

○温泉法に基づく温泉の保護等に係る手数料に関する条例

Ordinance on fees for the protection, etc. of hot springs based on the Hot Springs Act

平成一八年三月三十一日

March 31, 2006

条例第七五号

Ordinance No. 75.

改正 平成一九年一〇月一二日条例第一二〇号

Amendments: Ordinance No. 120 of October 12, 2007

平成二〇年七月二日条例第九四号

Ordinance No. 94 of July 2, 2008

〔温泉法に基づく温泉の保護に係る手数料に関する条例〕を公布する。

This Ordinance on fees for the protection, etc. of hot springs based on the Hot Springs Act shall be promulgated.

温泉法に基づく温泉の保護等に係る手数料に関する条例

Ordinance on fees for the protection, etc. of hot springs based on the Hot Springs Act

(平二〇条例九四・改称)

(Renamed of Ordinance No. 904 of 2008)

(趣旨)

(Purport)

第一条 地方自治法(昭和二十二年法律第六十七号。以下「自治法」という。)第二百二十七条の規定により、温泉法(昭和二十三年法律第二百二十五号。以下「法」という。)第二章及び第三章に基づく事務に関する手数料は、この条例の定めるところにより徴収する。

Article 1 Pursuant to Articles 227 and 228 of the Local Autonomy Act (Act No. 67 of 1947, hereinafter referred to as “Autonomy Act”), fees relating to affairs under Chapters 2 and 3 of the (Act No. 125 of 1948; hereinafter referred to as the “Act”) shall be collected as provided for in this Ordinance.

(平二〇条例九四・一部改正)

(Partial amendment of Ordinance No. 904 of 2008)

(手数料を徴収する事務等)

(Administrative Duties for Collecting Fees, Etc.)

第二条 手数料を徴収する事務並びにその手数料の名称、額及び徴収時期は、別表に定めるところによる。

Article 2 Administrative duties for collecting fees as well as the name, amount and

timing of the collection for the fees will be in accordance with the stipulations of the Appended table.

(手数料の減免)

(Reduction and Exemption of Fees)

第三条 手数料は、国若しくは自治法第一条の三に規定する地方公共団体又は生活保護法(昭和二十五年法律第百四十四号)の規定により保護を受ける者から申請があるとき、その他知事において特別の理由があると認めるときは、これを減額し、又は免除することができる。

Article 3 When an application has been made by the national government or a local government prescribed in Article 1-3 of the Autonomy Act or a person receiving public assistance under the Public Assistance Act (Act No. 144 of 1950) when another special reason is found to be present by the Governor, fees may be reduced or exempted.

(手数料の不還付)

(Non-Refunding of Fees)

第四条 既納の手数料は、還付しない。ただし、知事が特別の理由があると認めるときは、この限りでない。

Article 4 Fees that have already been paid will not be refunded. However, this may not apply when a special reason is found to be present by the Governor.

(手数料の猶予)

第五条 知事は、特別の理由があると認めるときは、手数料の徴収を猶予することができる。

(Deferment of fees)

The collection of fees may defer when a special reason is found to be present by the Governor.

(過料)

(Civil Fine)

第六条 詐欺その他不正の行為により、手数料の徴収を免れた者は、その徴収を免れた金額の五倍に相当する金額(当該五倍に相当する金額が五万円を超えないときは、五万円とする。)以下の過料に処する。

Article 6 A person who, by fraud or other wrongful act, evades the collection of a fee shall be liable to a civil fine not exceeding an amount equal to five times the amount of the fee (If the amount equal to five times such amount does not exceed 50,000 yen, the amount shall be 50,000 yen.) so evaded.

附 則

Supplementary Provisions

1 この条例は、平成十八年四月一日から施行する。

This ordinance comes into effect as of April 1, 2006.

- 2 この条例の規定は、別表に掲げる事務に係る申請の手続で、この条例の施行の日以後に同表の徴収時期に達するものについて適用する。

The provisions of this Ordinance shall apply to the procedures for applications pertaining to the affairs listed in the appended table, which reach the collection time specified in the same table on or after the date of enforcement of this Ordinance.

附 則(平成十九年条例第一二〇号)

Supplementary Provisions (Ordinance No. 120 of 2007)

この条例は、平成十九年十月二十日から施行する。

This ordinance will come into effect on October 20, 2007.

附 則(平成二〇年条例第九四号)

Supplementary Provisions (Ordinance No. 94 of 2008)

(施行期日)

(Effective Date)

- 1 この条例は、平成二十年十月一日から施行する。ただし、次項の規定は、同年八月一日から施行する。

This Ordinance will come into effect on October 1, 2008. However, the provisions of the following paragraph will come into effect on August 1 of the same year.

(経過措置)

(Transitional Measure)

- 2 この条例の施行の日(以下「施行日」という。)前に、温泉法の一部を改正する法律(平成十九年法律第百二十一号)附則第六条の規定により同法の施行前に行われる同法による改正後の温泉法第十四条の五第一項の規定に基づく可燃性天然ガスの濃度の確認の申請がなされた場合においては、施行日前においてもこの条例による改正後の温泉法に基づく温泉の保護に係る手数料に関する条例(以下「改正後の条例」という。)の例により、手数料を徴収する。この場合において、改正後の条例別表六の項中「法」とあるのは「温泉法の一部を改正する法律(平成十九年法律第百二十一号)附則第六条の規定により同法の施行前に行う同法による改正後の法」とする。

Where an application for confirmation of the concentration of flammable natural gas under Article 14-5 paragraph (1) of the Hot Springs Act as amended by this Ordinance has been made prior to the date of enforcement of this Ordinance (hereinafter referred to as "effective date") pursuant to Article 6 of the Supplementary Provisions of the Act Partially Amending the Hot Springs Act, even before the date of enforcement. The fee shall be collected in accordance with the provisions of the Ordinance on Fees for the Protection of Hot Springs under

the Hot Springs Act as amended by this Ordinance (Hereinafter referred to as the 'Amended Ordinance'.), even before the effective date of this Ordinance. In this case, the term "the Act" in paragraph 6 of the Annexed Table of the Ordinance after amendment shall be deemed to be replaced with "the Act after amendment by the said Act which is carried out before the enforcement of the said Act pursuant to Article 6 of the Supplementary Provisions of the Act Partially Amending the Hot Springs Act (Act No. 121 of 2007)".

別表(第二条関係)

Appended table (Related to Article 2)

(平二〇条例九四・全改)

(Totally amended of Ordinance No. 94 of 2008)

| 事務 Administrative Duties | 名称 Name | 額 Amount | 徴収時期 Timing of Collection |
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| <p>一 法第三条第一項の規定に基づく土地の掘削の許可の申請に対する審査</p> <p>(i) Examination of applications for permission for land excavation pursuant to the provision of paragraph (1) of Article 3 of the Act</p> | <p>土地掘削許可申請手数料</p> <p>Land Excavation Permit Application Fee</p> | <p>十二万円</p> <p>120,000 yen</p> | <p>許可申請のとき。</p> <p>Upon application for permission.</p> |
| <p>二 法第六条第一項若しくは第七条第一項(法第十一条第二項又は第十三項において準用する場合を含む。)、第十四条の三第一項又は第十四条の四第一項の規定に基づく土地の掘削、ゆう出路の増掘、動力の装置又は温泉の採取の許可を受けた地位の承継の承認の申請に対する審査</p> <p>(ii) Succession to the status of a person who has obtained permission for excavation of land, expansion of water supply</p> | <p>土地掘削、ゆう出路増掘、動力装置又は温泉採取の許可を受けた地位の承継の承認申請手数料</p> <p>Application fee for approval of the succession of the licensed status of land excavation, outflow channel</p> | <p>九千七百円</p> <p>9,700 yen</p> | <p>承認申請のとき。</p> <p>Upon application for approval.</p> |

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| <p>routes, power equipment or extraction of hot spring pursuant to the provision of paragraph (1) of Article 6 or paragraph (1) of Article 7 of the Act (including the cases where it is applied mutatis mutandis pursuant to paragraph (2) or (3) of Article 11 of the Act) (iii) Examination of an application for approval of the succession of the status of a person who has obtained permission for excavation of land, expansion of a waterway, power equipment, or extraction of hot spring pursuant to the provisions of Article 6, paragraph (1) or Article 7, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 11, paragraph (2) or (3) of the Act), Article 14-3, paragraph (1) or Article 14-4, paragraph (1)</p> | <p>expansion, power equipment, or hot spring extraction</p> | | |
| <p>三 法第七条の二第一項(法第十一条第二項において準用する場合を含む。)又は第十四条の七第一項の規定に基づく掘削、増掘又は温泉の採取のための施設等の変更の許可の申請に対する審査 (iii) The provisions of Article 7-2, paragraph (1) of the Act (including the cases where it is applied mutatis mutandis</p> | <p>土地掘削、ゆう出路増掘又は温泉採取のための施設等の変更許可申請手数料 Application fee for permission for change of facilities for land excavation,</p> | <p>三万五千円 35,000 yen</p> | <p>許可申請のとき。 Upon application for permission.</p> |

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| <p>pursuant to Article 11, paragraph (2) of the Act) (iv)</p> <p>Examination of an application for permission to change facilities, etc. for excavation, expansion of excavation, or extraction of hot spring water pursuant to the provisions of Article 7-2, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 11, paragraph (2) of the Act) or Article 14-7, paragraph (1)</p> | <p>expansion of outflow channel, or extraction of hot spring water</p> | | |
| <p>四 法第十一条第一項の規定に基づくゆう出路の増掘又は動力の装置の許可の申請に対する審査</p> <p>(iv) Examination of an application for a permit for an extension of a runway or a device for power supply pursuant to the provision of paragraph (1) of Article 11 of the Act</p> | <p>ゆう出路増掘又は動力装置の許可申請手数料</p> <p>Application fee for a permit for excavation of an additional runway or power equipment</p> | <p>十一万円</p> <p>110,000 yen</p> | <p>許可申請のとき。</p> <p>Upon application for permission.</p> |
| <p>五 法第十四条の二第一項の規定に基づく温泉の採取の許可の申請に対する審査</p> <p>(v) Examination of an application for permission for the extraction of hot spring water under the provisions of Article 14-2, paragraph (1) of the Act</p> | <p>温泉採取許可申請手数料</p> <p>Hot spring extraction permit application fee</p> | <p>三万五千元</p> <p>35,000 yen</p> | <p>許可申請のとき。</p> <p>Upon application for permission.</p> |
| <p>六 法第十四条の五第一項の規定に基づく可燃性天然ガスの濃度の確認の申請に対する審査</p> | <p>可燃性天然ガス濃度確認申請手数料</p> | <p>九千七百円</p> <p>9,700 yen</p> | <p>確認申請のとき。</p> <p>Upon</p> |

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| (vi) Examination of an application for confirmation of the concentration of combustible natural gas pursuant to Article 14-5, paragraph (1) of the Act | Application fee to confirm the concentration of combustible natural gas | | application for confirmation |
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