



Policy for Charging Investigative Fees

July 31, 2023 Version

This policy sets forth the procedures for reimbursing the Agency for the costs incurred in investigating and issuing a Notice of Violation with Civil Penalty. This policy is in effect for all violations discovered after July 31, 2023.

Determination of Investigative Fees

For each violation, a time log should be kept accounting for all hours spent by Agency personnel in investigating and issuing the violation. Attached to this policy is a sample time log. Hours should be rounded to the nearest quarter hour.

The hourly rate is determined by averaging the current salary plus benefits of all Agency personnel. This rate shall be adjusted each year as salaries increase.

Violations Discovered During Regular Business Hours

For each hour that Agency personnel spend working on a violation, a charge equal to the average hourly wage is levied. A minimum three-hour charge shall apply to all violations discovered during regular business hours. All violations will include at least one hour of administrative time.

The current hourly rate is \$69/hr. with a minimum three-hour charge of \$207.

Violations Discovered After Regular Business Hours

For violations that are discovered after regular business hours, the inspector should charge the number of hours that he/she charges to the Agency to investigate the complaint, usually a minimum of three. For each hour, an hourly rate of 1.5 x the regular rate shall be levied, in order to recover the costs to the Agency in providing after hours service. A minimum three-hour charge shall apply to all violations discovered after regular business hours.

The current after-hours rate is 1.5 x the hourly rate or \$104/hr. with a minimum three-hour charge of \$312.

Mileage Reimbursement

In addition to the previously charged investigative fees for hours, investigative costs will include the mileage Agency staff drove to investigate the incident. The mileage will be charged at the current federal rate for the year of the investigation.

Assessing Investigative Fees

The amount of investigative fees levied in a particular case should be added to the civil penalty to determine the total amount due by the violator. However, the language in the NOV should differentiate the amount of the civil penalty and the amount of the investigative fees. Some suggested language is below:

“This Agency is assessing a penalty of \$XXXX, of which \$YY is the civil penalty, derived using the latest version of the WNCRAQA Civil Penalty Policy and Gravity Adjustment Factors, and \$ZZ is the investigative fee, incurred by this Agency in investigating and issuing this violation.”

As with all policies issued by this Agency, the Agency and Board reserve the right to act at variance with this policy and to change it without public notice.