



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 09/23/13)

## Board Clerk Use Only

Meeting Date: 12/5/13  
Agenda Item #: R.2  
Est. Start Time: 9:35 am  
Date Submitted: 11/1/13

**Agenda Title:** Resolution Establishing Fees and Charges for Chapter 7, County Management, of the Multnomah County Code and Repealing Resolution No. 2010-109

**Requested Meeting Date:** Dec. 5, 2013 **Time Needed:** 15 minutes  
**Department:** County Attorney Non-Departmental  
**Contact(s):** Lindsay Kandra  
**Phone:** 503/988-3138 **Ext.** 87342 **I/O Address:** 503/500  
**Presenter Name(s) & Title(s):** Lindsay Kandra, Assistant County Attorney

## General Information

### 1. What action are you requesting from the Board?

Adopt a resolution to implement new service fees in the Department of County Management, Division of Assessment, Recording and Taxation (DART) and repealing Resolution No. 2010-109.

### 2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

All existing fees and charges established by Resolution 2010-109 relating to the Department of County Management (MCC Chapter 7) remain the same. In Section 7.008 new fees are established relating to the Department of County Management for providing passport photos, issuing a waiver of the marriage waiting period, processing an amendment to a marriage license or state domestic partnership certificate, and filing an appeal with the County Board of Property Tax Appeals.

As a designated acceptance facility for the U.S. Department of State, DART processes Passport applications. A requirement of a passport application is submittal of a Passport photo. Upon approval of the Board of Commissioners, the Division will implement a new service to provide Passport photos for a fee of \$10. The fee is intended to cover the cost of providing the photos. The new service aligns with existing on-site services available in DART Customer Service, and provides customers with the convenience of obtaining photos and processing the passport applications at one service location.

DART issues over 6,000 Marriage Licenses and nearly 400 Domestic Partnership Registrations per year. Correct information on the documents is of extreme importance. When it is discovered that an error has been made, an Amendment may be filed. The Amendment form is filled in by the party whose information needs to be corrected. If the Amendment form is completed at DART's Customer Service office, the designated deputy county clerk will sign it; otherwise a notary will verify the signer. Any item needing to be amended must be proven by earlier documentation. The most common items to be amended are birth date, birth place, parent's name and parent's birth place. The clerk processing the amendment must verify the documentation provided meets office standards to allow amendment of the record. The Amendment statement is placed with and becomes part of the official county clerk record. The index is corrected and digital images are replaced with new amended records. A letter to the State of Oregon is created notifying them of amended items and instructing them to amend their record as well. Amendments generally take from 15 to 25 minutes to process. DART proposes a fee of \$20 to recover the cost for processing the Amendment and updating the official county clerk record and providing notification to the State of Oregon. In fiscal year 2012-13, DART processed 42 Amendments.

ORS 106.077 states that when a county clerk receives an application for a marriage license that meets all legal requirements for issuance, the clerk shall issue a marriage license which becomes effective three (3) days after it is signed by the applicants. The county clerk indicates on the license the date on which the license becomes effective. For a good and sufficient cause, a written order waiving the three-day waiting period may be signed by the county clerk or official responsible for issuing the marriage license. In fiscal year 2012-13, 680 waivers were granted. There are many reasons why a couple may request the waiver, and it must be filled out by either the bride or groom at the time the marriage license is issued, and state the reasons for requesting the waiver. The most common reasons are: from out of town, ceremony is already planned, medical emergency or military deployment. DART proposes charging a \$5 fee for issuance of the waiver, to recover the additional processing and file indexing costs. In the event of military deployment, the fee would be waived.

The County Board of Property Tax Appeals conducts a limited number of hearings, as there are a limited number of taxpayers that want to protest. The costs for the Board of Property Tax Appeals Program, a County Clerk function, are approximately \$143,000 annually, including professional services for Board Members, training sessions, publication fees for posting notice, clerical staff who provide support for hearings and mailing of decisions, supplies, postage, phone and other internal services associated with program administration. The new filing fee of \$30 per account for an appeal with the County Board of Property Tax Appeals is intended to cover the cost of administration of these County Clerk functions, and is not for recovery of the County Assessor's or Tax Collector's costs to evaluate and respond to an appeal. If a taxpayer is not satisfied with the Board's decision, an appeal may be filed with the magistrate division of the Oregon Tax Court and further with the regular division of the Oregon Tax Court, both of which charge a filing fee of \$252. By comparison, the \$30 fee is minimal.

The action affects Program Offer # 72025A DART County Clerk Functions. In addition to providing the convenience of Passport photo services, the primary program impact is an increase in fee revenues to the County General Fund for recovery of administrative and service delivery costs associated with the program. No other impacts have been identified.

### **3. Explain the fiscal impact (current year and ongoing).**

The fee changes recover costs for service delivery. Filing fees for appeals to the Board of Property Tax Appeals are estimated to recover 30% to 40% of costs to administer the program. Costs for services and fee collection activities utilize existing budgeted resources.

Annual general fund revenues are estimated to be \$12,000 to \$25,000 for passport photos, \$3,500 for issuance of a waiver of the marriage waiting period, \$1,000 for amendments to marriage license or state domestic partnership certificates, and \$60,000 for filing of appeals with the County Board of Property Tax Appeals.

**4. Explain any legal and/or policy issues involved.**

None

**5. Explain any citizen and/or other government participation that has or will take place.**

None

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**Required Signature**

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**Elected  
Official or  
Department  
Director:**

/s/ Jenny M. Madkour

**Date:**

October 31, 2013

*Note: Please submit electronically. Insert names of your approvers followed by /s/ - we no longer use actual signatures. Please insert date approved.*