RENTAL
MONTHLY RATES**

CONTAINER SIZE (CUBIC YARDS)	Effective January 1, 2010	Effective January 1, 2011
10	\$103.67	\$105.27
20	\$132.52	\$134.56
30	\$171.88	\$174.53
40	\$198.10	\$201.16
50	\$228.28	\$231.81

**5A. SOLID WASTE ROLL-OFF COMPACTOR
SERVICE RATE Effective January 1, 2010**

\$2.96 PER SERVICE MINUTE + \$23.04 PER YARD + 12% FRANCHISE FEE

**5B. SOLID WASTE ROLL-OFF COMPACTOR
SERVICE RATE Effective January 1, 2011**

\$3.01 PER SERVICE MINUTE + \$26.00 PER YARD + 12% FRANCHISE FEE

**6A. SOLID WASTE FRONT LOAD COMPACTOR
MONTHLY RATE Effective January 1, 2010**

WEEKLY YARDAGE x \$25.75 PER YARD x 52 WEEKS DIVIDED BY 12 MONTHS + 12% FRANCHISE FEE

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

**6B. SOLID WASTE FRONT LOAD COMPACTOR
MONTHLY RATE Effective January 1, 2011**

WEEKLY YARDAGE x \$26.28 PER YARD x 52 WEEKS DIVIDED BY 12 MONTHS + 12%
FRANCHISE FEE

**6C. SUPER COMPACTORS MONTHLY RATE*
Effective January 1, 2010**

(WEEKLY YARDAGE x \$24.27 PER YARD) + (WEEKLY YARDAGE x \$13.62 PER YARD) x
52 WEEKS DIVIDED BY 12 MONTHS + 12% FRANCHISE FEE

* For purposes of the application of the above rate, Super Compactors are distinguished by a compaction ratio greater than or equal to 6:1 and generating an average container density greater than 550 pounds per cubic yard. The CONTRACTOR shall determine the applicability of this definition. The CONTRACTOR's determination may be appealed by the Producer in writing to CITY.

**6D. SUPER COMPACTORS MONTHLY RATE
Effective January 1, 2011**

(WEEKLY YARDAGE x \$24.78 PER YARD) + (WEEKLY YARDAGE x \$13.96 PER YARD) x
52 WEEKS DIVIDED BY 12 MONTHS + 12% FRANCHISE FEE

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

7A. SOLID WASTE EXTRA PICK-UP RATES
Effective January 1, 2010

SIZE	CONTAINER TYPE	MONDAY-FRIDAY RATE	SATURDAY RATE
1	32 Gallon Can	\$7.94	\$11.92
1	Wheeled Cart	\$25.13	\$27.77
1.0	Yard Bin	\$52.91	\$75.39
1.5	Yard Bin	\$56.87	\$83.35
2.0	Yard Bin	\$63.49	\$89.95
3.0	Yard Bin	\$74.08	\$97.90
4.0	Yard Bin	\$87.31	\$105.83
6.0	Yard Bin	\$119.05	\$128.30
8.0	Yard Bin	\$128.30	\$144.18
Any Compacted Yardage	Compactor	\$38.36 per cubic yard	\$44.98 per cubic yard

RECYCLING COLLECTION

8. RECYCLING ROLL-OFF SERVICE RATES

CONTAINER SIZE (CUBIC YARDS)	Effective January 1, 2010*	Effective January 1, 2011*
10	Up to \$294.02	\$298.55
20	Up to \$347.83	\$353.19
30	Up to \$385.91	\$391.86
40	Up to \$434.48	\$441.18
50	Up to \$488.31	\$495.84

* For 2.5 average hauls per month. If there are less than 2.5 hauls per month, there is an additional bin rental charge.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	<i>DATE FEE LAST CHANGED</i>
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

**9. RECYCLING ROLL-OFF BIN RENTAL
MONTHLY RATES**

CONTAINER SIZE (CUBIC YARDS)	Effective January 1, 2010	Effective January 1, 2011
10	\$101.08	\$102.64
20	\$128.63	\$130.62
30	\$166.69	\$169.26
40	\$192.96	\$195.94
50	\$221.85	\$225.27

**10A. RECYCLING ROLL-OFF COMPACTOR
SERVICE RATE Effective January 1, 2010**

\$2.78 PER SERVICE MINUTE + \$9.10 OR \$12.79 PER YARD + 12% FRANCHISE FEE
When recyclable loads exceed 50% of any single commodity, then per yard cost will decrease from \$12.79 to \$9.10 per yard.

**10B. RECYCLING ROLL-OFF COMPACTOR
SERVICE RATE Effective January 1, 2011**

\$2.82 PER SERVICE MINUTE + \$9.24 OR \$12.99 PER YARD + 12% FRANCHISE FEE
When recyclable loads exceed 50% of any single commodity, then per yard cost will decrease from \$12.99 to \$9.24 per yard.

**11A. RECYCLING FRONT LOAD COMPACTOR
MONTHLY RATE Effective January 1, 2010**

WEEKLY YARDAGE x \$9.10 OR \$21.22 PER YARD x 52 WEEKS DIVIDED BY 12 MONTHS + 12% FRANCHISE FEE
When recyclable loads exceed 50% of any single commodity, then per yard cost will decrease from \$21.22 to \$9.10 per yard.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	<i>DATE FEE LAST CHANGED</i>
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

**11B. RECYCLING FRONT LOAD COMPACTOR
MONTHLY RATE Effective January 1, 2011**

WEEKLY YARDAGE x \$9.24 OR \$21.55 PER YARD x 52 WEEKS DIVIDED BY 12 MONTHS + 12% FRANCHISE FEE
 When recyclable loads exceed 50% of any single commodity, then per yard cost will decrease from \$21.55 to \$9.24 per yard.

OTHER CHARGES

**12. FRONT LOADER PUSH AND RETURN
MONTHLY RATES PER BIN Effective January 1, 2010**

NUMBER OF FEET DISMOUNTED	FREQUENCY PER WEEK					
	1X	2X	3X	4X	5X	6X
Up to 25'	\$8.09	\$16.15	\$24.17	\$32.25	\$40.30	\$48.34
26'-50'	\$16.15	\$32.25	\$48.34	\$64.45	\$80.59	\$96.71
51'-75'	\$24.17	\$48.34	\$72.51	\$96.71	\$120.87	\$145.03
76'-100'	\$32.25	\$64.45	\$96.71	\$128.91	\$161.18	\$193.39
101'-125'	\$40.30	\$80.59	\$120.87	\$161.18	\$201.43	\$241.71
126'-150'	\$48.34	\$96.71	\$128.91	\$201.43	\$241.71	\$290.05
151'-175'	\$56.43	\$112.81	\$169.22	\$225.62	\$281.99	\$338.42
176'-200'	\$64.45	\$128.91	\$193.39	\$257.84	\$322.31	\$386.75

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Recycling and Solid Waste Services, continued	See below	2	Ord 276.1 12/15/09

13. SOLID WASTE MISCELLANEOUS CHARGES

Effective January 1, 2010

Lock Installation (After Delivery)	\$96.56
Bin Repairs	\$78.04
Lock (Padlock Only)	\$14.56
Container Delivery (New Account Set-Up and Bin Size Exchange)	\$51.58
Graffiti Removal	
Second and subsequent bin exchanges per calendar year	\$ 51.58
Allied supplies paint to Owner	no cost
Container Exchange (Dirty Container)	\$96.56
Leak Proof 3-yard Front Load Container	\$24.52

14A. RETURN COLLECTION OF OPEN TOP SOLID WASTE CONTAINERS

SERVICE RATE Effective January 1, 2010

The criteria and procedures outlined in Exhibit L of this Agreement shall be followed before the CONTRACTOR may charge \$76.08 per haul.

14B. RETURN COLLECTION OF OPEN TOP SOLID WASTE CONTAINERS

SERVICE RATE Effective January 1, 2011

The criteria and procedures outlined in Exhibit L of this Agreement shall be followed before the CONTRACTOR may charge \$76.98 per haul.

**CITY OF MILPITAS
RESIDENTIAL YARD TRIMMINGS SERVICE
MONTHLY SERVICE RATE**

Date December 17, 1996; Amended May 4, 1999, February 20, 2001, December 17, 2002; November 16, 2004; January 15, 2008

	Effective January 1, 2010
Single-Unit Dwelling	\$6.09
Senior Citizen	\$3.06

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	DATE FEE LAST CHANGED
Engineering		Pilot Commercial Food Waste Program	See below	2	Res 7611 8/1/06

City of Milpitas Commercial Food Waste Rate Effective August 1, 2006

Allied Waste Services of Santa Clara County

Milpitas Commercial Food Waste Rates

Bin Rental (1)	Times/Week	1-cubic yard (CY)	1.5-CY	2-CY	3-CY
\$13.60 – 1 cy	1 x week	\$105.20	\$141.26	\$177.34	\$ 258.48
\$13.60 – 1.5 cy	2 x week	\$193.98	\$273.37	\$346.39	\$ 510.77
\$13.60 – 2 cy	3 x week	\$273.48	\$378.27	\$502.79	\$ 745.33
\$18.11 – 3cy	4 x week	\$346.39	\$493.18	\$659.11	\$ 979.89
	5 x week	\$424.58	\$608.05	\$815.48	\$1214.44
	6 x week	\$502.79	\$722.90	\$971.90	\$1448.98
	Extra Pickup	\$ 62.60	\$ 73.24	\$ 86.33	\$ 110.05

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering		AB939 Implementation Fee (collected by the County)	See below	2	AB939 Agreement 4/21/09

1. PURPOSE

The purpose of this Agreement is to state the terms and conditions under which the COUNTY will collect and distribute the Fee of \$4.10 per ton in FY 2010 of waste to be disposed. The Fee is divided into two parts: 1) a Program Fee of \$1.50 per ton to assist in funding the costs of preparing, adopting, and implementing the integrated waste management plan in the fifteen cities and the unincorporated area of the County; and 2) a HHW Fee of \$2.60 per ton to provide funding to implement the Countywide HHW Program. The Program Fee will be allocated among jurisdictions as described in Exhibit B. The HHW Fee will be allocated to the COUNTY, CITIES, and Countywide HHW Program and participating jurisdictions as described in Exhibit C. The Fee shall be imposed on each ton of waste landfilled or incinerated within the County; received at any non-disposal or collection facility located within the County and subsequently transported for disposal or incineration outside of the County; collected from any location within the County by a solid waste hauler operating pursuant to a franchise, contract, license, or permit issued by any local jurisdiction and subsequently transported for disposal or incineration outside of the County; or removed from any location in the County by any person or business for disposal or incineration outside the County. Non-Disposal Facilities are defined as those facilities included in the County of Santa Clara Non-Disposal Facility Element (and subsequent amendments to that Element) and are listed in Exhibit A.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	<i>DATE FEE LAST CHANGED</i>
Engineering		AB939 Implementation Fee (collected by the County), continued	See below	2	AB939 Agreement 4/21/09

2. SERVICES PROVIDED BY COUNTY

COUNTY will collect and distribute the Fee. COUNTY will collect the Fee from landfills and non-disposal facilities listed in Exhibit A, and any landfill or non-disposal facility subsequently permitted, on a quarterly basis using data from tonnage reports filed by landfill and non-disposal facility operators with the County Integrated Waste Management Division. The COUNTY shall require each landfill and non-disposal facility to submit required payment, documentation of tonnages disposed, and state-mandated Disposal Reporting System Reports on a quarterly basis, within 45 days of the end of each calendar quarter. Late submissions and/or payments shall be subject to a late filing penalty and delinquent penalties. COUNTY will research Santa Clara County tonnage reported to COUNTY by landfills outside the COUNTY in significant amounts to determine the identity of the hauler. That hauler will subsequently be billed in the same fashion subject to the same penalties as mentioned above. Collected funds and any late filing payments and delinquency penalties shall be distributed to CITIES and Countywide HHW Program based on the formula set forth in Exhibits B and C. COUNTY shall not be obligated to distribute funds that COUNTY has been unable to collect from landfill or non-disposal facility operators.

3. ROLE OF CITIES

CITIES shall review the Disposal Reporting System Reports as prepared and submitted by the COUNTY and within 30 days of receipt shall report to COUNTY, with appropriate documentation, errors in waste allocations among jurisdictions.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	<i>DATE FEE LAST CHANGED</i>
Engineering		AB939 Implementation Fee (collected by the County), continued	See below	2	AB939 Agreement 4/21/09

4. COLLECTION AND USE OF FEE

Each ton of waste will be subject to the Fee. Best efforts will be made to prevent tonnage from being assessed a double fee (once at a non-disposal facility and again at a landfill within Santa Clara County). The Program Fee funding share paid to CITIES shall be used to assist in funding the costs of preparing, adopting, and implementing the integrated waste management plan of each of the CITIES and the unincorporated area of the COUNTY. The HHW Fee portion shall assist in funding the costs of each city's share of HHW operations.

7. DISTRIBUTION OF FEE

COUNTY shall distribute the Fee to CITIES and the Countywide HHW Program pursuant to the formulas described in Exhibits B and C within 45 days of receipt of landfill and non-disposal facility payments and disposal documentation required for calculation of Fee distribution amounts. Distributions shall begin December 15, 2009, and continue quarterly through October 15, 2010.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering		AB939 Implementation Fee (collected by the County), continued	See below	2	AB939 Agreement 4/21/09

EXHIBIT A

LANDFILLS LOCATED IN SANTA CLARA COUNTY

Guadalupe Rubbish Disposal Site
 Kirby Canyon Sanitary Landfill
 Newby Island Sanitary Landfill
 Pacheco Pass Sanitary Landfill
 Palo Alto Refuse Disposal Area
 Zanker Materials Processing Facility
 Zanker Road Landfill

NON-DISPOSAL FACILITIES AND TRANSFER STATIONS LOCATED IN SANTA CLARA COUNTY

Butterick Enterprises Recyclery
 California Waste Solutions Recycling & Transfer Station
 City of Palo Alto Green Composting Facility
 ComCare Farms Composting Facility
 Environmental Management Systems Facility
 Green Waste Recovery Facility
 Mission Trail Waste Systems, Inc.
 Newby Island Compost Facility
 Pacheco Pass Landfill Composting Facility
 Pacific Coast Recycling, Inc.
 Premier Recycling Facility
 The Recyclery at Newby Island
 San Martin Transfer Station
 Sunnyvale Materials Recovery and Transfer Station (SMaRT Station)
 Z-Best Composting Facility
 Zanker Materials Processing Facility

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	<i>DATE FEE LAST CHANGED</i>
Engineering		AB939 Implementation Fee (collected by the County), continued	See below	2	AB939 Agreement 4/21/09

EXHIBIT B

FORMULA FOR DISTRIBUTION OF AB939 PROGRAM FEE

Each jurisdiction located in Santa Clara County will receive \$1.50 per ton of solid waste disposed of in landfills or taken to non-disposal facilities located in Santa Clara County that originates from that jurisdiction, as documented in quarterly reports submitted by the County to the State Disposal Reporting System.

Fees collected from undocumented disposed tonnage, or tonnage originating outside of Santa Clara County, will be distributed according to each jurisdiction's percent of countywide population, according to the latest available population report issued by the California Department of Finance.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering	Non-Exclusive Nitrogen Gas Franchise – non-exclusive franchises to install, construct, maintain and use under, along, across or upon the public streets, easements, ways and places within the City all pipes and appurtenances for transmitting and distributing industrial gas for any and all purposes. (MMC III-19-5)	\$2,000 franchise fee plus annual fees as described below	2	Ord 220 1/8/85

NON-EXCLUSIVE NITROGEN GAS FRANCHISE FEES

Grantee shall, during the term of said franchise, pay to City as follows:

a) The sum of:

1. A fee of TWO THOUSAND DOLLARS accompanying the acceptance of the franchise, and
2. An annual fee of SIX HUNDRED AND FIFTY DOLLARS for each mile or each fraction of a mile of each gas carrying pipe installed within the public streets, easements, ways and public places within City. (For example, 1 1/2 miles will yield an annual fee of \$1300 hereunder.) (No pipe over 12 inches nominal inside diameter shall be installed under this franchise), and
3. An annual fee of ONE HUNDRED & TWENTY FIVE DOLLARS per inside diameter inch of each customer service lateral as measured at the property line of the pipeline customer (or of that customer's lessor) for each and every customer connected to the pipeline and situated within the corporate limits of City during all or part of the calendar year.

b) The fees stated above in subparagraphs 2 and 3 of Section a will be increased annually at a rate of seven percent (7%) per annum over the fee for the preceding calendar year throughout the term of the franchise or any extension thereto.

c) In no event will Grantee pay City pursuant to this Section 5, an amount less than One Thousand Dollars per calendar year, or portion thereof, for the term of a franchise. Initial payment of said sum shall be paid to city upon grant of a franchise for the portion of the calendar year ending December 31, of the year in which the franchise is granted.

d) The Grantee shall pay City the fee for review and inspection for installation under Section III-19-13.00 prior to encroachment permit issuance.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Engineering		Interstate Truck Terminal Designation and Access (MMC III-16-2)	Cost of the review of the terminal designation and the review of the route and alternate route(s) plus cost of purchase and installation of trailblazer signs	1	Ord 225 6/18/85

MMC III-16-2 INTERSTATE TRUCK TERMINAL DESIGNATION AND ACCESS

Purpose

The purpose of this Chapter is to establish procedures for terminal designation and truck route designation to terminals for interstate trucks operating on a federally designated highway system and to promote the general health, safety and welfare of the public.

Application

.01 Any interested person requiring terminal access for interstate trucks from the federally designated highway system shall submit an application, on a form as provided by the City, together with such information as may be required by the Engineer and appropriate fees to the City.

.02 Upon receipt of the application, the Engineer will cause an investigation to be made to ascertain whether or not the proposed terminal facility meets the requirements for an interstate truck terminal. Upon approval of that designation, the Engineer will then determine the capability of the route requested and alternate routes, whether requested or not. Determination of route capability will include, without limitation, a review of adequate turning radius and lane widths of ramps, intersections and highways and general traffic conditions such as sight distance, speed and traffic volumes. No access off a federally designated highway system will be approved without the approval of Caltrans.

.03 Should the requested route pass through the City of Milpitas to a terminal located in another jurisdiction, the applicant shall comply with that jurisdiction's application process. Coordination of the approval of the route through the City will be the responsibility of the entity which controls the terminal's land use. Costs for trailblazer signs shall be as provided in Section III-16-4.00.

Fees And Costs

.01 The applicant shall pay a non-refundable application fee, as established by the City by resolution, sufficient to pay the cost of the review of the terminal designation and the review of the route and alternate route(s).

.02 Upon the approval of the terminal designation and route by the City, the applicant shall deposit with the City sufficient funds as estimated by the Engineers to pay for the purchase and installation of terminal trailblazer signs. Trailblazer signs will be required at every decision point in the City on route to the terminal. Upon completion of the installation of the signs, the actual cost shall be computed and any difference between the actual and the estimated cost shall be billed or refunded to the applicant, whichever the case may be. No terminal or route may be used until such signs as may be required are in place. Costs for trailblazer signs may be proportioned in accordance with the procedures in Section III-16-5.03.

.03 With respect to any State highway within the City limits or any County road within the City Limits, approval and consent of the designated route to terminal must be obtained from the respective agency prior to City approval.

Blank

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Permitting Automation Fee	See Below	1	Res 7590 5/16/06

RESOLUTION NO. 7590

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MILPITAS AMENDING THE
BUILDING FEE SCHEDULE TO INCLUDE A 2.5% PERMITTING AUTOMATION FEE
EFFECTIVE JULY 1, 2006**

WHEREAS, the City of Milpitas wishes to collect a permitting automation fee to fund automation related to the issuance of permits and other land development activities; and

WHEREAS, The Milpitas City Council approved the amendment of the fee schedule to collect such fees on the following:

- Building Permits
- Fire Safety Construction Permits
- Eng & Planning Services
- Planning Fees
- Traffic Impact Fees
- Park in-lieu Fees
- Water Line Ext. Connection Fees
- Sewer Connection Fees
- Treatment Plant Fees
- Storm Drain Connection Fees

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Milpitas as follows:

The fee schedule is amended to include a permitting automation fee on the above listed permits and services, effective July 1, 2006.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Building & Safety	Part 1 - BUILDING INSPECTION FEES-RESIDENTIAL	See below	1	Res No. 7940 12/1/09

A. Notes for Residential Fees

1. **Total Permit Fee:** The total permit fee is the sum of the plan check fee, inspection fee and other applicable charges or fees. Mechanical, electrical and plumbing plan review fees are included in plan check fees.
2. **Minimum Fee:** The minimum fee is the fee shown for 100 sq. ft. or as indicated.
3. **Increment Fee:** The increment fee is per 100 sq. ft. or fraction thereof.
4. **Projects Larger Than 100 sq. ft. or as Indicated:** The fee is the sum of (1) the fee shown for the nearest sq. ft. (less than the project total) plus (2) the product of each additional 100 sq. ft. multiplied by the increment fee.
5. **Single-Family and Two-Family Fees:** All fees noted for single-family residential are also applicable to two-family residential.
6. **Multi-Family Residential:** See Part 2, Commercial/Industrial Fee Schedule (Hotels, Motels & Multi-Family Residential) for plan check and inspection fees.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Building & Safety	Part 1 - BUILDING INSPECTION FEES-RESIDENTIAL, continued	See below	1	Res No. 7940 12/1/09

7. **New Single-Family and Multi-Family Residential Electrical, Mechanical and Plumbing Fees:** Fees are \$110.00 permit fee plus \$0.14/sf (single-family) or \$0.09/sf (multi-family) for electrical work as per Part 7, \$0.37/sf (single-family) or \$0.25/sf (multi-family) for mechanical work as per Part 8, and \$0.14/sf (single-family) or \$0.09/sf (multi-family) for plumbing work as per Part 9. These fees include both the MPE plan check and inspection.
8. **Tract or Repetitive Construction Fees:**
 Plan Check Fees: 25% of original single-family or multi-family fee
 Inspection Fee: As noted on the published schedules

Example of Plan Check Fee:

Objective: Find the plan check fee for a 1,200 sq. ft. Custom 1-Story Residence, wood construction.

- Solution:
- a. Closest sq. ft. less than 1,200 is 1,000. Plan check fee base is thus \$1,434.00
 - b. Increment above 1,000 sq. ft. is 200 sq. ft. Incremental price is \$95.00 per 100 sq. ft., so product is 2 x \$95.00 = \$190.00
 - c. Total plan check fee is \$1,434 + \$190 = \$1,624.00

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 1 - BUILDING INSPECTION FEES-RESIDENTIAL, continued	See below	1	Res No. 7940 12/1/09

B. New Residential

Custom One-Story				
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Sq Ft	Plan Check Fee	Increments	Inspection Fee	Increments
1,000	\$1,434	\$95	\$2,208	\$161
1,500	\$1,910	\$96	\$3,015	\$145
2,000	\$2,338	\$77	\$3,742	\$131
2,500	\$2,723	\$69	\$4,395	\$118
3,000	\$3,070	\$62	\$4,984	\$106
4,000	\$3,693	\$56	\$6,043	\$95
5,000	\$4,256	\$51	\$6,997	\$86
10,000	\$6,783	\$45	\$11,287	\$77
15,000	\$9,057	\$42	\$15,149	\$64

Custom Two-Story				
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Sq Ft	Plan Check Fee	Increments	Inspection Fee	Increments
1,000	\$1,578	\$105	\$2,429	\$178
1,500	\$2,100	\$94	\$3,317	\$160
2,000	\$2,572	\$85	\$4,116	\$144
2,500	\$2,995	\$76	\$4,836	\$129
3,000	\$3,377	\$69	\$5,483	\$116
4,000	\$4,063	\$62	\$6,648	\$105
5,000	\$4,681	\$56	\$7,697	\$94
10,000	\$7,461	\$50	\$12,417	\$85
15,000	\$9,963	\$44	\$16,664	\$68

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 1 - BUILDING INSPECTION FEES-RESIDENTIAL, continued	See below	1	Res No. 7940 12/1/09

Tract Models One-Story

Sq Ft	Plan Check Fee	increments	Inspection Fee	increments
1,000	\$1,510	\$101	\$2,346	\$163
1,500	\$2,016	\$91	\$3,159	\$147
2,000	\$2,471	\$82	\$3,892	\$132
2,500	\$2,882	\$74	\$4,551	\$119
3,000	\$3,250	\$66	\$5,144	\$107
4,000	\$3,914	\$60	\$6,211	\$96
5,000	\$4,512	\$54	\$7,171	\$86
6,000	\$5,050	\$32	\$8,036	\$69

Tract Models Two-Story

Sq Ft	Plan Check Fee	increments	Inspection Fee	increments
1,000	\$1,661	\$111	\$2,581	\$179
1,500	\$2,218	\$100	\$3,475	\$161
2,000	\$2,719	\$90	\$4,280	\$145
2,500	\$3,169	\$81	\$5,006	\$130
3,000	\$3,575	\$73	\$5,658	\$117
4,000	\$4,306	\$66	\$6,832	\$106
5,000	\$4,963	\$59	\$7,889	\$95
6,000	\$5,555	\$47	\$8,840	\$75

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 1 - BUILDING INSPECTION FEES-RESIDENTIAL, continued	See below	1	Res No. 7940 12/1/09

C. Remodel/ Addition

One-Story				
Sq Ft	Plan Check Fee	increments	Inspection Fee	increments
100	\$159		\$193	
200	\$254		\$354	
300	\$349		\$515	
400	\$635	\$136	\$965	\$230
500	\$770	\$122	\$1,195	\$207
1,000	\$1,382	\$110	\$2,229	\$186
1,500	\$1,932	\$99	\$3,159	\$168
2,000	\$2,426	\$99	\$3,997	\$151
2,500	\$2,873	\$90	\$4,751	\$136
3,000	\$3,321	\$73	\$5,429	\$124

Two-Story				
Sq Ft	Plan Check Fee	increments	Inspection Fee	increments
200	\$317		\$580	
300	\$422		\$745	
400	\$752	\$150	\$1,301	\$236
500	\$901	\$135	\$1,536	\$212
1,000	\$1,574	\$121	\$2,598	\$191
1,500	\$2,179	\$109	\$3,554	\$172
2,000	\$2,724	\$98	\$4,414	\$155
2,500	\$3,214	\$88	\$5,188	\$139
3,000	\$3,655	\$78	\$5,885	\$133

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 1 - BUILDING INSPECTION FEES-RESIDENTIAL, continued	See below	1	Res No. 7940 12/1/09

D. Combination Permits

Combination Permit Type	Plan Check Fee	MPE* Combined Fee	Inspection Fee	Total Fee
Attached Garage-1 to 3 cars	\$453	\$0	\$276	\$729
Bathroom Remodel	\$131	\$115	\$276	\$522
Kitchen Remodel	\$131	\$115	\$276	\$522
Kitchen + 1 Bath Remodel	\$197	\$138	\$414	\$749
Strnd Patio Encl/Sun Room	\$197	\$138	\$351	\$686
Engrd Patio Encl/Sun Room	\$230	\$138	\$351	\$718
Garage conversion	\$197	\$138	\$351	\$686
Green House	\$197	\$0	\$351	\$548
Patio Cover	\$197	\$0	\$351	\$548
Detached Garage or Shed	\$197	\$69	\$351	\$617
Window, Skylight or Door	\$131	\$0	\$276	\$407
Additional Bathroom	\$0	\$115	\$276	\$391

E. Miscellaneous Construction

Permit Type	Plan Check Fee	MPE* Combined Fee	Inspection Fee	Total Fee
Wood fences over 6' high, concrete/masonry-over 4' high*	\$131	\$0	\$138	\$269
Sound Wall	\$302	\$0	\$414	\$716
Structural Roof Conversions	\$.44/sf	\$0	\$.69/sf	\$1.13/sf
AC Condenser Replacement	\$0	\$0	\$141	\$141
Furnace Replacement	\$0	\$0	\$141	\$141
Water Heater Replacement	\$0	\$0	\$141	\$141
Solar Panels (PV or Water)*	\$138	\$141	\$120	\$399
Solar Panels (PV or Water) without structural design*	\$0	\$141	\$0	\$141
Fireplace reconstruction	\$0	\$0	\$276	\$276
Siding/stucco replacement	\$0	\$0	\$276	\$276
Seismic Strengthening	\$0	\$0	\$276	\$276

* Fee listed is limited to single-family and two-family residences

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 1 - BUILDING INSPECTION FEES-RESIDENTIAL, continued	See below	1	Res No. 7940 12/1/09

F. Miscellaneous Fees

* Change of Address, per request	\$350
* Extension of Plan Check	\$34
* Extension of Building Permit	\$34
* Records Research	\$27
* Records Research with Documentation, per Address	\$54
* Digitizing	
Document size 8 1/2 x 11	
1st 10 documents	\$1/ea
additional documents	\$.50/ea
Documents size 8 1/2 x 14 or larger	\$4/ea
* MPE - Mechanical, Plumbing & Electrical	
* Report of Monthly or Yearly Building Permit Activity (no charge to public agencies)	\$47
* Reprinting of Building Permit cards	\$27
* Alternative Materials or Methods of Construction	\$350
* Strong Motion instrumentation and Seismic Hazard Mapping Fees (State Fees):	
Category 1-Residential, 1st to 3rd Story: Valuation x 0.0001= Fee (Min. Fee is \$.50)	
Category 2-All Other Buildings: Valuation x 0.00021= Fee (Min. Fee is \$.50)	
* Building Standards Administration Special Revolving Fund	
Permit Valuation \$1 to \$25,000	\$1
Permit Valuation \$25,001 to \$50,000	\$2
Permit Valuation \$50,001 to \$75,000	\$3
Permit Valuation \$75,001 to \$100,000	\$4
Every \$25,000 or fraction thereof above \$100,000	Add \$1
* Permitting Automation Fee	2.5% of total Permit Fee

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 1 - BUILDING INSPECTION FEES-RESIDENTIAL, continued	See below	1	Res No. 7940 12/1/09

G. Other Plan Check, Inspection and Permit Fees

* Plan Check, Title 24 Energy Conservation	10% of Plan Check Fee
* After Hours Plan Check (2 hr. min.)	\$453
* After Hours Inspection (2 hr. min.)	\$414
* Plan Check Revisions (2 hr. min.)	\$302
* Resale Inspection	\$299
* Fire Damage Inspection (2 hr. min.)	\$276
* Inspection Investigation Fee (construction w/o permits, per MMC)	100% of Inspection Fee
* Reinspection	\$104
* Demolition Permit (2 hr. min.)	\$138/hr
* Residential Re-roofing Permit, Single-Family	\$368
* Residential Re-roofing Permit, Multi-Family (per each building)	\$518

H. Hourly Rates, Special Services and Fee Adjustments

Fees Based on Hourly Rates: When the nature of work precludes assessment of fees based on the square footage method, plan check fees and/or inspections shall be charged on an hourly rate basis.

* Building and Safety Department:

Hourly Rates: When hourly rates are used to assess fees, the rates shall be as follows:

Clerical and Permit Technician	\$110/hr
Building Inspector	\$138/hr
Plan Checker	\$131/hr
Plan Check Engineer	\$151/hr

Overtime Hourly Rates: When plan checks or inspections are performed on an overtime basis request of an applicant, overtime rates shall be as follows:

Clerical and Permit Technician	\$165/hr
Building Inspector	\$207/hr
Plan Checker	\$197/hr
Plan Check Engineer	\$227/hr

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 1 - BUILDING INSPECTION FEES-RESIDENTIAL, continued	See below	1	Res No. 7940 12/1/09

H. Hourly Rates, Special Services and Fee Adjustments (continued)

- ◆ **Planning & Neighborhood Services Department** (for projects that have not established a Private Job account)

Review of modifications to single-family residential projects, not in hillside areas	\$76
Review of modifications to single-family residential projects, hillside areas	\$151
All other permit application reviews (1/2 hr. min.)	\$151/hr

- ◆ **Engineering Division** (for projects that have not established a Private Job account)

Review of modifications to single-family residential projects	\$109
All other permit application reviews	\$151/hr

- ◆ **Special Services and Fee Adjustments**

Special Services: When the Building and Safety Department provides requested or necessary services that are not included in this Fee Schedule, the Chief Building Official may assess and collect such fees that are reasonably necessary to defray the cost of such services.

Fee Adjustments: In instances where the strict application of fees from this schedule would constitute a substantial inequity to an applicant or to the City, the Chief Building Official shall be authorized to adjust such fees on a case-by-case basis. Any such adjustments shall be recorded in writing and entered into the appropriate files.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 1 - BUILDING INSPECTION FEES-RESIDENTIAL, continued	See below	1	Res No. 7940 12/1/09

I. Mobilehome Permit Fees*

♦ Permit fee	\$196
♦ Awning, each	\$196
♦ Porch larger than 12 sf, each	\$196
♦ Deck larger than 12 sf, each	\$196
♦ Cabana, each	\$196
♦ Ramada, each	\$196
♦ Private garage, each	\$196
Mechanical, electrical or plumbing, add for each	\$196
♦ Stop Work Notice	100% of Inspection Fee
♦ Re-inspection fee (1 hour minimum)	\$196
♦ Additional 1 hour inspection time	\$82
♦ Additional 1/2 hour inspection time	\$41

*All fees for the above are based upon submittal of standard plans with current approval by the Department of HCD. All other plan fees will be based upon square footage.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Building & Safety	Part 2 - BUILDING INSPECTION FEES-COMMERCIAL/INDUSTRIAL	See below	1	Res No. 7940 12/1/09

A. Notes for Commercial/Industrial Fees:

1. **Total Permit Fee:** The total permit fee is the sum of the plan check fee, inspection fee and other applicable fees. Mechanical, electrical and plumbing review fees are not included in plan check fees.
2. **Minimum Fee:** The minimum fee is the fee shown for 1,000 sq. ft.
3. **Increment Fee:** The increment fee is per 100 sq. ft. or fraction thereof.
4. **Projects Larger Than 1,000 sq. ft. or as Indicated:** The fee is the sum of (1) the fee shown for the nearest sq. ft. (less than the project total) plus (2) the product of each additional 100 sq. ft. multiplied by the increment fee.
5. **Issuance Fee:** When more than one specialty permit (mechanical, electrical and plumbing) is concurrently issued to one applicant, only one issuance fee of \$110.00 will be charged.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Building & Safety	Part 2 - BUILDING INSPECTION FEES-COMMERCIAL/INDUSTRIAL, continued	See below	1	Res No. 7940 12/1/09

6. **Electrical, Mechanical and Plumbing Fees, Hotels and Motels:** These fees shall be tabulated using a unit count of fixtures, equipment, appliances and items from Parts 7, 8 and 9 Schedules.

7. **Fee Selection:** For the purpose of selecting appropriate fees in this schedule, the main exterior wall materials shall be used to determine whether fees for "wood" (Type V bldgs), "concrete" (Type III bldgs), or "steel" (Type II bldgs) are to be used. Fees for improvements to existing buildings shall likewise be based on the main exterior wall material.

Example of Plan Check Fee:

Objective: Find the plan check fee for a 1,200 sq. ft. Commercial or Industrial Shell Building project with wood construction.

- Solution:**
- a. Closest sq. ft. less than 1,200 is 1,000. Plan check fee base is thus \$2,281.00

 - b. Increment above 1,000 sq. ft. is 200 sq. ft. Incremental price is \$57.00 per 100 sq. ft., so product is $2 \times \$57 = \114.00

 - c. Total plan check fee is $\$2,281 + \$114 = \$2,395.00$

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 2 - BUILDING INSPECTION FEES-COMMERCIAL/INDUSTRIAL, continued	See below	1	Res No. 7940 12/1/09

B. NEW SHELL BUILDINGS

SHELL												
SQ. FT.	WOOD		CONCRETE		STEEL		WOOD		CONCRETE		STEEL	
	Plan Check Fee	increments	Plan Check Fee	increments	Plan Check Fee	increments	Inspection Fee	increments	Inspection Fee	increments	Inspection Fee	increments
1,000	\$ 2,281	\$ 57	\$ 2,630	\$ 66	\$ 2,608	\$ 62	\$ 1,095	\$ 23	\$ 930	\$ 18	\$ 769	\$ 14
5,000	\$ 4,570	\$ 52	\$ 5,262	\$ 59	\$ 5,084	\$ 56	\$ 2,021	\$ 21	\$ 1,669	\$ 17	\$ 1,336	\$ 13
10,000	\$ 7,145	\$ 46	\$ 8,223	\$ 53	\$ 7,868	\$ 50	\$ 3,061	\$ 19	\$ 2,498	\$ 15	\$ 1,976	\$ 12
15,000	\$ 9,463	\$ 42	\$ 10,886	\$ 48	\$ 10,374	\$ 45	\$ 3,999	\$ 17	\$ 3,245	\$ 13	\$ 2,551	\$ 10
20,000	\$ 11,549	\$ 38	\$ 13,284	\$ 43	\$ 12,629	\$ 41	\$ 4,842	\$ 15	\$ 3,917	\$ 12	\$ 3,068	\$ 9
35,000	\$ 17,181	\$ 34	\$ 19,760	\$ 39	\$ 18,719	\$ 37	\$ 7,119	\$ 14	\$ 5,733	\$ 11	\$ 4,465	\$ 8
50,000	\$ 22,251		\$ 25,586		\$ 24,199		\$ 9,169		\$ 7,366		\$ 5,722	

C. TENANT or INTERIOR IMPROVEMENT

OFFICE-T.I.												
SQ. FT.	WOOD		CONCRETE		STEEL		WOOD		CONCRETE		STEEL	
	Plan Check Fee	increments	Plan Check Fee	increments	Plan Check Fee	increments	Inspection Fee	increments	Inspection Fee	increments	Inspection Fee	increments
1,000	\$ 780	\$ 32	\$ 808	\$ 37	\$ 808	\$ 37	\$ 1,228	\$ 22	\$ 1,066	\$ 18	\$ 1,051	\$ 15
5,000	\$ 2,047	\$ 29	\$ 2,281	\$ 33	\$ 2,281	\$ 33	\$ 2,123	\$ 20	\$ 1,786	\$ 16	\$ 1,664	\$ 14
10,000	\$ 3,472	\$ 26	\$ 3,937	\$ 30	\$ 3,937	\$ 30	\$ 3,128	\$ 18	\$ 2,596	\$ 15	\$ 2,353	\$ 12
15,000	\$ 4,755	\$ 23	\$ 5,427	\$ 27	\$ 5,427	\$ 27	\$ 4,034	\$ 16	\$ 3,325	\$ 13	\$ 2,973	\$ 11
20,000	\$ 5,909	\$ 21	\$ 6,770	\$ 24	\$ 6,770	\$ 24	\$ 4,848	\$ 15	\$ 3,980	\$ 12	\$ 3,532	\$ 10
35,000	\$ 9,027	\$ 19	\$ 10,392	\$ 22	\$ 10,392	\$ 22	\$ 7,048	\$ 13	\$ 5,751	\$ 11	\$ 5,038	\$ 9
50,000	\$ 11,832		\$ 13,652		\$ 13,652		\$ 9,029		\$ 7,346		\$ 6,395	

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 2 - BUILDING INSPECTION FEES-COMMERCIAL/INDUSTRIAL, continued	See below	1	Res No. 7940 12/1/09

C. TENANT or INTERIOR IMPROVEMENT Continued

RELIGIOUS ASSEMBLY-T.I.												
SQ. FT.	WOOD		CONCRETE		STEEL		WOOD		CONCRETE		STEEL	
	Plan Check Fee	Increments	Plan Check Fee	Increments	Plan Check Fee	Increments	Inspection Fee	Increments	Inspection Fee	Increments	Inspection Fee	Increments
1,000	\$ 1,587	\$ 68	\$ 1,753	\$ 71	\$ 1,747	\$ 70	\$ 1,649	\$ 48	\$ 1,354	\$ 45	\$ 1,058	\$ 41
5,000	\$ 4,316	\$ 61	\$ 4,584	\$ 64	\$ 4,546	\$ 63	\$ 3,585	\$ 44	\$ 3,151	\$ 40	\$ 2,712	\$ 37
10,000	\$ 7,387	\$ 55	\$ 7,771	\$ 57	\$ 7,693	\$ 57	\$ 5,763	\$ 39	\$ 5,173	\$ 36	\$ 4,574	\$ 33
15,000	\$ 10,150	\$ 50	\$ 10,638	\$ 52	\$ 10,525	\$ 51	\$ 7,723	\$ 35	\$ 6,993	\$ 33	\$ 6,248	\$ 30
20,000	\$ 12,638	\$ 45	\$ 13,219	\$ 46	\$ 13,075	\$ 46	\$ 9,488	\$ 32	\$ 8,631	\$ 29	\$ 7,756	\$ 27
35,000	\$ 19,353	\$ 40	\$ 20,188	\$ 42	\$ 19,959	\$ 41	\$ 14,251	\$ 29	\$ 13,054	\$ 27	\$ 11,827	\$ 24
50,000	\$ 25,397		\$ 26,458		\$ 26,155		\$ 18,538		\$ 17,034		\$ 15,489	

RESTAURANT-T.I.												
SQ. FT.	WOOD		CONCRETE		STEEL		WOOD		CONCRETE		STEEL	
	Plan Check Fee	Increments	Plan Check Fee	Increments	Plan Check Fee	Increments	Inspection Fee	Increments	Inspection Fee	Increments	Inspection Fee	Increments
1,000	\$ 1,669	\$ 83	\$ 1,718	\$ 92	\$ 1,718	\$ 92	\$ 1,858	\$ 61	\$ 1,701	\$ 58	\$ 1,671	\$ 52
5,000	\$ 4,991	\$ 75	\$ 5,391	\$ 83	\$ 5,391	\$ 83	\$ 4,309	\$ 55	\$ 4,012	\$ 52	\$ 3,763	\$ 47
10,000	\$ 8,727	\$ 67	\$ 9,524	\$ 74	\$ 9,524	\$ 74	\$ 7,064	\$ 50	\$ 6,614	\$ 47	\$ 6,117	\$ 42
15,000	\$ 12,090	\$ 61	\$ 13,244	\$ 67	\$ 13,244	\$ 67	\$ 9,546	\$ 45	\$ 8,954	\$ 42	\$ 8,296	\$ 38
20,000	\$ 15,116	\$ 54	\$ 16,592	\$ 60	\$ 16,592	\$ 60	\$ 11,778	\$ 40	\$ 11,061	\$ 38	\$ 10,143	\$ 34
35,000	\$ 23,288	\$ 49	\$ 25,629	\$ 54	\$ 25,629	\$ 54	\$ 17,807	\$ 36	\$ 16,747	\$ 34	\$ 15,292	\$ 31
50,000	\$ 30,643		\$ 33,764		\$ 33,764		\$ 23,232		\$ 21,866		\$ 19,925	

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 2 - BUILDING INSPECTION FEES-COMMERCIAL/INDUSTRIAL, continued	See below	1	Res No. 7940 12/1/09

C. TENANT or INTERIOR IMPROVEMENT Continued

EDUCATION T.I.												
SQ. FT.	WOOD		CONCRETE		STEEL		WOOD		CONCRETE		STEEL	
	Plan Check Fee	increments	Plan Check Fee	increments	Plan Check Fee	increments	Inspection Fee	increments	Inspection Fee	increments	Inspection Fee	increments
1,000	\$ 1,537	\$ 59	\$ 1,569	\$ 65	\$ 1,585	\$ 68	\$ 1,843	\$ 59	\$ 1,671	\$ 52	\$ 1,383	\$ 50
5,000	\$ 3,910	\$ 53	\$ 4,166	\$ 58	\$ 4,300	\$ 61	\$ 4,186	\$ 53	\$ 3,763	\$ 47	\$ 3,395	\$ 45
10,000	\$ 6,579	\$ 48	\$ 7,088	\$ 53	\$ 7,354	\$ 55	\$ 6,822	\$ 47	\$ 6,117	\$ 42	\$ 5,659	\$ 41
15,000	\$ 8,981	\$ 43	\$ 9,718	\$ 47	\$ 10,102	\$ 49	\$ 9,194	\$ 43	\$ 8,236	\$ 38	\$ 7,696	\$ 37
20,000	\$ 11,142	\$ 39	\$ 12,085	\$ 43	\$ 12,576	\$ 45	\$ 11,329	\$ 38	\$ 10,143	\$ 34	\$ 9,530	\$ 33
35,000	\$ 16,979	\$ 35	\$ 18,475	\$ 38	\$ 19,256	\$ 40	\$ 17,094	\$ 35	\$ 15,291	\$ 31	\$ 14,480	\$ 30
50,000	\$ 22,233		\$ 24,227		\$ 25,267		\$ 22,282		\$ 19,925		\$ 18,935	

CLINICS T.I.												
SQ. FT.	WOOD		CONCRETE		STEEL		WOOD		CONCRETE		STEEL	
	Plan Check Fee	increments	Plan Check Fee	increments	Plan Check Fee	increments	Inspection Fee	increments	Inspection Fee	increments	Inspection Fee	increments
1,000	\$ 1,483	\$ 77	\$ 1,509	\$ 81	\$ 1,509	\$ 81	\$ 1,912	\$ 71	\$ 1,619	\$ 68	\$ 1,470	\$ 66
5,000	\$ 4,555	\$ 69	\$ 4,767	\$ 73	\$ 4,767	\$ 73	\$ 4,752	\$ 64	\$ 4,333	\$ 61	\$ 4,108	\$ 59
10,000	\$ 8,011	\$ 62	\$ 8,432	\$ 66	\$ 8,432	\$ 66	\$ 7,946	\$ 57	\$ 7,386	\$ 55	\$ 7,076	\$ 53
15,000	\$ 11,121	\$ 56	\$ 11,730	\$ 59	\$ 11,730	\$ 59	\$ 10,820	\$ 52	\$ 10,134	\$ 49	\$ 9,747	\$ 48
20,000	\$ 13,921	\$ 50	\$ 14,699	\$ 53	\$ 14,699	\$ 53	\$ 13,408	\$ 47	\$ 12,607	\$ 45	\$ 12,151	\$ 43
35,000	\$ 21,479	\$ 45	\$ 22,714	\$ 48	\$ 22,714	\$ 48	\$ 20,393	\$ 42	\$ 19,285	\$ 40	\$ 18,642	\$ 39
50,000	\$ 28,281		\$ 29,928		\$ 29,928		\$ 26,680		\$ 25,295		\$ 24,483	

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 2 - BUILDING INSPECTION FEES-COMMERCIAL/INDUSTRIAL, continued	See below	1	Res No. 7940 12/1/09

C. TENANT or INTERIOR IMPROVEMENT Continued

RETAIL STORES-T.I.												
SQ. FT.	WOOD		CONCRETE		STEEL		WOOD		CONCRETE		STEEL	
	Plan Check Fee	Increments	Plan Check Fee	Increments	Plan Check Fee	Increments	Inspection Fee	Increments	Inspection Fee	Increments	Inspection Fee	Increments
1,000	\$ 1,093	\$ 34	\$ 1,130	\$ 40	\$ 1,112	\$ 37	\$ 1,301	\$ 36	\$ 1,303	\$ 36	\$ 1,006	\$ 32
5,000	\$ 2,443	\$ 30	\$ 2,744	\$ 36	\$ 2,599	\$ 33	\$ 2,723	\$ 32	\$ 2,739	\$ 32	\$ 2,289	\$ 29
10,000	\$ 3,962	\$ 27	\$ 4,560	\$ 33	\$ 4,272	\$ 30	\$ 4,323	\$ 29	\$ 4,353	\$ 29	\$ 3,733	\$ 26
15,000	\$ 5,329	\$ 25	\$ 6,195	\$ 29	\$ 5,778	\$ 27	\$ 5,763	\$ 26	\$ 5,806	\$ 26	\$ 5,032	\$ 23
20,000	\$ 6,559	\$ 22	\$ 7,665	\$ 26	\$ 7,133	\$ 24	\$ 7,058	\$ 23	\$ 7,114	\$ 24	\$ 6,202	\$ 21
35,000	\$ 9,881	\$ 20	\$ 11,637	\$ 24	\$ 10,792	\$ 22	\$ 10,556	\$ 21	\$ 10,646	\$ 21	\$ 9,359	\$ 19
50,000	\$ 12,870		\$ 15,211		\$ 14,084		\$ 13,705		\$ 13,824		\$ 12,200	

MANUFACTURE NON-HAZARDOUS-T.I.												
SQ. FT.	WOOD		CONCRETE		STEEL		WOOD		CONCRETE		STEEL	
	Plan Check Fee	Increments	Plan Check Fee	Increments	Plan Check Fee	Increments	Inspection Fee	Increments	Inspection Fee	Increments	Inspection Fee	Increments
1,000	\$ 1,039	\$ 24	\$ 1,334	\$ 23	\$ 1,335	\$ 23	\$ 1,233	\$ 23	\$ 937	\$ 20	\$ 928	\$ 18
5,000	\$ 1,998	\$ 22	\$ 2,244	\$ 20	\$ 2,255	\$ 21	\$ 2,158	\$ 21	\$ 1,719	\$ 18	\$ 1,648	\$ 16
10,000	\$ 3,076	\$ 19	\$ 3,268	\$ 18	\$ 3,290	\$ 19	\$ 3,199	\$ 19	\$ 2,599	\$ 16	\$ 2,458	\$ 15
15,000	\$ 4,047	\$ 17	\$ 4,189	\$ 17	\$ 4,221	\$ 17	\$ 4,136	\$ 17	\$ 3,392	\$ 14	\$ 3,187	\$ 13
20,000	\$ 4,921	\$ 15	\$ 5,018	\$ 15	\$ 5,059	\$ 15	\$ 4,980	\$ 15	\$ 4,105	\$ 13	\$ 3,843	\$ 12
35,000	\$ 7,279	\$ 14	\$ 7,256	\$ 13	\$ 7,321	\$ 14	\$ 7,257	\$ 14	\$ 6,030	\$ 12	\$ 5,614	\$ 11
50,000	\$ 9,402		\$ 9,271		\$ 9,358		\$ 9,306		\$ 7,762		\$ 7,208	

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 2 - BUILDING INSPECTION FEES-COMMERCIAL/INDUSTRIAL, continued	See below	1	Res No. 7940 12/1/09

C. TENANT or INTERIOR IMPROVEMENT Continued

MANUFACTURE HAZARDOUS-T.I.												
SQ. FT.	WOOD		CONCRETE		STEEL		WOOD		CONCRETE		STEEL	
	Plan Check Fee	increments	Plan Check Fee	increments	Plan Check Fee	increments	Inspection Fee	increments	Inspection Fee	increments	Inspection Fee	increments
1,000	\$ 1,676	\$ 30	\$ 1,973	\$ 29	\$ 1,973	\$ 29	\$ 1,474	\$ 17	\$ 1,193	\$ 16	\$ 1,054	\$ 16
5,000	\$ 2,875	\$ 27	\$ 3,138	\$ 26	\$ 3,138	\$ 26	\$ 2,149	\$ 15	\$ 1,832	\$ 14	\$ 1,684	\$ 14
10,000	\$ 4,223	\$ 24	\$ 4,447	\$ 24	\$ 4,447	\$ 24	\$ 2,908	\$ 14	\$ 2,551	\$ 13	\$ 2,393	\$ 13
15,000	\$ 5,436	\$ 22	\$ 5,626	\$ 21	\$ 5,626	\$ 21	\$ 3,592	\$ 12	\$ 3,199	\$ 12	\$ 3,032	\$ 11
20,000	\$ 6,528	\$ 20	\$ 6,687	\$ 19	\$ 6,687	\$ 19	\$ 4,207	\$ 11	\$ 3,781	\$ 10	\$ 3,606	\$ 10
35,000	\$ 9,477	\$ 18	\$ 9,551	\$ 17	\$ 9,551	\$ 17	\$ 5,868	\$ 10	\$ 5,355	\$ 9	\$ 5,157	\$ 9
50,000	\$ 12,131		\$ 12,129		\$ 12,129		\$ 7,363		\$ 6,770		\$ 6,553	

D. NEW BUILDINGS

THEATER												
SQ. FT.	WOOD		CONCRETE		STEEL		WOOD		CONCRETE		STEEL	
	Plan Check Fee	increments	Plan Check Fee	increments	Plan Check Fee	increments	Inspection Fee	increments	Inspection Fee	increments	Inspection Fee	increments
1,000	\$ 1,693	\$ 60	\$ 1,719	\$ 65	\$ 1,719	\$ 65	\$ 1,688	\$ 56	\$ 1,375	\$ 49	\$ 1,238	\$ 49
5,000	\$ 4,100	\$ 54	\$ 4,317	\$ 58	\$ 4,317	\$ 58	\$ 3,911	\$ 50	\$ 3,329	\$ 44	\$ 3,196	\$ 44
10,000	\$ 6,807	\$ 49	\$ 7,239	\$ 53	\$ 7,239	\$ 53	\$ 6,411	\$ 45	\$ 5,527	\$ 40	\$ 5,400	\$ 40
15,000	\$ 9,244	\$ 44	\$ 9,869	\$ 47	\$ 9,869	\$ 47	\$ 8,661	\$ 40	\$ 7,506	\$ 36	\$ 7,382	\$ 36
20,000	\$ 11,437	\$ 39	\$ 12,236	\$ 43	\$ 12,236	\$ 43	\$ 10,686	\$ 36	\$ 9,296	\$ 32	\$ 9,167	\$ 32
35,000	\$ 17,358	\$ 36	\$ 18,626	\$ 38	\$ 18,626	\$ 38	\$ 16,153	\$ 33	\$ 14,094	\$ 29	\$ 13,985	\$ 29
50,000	\$ 22,687		\$ 24,378		\$ 24,378		\$ 21,074		\$ 18,420		\$ 18,322	

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 2 - BUILDING INSPECTION FEES-COMMERCIAL/INDUSTRIAL, continued	See below	1	Res No. 7940 12/1/09

D. NEW BUILDINGS *Continued*

GAS STATION												
SQ. FT.	WOOD		CONCRETE		STEEL		WOOD		CONCRETE		STEEL	
	Plan Check Fee	Increments	Plan Check Fee	Increments	Plan Check Fee	Increments	Inspection Fee	Increments	Inspection Fee	Increments	Inspection Fee	Increments
1,000	\$ 1,445	\$ 70	\$ 1,524	\$ 84	\$ 1,545	\$ 88	\$ 1,939	\$ 76	\$ 1,844	\$ 83	\$ 1,649	\$ 73
5,000	\$ 4,243	\$ 63	\$ 4,884	\$ 76	\$ 5,062	\$ 79	\$ 4,966	\$ 68	\$ 5,184	\$ 75	\$ 4,582	\$ 66
10,000	\$ 7,391	\$ 57	\$ 8,665	\$ 68	\$ 9,019	\$ 71	\$ 8,371	\$ 61	\$ 8,941	\$ 68	\$ 7,882	\$ 59
15,000	\$ 10,224	\$ 51	\$ 12,067	\$ 61	\$ 12,580	\$ 64	\$ 11,436	\$ 55	\$ 12,323	\$ 61	\$ 10,852	\$ 53
20,000	\$ 12,774	\$ 46	\$ 15,129	\$ 55	\$ 15,785	\$ 58	\$ 14,194	\$ 50	\$ 15,367	\$ 55	\$ 13,525	\$ 48
35,000	\$ 19,658	\$ 41	\$ 23,397	\$ 50	\$ 24,438	\$ 52	\$ 21,642	\$ 45	\$ 23,594	\$ 49	\$ 20,741	\$ 43
50,000	\$ 25,853		\$ 30,838		\$ 32,226		\$ 28,344		\$ 30,980		\$ 27,236	

PARKING STRUCTURES												
SQ. FT.	WOOD		CONCRETE		STEEL		WOOD		CONCRETE		STEEL	
	Plan Check Fee	Increments	Plan Check Fee	Increments	Plan Check Fee	Increments	Inspection Fee	Increments	Inspection Fee	Increments	Inspection Fee	Increments
1,000	\$ 1,615	\$ 46	\$ 1,974	\$ 56	\$ 1,922	\$ 47	\$ 1,899	\$ 44	\$ 1,871	\$ 39	\$ 1,548	\$ 30
5,000	\$ 3,459	\$ 41	\$ 4,229	\$ 51	\$ 3,800	\$ 42	\$ 3,647	\$ 39	\$ 3,418	\$ 35	\$ 2,760	\$ 27
10,000	\$ 5,534	\$ 37	\$ 6,766	\$ 46	\$ 5,913	\$ 38	\$ 5,614	\$ 35	\$ 5,158	\$ 31	\$ 4,123	\$ 25
15,000	\$ 7,401	\$ 34	\$ 9,049	\$ 41	\$ 7,815	\$ 34	\$ 7,384	\$ 32	\$ 6,725	\$ 28	\$ 5,350	\$ 22
20,000	\$ 9,081	\$ 30	\$ 11,104	\$ 37	\$ 9,526	\$ 31	\$ 8,977	\$ 29	\$ 8,134	\$ 25	\$ 6,454	\$ 20
35,000	\$ 13,618	\$ 27	\$ 16,652	\$ 33	\$ 14,148	\$ 28	\$ 13,278	\$ 26	\$ 11,941	\$ 23	\$ 9,435	\$ 18
50,000	\$ 17,702		\$ 21,645		\$ 18,307		\$ 17,150		\$ 15,366		\$ 12,118	

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 2 - BUILDING INSPECTION FEES-COMMERCIAL/INDUSTRIAL, continued	See below	1	Res No. 7940 12/1/09

D. NEW BUILDINGS Continued

HOTEL/MOTEL/MULTI-FAMILY												
SQ. FT.	WOOD		CONCRETE		STEEL		WOOD		CONCRETE		STEEL	
	Plan Check Fee	increments	Plan Check Fee	increments	Plan Check Fee	increments	Inspection Fee	increments	Inspection Fee	increments	Inspection Fee	increments
1,000	\$ 1,832	\$ 85	\$ 2,253	\$ 107	\$ 2,252	\$ 107	\$ 1,904	\$ 94	\$ 1,632	\$ 95	\$ 1,496	\$ 95
5,000	\$ 5,236	\$ 77	\$ 6,518	\$ 96	\$ 6,513	\$ 96	\$ 5,678	\$ 85	\$ 5,437	\$ 86	\$ 5,315	\$ 86
10,000	\$ 9,066	\$ 69	\$ 11,317	\$ 86	\$ 11,306	\$ 86	\$ 9,923	\$ 76	\$ 9,718	\$ 77	\$ 9,610	\$ 77
15,000	\$ 12,513	\$ 62	\$ 15,636	\$ 78	\$ 15,620	\$ 78	\$ 13,744	\$ 69	\$ 13,571	\$ 69	\$ 13,477	\$ 70
20,000	\$ 15,615	\$ 56	\$ 19,523	\$ 70	\$ 19,502	\$ 70	\$ 17,183	\$ 62	\$ 17,038	\$ 62	\$ 16,956	\$ 63
35,000	\$ 23,992	\$ 50	\$ 30,017	\$ 63	\$ 29,984	\$ 63	\$ 26,468	\$ 56	\$ 26,400	\$ 56	\$ 26,351	\$ 56
50,000	\$ 31,530		\$ 39,462		\$ 39,419		\$ 34,824		\$ 34,825		\$ 34,806	

NOTES:

1. Occupancies not noted will be classified to the closest category of building use noted above.
2. Fees for all projects larger than 50,000 sq. ft. will be determined by the following valuation table:

Total Valuation	Inspection Fee	Plan Check Fee	Mechanical, Plumbing & Electrical Fee
\$500,001 and Up	\$10,235.00 for the first \$500,001.00, plus \$14.72 for each additional \$1,000.00 or fraction thereof	14% of Inspection fee	See Parts 7, 8 & 9

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 2 - BUILDING INSPECTION FEES-COMMERCIAL/INDUSTRIAL, continued	See below	1	Res No. 7940 12/1/09

E. Miscellaneous Construction

◆ Roof equipment			
First piece of equipment			\$578
Each additional piece of equipment			\$289
◆ Equipment Installation, tank farm			
First piece of equipment			\$289
Each additional piece of equipment			\$145
◆ Racks > 6', per each type			
First rack			\$289
Each 5 additional racks or fraction thereof			\$145
◆ Roof Screen			\$578
◆ Fences			\$578
◆ Monument Sign (not including electrical)			\$289
◆ Wall Mounted Sign, first two (not including electrical)			\$214
◆ Solar (PV) 0 to 8 kW			\$675
◆ Solar (PV) 9 to 48 kW			\$903
◆ Solar (PV) 49 kW and above			\$2,214
◆ Structures not listed:			
Plan Check Engineer hourly rate (1 hr. min.)			\$151
Building Inspector hourly rate (1 hr. min.)			\$138

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 2 - BUILDING INSPECTION FEES-COMMERCIAL/INDUSTRIAL, continued	See below	1	Res No. 7940 12/1/09

F. Other Plan Check, Inspection and Permit Fees

♦ Plan Check, Title 24 Energy Conservation	10% of Plan Check Fee
♦ After Hours Plan Check (2 hr. min.)	\$453
♦ After Hours Inspection (2 hr. min.)	\$414
♦ Certificate of Occupancy Inspection	\$303
♦ Courtesy Inspection under a Temporary Permit (2 hr. min.)	\$414
♦ Fire Damage Inspection	\$276
♦ Inspection Investigation Fee (construction w/o permits per MMC)	100% of Inspection Fee
♦ Reinspection	\$104
♦ Christmas Tree Lot Permit	\$138
♦ Demolition Permit (2 hr. min.)	\$138/hr
♦ Temporary Building Permit	\$460

G. Miscellaneous Fees

♦ Change of Address, <i>per request</i> (large projects may require additional fee)	\$350
♦ Digitizing	
8 1/2 x 11, 1st 10	\$1/ea
8 1/2 x 11, 11 +	\$.50/ea
Documents size 8 1/2 x 14 or larger	\$4/ea
♦ Extension of Plan Check	\$34
♦ Extension of Building Permit	\$34
♦ Records Research	\$27
♦ Records Research with Documentation, per Address	\$54
♦ Report of Monthly Building Permit Activity (no charge to public agencies)	\$47
♦ Reprinting Building Permit Cards	\$27

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 2 - BUILDING INSPECTION FEES-COMMERCIAL/INDUSTRIAL, continued	See below	1	Res No. 7940 12/1/09

G. Miscellaneous Fees (continued)

- ♦ Alternative Materials or Methods of Construction Request \$350
- ♦ Strong Motion instrumentation and Seismic Hazard Mapping Fees (State Fee):
 - Category 1 - Residential, 1st to 3rd Story: Valuation x 0.0001= Fee (Minimum Fee is \$.50)
 - Category 2 - All Other Buildings: Valuation x 0.00021= Fee (Minimum Fee is \$.50)
- ♦ Disabled Access Exception Request \$302
- ♦ Faithful Performance Bond - Execution \$253
- ♦ Building Standards Administration Special Revolving Fund
 - Permit Valuation \$1 to \$25,000 \$1
 - Permit Valuation \$25,001 to \$50,000 \$2
 - Permit Valuation \$50,001 to \$75,000 \$3
 - Permit Valuation \$75,001 to \$100,000 \$4
 - Every \$25,000 or fraction thereof above \$100,000 Add \$1
- ♦ Permitting Automation Fee 2.5% of total Permit Fee

H. Hourly Rates, Special Services and Fee Adjustments

Fees Based on Hourly Rates: When the nature of work precludes assessment of fees based on the square footage method, plan check fees and/or inspections shall be charged on an hourly rate basis

♦ **Building and Safety Department:**

Hourly Rates: When hourly rates are used to assess fees, the rates shall be as follows:

- Clerical and Permit Technician \$110/hr
- Building Inspector \$138/hr
- Plan Checker \$131/hr
- Plan Check Engineer \$151/hr

Overtime Hourly Rates: When plan checks or inspections are performed on a overtime basis at request of an applicant, overtime rates shall be as follows:

- Clerical and Permit Technician \$165/hr
- Building Inspector \$207/hr
- Plan Checker \$197/hr
- Plan Check Engineer \$227/hr

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 2 - BUILDING INSPECTION FEES-COMMERCIAL/INDUSTRIAL, continued	See below	1	Res No. 7940 12/1/09

♦ **Planning & Neighborhood Services Department** (for projects that have not established a Private Job account)
Permit application review \$151/hr (\$76 min. charge)

♦ **Engineering Division** (for projects that have not established a Private Job account)
Commercial and Industrial permit application review \$151/hr (\$109 min. charge)

♦ **Special Services and Fee Adjustments**
Special Services: When the Building and Safety Department provides requested or necessary services that are not included in this Fee Schedule, the Chief Building Official may assess and collect such fees that are reasonably necessary to defray the cost of such services.

Fee Adjustments: In instances where the strict application of fees from this schedule would constitute a substantial inequity to an applicant or to the City, the Chief Building Official shall be authorized to adjust such fees on a case-by-case basis. Any such adjustments shall be recorded in writing and entered into the appropriate files.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	Part 3 & 4 - BUILDING INSPECTION FEES-GRADING AND SITE IMPROVEMENTS	See below	1	Res No. 7940 12/1/09

3. Grading

- ♦ **Plan Check**
Grading Plan Check (2 hr. min.) \$151/hr

- ♦ **Inspection**
 - 0 - 10,000 Cubic Yards \$455
 - 10,001 - 100,000 Cubic Yards: \$455
 - Plus for each additional 10,000 cy or fraction thereof \$60
 - Over 100,000 Cubic Yards: \$994
 - Plus for each additional 10,000 cy or fraction thereof \$30
- ♦ **Permitting Automation Fee** 2.5% of total Permit Fee

4. Site Improvements

- ♦ **Plan Check**
Site Improvement Plan Check (2 hr. min.) \$302

- ♦ **Inspection (Note: Fee Accumulates)**

	sq. ft.	sq. ft.		\$/sq. ft.
	0	50,000		\$0.161
For each additional:	50,001	100,000	add	\$0.092
For each additional:	100,001	500,000	add	\$0.035
For each additional:	500,001	1,000,000	add	\$0.026
For each additional:	1,000,001	2,000,000	add	\$0.022
For each additional:	2,000,001	and up	add	\$0.020

- ♦ **Storm Drain Permit, per project** \$138
- ♦ **Permitting Automation Fee** 2.5% of total Permit Fee

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Building & Safety	Part 5 & 6 - BUILDING INSPECTION FEES-POOLS OR SPAS AND RE-ROOFING	See below	1	Res No. 7940 12/1/09

5. Pools or Spas

♦ Pool or Spa Plan Check (1 hr. min.)	\$151/hr
♦ Swimming Pool - Private	\$345
♦ Swimming Pool - Public	\$483
♦ Spa - separate	\$207
♦ Private Pool & Spa together	\$483
♦ Permitting Automation Fee	2.5% of total Permit Fee

6. Re-Roofing

♦ Single-Family Residential, each building	\$368
♦ Multi-Family, Residential, each building	\$518
♦ Commercial/Industrial, each building **	\$667
♦ Permitting Automation Fee	2.5% of total Permit Fee

**Additional fees may be charged for roof penetrations and/or equipment installation

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	DATE FEE LAST CHANGED
Building & Safety	Part 7 - BUILDING INSPECTION FEES-ELECTRICAL	See below	1	Res No. 7940 12/1/09

	Fee
♦ Electrical Permit Issuance.....	\$110
♦ Plan Check Fee.....	\$151/hr
♦ Permit Fee, New Residential Construction, Single-Family.....	\$0.14/sq. ft.
♦ Permit Fee, New Residential Construction, Mutli-Family.....	\$0.09/sq. ft.
♦ Receptacle Outlets and/or Switches - first 20.....	\$67
♦ Receptacle Outlets and/or Switches - each additional 20.....	\$52
♦ Lighting Fixtures, Sockets - first 20.....	\$67
♦ Lighting Fixtures, Sockets - each additional 20.....	\$52
♦ Pole/Platform-Mounted/Theatrical Fixtures, each.....	\$30
♦ Circuit Breaker Panel/Subpanel, each.....	\$52
♦ Electrical Range, each.....	\$30
♦ Cook Top/Oven, each.....	\$30
♦ Dryer, each.....	\$30
♦ Air Conditioner, each.....	\$30
♦ Water Heater, each.....	\$30
♦ Heater, each.....	\$30

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	DATE FEE LAST CHANGED
Building & Safety	Part 7 - BUILDING INSPECTION FEES-ELECTRICAL, continued	See below	1	Res No. 7940 12/1/09

- ♦ Residential Appliance Self-Contained - under 1 HP, KW, KVA, each..... \$30
- ♦ Sign, lighting systems from one branch circuit..... \$110
- ♦ Services - not over 200 amps, each (new or change)..... \$67
- ♦ Services - 201 amps - 1000 amps, each (new or change)..... \$110
- ♦ Services - over 1000 amperes, each (new or change)..... \$161
- ♦ Power Apparatus/Transformer - each..... \$52
- ♦ Miscellaneous Apparatus, Conduits & Conductors, each..... \$52
- ♦ X-Ray unit, each..... \$30
- ♦ Welder Outlet, each..... \$30
- ♦ Temporary Power Pole, each..... \$52
- ♦ Temporary Meter Set, each..... \$52
- ♦ Swimming Pool/Spa..... \$161
- ♦ Elevator, each..... \$110
- ♦ Cellular Floors per 100 ft..... \$67
- ♦ Trolley/Plug-in Busways per 100 ft..... \$67
- ♦ Floor Duct per 100 lineal foot..... \$67
- ♦ Power Duct per 100 ft..... \$30
- ♦ Special Circuitry, per circuit..... \$52
- ♦ Carnivals, Circuses - Electrical-driven Rides, each..... \$30
- ♦ Carnivals, Circuses - Mechanical-driven Rides, each..... \$30
- ♦ Electrical System of Area & Boot Lighting, each..... \$30
- ♦ Permitting Automation Fee..... 2.5% of total Permit Fee

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	<i>DATE FEE LAST CHANGED</i>
Building & Safety	Part 8 - BUILDING INSPECTION FEES-MECHANICAL	See below	1	Res No. 7940 12/1/09

Schedule A

	Fee
• Mechancial Permit Issuance.....	\$110
• Plan Check Fee.....	\$ 151/hr
• Permit Fee, New Residential Construction, Single Family and Two-Family.....	\$0.14/sq. ft.
• Heating/Ventilation /Exhaust - Single-Family and Two-Family.....	\$0.23/sq. ft.
• Permit Fee, New Residential Construction, Multi Family.....	\$0.09/sq. ft.
• Heating/Ventilation /Exhaust - Multi-Family.....	\$0.16/sq. ft.
• Install Furnace (Other Than Suspended, Wall or Floor Mounted Heaters).....	\$81
• Install or Replace - Suspended Heater.....	\$67
• Install or Replace - Recess Wall Heater.....	\$52
• Install or Replace - Floor-mounted Heater.....	\$52
• Install, Relocate, Replace Vent (not included with appliance).....	\$52
• Install Hood Serviced by Mechanical Exhaust - Residential.....	\$30
• Install Hood Serviced by Mechanical Exhaust - Commercial.....	\$81
• Duct Work Extended from Existing System, each.....	\$52
• Install Industrial-type Incinerator.....	\$81
• Install/Replace Boiler - First One.....	\$52
• Install/Replace Boiler - Each additional.....	\$30

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	<i>DATE FEE LAST CHANGED</i>
Building & Safety	Part 8 - BUILDING INSPECTION FEES-MECHANICAL, continued	See below	1	Res No. 7940 12/1/09

- Install/Replace AC Unit 0-5 ton <2000 CFM - first..... \$52
- Install/Replace AC Unit 0-5 ton <2000 CFM - each additional..... \$37
- Install/Replace AC Unit Over 5 ton >2000 CFM - first..... \$110
- Install/Replace AC Unit Over 5 ton >2000 CFM - each additional..... \$52
- Install/Replace Fire or Fire/Smoke Dampers - 5 (or portion of)..... \$52
- Exhaust & Product Conveyor Systems -each..... \$52
- Non-portable Evaporative Cooler..... \$52
- Ventilation Fan Connected to Single Duct, Bath Fan..... \$30
- Ventilation System, not HVAC..... \$30
- Other Regulated Appliance..... \$52
- Process Piping
 - Hazardous process piping system one to four outlets..... \$67
 - Hazardous process piping system five or more outlets, per outlet..... \$30
 - Non-hazardous process piping system one to four outlets..... \$67
 - Non-hazardous process piping system five or more outlets, per outlet..... \$30
- Permitting Automation Fee..... 2.5% of total Permit Fee

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	DATE FEE LAST CHANGED
Building & Safety	Part 8 - BUILDING INSPECTION FEES-PLUMBING	See below	1	Res No. 7940 12/1/09

	Fee
• Plumbing Permit Issuance.....	\$110
• Plan Check Fee.....	\$151/hr
• Permit Fee, New Residential Construction, Single-Family.....	\$0.14/sq. ft.
• Permit Fee, New Residential Construction, Multi-Family.....	\$0.09/sq. ft.
• Plumbing Fixtures - 5 traps (or portion of).....	\$67
• Building Sewer (New or Replacement).....	\$67
• Rain Water System per Drain/Overflow - 5 (or portion of).....	\$67
• Water Heater and Vent.....	\$81
• Gas Piping System - (each appliance).....	\$67
• Automatic Gas Shut-off Device (Seismic or Excess Flow) if not part of new gas piping system.....	\$67
• Industrial Waste Pre-Treatment System.....	\$110
• Grease Trap.....	\$67
• Grease Interceptor.....	\$81
• Water System Installation.....	\$67
• Repair/Alteration of Drain/Vent.....	\$67
• Landscape Sprinkler System.....	\$67
• Landscape Reclaim Water, per valve.....	\$161
• Backflow Protection - First 5.....	\$52
• Backflow Protection - Each Additional 5 (or portion of).....	\$30
• Reclaim Water System, No Irrigation.....	\$161
• Swimming Pool/Spa.....	\$110
• Private Sewage Disposal System.....	\$52
• Permitting Automation Fee.....	2.5% of total Permit Fee

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Building & Safety	State-Mandated Building Standards Administration Special Revolving Fund Fee, effective January 1, 2009	See below	1	Res No. 7811 12/16/08

Building Standards Administration Special Revolving Fund Fee

Building Permit Valuation	Fee
\$1 – 25,000	\$1
\$25,001 – 50,000	\$2
\$50,001 – 75,000	\$3
\$75,001 – 100,000	\$4
Every \$25,000 or fraction thereof above \$100,000	Add \$1

City staff is authorized to retain up to 10 percent of the fees collected under this resolution for related administrative costs and for code enforcement education, including, but not limited to, certifications in the voluntary construction inspector certification program, and shall transmit the remainder to the Building Standards Commission for deposit in the California Building Standards Administration Special Revolving Fund.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	DATE FEE LAST CHANGED
Recreation	GENERAL RENTAL INFORMATION	See below	1,2	Res No. 7940 12/01/09

GENERAL RENTAL INFORMATION

- Rental facilities may be viewed during regular business hours, by appointment only, provided no other functions are scheduled. To make an appointment please call the desired rental facility.
- No phone, mail or fax reservations are accepted. Permits for any of the indoor and outdoor facilities must be obtained in person at the location listed below:
Community Center, City Hall, Special Events & Equipment, Higuera Adobe building & Parks: Community Center, 457 East Calaveras Blvd., Monday-Thursday, 8:00 am to 6:00 pm, Friday, 8:00 am to 5:00 pm., 408-586-3210.
Sal Cracolice (temporary Senior Center), 540 S. Abel, Monday - Friday, 9:00 am to 4:00 pm., 408-586-2775.
Sports Center & Sports Fields, Teen Center, Pool, Tennis Courts: Sports Center, 1325 E. Calaveras Blvd., Monday - Thursday, 5:30 am to 9:00 pm, Fridays, 5:30 am to 5:00 pm, Saturday, 8:00 am to 1:00 pm., 408-586-3225.
Milpitas Police Department Community Room: Police Department, 1275 N. Milpitas Blvd., Monday-Friday, 8:00 am to 5:00 pm., 408-586-2400, resident use only.

Entertainment Event permits must be obtained in person at the City Clerk's Office, located at 455 E. Calaveras Blvd., Monday - Friday, 8:00 am to 5:00 pm., 408-586-3000.

- Facilities may be reserved for use anytime from 7:00 am to 12 midnight with the exception of the Police Department Community Room, which is available for residents only from 8:00 am to 11:00 pm. Rental fees are charged from the time you or your caterers, florists, etc. enter the facility until your function is over. When planning your rental times, be sure to include setup time for decorating, caterers, florist, etc.

RESERVATIONS TIMELINE

- The City of Milpitas must receive a Facility Use Application, a cleaning & damage deposit and an application fee before any function may be scheduled (at the appropriate location above). All fees must be paid in the form of a cashier's check, money order, cash or VISA/MC. Cashier's check or money orders must be payable to: City of Milpitas. No personal checks will be accepted. Final rental fees, set-up diagram, proof of insurance (if applicable) are due 45 days prior to the rental date and must be paid in person.
- Reservations can be made according to these timelines: Milpitas Residents – (two forms of proof of residency required, photo ID & current utility bill) Up to 1 year in advance; Non Residents – Up to 6 months in advance; Resident Non-Profits, See guidelines below.

RESIDENT NON-PROFITS/ORGANIZATION TIMELINE

Organizations may reserve up to three dates on one application.

Resident non-profits must submit, every January, the following:

- A current roster with 51% or more Milpitas Residents and a letter verifying current non-profit status.
- A letter listing two (2) individuals authorized to make reservations, changes or cancellations. .
- A mission statement of the organizations purpose.

For Non-Profit Meetings In

January-March
April-June
July-September
October-December

Non -Profit Application Accepted

December 1
March 1
June 1
September 1

CITY OF MILPITAS – MASTER FEE SCHEDULE

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Recreation	FACILITY USE RULES AND REGULATIONS FOR INDOOR & OUTDOOR FACILITIES	See below	1,2	Res No. 7940 12/01/09

FACILITY USE RULES AND REGULATIONS FOR INDOOR & OUTDOOR FACILITIES

I. PRIORITIES

Priorities are designed to determine fee and reservation status. For reservation status see rule 2.3 and 2.4.

1.1 To provide for public activities in the best interest of the Community, City facilities will be reserved in accordance with the following group priorities:

Priority I. City administered programs.

- | | |
|------------------|-----------------------|
| 1. No deposit | 3. No Staff fee |
| 2. No rental fee | 4. No application fee |

Priority II. Programs or activities for Senior Citizens and approved co-sponsored groups which are principally composed of local residents (51% or more) private or public schools located in the Milpitas City, the Milpitas Chamber of Commerce and governmental agencies. (Excluding staff trainings, poll worker trainings, staff retirement parties).

- | | |
|--|--|
| 1. No deposit | 3. Staff Fee according to fee schedule |
| 2. No rental fee | 4. Application fee (non-refundable) |
| 5. Any applicable insurance and processing fees that may apply | |

Priority III. Non-profit groups that are organized for recreational, social, cultural, religious or civic purposes and whose membership is principally composed of local residents (51% or more) or whose charter is based in Milpitas.

1. Facility deposit according to the fee and deposit schedule
2. Rental fee according to fee schedule
3. Staff Fee according to fee schedule
4. Application fee (non-refundable)
5. Any applicable insurance and processing fees that may apply

Priority IV. Any other group, business or individual resident of the City of Milpitas.

1. Facility deposit according to the fee and deposit schedule
2. Rental fee according to fee schedule
3. Staff Fee according to fee schedule
4. Application fee (non-refundable)
5. Any applicable insurance and processing fees that may apply

Priority V. Any non-resident group, business or individual.

1. Facility deposit according to the fee and deposit schedule
2. Rental fee according to fee schedule
3. Staff Fee according to fee schedule
4. Application fee (non-refundable)
5. Any applicable insurance and processing fees that may apply

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Recreation	FACILITY USE RULES AND REGULATIONS FOR INDOOR & OUTDOOR FACILITIES, continued	See below	1,2	Res No. 7940 12/01/09

II. RESERVATIONS/APPLICATIONS

- 2.1 Permits for use of City facilities (indoor and outdoor) shall be issued by the City upon the approval of the City Manager or his or her authorized representative and shall be consistent with City regulations governing such use.
- 2.2 The use of those facilities shall not be inconsistent with other such use for City purposes or interfere with the regular conduct of City programs. City sponsored programs shall receive first priority over use by any other group or organization. The City reserves the right, if necessary, to preempt, or revoke permit (if previously issued) for the use if for any reason it becomes unavoidably necessary for City to utilize said facility or facilities at the same time. If and when such action is necessary, the City will give applicants as much advance notice as possible.
- 2.3 Applications for use of indoor City facilities will not be accepted more than one (1) year to the date prior to proposed use for Priorities II-IV. Priority V applications will not be accepted more than six (6) months prior to the proposed use. For outdoor City facilities are accepted six (6) months to the date prior to proposed use, for Priorities II-IV and 90 days for Priority V. Applications will not be accepted with less than 30 days prior to the proposed date, unless authorized by the City Manager or his/her authorized representative.
- Priority IV and V users may only reserve fields or sports facilities for three (3) consecutive days during minimal use periods. No blanket permits will be allowed.
- 2.4 Priority III Organizations may reserve up to three dates on one application and must submit an application according to the reservation schedule listed below. Groups may not use a facility without an application on file. Should additional maintenance or custodial services be required or the group exceeds the reserved rental hours, groups will be assessed additional fees or charges as necessary. Priorities II & III may reserve indoor facilities for special events or parties one (1) year to the date prior to the proposed use date under the set fee schedule and timeline of reserving such facilities.

<u>For meetings in</u>	<u>Applications accepted</u>
January - March	December 1
April - June	March 1
July – September	June 1
October - December	September 1

- 2.5
- a) Priority III groups may drop-off Facility Use application(s) with requested dates and times as outlined above during facility business hours;
 - b) On the following business day, designated city representative will review all Priority III applications with requested dates and times and distribute dates equally between any groups requesting the same dates. Should there not be an equal amount of dates available, city representative will do a lottery pull for any extra date and schedule accordingly. Applicants will be notified by mail regarding the status of application.
 - c) Once the Facility Reservations are confirmed, the groups will be required to submit necessary applicable fees (i.e. application fee, deposit and rental fees according to the Master Fee Schedule within three (3) business days). Should payment not be received within 3 business days, the dates will be released to any other group requesting them. (approved by City Council October 16, 2007)

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Recreation	FACILITY USE RULES AND REGULATIONS FOR INDOOR & OUTDOOR FACILITIES, continued	See below	1,2	Res No. 7940 12/01/09

- 2.6 All applications for use must be signed by an adult (18-year minimum age) and said adult shall agree to be responsible for facility use. Groups composed of minors 17 years of age and under must be supervised by one (1) adult for each 15 minors. All activities must have adult supervision to ensure adequate control. (Please Refer to rule 5.4, regarding no alcohol at youth functions). The applicant must be present at all times during the rental. At the beginning of rental, applicant and facility staff shall meet to review Pre Facility Inspection Guidelines. Prior to leaving facility, applicant and facility staff shall confer and sign off on Post Facility Inspection Form.
- 2.7 No permit will normally be issued for a period longer than one (1) day. Applicants may reserve a facility for consecutive days whenever the facility is in the periods of minimal demand. Buildings are closed on all holidays observed by the City of Milpitas. Picnic reservations and indoor facility reservations are not accepted for New Years day, Martin Luther King Jr.'s Birthday, Lincoln's Birthday, Presidents' Day, Easter Sunday, Memorial Day, July 4th, Labor Day, Veteran's Day, Thanksgiving, Friday following Thanksgiving, Christmas Eve, Christmas Day and New Years Eve.
- 2.8 A staff person shall be required for a facility where permits are granted involving the opening and closing of a building or park. (Charges for necessary City Personnel will be assessed according to master fee schedule. If more than 150 people are scheduled to attend, two staff may be required.
- 2.9 No rental shall begin prior to 7:00 am and all activities shall cease at 12:00 midnight for indoor facilities, and 10:00 pm for outdoor facilities, unless prior approval has been received from City Manager, or his or her authorized representative.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Recreation	FACILITY USE RULES AND REGULATIONS FOR INDOOR & OUTDOOR FACILITIES, continued	See below	1,2	Res No. 7940 12/01/09

III. FEES AND CHARGES

- 3.1 Current rates are established by the Milpitas City Council. City Staff does not have the authority to deviate from these rates.
- 3.2 No reservation will be accepted without the specified application fee (non-refundable), cleaning and damage deposit. The deposit must be in the form of a cashier's check, money order, cash or by VISA/MC (personal checks are not accepted). The deposit is refundable after the use date and will be returned to the applicant by mail in the form of a City check in approximately 30 days, unless damages, additional maintenance or services were assessed. Checks were returned to the person on the Rental Application Form. Please contact the us immediately should address changes occur. Additional insurance and fees may apply.
- 3.3 Charges begin when a facility is entered for any purpose, i.e. decorating, catering, set-up, etc. Groups will be assessed charges according to their reservation priority, nature of activity and/or services and staff required. Hours of use may not be changed less than 45 days prior to rental date. Additional insurance, security guard, and fees may be required depending on the type of function. If use begins or continues beyond the approved time, additional fees shall be deducted from the cleaning and damage deposit. In cases where a cleaning and damage deposit has not been required, the user group will be billed. Fees will not, however, be pro-rated for events or activities that finish prior to their approved times.
- 3.4 Rental fees shall be paid at least 30 days in advance of permit use date, or permit shall be declared invalid. Payment must be made by cashier's check, money order, cash, or by VISA/MC. Cashier's check or money orders must be made payable to: CITY OF MILPITAS.
- 3.5 Waiver of rental fees or deposits must be approved by City Council. Personnel costs for staff, insurance fees, and application fees are not eligible to be waived. To seek waiver, applicant must submit a written request at least 90 days prior to the proposed date of use. Request will be reviewed by City Council at a regularly scheduled City Council meeting.
- 3.6 A confirmed rental means no rental will be considered a Confirmed Rental without the following:
- A. A completed, signed and approved Facility Use Application on file.
 - B. Payment of appropriate Cleaning and Damage Deposit, Application Fee and applicable insurance fees (if necessary).
 - C. Signed Important Reminders for Permit Applicants on file.
 - D. Signed Rental Applicant Clean Up & Decorating Policies Responsibilities on file.
- 3.7 Groups participating in City sponsored leagues or City co-sponsored programs are exempt from fees and deposits for regularly scheduled games or activities. Stated fees and deposits will apply for all other use of facilities by such groups.

CITY OF MILPITAS – MASTER FEE SCHEDULE

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Recreation	FACILITY USE RULES AND REGULATIONS FOR INDOOR & OUTDOOR FACILITIES, continued	See below	1,2	Res No. 7940 12/01/09

- 3.8 Facility cancellation of the Milpitas Community Center, City Hall Building, Plaza and Grounds, Sports Center Fields/Pools, Adobe, Sal Cracolice building, Senior Center, Teen Center, Police Department Community Room, or City park, must be done in writing on forms provided by the City. Cancellation forms will be accepted in person only at the location where the rental was made. No mail, facsimile or phone cancellations will be accepted. All facility application cancellations will forfeit application fee.
- A. Full refund of deposit will be granted provided a cancellation is made within 30 days of deposit and there are 160 days remaining until the approved rental date.
 - If cancellation is made with more than 160 days remaining until the proposed use date, 25% of the deposit will be forfeited.
 - If cancellation is made with more than 120-159 days remaining until the proposed use date, 50% of the deposit will be forfeited.
 - If cancellation is made with more than 91-119 days remaining until the proposed use date, 75% of the deposit will be forfeited.
 - If cancellation is made with more than 1-90 days remaining until the proposed use date, the entire deposit will be forfeited.
 - If deposit is paid with less than 30 days remaining until the proposed use date, should cancellation occur, the entire deposit will be forfeited.
 - B. Should the City cancel said reservation a full refund will be issued.
 - C. Should a request for a change of rental date be made, a rescheduling fee of \$100 will be implemented providing the date and staff availability, and there are 45 days remaining prior to the original scheduled date.
 - D. Any group not abiding by the Facility Use Rules and Regulations will forfeit entire rental deposit.
 - E. Refunds will not be issued for canceled park/picnic reservations. Reservations which cannot be held due to inclement weather will be issued a credit toward a rescheduled reservation. Applicant is responsible for contacting Community Center Office within 7 business days to initiate credit. You may re-schedule reservation or receive a credit towards future Parks and Recreation Programs or facility rentals minus the non-refundable application fee.
- 3.9 Depending on the nature of your event (i.e., alcohol being served, attendance at event, collection of money, youth function, fundraising event open to the public, which includes presold tickets, etc.) security guards and liability insurance may be required at the discretion of City Manager or his or her authorized representative. A copy of the security guard contract must be submitted 45 days prior to event.

CITY OF MILPITAS – MASTER FEE SCHEDULE

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Recreation	FACILITY USE RULES AND REGULATIONS FOR INDOOR & OUTDOOR FACILITIES, continued	See below	1,2	Res No. 7940 12/01/09

IV. FUND-RAISING

- 4.1 Priority II and III Groups wishing to use City facilities for fund-raising events and/or activities will be charged according to Priority II & Priority III, according to the facility use fee schedule
- 4.2 Concessions, other than City operated, will be subject to the approval of the City Manager or his or her authorized representative and must possess a valid City of Milpitas business licenses and any other applicable state, county or federal permit. Concessions will be defined as the sale of any food, beverage, souvenir item or service (i.e. face painting). Copies of said permits and licenses must be submitted a minimum of 45 working days in advance of permit use date. Food being sold to the public requires a Health Permit obtainable from the County of Santa Clara's Health Department and must be submitted to the City 45 working days prior to permit use date.
- 4.3 Any person sponsoring, promoting, operating, etc. an entertainment activity (outside), open to the public, charging admission or as described in the Milpitas Municipal Code (Title III, Chapter 5, Entertainment Event) may be required to obtain an Entertainment Permit. Permit information and applications are available at the City Clerk's Office, 455 E. Calaveras Blvd., Monday-Friday, 8:00 am - 5:00 pm. If required, Entertainment Permit must be obtained prior to receiving rental permit.

V. SMOKING/ALCOHOL

- 5.1 By City ordinance, smoking is not permitted in any City Facility or within 25 feet of the facility.
- 5.2 Smoking or alcohol consumption is not permissible in the Milpitas Sports Center gymnasium or on the pool deck.
- 5.3 Serving or selling alcohol must cease one hour prior to the ending time as stated on the permit.
- 5.4 As a host of the event, if you are serving/selling alcohol, you are responsible and potentially liable for the safety of your guests at the event and while still under the influence of beverages. You should maintain strict control over alcohol service and assure guests are able to safely return home after the party. This is not the responsibility of the facility attendant.
- 5.5 No alcoholic beverages may be served or sold at youth oriented events or events held in honor of a minor such as birthday parties, baptisms, dances, graduations, coming out parties, quinceanera, bar/bahmitsvahs or presentations. A youth activity is any activity designed for individuals under the age of 21 years. The designation of such an activity will be at the discretion of the City Manager or his or her authorized representative. Should facility staff witness alcohol being served, consumed or on the premises, the parking lot, the party will be shut down immediately and entire deposit will be forfeited.
- 5.6 By City ordinance, beer or wine is permissible for adults in City parks unless otherwise posted. California State law expressly forbids alcoholic beverage of any kind at the Russell Middle School softball facility under any circumstances as it is located on school property. Sale of beer or wine is allowed or other alcoholic beverages subject to the above location restrictions and upon approval of the Milpitas Police Department and the acquisition of a valid permit by the user group from the Alcoholic Beverage Control Department, 100 Paseo de San Antonio, San Jose, CA (408) 277-1200. Alcohol permit is due 30 days in advance of the permit date. Additional insurance is required. All permits requiring insurance will be assessed a \$15 insurance processing fee.

CITY OF MILPITAS – MASTER FEE SCHEDULE

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Recreation	FACILITY USE RULES AND REGULATIONS FOR INDOOR & OUTDOOR FACILITIES, continued	See below	1,2	Res No. 7940 12/01/09

VI. DECORATIONS

- 6.1 All decorations must be flame retardant treated.
- 6.2 No decoration can be stapled, tacked or taped to any amenities (i.e. walls, windows, grounds, flag poles, or ceiling.) All free standing decorations must not be placed in walkways or impede egress creating a tripping hazard in any way.
- 6.3 No confetti, birdseed or rice may be thrown in or outside of any building.
- 6.4 The building or equipment in the building may not be altered in any way without consent of the Staff on duty (i.e. moving existing equipment).
- 6.5 Colored punch may not be served at any indoor facilities.
- 6.6 No candles, lanterns, incense or open flames are allowed in any building. (excluding Sterno)

VII. SET-UP/CLEAN-UP

- 7.1 If after an activity, additional maintenance is required other than what is considered normal and/or equipment is left damaged, the user group will be charged accordingly.
- 7.2 City facilities must be protected by the user from damage or mistreatment. Groups using City facilities must be responsible for the condition in which the facility and its equipment are left. Groups must leave the facility free of litter, such as paper, food or drink and if decorations are to be used, they must be approved in advance by the City and removed before the group leaves.
- 7.3 At least 45 days before the permit use date, the user group must submit a room set-up diagram.
- 7.4 Upon leaving the facility each group must see that trash is placed in appropriate receptacles, that restrooms and parking lots are free of litter and unwanted debris and that the facility is returned to its original condition. Tables must be cleared and decorations removed.
- 7.5 Kitchen must be thoroughly cleaned, if used. Staff shall provide necessary custodial services such as mopping floors and emptying garbage cans after above items have been completed. It is required that the rental applicant check in and out with staff and complete a pre and post inspection form upon arriving/leaving the facility.

CITY OF MILPITAS – MASTER FEE SCHEDULE

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VIII. SPECIAL SPORTS CENTER/ GYMNASIUM REGULATIONS

- 8.1 No food or beverages are allowed in the Milpitas Sports Center gymnasium.
- 8.2 Gymnasium participants must wear athletic type shoes and socks. (Hard soles or black soles are not permitted on the gymnasium floor.)
- 8.3 Gymnasium facilities will only be rented to groups for sporting activities or programs. Requests for non-sports related activities will not be granted.
- 8.4 Locker room facilities are not available.
- 8.5 Minors are not allowed inside the facilities without proper adult supervision.
- 8.6 No other type of equipment is allowed inside the gyms without prior consent of Parks and Recreation Services. No equipment other than fixed pieces of equipment is available.
- 8.7 Access is limited to that portion of the facility agreed upon and is restricted from all other areas.
- 8.8 Parks and Recreation Services shall be notified immediately of any maintenance problems or concerns, including vandalism and theft.
- 8.9 Dry mopping of the floor must be done after each use of the facility. All garbage must be disposed of properly. Any wet spills must be taken care of promptly and thoroughly.
- 8.10 Facility should be left in the condition in which it was found.
- 8.11 Groups proposing to charge an admission fee must receive permission and also include explanation in the cover letter as to the amount of charge and what proceeds are to be used for which needs to be submitted at the time of reservation and subject to approval from the City Manager or his or her authorized representative and if not satisfied, to the City Council, whose decision shall be final.
- 8.12 Total gym capacity is not to exceed 600. Bleacher capacity is not to exceed 305 seated spectators.

IX. SPECIAL POLICE DEPARTMENT COMMUNITY ROOM REGULATIONS

- 9.1 Rental hours 8:00 am to 11:00 pm
- 9.2 Use of the facility shall be primarily for residents, groups or individuals. No non-resident group or non-resident individual use will be permitted.
- 9.3 No alcohol is permitted in the facility.
- 9.4 No parties may be scheduled for the facility.
- 9.5 Exceptions to any policy or regulation are subject to the approval of the Chief of Police or his or her authorized representative. The applicant must submit exception requests in writing. Decisions of the Chief of Police or his or her authorized representative may be appealed to the City Manager and if not satisfied, to the City Council, whose decision shall be final.

CITY OF MILPITAS – MASTER FEE SCHEDULE

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Recreation	FACILITY USE RULES AND REGULATIONS FOR INDOOR & OUTDOOR FACILITIES, continued	See below	1,2	Res No. 7940 12/01/09

X. OPERATING PROCEDURES

- 10.1 No food or beverages may be served in the dance studio at the Milpitas Community Center.
- 10.2 No barbecuing or use of propane stoves is allowed outside or near all City facilities unless in a designated fire pit at the Adobe Building. At the Adobe Building only electric charcoal starters or fluids made for the purpose of igniting charcoal may be used in the fire pit. Starters must be used according to the manufacturers instructions.
- 10.3 Groups granted use of City facilities shall use them only for such purposes as specified in facility use permit and shall limit use to the facility requested. Groups using additional facilities will be charged in accordance with the schedule of charges and such charges may be deducted from the cleaning and damage deposit.
- 10.4 Groups may use certain facility equipment, provided it is not removed from the premises. Use of equipment must be specified in facility use application. City approval is required for any removal or change in the location of any stage rigging or other equipment, structures, enclosures or utility connections. All equipment must remain inside all designated facilities (i.e. tables, chairs, etc.)
- 10.5 Facility Attendant is provided by the City to assist you with equipment/furniture needs and room set up. The attendant is not present in the meeting/party site at all times during your event. The attendant is not responsible for supervision of guests, security, law enforcement or conflict resolution. The attendant, if present, is instructed to call 911 if an emergency situation arises. You, as a host, must assume responsibility for these and other unforeseeable possible situations.
- 10.6 Any person, public or private firm, organization or corporation, which owns, rents, leases, or manages facility that hosts a ticketed event for live entertainment shall make an announcement of the availability of emergency exits prior to the beginning of a live entertainment.
- 10.7 Community Center marquee is to be used for City sponsored activities only. Exceptions must be approved by City Council. To seek exception, applicant must submit a written request at least 90 days prior to the proposed date of use. Requests will be reviewed by the City Council at a regularly scheduled City Council meeting.
- 10.8 Facility use shall not be granted:
 - a. To any group or individual, political or otherwise, that advocates the overthrow of the United States Government or the State of California by force, violence or other unlawful means.
 - b. When for any reason such use may not be in the best interest of the City and/or community, as determined by the City Manager or his or her authorized representative, whose decision may be appealed to the City Council.
- 10.9 Gambling, casino nights or any legal function or activity involving games of chance may be held in a City facility. The activity must, however, be open to the public and admission may not be charged. Donations may be accepted as long as access is not denied if a donation is not received.
- 10.10 The City of Milpitas is not responsible for accidents, injury, illness, or loss of group or individual property. The applicant agrees to indemnify at its own expense, and hold harmless the City, its officers, agents, volunteers, and employees from all costs, expenses, reasonable attorney fees, claims, liabilities or damages to persons or property that may arise during or be caused in any way by such use of occupancy of the facilities of the City of Milpitas. The applicant agrees to reimburse the City of Milpitas for any damage to said facilities occasioned by or growing out of the use herein requested and to abide by the rules and regulations governing use of such. The City requires insurance coverage for certain types of rentals in accordance with the alcohol and insurance requirement guidelines. In addition, the City may, at its discretion, require user to provide at user's expense such police and/or fire protection as deemed reasonable for the protection and preservation of the public property and peace.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
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- 10.11 The City Manager or his or her authorized representative, shall have the right to unrestricted access to all facilities at all times during any and all use. Groups found in violation of established City laws and ordinances or constituting a public nuisance may be required to leave said facility. The misuse of facilities, failure to conform to established regulations or other applicable City ordinances, will be sufficient reason for termination of the function. Permits may not be transferred, assigned or sold.
- 10.12 Any group not abiding by all the Facility Use Rules and Regulations will forfeit entire rental deposit.

XI. CITY HALL BUILDING, PLAZA AND GROUNDS REGULATIONS

- 11.1 No food is allowed in Council Chambers.
- 11.2 No tents or structures allowed on grass.
- 11.3 Chairs and tables are available on a first come, first serve basis, and due to the amount of rentals at the facility, may not be available for use. Should this occur, it is the applicant's responsibility to provide their own tables and chairs. Samples of chairs and tables must be approved 45 days prior to the event.
- 11.4 Access to parking garage is restricted.
- 11.5 Flag ceremonies in Plaza Area are limited to ground ceremonies only and require prior City Council approval.
- 11.6 All facility rentals require staffing. The number of staff (Maintenance and Information Services) is to be determined by the City Manager or his or her authorized representative on a per event basis..
- 11.7 All City Hall Building, Plaza and Ground permits are subject to Chapter 100, Title I of the Milpitas Municipal Code and all uses must be approved by the City Manager.
- 11.8 No political fundraising is allowed at the City Hall Building, Plaza, and Grounds.
- 11.9 No amplified or "live" music allowed in rentable outdoor facilities due to disruption of surrounding facilities.
- 11.10 City Council Chamber dais is not available for use.
- 11.11 Use of alcohol is permissible upon approval of City Manager or his or her authorized representative.

Exceptions to any policy or regulation are subject to the approval of the City Manager or his or her authorized representative 45 days in advance. The applicant must submit exception requests in writing. Decisions of the City Manager or his or her authorized representative may be appealed to the City Manager and if not satisfied, to the City Council, whose decision shall be final.

CITY OF MILPITAS – MASTER FEE SCHEDULE

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XII ALCOHOL AND INSURANCE REQUIREMENT GUIDELINES FOR RENTAL GROUPS

The table below summarizes the Insurance and Alcohol Permit requirements by rental type for facilities and parks rentals.

RENTAL TYPE	FACILITY	PARK
Private use/meeting No alcohol	No insurance required	No insurance required
Private Party - no alcohol	No insurance required	No insurance required
Party or meeting serving alcohol	1. Purchase Special Events Liability Insurance and 2. Purchase Liquor Legal Liability coverage Or 3. Provide Certificate of Insurance with endorsement to the City w/Liquor Legal Liability Coverage	No insurance required
Public Attended Event (Please refer to the type of events that require insurance and hazard classification)	1. Purchase Special Events Liability Insurance or 2. Provide Certificate of Insurance	1. Purchase Special Events Liability Insurance or 2. Provide Certificate of Insurance
Sell Alcohol	1. Purchase Special Events Liability Insurance and 2. Purchase Liquor Legal Liability coverage Or 3. Provide Certificate of Insurance with endorsement to the City w/Liquor Legal Liability coverage And 4. Obtain Alcohol Permit	1. Purchase Special Events Liability Insurance and 2. Purchase Liquor Legal Liability coverage Or 3. Provide Certificate of Insurance with endorsement to the City w/Liquor Legal Liability coverage And 4. Obtain Alcohol Permit

The applicant, which opts to provide a certificate of insurance, satisfy the minimum insurance requirement of \$2,000,000 general liability per occurrence. The insurance coverage must be endorsed to provide primary coverage and must name the City, its officers, agents, volunteers, and its employees as additional insured. Please note that the purchase of liquor legal liability coverage from the City is available only in conjunction with purchase of special event liability coverage also purchased from the City.

The applicant must provide the certificate of insurance 45 days prior to event or begin the process of purchasing special events insurance with Parks and Recreation Services staff at the time of application. The costs of purchasing special events insurance is in addition to the rental fees.

Please note: this information is subject to change.

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The purchase cost of special event insurance from the City per day according to classification of hazard is as follows:

Please Note: All permits requiring

TENANT/USER EVENT RATES PER DAY*

	Hazard Class I	Hazard Class II	Hazard Class III
Attendance	Premium	Premium	Premium
1-100	\$ 83.32	\$122.46	\$194.42
101-500	\$116.15	\$213.36	\$342.13
501-1500	\$174.32	\$252.50	\$451.97
1501-3000	\$225.98	\$420.41	\$710.78
3001-5000	\$342.13	\$536.56	\$872.38
Add Liquor Liability if applicable	65.65	Must obtain company's prior approval for liquor liability	Must obtain company's prior approval for liquor liability

*fees subject to change

EXAMPLE OF PREMIUM CALCULATION:

Wedding with 300 serving alcohol: Hazard Class I Total Attendance: 300	Attendance Category: 101-500	Total Premium: \$116.15 + \$65.65 = \$181.80
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TENANT/USER EVENT RISK CLASSIFICATIONS

Hazard Class I	Hazard Class II	Hazard Class III
Plays	Animal Training	**Baseball
Bazaars	* Block Parties/Street Closures	* Carnivals (no rides)
Gymnastic Competitions	* Concerts Outdoor (under 1,500)	**Karate Meets
* Concerts indoor (under 1,500)	Dance Parties	**Softball
Fishing Events	Dog Shows	Animal Acts/Shows
Private parties/meetings serving alcohol	Food Concessions	Zoos

Notes:

- * Requires prior insurance company's approval dependent upon the number of attendance and/or liquor
- ** Athletic Events coverage requires prior insurance company's approval and signed waiver(s) by participant.
The City reserves the right to classify any other non-listed event.

CITY OF MILPITAS – MASTER FEE SCHEDULE

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Recreation	SPECIAL EVENT RULES AND REGULATIONS/EQUIPMENT RENTAL		1,2	Res No. 7940 12/01/09

SPECIAL EVENT RULES AND REGULATIONS

I. CITY SPONSORED SPECIAL EVENTS

1.1 The purpose of City Sponsored Special Events is to provide the public with activities to attend within the community. Planning for each event takes place 3-6 months prior to the event. These rules and regulations pertain to non-City group participation and use of City equipment for and during City sponsored, co-sponsored, public, non-profit events.

1.2 Calendar of Events (dates and events are subject to change)

Children's Memorial Day	April
Family Day	May
Memorial Day Ceremony	May
4 th of July Festival	July
Commissioner's Recognition	April
Summer Concert Series	June-August
Movies in the Park	June-September
Halloween Event	October
Veterans Day Ceremony	November
Tree Lighting Ceremony	December
Breakfast with Santa	December
Cultural Arts Grant	Throughout the year

CITY OF MILPITAS – MASTER FEE SCHEDULE

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II. ORGANIZATION/GROUP SEEKING PARTICIPATION

- 2.1 Any organization/group that would like to participate in any City sponsored Special Event must contact Parks and Recreation Services at least 6 months prior to an event and submit a Special Events Application attached with a written request explaining in detail their participation in an event. There will be NO EXCEPTIONS to this rule due to the importance of the planning process.
- 2.2 Parks and Recreation Services must approve all requests to participate in a Special Event. A written response will be mailed to the address listed on the Special Event Application either approving or denying the organizations/groups involvement in a City sponsored Special Event, within fourteen (14) working days from receiving the initial request.
- 2.3 Once granted permission to participate in an event by Parks and Recreation Services, a special events contract will be executed to ensure participation meets City standards. This contract must be reviewed and signed by the group representative and City Staff (City Attorney, City Manager and City Clerk) one (1) month prior to the event.
- 2.4 Special Event Contract authorizes the terms for organizations/groups to conduct events only as described within the contract. It is unlawful for an organization/group to violate the terms and conditions of the contract.
- 2.5 Parks and Recreation Services reserves the right to refuse or deny a group's participation at any time, either prior or during an event.

III ORGANIZATION/GROUP PERMISSION TO PARTICIPATE

- 3.1 A pre-approved organization/group will have the opportunity to participate in a City sponsored Special Event in one of the following methods:
 - a) Resource table - Displaying pre-approved information at an event about the organizations/groups purpose and presence in Milpitas.
 - b) Vending booth - The sale of pre-approved merchandise and food or distributing items to the public. The sale of any tangible personal property or food requires permits. Milpitas Recreation Services will assist in obtaining permits such as Health Permit, Milpitas Business License, etc.
 - c) Speech Presentation - The speech must be no longer than five (5) minutes in length and must be appropriate for the event. A copy of the speech must be provided to the Recreation Services Management at least one (1) month prior to the event.
 - d) Parade –All entries must complete a Special Events Application and/or a Parade Application in order to participate.
- 3.2 A sample of all items being distributed, sold, displayed and/or given to the public must be presented to the Parks and Recreation Services management for approval at least fourteen (14) working days prior to the event. Any items issued at an event without approval may result in automatic forfeit of participation in the event and/or any future City sponsored Special Events.

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IV. EQUIPMENT RENTAL

- 4.1 A Special Events Application must be completed and submitted to Parks and Recreation Services Customer Services staff to request the use of any City equipment and/or supplies at least two (2) months prior to the organizations/groups event.
- 4.2 A deposit is required of all rented equipment and is refundable upon the return of the equipment provided no damage has occurred to any of the items. Milpitas Parks and Recreation Services will review the request and upon approval or denial a letter will be mailed to the address listed on the Special Event application, which will include the necessary rental fee. All equipment availability is based on Milpitas Recreation Services events schedule. (See below for fee schedule)
- 4.3 Special detailed inspections should be well documented for the mobile stage and related equipment, stage rigging, etc. Special attention should be paid to paths and walkways in and around facilities and sports fields.
- 4.4 All outdoor equipment (i.e. bleachers, picnic tables, barbecue pits, etc.) are not moveable and shall remain in designated locations.
- 4.5 Additional equipment (i.e. bounce houses, chairs, additional seating, staging/platforms, etc.) must be noted on the application and pre approved by staff. All additional event features must be obtained independently by the applicant, including rental costs, fees, insurance and delivery.

Equipment Fee Schedule:

	<u>Fee</u>	<u>Deposit (refundable)</u>
*Mobile Stage	\$350/day (includes staffing & towing)	\$1,000/day

Please Note:

The rental fee of equipment/supplies NOT listed is to the discretion of Recreation Services.

*The Mobile Stage is not allowed outside Milpitas City limits.

CITY OF MILPITAS – MASTER FEE SCHEDULE

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Recreation	FIELD USE AND SPORTS FACILITY USE RULES AND REGULATIONS	See below	1,2	Res No. 7940 12/01/09

V. MAINTENANCE

- 5.1 Parks Services is responsible for all aspects for field maintenance. Recreation Services and Building Maintenance are responsible for facility maintenance.
- 5.2 Permittees are responsible for obtaining pre-approval and permission from Parks and Recreation Services prior to altering fields in any manner.
- 5.3 Permittees are responsible for obtaining pre-approval and permission from Parks and Recreation Services for alteration of indoor facility.
- 5.4 User is responsible to ensure that clean up has occurred following any rental. Garbage cans are provided for clean-up purposes.
- 5.5 Should damage to field or facility occur, permittee is responsible for all direct costs involved in the repair, replacement or clean up caused due to damage.
- 5.6 City of Milpitas reserves the right to revoke or cancel any permitted use if it is deemed to be dangerous, hazardous or not in the best interest of the City of Milpitas.
- 5.7 Permittee shall report any unsafe condition to Parks and Recreation Services immediately and suspend activities until corrections or repair has ensured that the situation is safe for participants or spectators.

VI. SET-UP/CLEAN-UP

- 6.1 If after an activity, additional maintenance is required other than what is considered normal, and/or equipment is left damaged, the user group will be charged accordingly.
- 6.2 City facilities must be protected by the user from damage or mistreatment. Groups using City facilities must be responsible for the condition in which the facility and its equipment are left. Groups must leave the facility free of litter, such as paper, food or drink, and if decorations are to be used, they must be approved in advance by the City and removed before the group leaves.
- 6.3 Upon leaving the facility each group must see that trash is placed in appropriate receptacles, that restrooms and parking lots are free of litter and unwanted debris, and that the facility is returned to its original condition. Attendant shall provide necessary custodial services such as mopping floors, and emptying garbage cans after above items have been completed.

VII PUBLIC BASKETBALL COURT RULES

- 7.1 Basketball Courts hours: 8:30 AM – 8:30 PM Daily.
- 7.2 Basketball Courts are for recreational purpose in two-hour increments and are on a drop-in basis. Courts must be forfeited if another group/individual are waiting.
- 7.3 Amplified music including car and portable radios are prohibited.
- 7.4 The Milpitas Police Department may stop play based on complaints.

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Recreation	FIELD USE AND SPORTS FACILITY USE RULES AND REGULATIONS, continued	See below	1,2	Res No. 7940 12/01/09

VIII. TENNIS COURT RULES & ETIQUETTE

- 8.1 Court Time Limit: Courts must be relinquished to players waiting after one hour of play for singles or 1 hour 30 minutes for doubles.
- 8.2 Waiting Players should state their intent of play to current occupants upon arrival.
- 8.3 Maximum of four (4) players per court.
- 8.4 No single player may use court when others are waiting.
- 8.5 City-Sponsored Programs have first priority on tennis courts at all times.
- 8.6 Absolutely no skates, roller blades, skateboards, bikes, food, glass objects or alcoholic beverages on courts. All food and drinks must be left outside tennis courts fence.
- 8.7 Smooth bottomed tennis shoes only. No knobby, black soled, sports cleats (baseball, soccer or football) or street shoes.
- 8.8 No instructional aids allowed (i.e. ball machines, etc.) unless prior approval received from City of Milpitas, Parks and Recreation Services, 408-586-3210.
- 8.9 Conducting any business or concession within any City park is prohibited except by permit MMC 1-9-4.01 (i.e. private tennis lessons, selling food or beverage, etc.) and appropriate licenses or permits.
- 8.10 For your safety and enjoyment, use caution when playing. Surface may be slippery when wet or dirty.
- 8.11 Smoking is prohibited within 25 feet of tennis courts.
- 8.12 Report any problems with courts. Please call Parks Hot-line at 408-586-2600.

IX. SPECIAL POOL REGULATIONS

- 9.1 No smoking or alcohol consumption is allowed in the aquatics facility.
- 9.2 All pool users and patrons must bear appropriate swim attire. No jeans, cut-off shorts, leotards or any other extra articles of clothing allowed. (Ca. Health Code # 65838).
- 9.3 Teen Locker Rooms are available for shower and changing use.
- 9.4 No personal flotation devices, no flotation devices attached to the swim suits, no inflatable pool toys of any kind allowed.
- 9.5 No diving allowed.
- 9.6 No running allowed. Please walk at all times.
- 9.7 All children under 7 years old swimming in the yard or meter pool must have an adult attendance in the water with them at all times.
- 9.8 Parents must change their children in the Youth locker rooms.
- 9.9 No food or drink is allowed on the pool deck, except in the designated areas. Glass containers are not allowed.
- 9.10 Ramp usage by request only. See Lifeguard on duty

Exceptions to any policy or regulation are subject to the approval of the City Manager or his or her authorized representative. Exception requests must be submitted in writing by the applicant. Decisions of the City Manager may be appealed, if not satisfied, to the City Council, whose decision shall be final.

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Recreation	Facility Fees	See below	1,2	Res No. 7940 12/01/09

Rental Date Transfer Fee (All Indoor Facilities)

Should a request for a change of rental date be made, a rescheduling fee of \$100 will be implemented providing the date and staff are available and there are 45 days remaining prior to the original scheduled date.

City Hall Building Plaza and Grounds				
Facility / Service	<i>Milpitas Schools, Chamber, and Gov Agencies (Priority II)</i>	<i>Resident Non- Profits (Priority III)</i>	<i>Milpitas Residents (Priority IV)</i>	<i>Non- Residents (Priority V)</i>
Reservations Accepted	9 months to proposed date	9 months to proposed date	1 year to proposed date	6 months to proposed date
Rental Damage Deposits: Council Chambers	None	\$250.00	\$500.00	\$1,000.00
Rental Damage Deposits: Other rooms/outdoor areas	None	\$150.00	\$500.00	\$600.00
Application Fee (non-refundable)	\$20 per application	\$20 per application	\$20 per application	\$20 per application
Insurance Processing Fee	\$15.00	\$15.00	\$15.00	\$15.00
Council Chambers – no food/drink allowed in room				
Council Chambers (2 hr. min)/160 capacity with fixed seating	No Fee	\$75.00/hr	\$250.00/hr	\$1,000.00/hr
Rotunda Area & Committee Room				
Rotunda Area (2 hr. min) 284 capacity	No Fee	\$37.50/hr	\$75.00/hr	\$1,000.00/hr
Committee Room (2 hr. min) 55 capacity without tables	No Fee	\$37.50/hr	\$75.00/hr	\$150.00/hr
Patios – no tables and chairs are provided				
City Council 2 nd Floor Balcony/Patio (2 hr. min) 55 capacity	No Fee	\$25.00/hr	\$50.00/hr	\$100.00/hr
Front Patio (2 hr. min) 49 capacity	No Fee	\$25.00/hr	\$50.00/hr	\$100.00/hr
Back Patio (2 hr. min) 180 capacity	No Fee	\$37.50/hr	\$75.00/hr	\$150.00/hr
Outdoor Areas (no tents, chairs, or structures allowed on the grass)				
Community Center Amphitheatre Area (2 hr. min) 233 capacity	No Fee	\$37.50/hr	\$75.00/hr	\$150.00/hr
Library/Grass Area (2 hr. min) 200 capacity	No Fee	\$37.50/hr	\$75.00/hr	\$150.00/hr
Flag Plaza Area/Grass Amphitheatre (2 hr. min) 230 capacity	No Fee	\$37.50/hr	\$75.00/hr	\$150.00/hr
Personnel Costs (per person)				
Information Services Staff (required for Council Chambers)	\$50.00/hr	\$50.00/hr	\$50.00/hr	\$50.00/hr
Maintenance Staff	\$50.00/hr	\$50.00/hr	\$50.00/hr	\$50.00/hr

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NOTE: All City Hall facility rentals require City Staff. The type and number of staff (Maintenance, Information Services, Building Maintenance, etc) will be determined by the City Manager (or his/her authorized representative) on a per event basis. Personnel costs are based on over-time + benefits.

CITY OF MILPITAS – MASTER FEE SCHEDULE

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Community Center				
Facility / Service	Milpitas Schools, Chamber, and Gov Agencies (Priority II)	Resident Non- Profits (Priority III)	Milpitas Residents (Priority IV)	Non- Residents (Priority V)
Reservations Accepted	9 months to proposed date	9 months to proposed date	1 year to proposed date	6 months to proposed date
Rental Deposits: Community Hall	per individual agreement	\$500.00	\$500.00	\$500.00
Rental Deposits: All other rooms	None	\$75.00	\$100.00	\$150.00
Auditorium (3 hr minimum)	per individual agreement	\$50.00/hr	\$115.00/hr	\$145.00/hr
Conference Room Full (2hr minimum)	No fee	\$20.00/hr	\$50.00/hr	\$73.00/hr
Conference Room ½ (2 hr minimum)	No fee	\$15.50/hr	\$22.50/hr	\$30.00/hr
Dance Studio/ Craft Classroom (2 hr minimum)	No fee	\$14.50/hr	\$21.50/hr	\$28.00/hr
Facility Attendant Fees	\$30.00/hr	\$30.00/hr	\$30.00/hr	\$60.00/hr
Theatrical Light Rental	\$50.00/ day	\$50.00 / day	Not available	Not available
Light Deposit	\$150.00 / day	\$150.00 / day	Not available	Not available
Light Technician (3 hr minimum)	Actual Cost to City	Actual Cost to City	Not available	Not available
Light Set Up / Take Down (6hr minimum)	Actual Cost to City	Actual Cost to City	Not available	Not available
TV / VCR	No fee	\$17.50 / day	\$17.50 / day	\$35.00 / day
Piano	No fee	\$17.50 / day	\$17.50 / day	\$35.00 / day
Application Fee (non-refundable)	\$20.00 / application	\$20.00 / application	\$20.00 / application	\$20.00 / application
Mobile Stage				
<ul style="list-style-type: none"> • Reservation 	1 month to proposed date	1 month to proposed date	1 month to proposed date	Not Available
<ul style="list-style-type: none"> • Deposit 	\$1,000	\$1,000	\$1,000	Not Available
<ul style="list-style-type: none"> • Rental (includes staff and towing) 	\$350 per day	\$350 per day	\$350 per day	Not Available

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CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	<i>DATE FEE LAST CHANGED</i>
Recreation	Facility Fees, continued	See below	1,2	Res No. 7940 12/01/09

Teen Center				
<i>Facility / Service</i>	<i>Milpitas Schools, Chamber, and Gov Agencies (Priority II)</i>	<i>Resident Non- Profits (Priority III)</i>	<i>Milpitas Residents (Priority IV)</i>	<i>Non- Residents (Priority V)</i>
Reservations Accepted	9 months to proposed date	9 months to proposed date	1 year to proposed date	6 months to proposed date
Rental Deposit: Gathering Room	per individual agreement	\$500.00	\$500.00	\$500.00

Senior Center and Sal Cracolice Building				
<i>Facility / Service</i>	<i>Milpitas Schools, Chamber, and Gov Agencies (Priority II)</i>	<i>Resident Non- Profits (Priority III)</i>	<i>Milpitas Residents (Priority IV)</i>	<i>Non- Residents (Priority V)</i>
Reservations Accepted	9 months to proposed date	9 months to proposed date	1 year to proposed date	6 months to proposed date
Rental Deposits: Auditorium	per individual agreement	\$500.00	\$500.00	\$500.00
Rental Deposits: Classrooms	None	\$75.00	\$100.00	\$150.00
Auditorium (3 hr minimum)	No fee	\$28.00/hr	\$55.00/hr	\$75.00/hr
Courtyard (3 hr minimum)	No fee	\$10.00/hr	\$10.00/hr	\$20.00/hr
Small Meeting Room (2 hr minimum)	No fee	\$10.00/hr	\$10.00/hr	\$20.00/hr
Facility Attendant Fees (per attendant)	\$30.00/hr	\$30.00/hr	\$30.00/hr	\$60.00/hr
Application Fee (non-refundable)	\$20.00 / application	\$20.00 / application	\$20.00 / application	\$20.00 / application

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CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Recreation	Facility Fees, continued	See below	1,2	Res No. 7940 12/01/09

Higuera Adobe				
Facility / Service	Milpitas Schools, Chamber, and Gov Agencies (Priority II)	Resident Non- Profits (Priority III)	Milpitas Residents (Priority IV)	Non- Residents (Priority V)
Reservations Accepted	90 days to proposed date	90 days to proposed date	1 year to proposed date	6 months to proposed date
Rental Deposits	per individual agreement	\$500.00	\$500.00	\$500.00
Auditorium	per individual agreement	\$15.50/hr	\$35.00/hr	\$57.50/hr
Facility Attendant Fees (per attendant)	\$30.00/hr	\$30.00/hr	\$30.00/hr	\$60.00/hr
Application Fee (non-refundable)	\$20.00 / application	\$20.00 / application	\$20.00 / application	\$20.00 / application

Picnic Areas				
Facility / Service	Milpitas Schools, Chamber, and Gov Agencies (Priority II)	Resident Non- Profits (Priority III)	Milpitas Residents (Priority IV)	Non- Residents (Priority V)
Reservations Accepted	90 days to proposed date	90 days to proposed date	1 year to proposed date	6 months to proposed date
Picnic Area – 50 or Less capacity	No fee	\$20/day/area	\$20/day/area	\$34/day/area
Picnic Area – More than 50 capacity	No fee	\$40/day/area	\$40/day/area	\$54/day/area
Rental Deposit: Large Picnic Areas	\$250	\$250	\$250	\$250
Attendant Fee (per attendant)	Actual Cost to City	Actual Cost to City	\$15.00/hr	\$30.00/hr*
Application Fee (non-refundable)	\$20.00 / application	\$20.00 / application	\$20.00 / application	\$20.00 / application

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CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Recreation	Facility Fees, continued	See below	1,2	Res No. 7940 12/01/09

Milpitas Sports Center				
Facility / Service	Milpitas Schools, Chamber, and Gov Agencies (Priority II)	Resident Non- Profits (Priority III)	Milpitas Residents (Priority IV)	Non- Residents (Priority V)
Reservations Accepted	9 months to proposed date	9 months to proposed date	1 year to proposed date	6 months to proposed date
Rental Deposits	per individual agreement	\$500.00	\$500.00	\$500.00
Large Gymnasium (3 hr minimum)	per individual agreement	\$50.00/hr	\$50.00/hr	\$100.00/hr*
Dance Studio (2hr minimum)	per individual agreement	\$20.00/hr	\$20.00/hr	\$40.00/hr
Instructional Pool (2hr minimum)	per individual agreement	\$50.00/hr + 2 guards	\$50.00/hr + 2 guards	\$100.00/hr + 2 guards
Yard Pool (2 hr minimum)	per individual agreement	\$60.00/hr + 2 guards	\$60.00/hr + 2 guards	\$120.00/hr + 2 guards
Meter Pool (2 hr minimum)	per individual agreement	\$70.00/hr + 2 guards	\$70.00/hr + 2 guards	\$140.00/hr + 2 guards
Tiny Tot Pool (2 hr minimum)	per individual agreement	\$40.00/hr + 2 guards	\$40.00/hr + 2 guards	\$80.00/hr + 2 guards
Lifeguard Fees (per Lifeguard)	\$15.00/hr	\$15.00/hr	\$15.00/hr	\$30.00/hr

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CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Recreation	Facility Fees, continued	See below	1,2	Res No. 7940 12/01/09

Softball/Baseball/Soccer Fields				
Facility / Service	<i>Milpitas Schools, Chamber, and Gov Agencies (Priority II)</i>	<i>Resident Non- Profits (Priority III)</i>	<i>Milpitas Residents (Priority IV)</i>	<i>Non- Residents (Priority V)</i>
Reservations Accepted	90 days to proposed date	90 days to proposed date	90 days to proposed date	60 days to proposed date
Football / Soccer Field w/o lights (2 hr min)	per individual agreement	\$20.00/hr	\$20.00/hr	\$40.00/hr*
Football / Soccer Field w/ lights (2 hr min)	per individual agreement	\$30.00/hr	\$30.00/hr	\$60.00/hr*
Softball / Baseball Field w/o lights (2hr min)	per individual agreement	\$20.00/hr	\$20.00/hr	\$40.00/hr*
Softball / Baseball Field w/ lights (2 hr min)	per individual agreement	\$30.00/hr	\$30.00/hr	\$60.00/hr*
Custodial Charges	\$75.00/ day	\$75.00 / day	\$75.00/ day	\$75.00/ day
Facility Attendant / Scorekeeper (per attendant)	\$30.00/hr	\$30.00/hr	\$30.00/hr	\$60.00/hr*
Application Fee (non-refundable)	\$20.00 / application	\$20.00 / application	\$20.00 / application	\$20.00 / application

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CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Recreation	Facility Fees, continued	See below	1,2	Res No. 7940 12/01/09

Tournament Field				
Facility / Service	Milpitas Schools, Chamber, and Gov Agencies (Priority II)	Resident Non- Profits (Priority III)	Milpitas Residents (Priority IV)	Non- Residents (Priority V)
Reservations Accepted	90 days to proposed date	90 days to proposed date	90 days to proposed date	60 days to proposed date
Rental Deposits	per individual agreement	\$150.00	\$250.00	\$350.00
Softball Field w/o lights (2 hr min) Current	per individual agreement	\$20.00/hr	\$20.00/hr	\$40.00/hr
Softball Field w/ lights (2 hr min) Current	per individual agreement	\$30.00/hr	\$30.00/hr	\$60.00/hr
Football/ Soccer Field w/o lights (2 hr min) Current	per individual agreement	\$20.00/hr	\$20.00/hr	\$40.00/hr
Football / Soccer Field w/ lights (2 hr min) Current	per individual agreement	\$30.00/hr	\$30.00/hr	\$60.00/hr
Bases	per individual agreement	\$10/set/ day	\$10/set/ day	\$20/set/ day
Field Prep (per attendant)	per individual agreement	\$30.00/hr	\$30.00/hr	\$60.00 / field/prep
Lights	per individual agreement	\$5.00/hr	\$5.00/hr	\$10.00/hr
Scorekeeper / Field Attendant (per attendant)	\$30.00/hr	\$30.00/hr	\$30.00/hr	\$60.00/hr*
Tennis Court Reservations (per court)	per individual agreement	\$8.00/hr	\$8.00/hr	\$12.00/hr
Tennis Court w/lights (per court)	per individual agreement	\$10.00/hr	\$10.00/hr	\$14.00/hr
Application Fee (non-refundable)	\$20.00 / application	\$20.00 / application	\$20.00 / application	\$20.00 / application

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CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Recreation	Facility Fees, continued	See below	1,2	Res No. 7940 12/01/09

Tournament Field				
Facility / Service	Milpitas Schools, Chamber, and Gov Agencies (Priority II)	Resident Non- Profits (Priority III)	Milpitas Residents (Priority IV)	Non- Residents (Priority V)
Football Field / Open Space Fee w/o lights	No fee	\$250.00 / day	\$250.00 / day	\$500.00 / day
Personnel Fees	Actual Cost to City	Actual Cost to City	Actual Cost to City +25%	Actual Cost to City +25%
Application Fee (non-refundable)	\$20.00 /appli- cation	\$20.00 / application	\$20.00 / application	\$20.00 / application

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Festival Rental Fees				
Facility / Service	Milpitas Schools, Chamber, and Gov Agencies (Priority II)	Resident Non- Profits (Priority III)	Milpitas Residents (Priority IV)	Non- Residents (Priority V)
Reservations Accepted	90 days to proposed date	90 days to proposed date	1 year to proposed date	6 months to proposed date
Facility Attendant Fees (per attendant)	\$30.00/hr	\$30.00/hr	\$30.00/hr	\$60.00/hr

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Community Garden Program			
	Senior residents (50+ years of age)	Resident	Non-Resident
Plot Size: 20 ft x 30 ft	\$15.00/year	\$60.00/year	\$90.00/year

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Recreation	Fitness Passes – Visit Books	5 uses: \$15 10 uses: \$30 15 uses: \$45 20 uses: \$60 Drop-in fee: \$5 Annual Non-resident fee: \$25/year	2	Mar 03
	Adult Sports Programs	Time & Materials (within the policy ranges established by the Council)	1,2	Res 6449 7/18/95
	Softball League (full season)	\$375 per resident team \$400 corporate team \$425 non-resident team	2	Mar 03
	Basketball League (full season)	\$375 per resident team \$400 corporate resident and resident church team \$425 non-resident team	2	Mar 03
	Youth Sports Programs	Time & Materials (within the policy ranges established by the Council)	1,2	Res 6449 7/18/95
	Youth Sports Programs (YBA)	\$50 per person	2	Mar 03
	Youth Sports Camps	\$70 per person	2	Mar 03
	Private Group Ballfield Usage			
	Field (2 hr minimum)	\$4 per hour	2	Mar 03
	Application fee (non-refundable)	\$20	2	
	Adult Recreation Classes	Time & Materials	1,2	Res 6449 7/18/95
	Youth Recreation Classes	Time & Materials	1,2	Res 6449 7/18/95
	Adult/Youth Recreation Classes Varies by Instructor	Negotiated with instructor	2	Res 6449 7/18/95

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Recreation	Trips	Actual cost to City + Trip Admin Fee	1,2	Dec 91
	Private Contract Admin Fee	\$15/person	2	Dec 91
	Adult Trip Admin Fee	\$10/person	2	Dec 91
	Youth Trip Admin Fee	\$5/person	2	Dec 91
	Senior Citizen Trip Admin Fee	\$1/person	2	Dec 91
	Senior Citizen Trips	Actual cost to City – Trip Admin Fee	1,2	Dec 91
	General Non-resident Fees	\$10/person/class/month program or trip.	2	Dec 91
	Brochure First Class mailing fee (3 per year)	\$5/year	2	Dec 91
	Milpitas Non-resident Senior Citizen Discount (50 years +)	25% off any Senior class or trip	2	Dec 91
	City-wide Events	No charge to the public. Booth participants will range from no charge to time & materials	1,2	Res 6449 7/18/95
	4 th of July Craft Faire space	\$30 per space	2	Dec 91
	4 th of July Food Booth (non-profit)	\$125/booth	2	Dec 91
	4 th of July Food Booth (profit)	\$275/booth	2	Dec 91
	Recreation Services T-shirt	Actual cost to City + \$7 per shirt	1,2	Dec 91
	Pre-school Program			
	Pre-school Program	\$4.50/hour	2	Mar 03
	Late fee for Pre-school	\$10/10 minutes	3	
	After-school Program – After the Bell			
	After-school Program (After the Bell)	\$50-\$75/month for residents; \$60-\$85/month for non-residents	2	Council Action #7 11/18/03
	Late fee for After-School Programs	\$10/10 minutes	3	
Day Camp (Regular Day)	\$95/week	2	Mar 03	
Extended Care Day Camp	\$25/week	2	Mar 03	
Trip Week	\$150/week	2	Mar 03	

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Recreation	Teen Programs	Range from no charge to time & materials	1,2	Res 6449 7/18/95
	<i>Teen Center Dances</i>	\$3-\$5	2	
	<i>Teen Center Snacks</i>	\$0.50-\$2.00	2	
	<i>Teen Center Drop-in Programs</i>	\$2/visit	2	

Recreation	Aquatics Program			
	<i>Recreational Swim</i>	\$2 per person	2	Mar 03
	<i>Swimming Lessons</i>	Group \$56/session	2	Mar 03
	<i>Private Swimming Lessons</i>	\$30/half hour	2	Mar 03
	<i>Parent-tot Drop-in swim pass – 5 visits</i>	\$10 plus \$10 annual non-resident fee if applicable	2	
	Swim Team Support	Time & Materials	1,2	Res 6449 7/18/95
	Monthly Swim Team Fee (Tidal Waves)	See table below	2	Res 7949 1/5/2010

Family Member	Resident	Non-resident
Beginner Level	\$55 per month*	\$95 per month*
Junior Level	\$65 per month*	\$105 per month*
Senior Level	\$75 per month*	\$115 per month*

*Plus yearly \$60 USS registration fee.

**Multiple Child Discount (children must be of the same family): \$10 off 2nd child, \$20 off 3rd child or more

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Recreation	<i>Sports Center Membership Card replacement fee</i>	\$5	2	
	<i>Lost Locker Key</i>	\$20	2	
	<i>Kid Fit</i>	\$2/2 hours	2	
	<i>Open Gym Drop in Use only (no use of locker, shower or fitness center)</i>	\$2/visit	2	
	<i>Personal Training – Milpitas Sports Center</i>	See table below	2	11/18/03

Personal Training Packages	Resident fees	Non-resident fees
Per session	\$50	\$60
First session orientation – 90 minutes	\$75	\$75
Packages		
• One session	\$50 per session	\$60 per session
• 2-5 sessions	\$45 per session	\$45 per session
• 6-10 sessions	\$40 per session	\$40 per session
• 11+ sessions	\$35 per session	\$35 per session

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Recreation		Rainbow Theatre			
		• Cast	\$35 resident \$45 non-resident	2	Mar 03
		• Tickets	\$4 floor/\$6 seat	2	Mar 03
Recreation		Senior Citizen Programs			
		Senior Citizen Programs-Classes	\$1.50/person - \$3/hour	2	
		Senior Citizen Programs-Activity Card	\$6 resident \$8 non-resident	2	Jul 01 By SAC
		Senior Citizen Trip Admin Fee	\$1/person	2	Dec 91
		Senior Citizen Trips	Actual cost to city – Trip Admin Fee	1,2	Dec 91
		Senior Dances	Free-\$15	1,2	
		Misc. Staff-run Programs (e.g., Holiday Dinner, Tea Parties, Cooking Classes, Misc. Activities)	Free-\$15	1,2	

Contract Instructor Percentage Splits

The following percentage splits and criteria are to be implemented for Summer 2007:

- a) 60/40 – All new instructors offering programs in City facilities recruited for Summer 2007 and into the future would be paid at a 60/40 split. This percentage provides us a clear definition of what we need to do to ensure the success of their programs and the benefits they receive by contracting with us. This will require more negotiation with future instructors.
- b) 65/35 – We currently have one instructor at 65/35 split, a large number of instructors at 70/30 and a few at 75/25. Those that are at 70/30 will be renegotiated to 65/35 unless they fit into the criteria outlined in the 70/30 section. After one year, the 65/35 level will be re-evaluated. If the current economic climate improves, contract will be re-negotiated to 70/30.
- c) 70/30 – Majority of current instructors falls under this level. At this level longtime instructors with programs that continually meet the maximum enrollment are recognized for their loyalty and providing outstanding programs.
- d) 75/25 – This level would only be used for “unique programs” that we do not have the ability to offer without the contractor's facility or equipment. Current examples include the Jensen School for the Performing Arts, Funakoshi Shotokan Karate, Bay Area Golf Learning Center, City Beach Rock Club, Mark Dorcak School of Golf. High-risk programs that require a large amount of additional insurance or overhead could be considered for this level on a case-by-case basis.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	<i>DATE FEE LAST CHANGED</i>
Police		Schedule of Infractions. (MMC I-1-4.09-1)*	See table below	3	Ord. 17.14 6/15/93

Except as hereafter provided in Section V-100-17 and except as hereafter provided in Section I-1-4- .09-2 and Section I-1-4.09-3 of the Milpitas Municipal Code (MMC), and pursuant to the authority granted in Section 35900 of the Government Code of the State of California, whenever in this Code any act is prohibited or is made or is declared to be unlawful, or an offense, or the doing of any acts is required, or the failure to do any act is declared to be unlawful, the violation of any such provision of said Code is hereby declared to be an infraction within the meaning of the Government Code and the Penal Code of the State of California. Pursuant to said provisions of said Section 36900 of the Government Code of the State of California, every violation determined to be an infraction is punishable by the following fines:

Description	Fine
First violation	A fine not exceeding One Hundred Dollars (\$100)
Second violation	A fine not exceeding Two Hundred Dollars (\$200) for a second violation of the same act within one year
Third violation	A fine not exceeding Five Hundred Dollars (\$500) for each additional violation of the same act within one year. Each day such a violation continues shall be regarded as a new and separate infraction.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Police		Municipal Code Enforcement	None – Zoning Code; Penalty: Permit fee for signs & building violations	N.A.	Res 6449 7/18/95
		Massage Establishments (Ordinance Enforcement) (MMC III-6)	Massage Establishment: \$200 per applicant listed, up to a maximum of \$1,000 per year; Sole practitioner for off-premises massage service: \$100 per year.	1	Res 172.40 6/17/03

MMC III-6 Massage Establishments and Practitioners

MMC III-6-3 It shall be unlawful for any person, association, partnership or corporation to engage in, conduct or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises within the City of Milpitas, the operation of a massage establishment or off-premises massage service or the function of a massage practitioner without first having obtained a permit issued by the City of Milpitas pursuant to the provisions set forth in this Chapter. Such permit shall be valid for twelve (12) months from the date of issuance unless revoked or suspended, and shall be renewed annually as required by Section III-6-14 of this Chapter. (Ord. 172.3 (part), 4/18/95)

MMC III-6-6 Any person, corporation, or partnership desiring to obtain a permit to operate a massage establishment or off-premises massage service shall make application to the Chief of Police or his or her authorized representative. Prior to submitting such application, a non-refundable fee shall be paid in the amount of two hundred dollars (\$200.00) for each applicant listed on the application up to a maximum of one thousand dollars (\$1,000.00) or such sum as set forth in the City Fee Schedule. An applicant for an off-premises massage service permit who has a valid massage practitioner permit and who will be the sole practitioner for the off-premises massage service, shall pay a fee of one hundred dollars (\$100.00) or such sum as set forth in the City Fee Schedule. (Ord. 172.40 (part), 6/17/03)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Police	Schedule of Misdemeanors. (MMC I-1-4.09-3)	Fine not exceeding \$1,000	3	Ord. 54.18(B) 12/1/87

Pursuant to the authority granted in Section 36900 of the Government Code of the State of California, the violation of those sections of the Milpitas Municipal Code described below shall be misdemeanors within the meaning of the Government Code and the Penal Code of the State of California and shall be punishable by a fine not exceeding One Thousand Dollars (\$1,000) or imprisonment in the County jail of Santa Clara County, California, for a term not exceeding six months, or both such fine and imprisonment. Each day such violation continues shall be regarded as a new and separate offense. (Ord. 17.11, 4/17/84)

- I-1-4.09-3.2 Section V-14-1.00 Discharging or Shooting Firearm, Crossbow, Bow and Arrow or Slingshot.
- I-1-4.09-3.3 Section V-100-3.03 Refusal or Failure to Comply with Police and Fire Department Officials when Directing Traffic.
- I-1-4.09-3.4 Section V-210-3.03 entitled "Animal Bites: Quarantine Violation and Examination"; Section V-210-3.04 entitled "Diseased Animals/Potentially Dangerous Dogs"; Section V-210-4.02 entitled "Inspection by Animal Control Officer"; Section V-210-6.02 entitled "Killing or Wounding of Domestic Animals by Potentially Dangerous Dogs"; Section V-210-7.06 entitled "Hearing Prior to Animal Deprivation."
- I-1-4.09-3.5 Section V-16-4.00 Unlawful Presence in Shopping Center.
- I-1-4.09-3.6 Section V-8-1.00 Minor Remaining or Loitering in Public Place.
- I-1-4.09-3.7 Chapter 2, Title VIII "Milpitas Sanitary Code" of the Milpitas Municipal Code.
- I-1-4.09-3.8 Sections III-22-21.04, III-22-21.05, and III-22-21.06 of Chapter 22, Title III ("Cable Franchise Ordinance") of the Milpitas Municipal Code.
- I-1-4.09-3.9 Chapter 302 of Title V of the Milpitas Municipal Code (Hazardous Materials). (Ord. 54.18(B), 12/1/87; Ord. 17.13, 10/29/86; Ord. 17.12, 4/2/85; Ord. 17.10, 4/19/83; Ord. 17.9, 10/20/81; Ord. 17.6, 3/3/81; Ord. 17.5, 1/2/79; Ord. 17.4, 8/2/77)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Police		Special Use Permit	Time & Materials in an amount not to exceed \$150	1	Res 6449 7/18/95
		Overwide/Overweight Load Review	No Charge	N.A.	Res 6449 7/18/95
		Concealed Weapon Permit Review	No Charge	N.A.	Res 6449 7/18/95
		Parking Enforcement	Milpitas Muni Code \$50 California Vehicle Code Bus Zone: \$255 Handicapped/Obstructing Ramp/Access \$280 Person in Locked Vehicle: \$105 Abandoned Vehicle: \$105 Any other not listed: \$50	3	Res 7934 11/03/09
		Second Response Call-back	No Charge	N.A.	Res 6449 7/18/95
		Police False Alarm Response	1 year – 3 free 4 th time – \$50 5 th time – \$100 6 th + time – \$250	3	Res 6449 7/18/95
		Crossing Guard Services	No Charge	N.A.	Res 6449 7/18/95
		Private Security – School District	Actual Cost plus \$10	1	Res 6449 7/18/95
		Parking Permit (High School)	No Charge	N.A.	Res 6449 7/18/95
		Private Property Abandonment – Vehicle Abatement	Cite and Tow: \$80; With appeal: \$175	3	Res 6449 7/18/95
		Private Property Abandonment – Vehicle Abatement – Impound vehicles	Will seek full cost recovery for impound vehicles.	1	Res 6449 7/18/95
		Impound Release	\$50 administrative fee plus any costs from S-049 and S-050, if applicable	1	Res 6449 7/18/95
		Booking Fees	\$265 (ordered by Judge)	1	Res 6449 7/18/95
		Fingerprinting Service	\$10 – 2 cards (minimum fee) \$5 – each additional card	1	Res 6449 7/18/95
		Police Photograph Reproduction	\$5 plus reproduction cost	1	Res 6449 7/18/95

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Police		Vehicle Cite Correction Sign off	No Charge	N.A.	Res 6449 7/18/95
		V.I.N. Verification	No Charge	N.A.	Res 6449 7/18/95
		Bicycle Licensing	No Charge	N.A.	Res 6449 7/18/95
Police		Adult Business Permit - Any person desiring to operate, conduct or maintain an adult business within the City shall file with the Chief of Police, or his or her designee, a permit application on a standard application form supplied by the City, and shall pay a filing fee. (MMC III-4-3.010 and III-4-3.040)			
Police		DUI Cost Recovery Program	See table below.	1	Ord 164.2 10/4/03

The purpose of the DUI Cost Recovery Program is to recover costs incurred by the City in responding to and investigating DUI-related traffic accidents or intentional wrongful conduct while operating a motor vehicle. The Traffic Safety Manager will review all DUI arrest reports and determine the costs to be recovered based on the following fee components:

Category	Fee Structure
Police Hourly Wages	Current officer wages, direct labor fringe benefits and equipment overhead. Clerical support wages will not be included.
Fire Hourly Wages	Based upon 24-hour pay scale and average manpower assignment per unit.
Public Works Hourly Wages	Current employee wages, direct labor fringe benefits and equipment overhead. Clerical support wages will not be included.
Blood Alcohol Testing	The fees as reflected in the current contract with Central Medical Lab for the collection of specimens at Police facilities or hospitals will be used.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Police		Unclaimed property (MMC I-13-2)	Actual cost incurred in the preservation of the property	1	

UNCLAIMED PROPERTY

MMC I-13-2.01 Unclaimed property to be held by the Police Department

Any unclaimed bicycles which shall come into the possession of the Police Department of the City of Milpitas shall be held by said Police Department for a period of at least four months. All other unclaimed property shall be held for a period of at least four months. (Ord. 105.2, 1/2/79)

MMC I-13-2.02 Requirements for claiming property

On satisfactory proof of ownership of said property, the Chief of Police may deliver it to said owner on his paying the necessary expenses incurred in its preservation. The Chief of Police is empowered to require that the claimant establish his ownership by affidavit or by such other proof as the Chief of Police shall deem sufficient. The Chief of Police is empowered to require that a claimant indemnify said Chief of Police and the City for any liability which said Chief of Police or City may incur as a result of delivering said property to the claimant. The Chief of Police is empowered to require that said indemnity be secured by a corporate surety bond in an amount to be determined by the Chief of Police or by a cash bond or by such other security as shall be acceptable to the Chief of Police.

MMC I-13-2.03 Public auction after four months

Following the expiration of four months after the acquisition of said unclaimed property by the Police Department, the Chief of Police shall cause said property to be delivered to the City Manager to be sold at public auction to the highest bidder. Notice of said public auction and the following terms thereof shall be given at least five (5) days before the time fixed therefor by publication once in a newspaper of general circulation published in the City of Milpitas. At said auction, said property may be sold in lots or by the entirety. City reserves the right to purchase any item of property sold for the use and benefit of the City. All sales (except to the City) shall be for cash. The proceeds of all sales shall be deposited in the general fund of the City. (Ord. 105.3, 10/1/85)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Police	City of Milpitas Tow Service Agreement – Towing Rates	See below	2	Res 7747 3/4/08

Excerpts from Resolution No. 7747

A Resolution of the City Council of the City of Milpitas Relating to the Milpitas Tow Service Agreement

12. Stored and/or impounded vehicles must be made available for inspection by their owners (registered and/or legal) and responsible agents (last driver of the vehicle) during normal business hours -- that is, 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding National or State holidays.

“Personal Property” may be released Monday through Friday during normal business hours, and on weekend/holidays (same hours apply) by calling the tow company ahead of time to make an appointment. These dates/hours do not preclude special circumstances of retrieving items such as medications, child car seats, etc. Operators may charge an after-hours release fee consistent with the provisions outlined in EXHIBIT A. [Effective 01-25-02]

15. Current authorized rate schedules for towing and storage are attached hereto as Exhibit A and made a part hereof. Rate schedules will be consistent with other tow services in the County and will be adjusted annually, after a survey of rates has been conducted by the Police Department. Any tow that exceeds the minimum hourly rate shall be called in within 24 hours of completion of the tow to the Tow Liaison Officer.
20. Any vehicle towed or impounded by Police Officers for EVIDENTIARY PURPOSES ONLY will be towed for the rate listed in EXHIBIT A to be billed to the vehicle owner or the Police Department at the discretion of the Police Department. No storage charges will be assessed on the vehicle if left at the Milpitas Police Department only.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Police	City of Milpitas Tow Service Agreement – Towing Rates, continued	See below	2	Res 7747 3/4/08

EXHIBIT A

TOW RATES FOR SERVICE CALLS

- | | | |
|----|---|-----------------------------|
| 1. | Basic Rate (accidents/storage impounds)
*This includes all services, dollying, fender pull out, dropping of drive shaft.
If more than one truck is needed, the tow charge will be added per truck
(each tow operator called to the scene for the same vehicle is entitled to
a fee as per the fee schedule.) | \$145.00 |
| 2. | Labor after first 30 minutes (added in 15 minute increments-\$174.00 per hour) | \$43.50
Per Qtr.
Hour |
| 3. | Storage Per Day (no charge exceeding that for one day of storage if, 24
hours or less after the vehicle is placed in storage, the vehicle is released.
If the release is made more than 24 hours after the vehicle is placed in storage,
charges may be imposed on a full, calendar-day basis for each day, or part
thereof, that the vehicle is in storage.) (Reference: 3068.1(a) CA Civil Code)
<Effective 8/16/05> | \$43.00 |
| 4. | Road Service Call
(no minimum response time for citizen request only) | \$100.00 |
| 5. | Extended distance tow (over 3 miles outside city limits)
per mile | \$5.00 |
| 6. | Gate fee for after hours vehicle and property releases at a maximum 30
minute labor rate. (Normal business hours are 8 a.m. to 5 p.m. Monday to
Friday, except State holidays.) After hours property releases for child seats,
medications, or other items of medical necessity are exempt.
(Reference: 22851(b) CVC) | \$68.50 |

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Police	City of Milpitas Tow Service Agreement – Towing Rates, continued	See below	2	Res 7747 3/4/08

TOW RATES FOR CITY OF MILPITAS SERVICE CALLS

- | | | |
|----|--|---------------|
| 1. | Evidence tow - no storage charges assessed on the vehicle, and one time fee per vehicle if left at the Milpitas Police Department only. | \$70.00 |
| | <p>If the vehicle is returned to the Milpitas Police Department Rotation Tow Company, the Basic Tow Rate (\$145.00) and Storage Charge (\$43.00 per day) shall apply as noted in item #1 and item #3 of Exhibit A on this page. (Reference: Tow Rates For Service Calls: Basic Rate and Storage Per Day—with reference to: 3068.1(a) CA Civil Code)</p> | |
| 2. | City vehicle tows
(\$10.00 within 10 miles of the City Garage. \$70.00 if over 10 miles of the City Garage) | \$10.00/70.00 |
| 3. | City vehicle calls. Flat tire change - battery jumps within 10 miles of the City Garage. Further than 10 miles from the City Garage \$70.00.
None/\$70.00 | |

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Police		City of Milpitas Tow Service Agreement – Towing Rates, continued	See below	2	Res 7747 3/4/08

MEDIUM/HEAVY DUTY TOW RATES

1. Prices shall conform to current CHP tow service agreement which is on file at San Jose CHP Office.
2. Price list shall be filed with Milpitas Police Department for each current contract year.
3. Additionally, medium and heavy-duty tow companies must have on file: current proof of insurance, and a City of Milpitas business license with the Milpitas Police Department.

LIEN SALE

- | | | |
|----|--|----------|
| 1. | Lien Sales Fees for vehicles of value less than \$4000.00 | \$70.00 |
| 2. | Lien Sales Fees for vehicles of value greater than \$4000.00 | \$100.00 |

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Information Services		Cable Communications Franchise – To provide for the payment of franchise fees and other valuable considerations to the City which, among other purposes, may be used to regulate the construction and operation, use and development of such a system within the City (MMC III-22-1)	Fixed percentage of the gross annual revenues of the franchisee as provided in the franchise agreement	1,2	

CABLE COMMUNICATIONS FRANCHISE

MMC III-22-8.01 Fee Amount.

In a consideration of the granting and exercise of a franchise to use the streets, as herein defined, for the operation of a cable communications system, any franchisee shall pay to the City, during the life of the franchise, a fixed percentage of the gross annual revenues of the franchisee as provided in the franchise agreement.

MMC III-22-8.03 Computation of Payments.

Payments due the City under this section shall be computed on the gross revenue derived during each calendar quarter, ending March 31, June 30, September 30 and December 31 of each year. Each quarterly payment shall be due and payable no later than thirty days after the end of each quarter. Each payment shall be accompanied by a financial statement showing in detail the gross revenues derived by the franchisee relating to the relevant calendar quarter. Grantee may base such payments on estimated gross revenues, in which event any adjustment to actual gross revenues shall be as provided in the franchise agreement.

Blank

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Finance	Business License Tax - Every person conducting a business from a fixed place of business within the City shall pay a license fee. (MMC III-1-17.01)	See table below	4	Ord 76.10 6/1/76

Category	Basic business tax per year	Additional business tax based on the average number of employees	Additional tax per person per year
Retail sales or service	\$ 35.00	First 10 employees in excess of owner/manager	\$5.00
		Next 100 employees in excess of 10 employees	\$1.00
		Each additional employee in excess of 100 employees	\$0.25
Manufacturing, wholesaling or processing	\$ 35.00	First 10 employees in excess of owner/manager	\$5.00
		Next 100 employees in excess of 10 employees	\$1.00
		Each additional employee in excess of 100 employees	\$0.25
Business or Profession	\$ 35.00	First 10 employees in excess of owner/manager	\$5.00
		Each additional employee in excess of 10 employees	\$1.00
Real Estate*	\$ 35.00	First 10 employees in excess of owner/manager	\$5.00
		Each additional employee in excess of 10 employees	\$1.00
Barber shops or beauty salons	\$ 35.00	First 10 employees in excess of owner/manager	\$5.00
		Each additional employee in excess of 10 employees	\$1.00

* Real estate businesses located without a fixed place of business within the City of Milpitas shall pay the same license fees, except that employees counted shall be those working within the City of Milpitas

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Finance	Business License Tax, continued MMC III-1-17.01	See table below	4	Ord 76.10 6/1/76

Other Categories	Description of business tax	Tax rate	Comments
General contractors or subcontractors	Annual Tax	\$50.00 per year	General contractors or subcontractors located without a fixed place of business within the City of Milpitas shall pay the same license fees as those having a fixed place of business within the City of Milpitas.
	Rate per six months (minimum)	\$35.00 per six months	
Apartments, hotels, motels or mobile home parks	First four units, rooms or space	\$30.00 per year	
	Each additional unit, room or space	\$2.00 per year	
No Fixed Place of Business-- Retail Deliveries or Services (MMC III-1-17.02)	Annual Tax	\$50 per year	The total tax shall not exceed \$110.00 plus the fee for identification tags.*
	Additional sum per year for each vehicle in use in the City (and regardless of the number of vehicles in the City at any one time) in excess of one vehicle	\$10 for each vehicle	
No Fixed Place of Business-- Wholesale Deliveries or Services (MMC III-1-17.03)	Annual Tax	\$50 per year	The total tax shall not exceed \$110.00 plus the fee for identification tags.*
	Additional sum per year for each vehicle in use in the City (and regardless of the number of vehicles in the City at any one time) in excess of one vehicle	\$10 for each vehicle	

* City shall provide each person licensed under Sections III-1-17.02 and III-1-17.03 at no cost with a vehicle identification tag for each vehicle used in the City and for which tax is paid in accordance with said sections. In the event that any person so licensed shall use in excess of seven vehicles in the City, City shall provide said person with additional vehicle identification tags at a cost of Twenty-Five Cents each.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Finance		Business License Tax, continued MMC III-1-17.01	See table below	4	Ord 76.10 6/1/76

Other Categories	Description of business tax	Tax rate	Comments
Circus or carnival	Rate per day, or fraction thereof, in operation	\$25 per day	Licensee is also required to post a cleanup bond in the amount to be determined by the license tax collector to assure that out-of-doors premises occupied by the licensee will be left in a state of cleanliness and good order when abandoned by said licensee.
Every palmist, astrologer or fortune teller or every person conducting a palmistry, astrology or fortune-telling studio or parlor	Rate per year	\$600 per year	The license tax imposed is a license tax upon individuals, and each individual must have a separate license and pay the annual license tax regardless of whether he is an employee of another.
Transient Vendors*	Rate per year	\$100 per year	
Home occupations	Rate per year	\$25.00 per year	
All businesses not otherwise classified or enumerated	Rate per year	\$35.00 per year	

* A transient vendor is an individual who does not have a fixed place of business within a commercial or industrial zoned area in the City of Milpitas and who goes in or upon any private residence in the City of Milpitas not having been requested or invited to do so by an owner or occupant of said premises for the purpose of soliciting orders for or selling, renting or delivering or agreeing to sell, rent or deliver any goods, wares or merchandise, or soliciting orders for or providing or agreeing to provide any work, labor or services. As used herein, "individual" shall not include salesmen or agents of wholesale businesses or firms who solicit orders from licensed retail dealers for resale, or who solicit orders from licensed manufacturers for manufacturing purposes, or to bidders for public works or supplies.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Finance		Transient Occupancy Tax (MMC III-13-3.00)	10% of the rent charged by the operator	4	Ord. 218.2 11/20/01
		Transient Occupancy Tax – Delinquent Penalty (MMC III-13-8.01)	25% of the amount of the tax	3	Ord. 218.2 11/20/01
		Transient Occupancy Tax – Interest (MMC III-13-8.02)	1% per month or fraction thereof on the amount of the tax, exclusive of penalties	1	Ord. 218.2 11/20/01

TRANSIENT OCCUPANCY TAX

MMC III-13-3.00 Tax Imposed:

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of ten percent (10%) of the rent charged by the operator. Said tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in a hotel. If, for any reason, the tax due is not paid to the operator of the hotel, the License Tax Collector may require that such tax shall be paid directly to the city. (Ord. 218.2 (part), 11/20/01; Ord. 218, (part), 6/21/83)

MMC III-13-7.01 Reporting and Remitting Requirements:

- (a) Each operator shall, on or before the last day of the month following the close of each calendar month, or a more frequent accounting period if approved by the License Tax Collector, or at the close of any shorter reporting period which may be established by the License Tax Collector, make a return to the City, on forms provided, of the total rents charged and received and the amount of tax collected for transient occupancies.
- (b) At the time the return is filed, the full amount of tax collected along with a summary report of exemptions claimed shall be remitted to the City. Copies of the exemption claimed for government employees pursuant to Section III-13-4.00 shall be included with the summary report.
- (c) The License Tax Collector may establish shorter reporting periods for any certificate holder if he deems it necessary in order to insure collection of the tax and he may require further information in the return.
- (d) Returns and payments are due immediately upon cessation of business for any reason. (Ord. 218.2 (part), 11/20/01; Ord. 218, (part), 6/21/83)

MMC III-13-8.01 Delinquent Penalty:

Any operator who fails to remit any tax imposed by this Chapter within the time required shall pay a penalty of 25% of the amount of the tax in addition to the amount of the tax. In the event of continued delinquency (defined as failure to remit any delinquent remittance on or before thirty (30) days following the date on which the remittance first became delinquent), an additional 25% penalty of the amount of the tax shall be assessed. Assessment of this penalty shall not prevent the City from pursuing criminal or civil actions against the operator to the extent allowed by law. (Ord. 218.2 (part), 11/20/01; Ord. 218, (part), 6/21/83)

MMC III-13-8.02 Interest:

In addition to the penalties imposed, any operator who fails to remit any tax imposed by this Chapter shall pay interest at the rate of 1% per month or fraction thereof on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent until paid. (Ord. 218.2 (part), 11/20/01; Ord. 218, (part), 6/21/83)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Finance		Returned Check Processing	\$15	1	Res 6449 7/18/95
		Property Damage Inv Processing	\$30 + replacement cost	1	Res 6449 7/18/95
		Bond Payoff Calculation	\$165	1	Res 6449 7/18/95
		Library Services – Agreement with the County of Santa Clara.	\$10,000/month	1	Res 6449 7/18/95

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Finance		Water Service – Deposits for Service	Single-unit: \$150; Multi-unit: \$100 (See Note)	2	Ord. 120.39, 1/2/01
		Water Delinquency Turn off/on	\$5	3	Res 6449 8/17/95
		After Hours Turn-on	\$50	2	Res 6449 8/17/95

Note: As a condition precedent to providing or restoring service, a cash deposit not to exceed One Hundred and Fifty Dollars (\$150.00) per meter may be required by the City Manager to secure future compliance in the case of customers who, repeatedly violate regulations or who repeatedly fail to pay water bills promptly or whose past bill shall, in the judgment of the City Manager, be deemed to be uncollectible. This deposit, without interest, will be returned at the termination of service and the payment of all bills charged to the customer.

The Council finds that there are frequent delinquencies in the payment of water bills by duplex, apartment or other multi-unit residential properties. Such properties and the several units in them are frequently served by a single meter in the name of the owner. Enforcement of payment is difficult. Users may have paid rent to landlords who do not pay water bills; enforcement by cessation of utility service in such cases is harsh, unfair and inequitable. The time, difficulty and expense involved in the collection of relatively small accounts from property management firms or from owners or managers who do not recognize personal responsibility for the payment of water bills and the rapid turnover of ownership in multi-unit residential and the low rate of return require the imposition of an advance deposit requirement for each dwelling unit in multi-unit residential properties.

As a condition precedent to providing or restoring service, a cash deposit not to exceed One Hundred Dollars (\$100.00) for each dwelling unit in each multi-unit residence (including duplex, triplex, fourplex, apartment house or other multi-unit residence) shall be required. Said deposit, without interest, will be returned to the depositor at the termination of all service to the multi-unit residence and the payment of all bills incurred at said multi-unit residence.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Finance		Electrical Service Franchise. (MMC VII-1)	Two per cent (2%) of the gross annual receipts	2	Ord 12 4/20/54

Title VII PUBLIC UTILITIES

Chapter 1 GRANTING A FRANCHISE FOR ELECTRICAL SERVICE

The franchise to construct, maintain and use poles, wires, conduits and appurtenances necessary or proper for transmitting and distributing electricity to the public for any and all purposes, in, along, across, upon, under and over the streets within city is hereby granted to **Pacific Gas and Electric Company**, its successors and assigns.

VII-1-5.01 Amount

Grantee of said franchise shall during the term thereof pay to city **two per cent of the gross annual receipts** of grantee arising from the use, operation or possession of said franchise; provided, however, that such payment shall in no event be less than one per cent of the gross annual receipts of grantee derived from the sale of electricity within the limits of city.

VII-1-5.02 Filing of financial statements

Grantee shall file with the Clerk of city, within three months after the expiration of the calendar year, or fractional calendar year, following the date of the granting hereof, and within three months after the expiration of each and every calendar year thereafter, a duly verified statement showing in detail the total gross receipts of grantee during the preceding calendar year, or such fractional calendar year, from the sale of electricity within city. Grantee shall pay to city within fifteen days after the time for filing such statement, in lawful money of the United States, the aforesaid percentage of its gross receipts for such calendar year, or such fractional calendar year, covered by such statement. Any neglect, omission or refusal by grantee to file such verified statement, or to pay said percentage at the time and in the manner specified, shall be grounds for the declaration of a forfeiture of this franchise and of all rights of grantee hereunder.

Finance		Gas Service Franchise. (MMC VII-2)	Two per cent (2%) of the gross annual receipts	2	Ord 220 1/8/85
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Title VII PUBLIC UTILITIES

Chapter 2 GRANTING A FRANCHISE FOR GAS SERVICE

The franchise to install, maintain and use in the streets of city all pipes and appurtenances for transmitting and distributing gas to the public for any and all purposes within city is hereby granted to **Pacific Gas and Electric Company**, its successors and assigns.

VII-2-5.01 Amount

Grantee of said franchise shall during the term thereof pay to city **two per cent of the gross annual receipts** of grantee arising from the use, operation or possession of said franchise, provided, however, that such payment shall in no event be less than one per cent of the gross annual receipts of grantee derived from the sale of gas within the limits of city.

VII-2-5.02 Filing of financial statements

Grantee shall file with the Clerk of city, within three months after the expiration of the calendar year, or fractional calendar year, following the date of the granting hereof, and within three months after the expiration of each and every calendar year thereafter, a duly verified statement showing in detail the total gross receipts of grantee during the preceding calendar year, or such fractional calendar year, from the sale of gas within city. Grantee shall pay to city within fifteen days after the time for filing such statement, in lawful money of the United States, the aforesaid percentage of its gross receipts for such calendar year, or such fractional calendar year, covered by such statement. Any neglect, omission or refusal by grantee to file such verified statement, or to pay said percentage at the time and in the manner specified, shall be grounds for the declaration of a forfeiture of this franchise and of all rights of grantee hereunder.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	DATE FEE LAST CHANGED
Public Works		Median Maintenance	None	N.A.	Res 6449 7/18/95
		Park Maintenance	None	N.A.	Res 6449 7/18/95
		Street Tree Maintenance	None	N.A.	Res 6449 7/18/95
		Street Lighting	None	N.A.	Res 6449 7/18/95
		Tree Removal Review	None	N.A.	Res 6449 7/18/95
		Street Sweeping	None	N.A.	Res 6449 7/18/95
	Water Meter Testing (If meter is not accurate, deposit is refunded. If meter has been tampered with, the resident is charged for the repair.)	Residential deposit: \$110 Commercial deposit: \$300	2	Res 6449 8/17/95	
	Water Meter Installation (labor)	\$184	2	Res 7940 12/1/09	
	Water Line Repair	Billed on a per job basis using fully burdened hourly rate	1	Res 6449 8/17/95	
	Private Back-flow Device Monitoring	\$15	2	Res 6449 8/17/95	
	Underground Utility Locator	Mimimum \$100 or \$79 per hour. Use fully burdened hourly rate.	1	Res 6449 8/17/95	

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Public Works	Meter Acquisition Fee*		2	Res. 7940 12/01/09

The fee for meter acquisition shall be imposed as follows:

Size	Meter Cost	Remote Read Transmission System**
	<i>Low Flow</i>	\$205.68
5/8"	\$58.46	\$205.68
3/4"	\$90.93	\$205.68
1"	\$130.57	\$205.68
1 ½ "	\$348.57	\$205.68
2"	\$482.80	\$205.68
	<i>Irrigation</i>	
3/4"	\$90.93	\$205.68
1"	\$130.98	\$205.68
1 ½ "	\$567.23	\$205.68
2"	\$644.09	\$205.68
3"	\$745.84	\$205.68
	<i>Recycled</i>	
1 ½ "	\$364.80	\$205.68
2"	\$527.18	\$404.86
	<i>High Flow Compound</i>	
2"	\$1,668.13	\$404.86
3"	\$2,135.77	\$404.86
4"	\$2,447.76	\$404.86
6"	\$4,831.21	\$404.86
8"	\$7,828.64	\$404.86

*Fee reflects cost of meter equipment purchase. The fee shall be updated by ministerial act each year to reflect the actual cost of meter equipment acquisition. Such updates shall be in addition to any other increase directed by the City Council.

**Imposed only for High-Density Developments and Hard-to-Read locations.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Planning and Neighborhood Services		Permitting Automation Fee	See Below	1	Res 7590 5/16/06

RESOLUTION NO. 7590

A RESOLUTION OF THE COUNCIL OF THE CITY OF MILPITAS AMENDING THE BUILDING FEE SCHEDULE TO INCLUDE A 2.5% PERMITTING AUTOMATION FEE EFFECTIVE JULY 1, 2006

WHEREAS, the City of Milpitas wishes to collect a permitting automation fee to fund automation related to the issuance of permits and other land development activities; and

WHEREAS, The Milpitas City Council approved the amendment of the fee schedule to collect such fees on the following:

- Building Permits
- Fire Safety Construction Permits
- Eng & Planning Services
- Planning Fees
- Traffic Impact Fees
- Park in-lieu Fees
- Water Line Ext. Connection Fees
- Sewer Connection Fees
- Treatment Plant Fees
- Storm Drain Connection Fees

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Milpitas as follows:

The fee schedule is amended to include a permitting automation fee on the above listed permits and services, effective July 1, 2006.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Planning and Neighborhood Services		General Plan Amendment	PJ* \$20,000 deposit; 4x max	1	01/30/10
		Zone Change	PJ* \$20,000 deposit; 4x max	1	01/30/10
		Zoning Code Text Amendment	PJ* \$5,000 deposit; 4x max	1	01/30/10
		Planned Unit Development	PJ* \$20,000 deposit; 4x max	1	01/30/10

***NOTES:**

Information regarding Private Job (PJ) accounts:

The PJ Account provides full cost recovery to the City. The cost for staff time is based on fully burdened hourly rates including overhead. Overhead includes clerical, other support employees, consultants, facilities and equipment and service costs such as legal advertisements.

- Initial deposit is determined by staff based on scope of project and typical cost to process that application. Initial deposits are shown above as guidelines and may be modified depending on the complexity of the project.
- PJ accounts are invoiced monthly and the city will stop all work if 25% of initial deposit is not maintained.
- Concurrent applications. When two or more applications are filed and processed concurrently, the required fee amount will be the largest of the applications.

Newspaper advertisement charges are assessed based on the invoices from the publishing company for all applications involving public hearings. This assumes advertisement in the Milpitas Post newspaper. For PJ projects, this charge will be deducted from the PJ as a vendor charge. The advertisement charge for non-PJ projects is incorporated into the flat filing fee collected for those applications. Additional charges will be assessed for advertisements appearing in the San Jose Mercury News, if such advertisement is requested by the applicant or required by law.

- **Costs for consultants**, if required, are in addition to PJ deposits.
- **Incomplete applications.** Planning application submittals not complete within 180 days of initial filing may be closed, with all unexpended PJ funds refunded.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Planning and Neighborhood Services	Use Permits	See table below	1	01/30/10

Category	Calculated Fee Structure
Conditional uses in non-residential & multi-family districts (except for family day care homes)	PJ \$3,000 deposit; 4x max
Freestanding Signs over 6 feet in height	PJ \$2,000 deposit; 4x max
Single Family (conditional uses other than large family day care)	\$375
Large family day care home in any residential district, or small and large family day care home at a residence in any non- residential, non-industrial district	\$50

Planning and Neighborhood Services	Variance – Non-residential & Multi-family	PJ \$3,000 deposit; 4x max	1	01/30/10
	Variance – Single-family	\$375 flat fee	1	10/17/97
	Variance – Signs	\$700 flat fee	1	10/17/97

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	DATE FEE LAST CHANGED
Planning and Neighborhood Services		Site Development Permits	See table below	1	01/30/10

Category	Calculated Fee Structure
New multi-family or nonresidential building site development	PJ \$20,000 deposit; 4x max
New Hillside homes	\$1,050
Major Building additions	PJ \$2,000 deposit; 4x max
Major building or site modifications to existing development	PJ \$2,000 deposit; 4x max
Minor building or site modifications to existing development	PJ \$750 deposit; 4x max
Site signs, sign programs	PJ \$2,000 deposit; 4x max

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Planning and Neighborhood Services		Amendments/Modifications to Previous Approvals	½ normal fee or deposit	1	10/17/97
		Major or Minor Tentative Map	PJ \$10,000 or \$5,000 deposit; 4x max	1	01/30/10
		Negative Declaration for non-PJ application	\$50	1	10/17/97
		Environmental Impact Report.	PJ \$2,000 deposit; no max	1	10/17/97
		Development Agreement	PJ \$20,000 deposit; 4x max	1	01/30/10
		Specific Plan	PJ \$20,000 deposit; 4x max	1	01/30/10
		Specific Plan Text amendment	PJ \$5,000 deposit; 4x max	1	01/30/10
		Annexations	PJ \$2,000 deposit; 4x max	1	10/17/97
		Planning Approval Time Extension	\$300	1	10/17/97
	Street Name Change	\$600	1	10/17/97	
	Appeals	\$100	1	10/17/97	
	Newspaper Advertisement Expedited (SJ Mercury News)	Part of PJ account per application	1	01/30/10	
	Planning Research Fee	First 30 minutes free; \$40/hour afterward	1	10/17/97	

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Planning and Neighborhood Services	Title VIII Chap 4	FEES FOR NEW DEVELOPMENT	See below	2	Ord 277 9/16/08

VIII-4-1.02 Scope

This chapter applies to development impact fees charged as a condition of development to defray all or a portion of the cost of public facilities and improvements. The cost of developing and administering the City's development impact fee program may be included as a component of the established fees. This chapter is not intended to and does not apply to in lieu fees for park land acquisition collected under Government Code Section 66477 (Quimby Act fees); subdivision map exactions or other measures required to mitigate site-specific impacts of a development project; regulatory and processing fees; fees collected pursuant to a development agreement; fees collected under agreements with the Milpitas Redevelopment Agency which provide for the redevelopment of property in furtherance or for the benefit of a redevelopment project; funds collected under a reimbursement agreement; or assessment district proceedings, benefit assessments or property taxes. (Ord. 277 (2), 9/16/08)

VIII-4-2.01 Application of Development Impact Fee Program

The amount, calculation and bases of City development impact fees shall be established by City Council resolution(s). Such City Council resolutions shall set forth the specific amount of the fee, describe the benefit and impact area on which the development impact fee is imposed, list the specific public improvements to be financed, describe the estimated cost of these facilities, describe the reasonable relationship between this fee and the various types of new developments and set forth time for payment. As described in the fee resolution(s), this development fee shall be paid by each developer prior to issuance of the building permit unless later payment is required by City ordinance or State Law. On an annual basis, the City Council shall review this fee to determine whether the fee amounts are reasonably related to the impacts of developments and whether the described public facilities are still needed. (Ord. 277 (3), 9/16/08; Ord. 233 (1) (part), 12/20/88)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Planning and Neighborhood Services	Title VIII Chap 4	FEES FOR NEW DEVELOPMENT, continued	See below	2	Ord 277 9/16/08

VIII-4-2.03 Fee Credit

2.03-1 The City Council may adjust a development impact fee for a particular development under any of the following conditions:

A. Whenever a developer is required, as a condition of approval of a development permit, to construct a public facility described in a fee resolution adopted pursuant to Section VIII-4-2.01 which is determined by the City to have supplemental size, length or capacity over that needed for the impacts of that development, and when such construction is necessary to ensure efficient and timely construction of the facilities network, a reimbursement agreement with the developer and a credit against the fee, which would otherwise be charged pursuant to this chapter on the development project, shall be offered. The reimbursement amount shall not include the portion of the improvement needed to provide services or mitigate the need for the facility or the burdens created by the development.

B. As consideration for public facilities listed in a City infrastructure program that are constructed and dedicated to the City, funded by a developer or property owner or funded by an assessment district, or Mello-Roos Community Facilities District or other land secured financing mechanism.

C. If the developer's or property owner's actual construction cost for an improvement(s) exceeds that documented in a City infrastructure program, after accounting for allowable costs adjustments, a fee credit shall not be granted for this cost difference; if the actual construction cost of an improvement is below that estimated in a City infrastructure program, a fee credit shall be granted for the full construction cost as identified in the infrastructure program, accounting for allowable cost increases. (Ord. 277 (5), 9/16/08)

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	<i>DATE FEE LAST CHANGED</i>
Planning and Neighborhood Services	Title VIII Chap 4	FEES FOR NEW DEVELOPMENT, continued	See below	2	Ord 277 9/16/08

VIII-4-2.04 Fee Adjustments, Waiver or Findings of Exemption

2.04-1 A developer of any project subject to the development impact fee described in Section VIII-4-2.01 may apply to the City Council for a reduction or adjustment to that fee, or a waiver or finding of exemption from that fee, based upon the absence of any reasonable relationship or nexus between the impacts of that development and either the amount of the fee charged or the type of facility to be financed. Alternatively, in considering a fee adjustment, waiver or exemption for a project with below market rate housing units, the developer shall demonstrate that the project would become economically infeasible upon the imposition of said fee.

2.04-2 The application shall be made in writing and filed with the City Clerk not later than (1) ten days prior to the public hearing on the development permit application for the project, or (2) if no development permit is required, at the time of the filing of the request for a building permit. The application shall state in detail the factual basis for the claim of waiver, reduction, or adjustment. The City Council shall consider the application at the public hearing on the permit application or at a separate hearing held within sixty (60) days after the filing of the fee adjustment application, whichever is later. The decision of the City Council shall be final. If a reduction, adjustment, or waiver is granted, any change in use within the project shall invalidate the waiver, adjustment or reduction of fee. (Ord. 277 (6), 9/16/08)

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Planning and Neighborhood Services	Title VIII Chap 4	FEES FOR NEW DEVELOPMENT, continued	See below	2	Ord 277 9/16/08

VIII-4-2.05 Reporting Requirements for Accounts or Funds

The Finance Director or his or her designee shall comply with the public reporting requirements for the funds collected under this chapter within 180 days of the end of each fiscal year, as specified in Government Code Section 66006(b), or any applicable successor statute. The Director of Finance or his or her designee shall also present the public reports to the City Council for review at the first regular council meeting that occurs not more than fifteen (15) days after the reports are made available to the public as specified in Government Code Section 66006(b), or any applicable successor statute. (Ord. 277 (7), 9/16/08)

VIII-4-2.06 Required Findings for Funds and Refunds

In the fifth fiscal year following the first deposit of impact fees into a development impact fund or account, and every five (5) years thereafter, the City Council shall make the findings required by Gov. Code Section 66001(d), or any applicable successor statute, with respect to any monies remaining unexpended in a development impact fee funds or the account. The City shall also comply with the provisions of Government Code Section 66001(e) and (f), or any applicable successor statutes, for refunding unexpended revenues. (Ord. 277 (8), 9/16/08)

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Planning and Neighborhood Services		Transit Area Development Impact Fee	See below	2	Res 7778 9/2/08

Section 1. General.

- A) This Resolution is adopted pursuant to California Government Code Section 66000 et seq. (“Mitigation Fee Act”), Article XI, Section 7 of the California Constitution, and the provisions of Chapter 4 of Title VIII of the Milpitas Municipal Code (“Fees for New Development”).
- B) The fee established by this Resolution shall apply to new development within the Transit Area as a condition of building permit approval to defray the cost of certain public infrastructure improvements and facilities required to serve or to benefit the new development. The Transit Area is delineated by the boundaries of the adopted City of Milpitas Transit Area Specific Plan. This Resolution does not replace subdivision map exactions or other measures required to mitigate site-specific impacts of a development project; other regulatory, development and processing fees; funding required pursuant to a development agreement; funds collected pursuant to a reimbursement agreement for amounts that may exceed a development’s share of public improvement costs; or assessment district proceedings, benefit assessments, or property taxes, unless so specified.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Planning and Neighborhood Services		Transit Area Development Impact Fee, continued	See below	2	Res 7778 9/2/08

Section 2. Definitions.

- A) “Transit Area” means the approximate 437 acre area of the City covered by the Transit Area Specific Plan adopted by the Milpitas City Council on June 3, 2008.
- B) “Transit Area Development Impact Fee” means the combined fee required to implement the Basic Infrastructure Program in the amount calculated according to the formulae and methodologies set forth in this Resolution.
- C) “Basic Infrastructure Program” is the listing and schedule of public facilities that can be funded by the Transit Area Development Impact Fee which is applicable to all new development in the Transit Area. The Basic Infrastructure Program is included in the Infrastructure Financing Technical Report on file with the City Clerk.
- D) Land uses subject to the Transit Area Development Impact Fee are defined as follows:
- (1) “Residential” means all new single and multi-family dwellings.
 - (2) “Commercial” means any business engaging in the sale of merchandise and food. This category would also include those establishments providing commercial services, as defined in Milpitas Municipal Code XI-10-2.02, General Definitions. Uses in this category include but are not limited to retail stores, restaurants, banks, child care facilities and beauty salons.
 - (3) “Office” means any administrative, professional, research, medical, or similar businesses, having only limited contact with the public, provided no merchandise or services are sold on the premises except those that are incidental or accessory to the primary use. Uses in this category include but are not limited to medical clinics and offices, real estate offices, and research and development businesses.
 - (4) “Hotel” refers to the definition provided in Milpitas Municipal Code XI-10-2.02, General Definitions.
 - (5) “Other Uses” means land uses not specifically defined by this section.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Planning and Neighborhood Services		Transit Area Development Impact Fee, continued	See below	2	Res 7778 9/2/08

Section 3. Fee Amount

A) The amount of the Transit Area Development Impact Fee is based upon the technical and financial analyses conducted as part of the Technical Report. The following schedule of base fees shall apply to all new development in the Transit Area:

- a) Residential - \$23,800 per unit
- b) Commercial - \$16.70 per square foot
- c) Office - \$25.00 per square foot
- d) Hotel - \$9,000 per room
- e) Other Uses – The fee amount for uses not specifically defined in this Resolution shall be determined by the Finance Director or his or her designee. A focused nexus study may be required of the applicant to make the determination.

B) The fee amounts listed herein shall be subject to annual adjustment, as set forth in Section 9 of this Resolution, and as otherwise allowed by law.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Planning and Neighborhood Services		Transit Area Development Impact Fee, continued	See below	2	Res 7778 9/2/08

Section 4. Transit Area Development Impact Fee Requirements.

A) General.

- (1) The amounts and calculation of the Transit Area Development Impact Fee is based upon the following considerations:
 - 1) New development will pay only for the construction of those public facilities or where there is a reasonable relationship between the facilities funded and the benefits, demands and needs generated by the new development.
 - 2) Each type of new development shall contribute to the funding of the needed facilities in proportion to the need for the facilities created by that type of development.
 - 3) The public facilities funded by the Transit Area Development Impact Fee and the calculations resulting in the Transit Area Development Impact Fee amount are documented in the Infrastructure Financing Technical Report.
 - 4) The amount of the Area Development Impact Fee shall include consideration for appropriate financing charges including any reimbursement payments made to developers or property owners pursuant to subsection 5.B (2), and shall include consideration for reimbursement of administrative costs pursuant to subsection 5.B (3).

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	<i>DATE FEE LAST CHANGED</i>
Planning and Neighborhood Services		Transit Area Development Impact Fee, continued	See below	2	Res 7778 9/2/08

- B) Applications Requiring Payment of Fee – Building Permit. A person who applies for a building permit to construct within the Transit Area Specific Plan area shall pay to the City a fee in the amount set forth in this Resolution prior to the issuance of the building permit, unless later payment is required by City ordinance or State Law.

- C) Fee Unit. The unit basis of the Transit Area Development Impact Fee shall be charged for each new dwelling unit, new non-residential square footage, and each new hotel room. No Transit Area Development Impact Fee shall be charged for remodeling or for an addition to an existing building creating less than 500 square feet of additional floor area. For additions greater than 500 square feet the amount of the Transit Area Development Impact Fee for that addition shall be determined according to the formula set forth in Section 4(D).

- D) Formula for Calculating the Fee. The Transit Area Development Impact Fee, as set forth in this Resolution, shall be determined by a formula that is based on the cost of the required infrastructure, the proportion of those costs attributable to development in the Transit Area as a whole, and each unit of development’s proportional share of the Transit Area costs as a whole. These formulas are included in the Infrastructure Financing Technical Report, and shall be updated pursuant to this Resolution from time to time to reflect changes in construction costs, development schedules, availability of supplemental funds, and other relevant factors.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Planning and Neighborhood Services		Transit Area Development Impact Fee, continued	See below	2	Res 7778 9/2/08

Section 5. Use of Fee Revenue. The Transit Area Development Impact Fee shall fund public facilities, improvements identified in the Basic Infrastructure Program as determined in the Infrastructure Financing Technical Report and any future additions and amendments to the said report, all of which are incorporated by reference into this Resolution.

- A) The City shall deposit the fees collected under this Resolution in a special fund, the Transit Area Development Impact Fee Account, designated for funding facilities listed in the Basic Infrastructure Program.
- B) The fees and all interest earned on accrued funds shall be used only to:
 - (1) Fund the costs of the public facilities specified in the Basic Infrastructure Program, or to reimburse the City for such construction if funds were advanced by the City from other sources; or
 - (2) Reimburse developers or property owners for the costs accrued when a developer or property owner constructs and dedicates to the City a public facility(ies) included in the Basic Infrastructure Program and the sum value of the facility(ies) constructed (as estimated in the Basic Infrastructure Program) exceeds the total fee liability for a given project. Reimbursements shall include appropriate financing charges and shall be based upon the Local Agency Investment Fund (LAIF) quarterly interest rate. Financing charges included in any reimbursement payments to developers or property owners shall not exceed this interest rate, as calculated by the City’s Director of Finance. Reimbursements shall not be available if the value of the constructed and dedicated improvement is below the total fee liability for a given project.
 - (3) Reimburse the City of Milpitas, to offset administrative costs associated with administering and updating the Area Development Impact Fee, not to exceed two (2.0) percent of the applicable fee amount.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Planning and Neighborhood Services		Transit Area Development Impact Fee, continued	See below	2	Res 7778 9/2/08

Section 6. Ministerial Exemptions. The following actions or conditions shall qualify for a ministerial exemption from the Transit Area Development Impact Fee without having to go through the City Council exemption process set forth in Milpitas Municipal Code VIII-4-2.04.

- A) No Transit Area Development Fee shall be due for the demolition of an existing structure and the building of a new structure on the same site where the additional area in the new structure is 500 square feet or less and no additional dwelling units are created;
- B) No Transit Area Development Impact Fee shall be due if the Transit Area Development Fee or an equivalent amount has been previously paid in full (e.g. as a requirement of a subdivision map) for a particular property and use.

Section 7. Authority for Additional Mitigation. Fees collected pursuant to this Resolution do not replace any existing development fees, except for the sewer treatment plant fee VIII-2-7.04 “Treatment Plant Fees” and the park in-lieu fee XI-01-9.07 “Amount of Fee In-Lieu of Land Dedication,” or as otherwise the City Council may specifically provide, or demand or connection charges levied on a Citywide basis, or limit requirements or conditions to provide site-specific mitigation of site-specific impacts imposed upon development projects as part of the normal development review process.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Planning and Neighborhood Services		Transit Area Development Impact Fee, continued	See below	2	Res 7778 9/2/08

Section 8. Annual Review. Pursuant to Government Code Section 66006(b) and the provisions of Chapter 4 of Title VIII of the Milpitas Municipal Code, the City Council shall review annually a report prepared by staff documenting the amount of the Transit Area Development Impact Fee, fee fund balances, the amount of fees collected, and the amount of fee funds expended (by infrastructure item as shown in the Basic Infrastructure Program) and the fund balance of the TADIF Account.

Section 9 Annual Adjustments: The total design, construction, and contingency costs of each infrastructure item in the Basic Infrastructure Program shall be automatically adjusted each fiscal year by the Finance Director or his or her designee using the Engineering New Record (ENR) Construction Cost Index for the San Francisco Bay Area. The right of way or land costs of each item shall be automatically adjusted each fiscal year using the fair market value for an acre of land in the city as determined by the City Council pursuant to XI-1-9.07-1 “Amount of Fee In-Lieu of Land Dedication”.

Section 10. Periodic Update. The Infrastructure Financing Technical Report shall be updated every three to five years. This update will include a thorough review of the infrastructure costs, development activity, and collection and use of fees to that date.

Section 11. Termination of Fee. The City shall not collect the Transit Area Development Impact Fee established by this Resolution once funds sufficient to construct all improvements described in the then current Basic Infrastructure Program have been collected.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Planning and Neighborhood Services	VIII-2-7.04-E	Exclusion of the Transit Area Specific Plan Development	See below	2	Ord 208.43 9/16/08

**SECTION VIII-2-7.04-E EXCLUSION OF THE TRANSIT AREA SPECIFIC PLAN
DEVELOPMENT**

The provisions of Sections 7.04-A through 7.04-D above shall not apply to Connectors located within the boundary of that planning area identified as within the Transit Area Specific Plan for permits to connect a house lateral, main sewer or trunk sewer issued after November 1, 2008. Fees for such excluded connections are set forth in Title VIII, Chapter 4 – “Fees for New Development” of the Milpitas Municipal Code.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Planning and Neighborhood Services		Animal Regulation - Cost of Quarantining Animal (MMC V-210-5.20)	Actual costs of housing, feeding and otherwise caring for the quarantined animal, including any necessary medical care	1	Ord. 54.20 7/18/95
		Animal Regulation - Fee for Disposal (MMC V-210-5.25)	Fees charged by the City of San Jose under the Animal Services Agreement between the City of Milpitas and the City of San Jose dated 7/1/03, Section E.3	1	7/1/03
		Permit for Exception to Type or Number of Animals Allowed--Application Fee (MMC V-210-7.04)	\$20 per year	1	Ord. 54.20 7/18/95

Title V PUBLIC HEALTH, SAFETY AND WELFARE

Chapter 210 ANIMAL REGULATION

V-210-1.01 Purpose and Intent

The purpose and intent of this Chapter is to protect the public health, safety and welfare by imposing regulations on owners and other caretakers of animals and to reduce the cost of providing animal control services by regulating the uncontrolled breeding of dogs and cats. (Ord. 54.20 (part), 7/18/95)

V-210-5.20 Cost of Quarantining Animal

The costs of quarantining an animal shall be paid by the owner or person in charge of the animal. Such costs shall include the actual costs of housing, feeding and otherwise caring for a quarantined animal, including any necessary medical care. (Ord. 54.20 (part), 7/18/95)

V-210-5.25 Fee for Disposal

If the City disposes of the body of a deceased animal, a fee of thirty dollars (\$30.00) shall be paid by the owner of the animal, if known, to defray the costs of disposal. The amount of this fee may be superseded by contractual agreement between the City and a licensed animal shelter. (Ord. 54.20 (part), 7/18/95)

V-210-7.04 Permit for Exception to Type or Number of Animals Allowed--Application Fee

An applicant for a permit for an exception to the type or number of animals allowed shall pay a nonrefundable fee of twenty dollars (\$20.00) for the processing of a permit application or a renewal application. (Ord. 54.20 (part), 7/18/95)

V-210-7.05 Duration of Permit for Exception to Type or Number of Animals Allowed

No permit issued which permits an exception to the type or number of animals allowed shall create any vested right in the holder thereof. All permits shall be issued on a yearly basis and shall expire, unless renewed at the request of the applicant, after twelve (12) months from the date of issuance. (Ord. 54.20 (part), 7/18/95)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Planning and Neighborhood Services	Animal Regulation, Dog and Cat License Fees (MMC V-210-8.06)	See table below	1	Ord. 54.20 7/18/95

Category	Dog	Cat
Altered	\$10 per year	\$5 per year
Unaltered	\$35 per year	\$25 per year
Late fee	\$5	\$5
Replacement tag	\$5	\$5

V-210-8.06 License Fees

License fees shall be paid on an annual basis. License fees shall not be refundable in whole or in part. An additional late fee shall be paid for a license purchased more than sixty (60) days after expiration of a previously issued license or sixty (60) days after notice to the owner to obtain a license. (Ord. 54.20 (part), 7/18/95)

V-210-8.10 Fee Waiver for Guide and Law Enforcement Dogs

License tags for dogs used primarily for the purpose of guiding persons who are blind, deaf, or otherwise disabled shall be issued by request without charge. License tags for dogs used in law enforcement by any governmental agency shall be issued upon request without charge. (Ord. 54.20 (part), 7/18/95)

V-210-8.11 Fee Waiver for Persons Over the Age of 65

The license fee for only one (1) dog or one (1) cat, where the owner of the animal is over the age of sixty-five (65) years, will be waived provided such owner presents proof of age. (Ord. 54.20 (part), 7/18/95)

V-210-8.17 License Period

Unless otherwise provided, the term of any dog or cat license issued hereunder shall commence on the date of issuance of the license and shall terminate twelve (12) months from the date of issuance. (Ord. 54.20 (part), 7/18/95)

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Planning and Neighborhood Services	Animal Regulation, Seller's Permit Fees (MMC V-210-9.09)	See table below	1,2	Ord. 54.20 7/18/95

Category	First Permit within calendar year	Second Permit within calendar year
Dog or litter of dogs	\$75	\$150
Cat or litter of cats	\$50	\$100

V-210-9.06 One Seller's Permit Per Litter

One (1) seller's permit shall be valid for only one (1) litter of dogs or one (1) litter of cats produced. No person shall allow the parturition and rearing of more than one (1) litter of dogs or cats in any one (1) calendar year from the female owned by him or her, or maintained on his or her premises, without a valid second seller's permit. (Ord. 54.20 (part), 7/18/95)

V-210-9.11 Seller Required to Provide Information Regarding New Owner

Any and all permittees shall inform the City of the name, address and/or phone number of the new owner or owners of any or all dogs or cats which he or she sells or transfers. Forms for reporting such information will be provided to the permittee by the City of Milpitas at the time a seller's permit is issued. (Ord. 54.20 (part), 7/18/95)

Planning and Neighborhood Services	Animal Regulation, Dangerous Animal Permit Fees (MMC V-210-10.04)	\$150 per year	1,2	Ord. 54.20 7/18/95
	Animal Regulation, Animal Facility Permit--Application Fee (MMC V-210-10.06)	\$50 per year	1,2	Ord. 54.20 7/18/95
	Animal Regulation, Failure to Apply for Renewal of Animal Facility Permit (MMC V-210-10.09)	\$20.00 late fee for renewal in addition to the application fee	1,2	Ord. 54.20 7/18/95
	Animal Regulation, Redemption of Impounded Animals (MMC V-210-10.10)	Actual costs of housing, feeding and otherwise caring for an impounded animal, including necessary medical care	1	Ord. 54.20 7/18/95
	Animal Regulation, Animal Adoption Organization Permit Fee (MMC V-210-10.14)	\$50 per year	1,2	Ord. 54.20 7/18/95

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	DATE FEE LAST CHANGED
Planning and Neighborhood Services		Animal Regulation, Notice of Violation Fees (MMC V-210-13.03)	See table below	3	Ord. 54.20 7/18/95
		Animal Regulation, Late Payment Charges (MMC V-210-13.09)	10% of the original fee imposed every 7 days from the date the fee was due, up to 100% of the amount of the fee	3	Ord. 54.20 7/18/95

Category	Notice of Violation Fees
Animals in excess of the maximum number allowed (Section V-210-7)	\$50.00
Unlicensed dog or cat (Section V-210-8)	\$50.00
Not maintaining control of or adequate confinement of a potentially dangerous dog (Section V-210-5)	\$100.00
Animal bites (Section V-210-5)	\$200.00
Nuisance (e.g. barking) (Section V-210-4 except V-210-4.05)	\$100.00
Leash law (Section V-210-4.05)	\$25.00
Hearing prior to impoundment of animal (Section V-210-12)	\$50.00

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Planning and Neighborhood Services		Graffiti Abatement (MMC V-203)	Actual cost of abatement	1	Ord 241.1 8/20/96

**Title V PUBLIC HEALTH, SAFETY AND WELFARE
Chapter 203 REGULATION OF GRAFFITI**

6.07 Abatement of Graffiti by City if Property Owner Does Not Comply.

If the property owner fails to timely comply with the Order to Remove Graffiti issued by the City Manager, or, in the event of an unsuccessful appeal, the decision of the City Council, the City Manager may cause the graffiti to be removed from the property either by City personnel or by hiring outside persons to perform this work. The City Manager shall obtain the written permission of the property owner or court authorization before permitting workers to enter the property to remove the graffiti. (Ord. 241.1 (part), 8/20/96)

7.01 Filing of Report on Graffiti Abatement Costs and Expenses Incurred in Removing Graffiti.

The City Manager shall keep a detailed itemized record of the graffiti abatement costs and expenses incurred by the City in removing the graffiti from the property. Upon the completion of the work, or as soon thereafter as may be practicable, the City Manager shall file with the City Clerk a report which specifies the address or location of the property and the location of the graffiti removed, the nature of the work performed in removing the graffiti, and the itemized and total of the cost of this work. A copy of this report shall be served on the property owner through the procedure set forth in Section V-203-10.00.

7.05 Collection of Personal Debt of Property Owner for Expenses Incurred by City in Removing Graffiti and Nuisance Abatement Lien Against the Property.

If the City Council determines that the approved expenses incurred by the City in removing the graffiti shall be a personal debt of the property owner and a nuisance abatement lien against the property, the full amount of these expenses shall be due and payable by the property owner within thirty (30) days of service of the City Council's decision on the property owner. If the property owner fails to pay the entire amount due within this time, the debt shall become delinquent and may be collected by the City through any legal means. Interest shall accrue on the unpaid debt at the rate of ten percent (10%) per year.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Planning and Neighborhood Services		Violations to the Neighborhood Beautification Ordinance (MMC V-500)	First Violation \$100 Second Violation \$200 Third Violation \$500 Delinquency penalty \$25	3	Res 7053 12/19/00

Standard Penalty. The penalty for a first violation of the Neighborhood Beautification Ordinance shall be one hundred (\$100) dollars.

Second Violation. The penalty amount for a second violation of the same section of the Municipal Code by the same person within twelve (12) months from the date of an administrative citation, shall be two hundred (\$200) dollars.

Third Violation. The penalty amount for a third and subsequent violation of the same section of the Municipal Code by the same person within twelve (12) months from the date of an administrative citation, shall be five hundred (\$500) dollars.

Delinquency Penalty. Payments received after the due date (30 days from the date of the administrative citation) shall be deemed late. A flat charge of \$25.00 shall be charged for all late payments.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Planning and Neighborhood Services		EXPANDED PUBLIC NUISANCE ABATEMENT	See below	1	Ord 274 9/18/07

V-1100 – 1.00: “Expanded Public Nuisance Abatement Procedure.”

V-1100 – 2.00: Expanded Definition of Public Nuisance. “Any property, building, or other improvement found to be maintained in such condition as to constitute a public nuisance as defined anywhere in this Code, the statutes of the state of California or in the common law is declared to constitute a public nuisance subject to abatement and lien for recovery of abatement costs.”

V-1100 – 3.00: Declaration of Public Nuisance and Abatement Procedure. A violation of this ordinance shall constitute a public nuisance that may be abated pursuant to the procedures set forth in Milpitas Municipal Code Sections V-500-3.01, V-500-3.01.1, V-500-3.02, V-500-3.03, V-500-3.04, V-500-3.05, V-500-3.06, V-500-3.07, V-500-3.08, V-500-4.00, V-500-4.01, V-500-4.02, V-500-4.03, V-500-4.04, V-500-4.05, V-500-5.01, V-500-5.02, V-500-6.00, V-500-6.01, V-500-6.02, and be subject to those provisions allowing for cost recovery, at the discretion of the City Manager.

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CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Fire		Permitting Automation Fee	See Below	1	Res 7590 5/16/06

RESOLUTION NO. 7590

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MILPITAS AMENDING THE
BUILDING FEE SCHEDULE TO INCLUDE A 2.5% PERMITTING AUTOMATION FEE
EFFECTIVE JULY 1, 2006**

WHEREAS, the City of Milpitas wishes to collect a permitting automation fee to fund automation related to the issuance of permits and other land development activities; and

WHEREAS, The Milpitas City Council approved the amendment of the fee schedule to collect such fees on the following:

- Building Permits
- Fire Safety Construction Permits
- Eng & Planning Services
- Planning Fees
- Traffic Impact Fees
- Park in-lieu Fees
- Water Line Ext. Connection Fees
- Sewer Connection Fees
- Treatment Plant Fees
- Storm Drain Connection Fees

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Milpitas as follows:

The fee schedule is amended to include a permitting automation fee on the above listed permits and services, effective July 1, 2006.

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Fire	Fire Department Permit Automation Fee	See Below	1	Res 7940 12//1/09

A Fire Department Permit Automation Fee of \$6.77 shall be collected for the recovery of costs for computer related hardware, software and services over a five-year time period from the date of the imposition of this fee. The Fire Department Automation Fee shall apply to all:

- Fire Life-Safety Construction Permits
- Fixed Fire Extinguishing System Permits
- Fixed Fire Detection and Alarm System Permits
- Fire Department review of projects requiring an Engineering Department review
- Fire Department review of projects requesting Planning Department approvals
- Fire code Permit Inspection
- Life-Safety Inspections completed by the Fire Marshal's Office and Fire Engine Company

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE		CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Fire		Fire False Alarm Response	1 year – 3 free 4 th time – \$300 5 th time – \$600 6 th + time – \$900	3	Res 6449 7/18/95
		Hazardous Spill Response	Time & Materials	1	Res 6449 7/18/95
		Non-Milpitas Fire Response	\$230 per hour	1	Res 6449 7/18/95
		Annual Engine Co. Inspection	No Charge	N.A.	Res 6449 7/18/95
		Fire Second Reinspection	\$98 per inspection or per hour (if inspection exceeds 1 hour)	1	Res 6449 7/18/95
		Annual Fire Code Inspection	\$196	1	Res 6449 7/18/95
		Non-point Source Inspection	Time & materials – 2-hour minimum	1	Res 6449 7/18/95
		Annual Bldg & Life Safety Inspection	\$98 per inspector – 1-hour minimum	1	Res 6449 7/18/95

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	<i>DATE FEE LAST CHANGED</i>
Fire	Fire Department Fee Schedule	See table below	1	Res 7721 12/11/07

RESOLUTION NO. 7721 1

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING
RESOLUTION NO. 7352 – THE FIRE DEPARTMENT FEE SCHEDULE**

BE IT FURTHER RESOLVED, the fees and charges established by this resolution shall supersede all previously established fees or charges for the same regulations, project or service, and all such previous fees and charges are repealed on the effective date of this Resolution of the City Council provided in Section IV-3-4.00 of the Milpitas Municipal Code. All other fees shall remain in effect.

**PROPOSED FIRE DEPARTMENT FEE SCHEDULE
(2007)**

Activity	Permit Fee
ANNUAL PERMITS	
A-1 Occupancy (theaters and other similar viewing halls)	\$572.00
A-2 Occupancy (Food and drink establishment)	\$429.00
A-3 Occupancy (worship, recreation or amusement)	\$429.00
A-4 & A-5 Occupancy (indoors or outdoors sports event structures)	\$1,001.00
High Piled Storage	\$572.00
Malls	\$1,001.00
Motels	\$429.00
Hotels and multi-story structures (< 5 stories)	\$858.00
Hotels and multi-story structures (5 or more stories, 1.5 HR per floor for insp.). (Number of floors * 1.5) * \$/HR	per fee factor

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Fire	Fire Department Fee Schedule, continued	See table below	1	Res 7721 12/11/07

Commercial Daycare - small (< 100)	\$286.00
Commercial Daycare - large (> 100)	\$572.00
Residential - small family daycare	no fee
Residential - large family daycare	\$71.50
Small Apartments (3 - 4 units)	\$214.50
Medium Apartments (5 - 15 units)	\$858.00
Large Apartments (more than 15 units)	\$1,144.00
Small Chemical User (doctor/dentist, dry cleaner, photo shop, graphic design, print shop, auto repair, retail sales with propane)	\$286.00
Medium chemical User (Body shop, research and design, analytical labs, pool supplies)	\$715.00
Large Chemical User, Semiconductor	\$1,144.00
Plating shops	\$858.00
Small Toxic Gas - Annual Monitoring Certification	\$572.00
Large Toxic Gas - Annual Monitoring Certification	\$1,144.00
Underground tanks	\$429.00
Urban Runoff Inspections (Industrial)	\$286.00
Urban Runoff Inspections (Restaurants-once every 2 years)	\$286.00

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Fire	Fire Department Fee Schedule, continued	See table below	1	Res 7721 12/11/07

CONSTRUCTION REVIEW/PERMIT/INSPECTION	
Planning Permits/Reviews	
Project Development and EIR review	\$1,144.00
Consultative Meetings over 1 hour duration	\$429.00
Planning Applications (such as zoning), hrs * hourly rate	per fee factor
Building Life/Safety	
Demolition (interior, or partial bldg, misc demolition)	\$286.00
Demolition (Complete Building with/without site demolition)	\$429.00
Grading (< 1 acre)	\$286.00
Grading (1 to 5 acres)	\$429.00
Grading (≥ 5 acres)	\$572.00
Site Improvements (< 1 acre)	\$429.00
Site Improvements (1 to < 5 acres)	\$858.00
Site Improvements (≥ 5 acres), 2 HRS / acre or fraction thereof (plan check and inspection included). (Acres * 2) * \$/HR	per fee factor

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	DATE FEE LAST CHANGED
Fire	Fire Department Fee Schedule, continued	See table below	1	Res 7721 12/11/07

New Building Shell (< 5K SF)	\$429.00
New Building Shell (5K to < 25K SF)	\$858.00
New Building Shell (25K to < 50K SF)	\$1,287.00
New Building Shell (≥ 50K sf), (.0002 HR/SF) * SF * \$/HR	per fee factor
New Building w/ Improvements (< 5K SF)	\$429.00
New Building w/ Improvements (5K to < 25K SF)	\$1,144.00
New Building w/ Improvements (25K to < 50K SF)	\$2,145.00
New Building Shell with Improvements (≥50K sf) (.0003 HR/SF) * SF * \$/HR	per fee factor
Addition, Alteration (< 5K SF)	\$429.00
Addition, Alteration (5K to < 25K SF)	\$1,144.00
Addition, Alteration (25K to < 50K SF)	\$2,145.00
Addition, Alteration (≥50K SF). (0003 HR/SF) * SF * \$/HR	per fee factor
Over-the-Counter (see schedule above)	per fee schedule
Plan Check by Appointment (see schedules above)	per fee schedule
Missed Plan Check by Appointment	\$143.00
Revision to Project (hrs * hourly rate). Minimum 1HR	per fee factor

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE <small>1= Recover Cost 2= User Fee 3= Penalty 4= Tax</small>	DATE FEE LAST CHANGED
Fire	Fire Department Fee Schedule, continued	See table below	1	Res 7721 12/11/07

Tents, canopies, membrane structures		
4 or less		\$429.00
5 or more		\$572.00
Temporary Assembly (indoors or outdoors), (with or without tent)		
Occupancy 50-299		\$429.00
Occupancy 300-999		\$715.00
Occupancy 1000 and greater		\$1,144.00
Fire Extinguishing Systems		
Fire service underground, repair (each)		\$286.00
Fire service underground, new or replace (each)		\$715.00
New, Addition, Alteration to Sprinkler System (< 2K SF)		\$429.00
New, Addition, Alteration to Sprinkler System (2K to < 10K SF)		\$1,001.00
New, Addition, Alteration to Sprinkler System (10K to < 50K SF)		\$2,002.00
New, Addition, Alteration to Sprinkler System (≥ 50K SF) (.0003 HR/SF) * SF * \$/HR		per fee factor
Hood and Duct Systems (each)		\$572.00
FM 2000 (under floor systems, etc), each		\$572.00
Other (deluge, foam, preaction, etc), each		\$572.00

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Fire	Fire Department Fee Schedule, continued	See table below	1	Res 7721 12/11/07

Fire Alarm Systems		
Addition, Alteration, Repair < 5 devices (for new panel, see schedule below)		\$286.00
Addition, Alteration, Repair 5 to < 10 devices, (10 or more devices and/or new panel see schedule below)		\$572.00
New Fire Alarm (< 5K SF)		\$572.00
New Fire Alarm (5K to < 10K SF)		\$858.00
New Fire Alarm (10K to < 50K SF)		\$1,287.00
New Fire Alarm (≥ 50K SF) (.00025 HR/SF) * SF * \$/HR		per fee factor
Hazardous Materials - Building Construction		
Small TI (registration form, nitrous oxide and oxygen system)		\$286.00
Medium TI (Emergency generator, lift stations, aboveground tanks, treatment, large tank installations)		\$715.00
Large TI ("H" occupancy, Plating)		\$1,287.00
Toxic Gas Tools (furnaces, implanter, reactors)		\$1,144.00
Closure – process/tools		\$429.00
Closure - facility		
Small TI		N/A
Medium TI		\$429.00
Large TI		\$715.00

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>	<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE</i> 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	<i>DATE FEE LAST CHANGED</i>
Fire	Fire Department Fee Schedule, continued	See table below	1	Res 7721 12/11/07

Underground Tank Installations	
2 tanks or less	\$1,144.00
Each additional tank	\$286.00
Underground Tank Removals	
2 tank systems or less	\$429.00
Each additional tank system	\$143.00
INVESTIGATION/ENFORCEMENT	
Response/Investigation Fee	hrs * hourly rate
Fire Code Article 80 Release Cleanup	hrs * hourly rate
Referral Inspection (Life/Safety) Minimum charge	\$286.00
Referral Inspection (Haz Mat) Minimum charge	\$286.00
Enforcement Cost Recovery	hrs * hourly rate

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Fire	Fire Department Fee Schedule, continued	See table below	1	Res 7721 12/11/07

MISCELLANEOUS	
After-hours inspections (Life Safety & Hazardous Materials)	hrs * hourly rate, 3 hr minimum
Alternate Materials and Methods Review	\$572.00
Fire Watch, (hrs * hourly rate)	hrs * hourly rate, 3 hr minimum
New Occupancy (new business)	\$143.00
Smoke Detectors verification (new owner)	\$143.00
Detection system maintenance certification	\$143.00
Pre-inspection (residential care facilities)	Health & Safety Code
Title 19 5-year automatic fire sprinkler certification	\$429.00
Response to DUI	hrs. * hourly rate
Confined Space permits	hrs. * hourly rate
Emergency Response – Haz Mat Calls	hrs. * hourly rate
Non-Milpitas Response	hrs. * hourly rate
Data input (HMBP/HMIS)	hrs. * hourly rate Minimum of \$286.00
Late fee – over 60 days	Collection Cost
Failure to obtain a permit	Double standard fee
Fire code permits not otherwise listed	\$286.00
Temporary C of O	\$71.50
Weed Abatement	\$143.00

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Fire	Fire Department Fee Schedule, continued	See table below	1	Res 7721 12/11/07

Unwanted Alarm	First two in 12 month time-frame, no charge
	3rd - \$300.00
	4th - \$600.00
	5th - \$900.00
	All others \$ 900.00
Training	Classroom:
	Trailer \$ 60.00/hour
	Admin. \$ 70.00/hour
	Instructor: hrs. * hourly rate
Standard Hourly Fee	\$ 143.00 per hour
Other activities not listed	\$ 143.00 per hour
Electronic Archive (Once every 2 years)	flat fee of \$ 25.00
Emergency Response Mapping - new projects	flat fee of \$ 143.00

SF = square footage
 \$/HR = hourly rate
 K = 1,000

CITY OF MILPITAS – MASTER FEE SCHEDULE

<i>DEPARTMENT OR DIVISION</i>	<i>DESCRIPTION OF FEE, RATE OR CHARGE</i>		<i>CURRENT FEE and FEE STRUCTURE</i>	<i>OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax</i>	<i>DATE FEE LAST CHANGED</i>
Fire		Ambulance Franchise (MMC V-141)	The compensation, if any, to be paid to the City are described in the franchise contract.	2	Ord. No. 141 12/5/67

Title V - PUBLIC HEALTH, SAFETY AND WELFARE
Chapter 102 AMBULANCE FRANCHISE
V-102-1.02 Contract Provisions

Any contract executed hereunder shall include the following:

1.02-1 The schedule of fares to be charged for service.

1.02-2 The location of equipment.

1.02-3 The compensation, if any, to be paid to the City for said franchise.

1.02-4 The term of said franchise; provided, however, that no franchise shall be in excess of a term of five years (but nothing contained in said contract shall be deemed to limit the authority of the City Council to renew or extend the contract upon the expiration of any term thereof).

1.02-5 Such other terms, covenants or conditions as the City Council shall deem necessary or convenient for the efficient operation of an ambulance business, for the public convenience and necessity and for the preservation and protection of the public health and safety.

CITY OF MILPITAS – MASTER FEE SCHEDULE

DEPARTMENT OR DIVISION	DESCRIPTION OF FEE, RATE OR CHARGE	CURRENT FEE and FEE STRUCTURE	OBJECTIVE 1= Recover Cost 2= User Fee 3= Penalty 4= Tax	DATE FEE LAST CHANGED
Fire	Collection of Weed, Rubbish, Refuse and Dirt Control and Abatement Costs (MMC V-202)	Actual cost of removal	1, 3	Ord. 185.1 12/6/83

Title V PUBLIC HEALTH, SAFETY AND WELFARE
Chapter 202 WEED, RUBBISH, REFUSE, DIRT CONTROL AND ABATEMENT

2.01 It shall be unlawful for any owner, agent, leasee, occupant, or other person having charge or control of any parcel of property within the City of Milpitas to permit weeds, rubbish, refuse or dirt to be accumulated or remain on said parcel of property or adjacent sidewalks, or adjacent streets (to the centerline thereof).

5.01 The City Council may direct the City Manager (as City Clerk) to mail written notice of the proposed abatement to all persons owning property described in the resolution as such described property is assessed in the last equalized assessment roll available on the date the resolution was adopted by the City Council. Additionally, a copy shall be mailed to the occupant or lessee of said property at the address of said property as known to the City Manager. The notices shall be mailed at least five (5) days prior to the time for hearing objections by the City Council.

3.02 The notice ... shall refer to and describe the property and shall state that noxious or dangerous weeds of a seasonal and recurrent nature are growing on or in front of the property, and that the same constitute a public nuisance which must be abated by the removal of said noxious or dangerous weeds, and that otherwise they will be removed and the nuisance will be abated by the city authorities, in which case the cost of such a removal shall be assessed upon the parcel and lands from which or in front of which such weeds are removed and that upon confirmation such cost will constitute a lien upon such parcel or lands until paid.

8.00 The City Officer or employee shall keep an itemized account of the cost of abating such nuisance, which shall be filed in a report with the City Clerk.

11.01 The City Manager shall cause a certified copy of the Order Confirming the Assessment to be recorded in the Office of the Santa Clara County Recorder.

V-202-13.00 Violation an Infraction

Whenever in this chapter any act is prohibited or is declared to be unlawful, or the doing of any act is required, or the failure to do any act is declared to be unlawful, the violation of any such provision is hereby declared to be an infraction. Every violation determined to be an infraction is punishable by (1) a fine not exceeding Fifty Dollars (\$50) for a first violation; (2) a fine not exceeding One Hundred Dollars (\$100) for a second violation of the same act within one year; (3) a fine not exceeding Two Hundred Fifty Dollars (\$250) for each additional violation of the same act within one year. Each day such a violation continues shall be regarded as a new and separate infraction. (Ord. 185.1 (part), 12/6/83)