



# RIVERSIDE COUNTY AGRICULTURAL COMMISSIONER'S OFFICE

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## New Business Registration

To whom it may concern,

It has come to our attention that one or more of your locations were found operating one or more weighing or measuring devices (scales, scanner, point-of-sale systems, commercial packer, etc.) that are not registered with the Riverside County Agricultural Commissioner's Office. California Business and Professions code section 12240 grants the county the authority to charge an annual registration fee, by ordinance, for commercially used weighing and measuring devices. Riverside County Ordinance No. 599, "Weights and Measures Registration Ordinance of the County of Riverside," states that:

*"No person shall operate any weighing or measuring instruments for commercial purposes without having a current Registration Certificate for such instrument. The certificate shall be in addition to any other certificate, license or permit which may be required by the County."*

Registration shall be issued upon written application to the Riverside Agricultural Commissioner's Office on a form furnished by the department along with payment of applicable fees. Registration Forms are available online at <https://rivcoawm.org/resources/forms> or can be submitted by email to [WTMEAS@RIVCO.ORG](mailto:WTMEAS@RIVCO.ORG).

In order to avoid compliance actions, you must immediately discontinue the use of the devices until they have been registered for commercial use with the Riverside County Agricultural Commissioner's Office/ Department of Weights and Measures.

If you have any questions regarding the registration process, please do not hesitate to send us an email or call our office at (951) 955-3045.

Sincerely,

Misael Martinez  
Deputy Agricultural Commissioner /  
Sealer of Weights and Measures

- ENCL. 1) RCO No. 599 - "Imposing Charges for Annual Registration of Weighing and Measuring Devices"  
2) RCO No. 832 - "Imposing Charges for Annual Registration of Packers and Point of Sale Stations"

**ORDINANCE NO. 599**  
**(AS AMENDED THROUGH 599.8)**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE,**  
**AMENDING ORDINANCE NO. 599 IMPOSING CHARGES FOR ANNUAL**  
**REGISTRATION OF WEIGHING AND MEASURING DEVICES.**

The Board of Supervisors of the County of Riverside, State of California, ordains as follows:

**Section 1. TITLE.** This ordinance shall be known as the “Weights and Measures Registration Ordinance of the County of Riverside.”

**Section 2. PURPOSE AND AUTHORITY.** The purpose of this ordinance is to establish a procedure for registering weighing and measuring instruments and to recover the costs of inspecting and testing such instruments pursuant to Section 12210 of the California Business and Professions Code. The authority for this ordinance is Division 5, Chapter 2, Article 2.1 (beginning with Section 12240) of the California Business and Professions Code. This ordinance is adopted pursuant to Title 2, Division 2, Part 2, Chapter 1, Article 7 (beginning with Section 25120) of the Government Code.

**Section 3. DEFINITIONS.** Unless otherwise specifically provided or required by the next context, certain terms or expressions used herein have meanings as set forth below:

“Weighing and measuring instruments” means “weighing instruments” or “measuring instruments” as each are respectively defined by Section 12500 of the California Business and Professions Code.

“Commercial purposes” shall have the meaning assigned to it by Section 12500 of the California Business and Professions Code.

“Weights and Measures” means the Weights and Measures Division of the County of Riverside.

“Person” shall have the meaning assigned to it by Section 12011 of the California Business and Professions Code.

“Sealer” shall mean the Sealer of Weights and Measures of the County of Riverside and his or her duly authorized agents.

“Single business location” shall mean as defined in Section 12240 of the California Business and Professions Code.

**Section 4. REGISTRATION CERTIFICATE REQUIRED.** No person shall use or operate any weighing or measuring instruments for commercial purposes without having a current Registration Certificate for such instrument. The certificate shall be in addition to any other certificate, license or permit which may be required by the County.

**Section 5. APPLICATION AND ISSUANCE OF CERTIFICATE.** An application for a registration certificate shall be submitted to the Sealer in the form prescribed by the Sealer. The Sealer may waive the requirement of an application in those cases in which the Sealer has the information and data required by the application. The Sealer shall issue the registration certificate when the Sealer has the required information and data, either by receipt of the application or by any other means, and upon payment of the application fee.

**Section 6. TERM OF CERTIFICATE.** The term of each registration certificate shall be from January 1 through December 31 of each calendar year. Renewal of a registration certificate shall be made in a manner similar to the issuance of the original registration certificate. Registration certificates not renewed by January 31 shall be considered expired until such time as the registration certificate fee and application penalty have been received by the County.

**Section 7. REGISTRATION CERTIFICATE FEES.** The fees for the registration certificate and the annual renewal registration certificate fee shall be assessed at the maximum amount authorized in Section 12240 of the California Business and Professions Code. If the registration or renewal payment is late, there shall also be assessed the late registration penalty fee set forth in Section 8.

**Section 8. NONPAYMENT OF FEES – PENALTY.** To any registration certificate fee not submitted by January 31 of the year for which the fee is due, there shall be added a late fee as follows:

1. To any registration certificate fee paid late between January 31 and March 31 of the year for which the fee is due, there shall be added a penalty fee of fifty dollars (\$50.00).
2. If a registration certificate fee is not paid by March 31 of the year for which the fee is due, then the registration certificate shall become invalid and any devices still in use shall be labeled out of use by the County until the registration certificate has been reinstated. The registration certificate shall be reinstated only upon payment of the registration certificate fee and the penalty.

**Section 9. QUALIFIED CERTIFICATE HOLDERS.** A registration certificate may be issued to a corporation duly authorized to transact business in this state, or to a person operating under a fictitious name who has complied with all of the provisions of Chapter 5 (commencing with Section 17900) of Part 3 of Division 7 of the California Business and Professions Code. Otherwise, all such certificates shall be issued in the true name of the applicant. Except as above provided, no business, occupation or activity for which a certificate is required may be conducted under any false or fictitious name. A registration certificate issued to a corporation shall designate such corporation by the exact name which appears in the articles of incorporation of such corporation.

**Section 10. LOST CERTIFICATE.** If a current registration certificate has been lost, the person to whom it was issued may obtain a replacement from the Sealer upon payment of a replacement fee of ten dollars (\$10.00).

**Section 11. TRANSFERABILITY OF CERTIFICATE.** A registration certificate is not transferable from one person to another. Instruments that are to be used on a mobile unit will be registered to one person and each vehicle shall constitute a location.

**Section 12. VIOLATIONS – PENALTIES.** It shall be unlawful for any person to violate any provision of this article, or to violate the provisions of any registration certificate granted pursuant to this article. Any person violating any provision of this article or the provisions of any registration certificate granted pursuant to this article, shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this article or the provisions of any registration certificate granted pursuant to this article, is committed, continued or permitted. Any person so convicted shall be: (1) guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100.00) for a first violation; (2) guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200.00) for a second violation. The third and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or six months in jail, or both.

Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person from the responsibility for correcting the violation.

**ORDINANCE NO. 832**  
**(AS AMENDED THROUGH 832.1)**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE**  
**IMPOSING CHARGES FOR ANNUAL REGISTRATION OF PACKERS**  
**AND POINT OF SALE STATIONS**

The Board of Supervisors of the County of Riverside, State of California, ordains as follows:

**Section 1: TITLE.** This ordinance shall be known as the “Consumer Protection Business Permit Ordinance of the County of Riverside”.

**Section 2: PURPOSE AND AUTHORITY.** The purpose of this ordinance is to establish permitting requirements to identify, monitor and impose penalties on: (1) those persons commercially engaged in the packaging of commodities in advance of sale; and (2) those persons utilizing for commercial purposes automated systems for retail sale commodity pricing commonly referred to as “scanners”. The authority for this ordinance is: California Business and Professions Code Sections 12009, 12011, 12011.6, 12012.1, 12013, 12015, 12015.3, 12015.5, 12024.2, 12024.3, 12024.6, 12103.5, 12211, 12609, 13301, 13303, 13350, and 13352; California Government Code Section 25132; and California Code of Regulations, Title 4, Division 9, Chapter 10, Section 4500 et seq.

**Section 3: DEFINITIONS.** Unless otherwise specifically provided or required by the next context, certain terms or expressions used herein have meanings as set forth below: “Advertise” means a notice to attract public attention. “Commercial purpose” means any sale of a commodity or thing by a person. “Commodity” means any article of commerce or anything that is bought or sold. “Department” means the Weights and Measures Division of the County of Riverside. “Location” means any room, enclosure, building, vehicle, space or area at a single place. “Packer” means any person engaged in wrapping or packaging of a commodity within the County of Riverside prior to and for the purpose of sale wherein the item wrapped or packaged is sold on the basis of weight, count, volume or area. “Person” means any person, firm, corporation, or association. “Point of sale station” means any computer or electronic system used by a retail establishment such as, but not limited to, Universal Product Code scanners, price lookup codes, or an electronic price lookup system as a means for determining the price of the item being purchased by a consumer. “Sell” or “sale” means barter, exchange, trade, rent, lease, keep for sale, offer for sale, or expose for sale, in any of their variant forms.

**Section 4: PERMIT REQUIRED.** The following must obtain a permit in accordance with the provisions of this ordinance prior to the sale of any commodity: (1) any packer; and (2) any person who uses a point of sale station. Separate permits are required if a person is a packer and also uses a point of sale station. A separate permit is required for each location. The permit shall be in addition to any other certificate, license, or permit which may be required by the County or any other public entity. Permits shall be issued upon written application to the Department on a form furnished by the Department and payment of applicable fees. The following shall be exempt from this permit requirement: Packers of less than ten thousand (10,000) packages per year; and wholesale agricultural packers.

**Section 5: PERMIT TERM.** The term of each permit shall be from July 1 through June 30 of the following year. Renewal of a permit shall be made in a manner similar to the issuance of the original permit. Permits not renewed by July 31 shall be considered expired until such time as the permit fee and applicable penalty have been received by the Department. Permits shall be readily available to any official of the Department.

**Section 6: PERMIT NOT TRANSFERABLE.** Permits shall not be transferable between persons or locations. Permits shall not be used by subcontractors or sublessees. Only permit holders (including their employees) shall be allowed to engage in activities regulated under the permit.

**Section 7: PERMIT FEES.** A. The fee for any packer or person using a point of sale station shall be as follows: 1. Packers: Packers of less than ten thousand (10,000) packages per year: Exempt Packers of ten thousand (10,000) or more packages per year: \$300.00 2. Point of Sale Stations: 1 to 3 stations: \$160.00 4 to 9 stations: \$240.00 More than 9 stations: \$300.00 B. To any permit fee not submitted by July 31 of the year for which the fee is due, there shall be added a late fee as follows: 1. To any permit fee paid late between July 31 and September 30 of the year for which the fee is due, there shall be added a penalty fee of fifty dollars (\$50.00). 2. If a permit fee is not paid by September 30 of

the year for which the fee is due, then the permit shall become invalid and the permit shall be reinstated only upon payment of an amount which is double the amount of the permit fee due.

**Section 8: LOST PERMIT.** If a current permit has been lost, the person to whom it was issued may obtain a replacement from the Department upon payment of a replacement fee of ten dollars (\$10.00).

**Section 9: VIOLATIONS - PENALTIES.** It shall be unlawful for any person to violate any provision of this ordinance, or to violate the provisions of any permit granted pursuant to this ordinance. Any person violating any provision of this ordinance or the provisions of any permit granted pursuant to this ordinance, shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance or the provisions of any permit granted pursuant to this ordinance, is committed, continued or permitted. Any person so convicted shall be: (1) guilty of an infraction offense and punishable by a fine not exceeding one hundred dollars (\$100.00) for a first violation; (2) guilty of an infraction offense and punishable by a fine not exceeding two hundred dollars (\$200.00) for a second violation within one year of the first violation. The third violation within one year of the first violation and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or six months in jail, or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person from the responsibility for correcting the violation.

**Section 10: SEVERABILITY.** If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.