

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**ORDINANCE NO. 1053**

Amending MCC § 21.612 Relating to Food Service License and Other Fees

(Language ~~stricken~~ is deleted; double-underlined language is new.)

**The Multnomah County Board of Commissioners Finds:**

- a. Chapter 309 Oregon Laws 2003 created new provisions and amended state laws relating to food service facilities.
- b. It is necessary to amend MCC Chapter 21, Health, to update license and other fee provisions and conform with state law.

**Multnomah County Ordains as follows:**

**Section 1.** MCC § 21.612 is amended as follows:

**§ 21.612 Payment Of License Fees and Other Fees and Penalties, ~~Reinspection Fees;~~  
~~Delinquency.~~**

(A) Licenses issued under this subchapter expire annually on December 31. The annual license fee imposed under this subchapter must be paid in advance or postmarked to the department on or before midnight December 31 of the preceding license year.

(B) Except as provided in subsection (C), to any fee not paid as required in subsections (A), (D) and ~~(H)~~, there will be added a reinstatement or late fee as set by Board resolution.

(C) If the department determines that the delinquency was due to reasonable cause and without any intent to avoid compliance, the reinstatement ~~or late fee~~ provided by subsections (B) and ~~(H)~~ will be waived.

(D) When a license fee is due at any time other than December 31, the license fee is payable to the department within 30 days of application. If the license fee is not paid as provided in this subsection, then subsection (B) applies.

(E) The license fee for a seasonal facility, which operates six or fewer consecutive months, is payable within 30 days of the first day of operation for the current year. If the fee is not paid as provided in this subsection, then subsection (B) applies.

(F) The license fee for a temporary restaurant operating on an intermittent basis at the same specific location will be as set by Board resolution.

(G) The application and license fee for any temporary restaurant must be received in the environmental health office by noon two working days before the event begins.

~~(H) Except as provided in subsection (C) and for benevolent organizations as defined in ORS 624.015, for any temporary restaurant license not applied and paid for as required in subsection (G), a late fee will be added in an amount set by Board resolution.~~

~~(H) Benevolent organizations are exempt from any temporary restaurant license or inspection related fees. An administrative processing fee will be set by Board resolution.~~

(J) For the services of the department in providing an increased frequency inspection as mandated under ORS 624.085 and OAR 333-157-0027, the department will collect a fee for each additional inspection in an amount set by Board resolution. Reinspections for the sole purpose of checking the number of food handler cards are not be subject to this fee.

~~(K) The department may charge a relocation fee in lieu of a full fee under certain circumstances such as, but not limited to, no change in business name, ownership, menu served or type of equipment used. The relocation fee will be in an amount set by Board resolution. Plan review fees may apply.~~

(L) The department will charge an inspection fee for a mobile unit licensed in another jurisdiction providing services in Multnomah County in an amount set by Board resolution.

FIRST READING:

November 4, 2004

SECOND READING AND ADOPTION:

November 18, 2004



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By 

Agnes Sowle, County Attorney