

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS
2 FOR MULTNOMAH COUNTY, OREGON
3 ORDINANCE NO. 803
4

5 An ordinance to provide fee schedule changes for the Environmental Health Section of the
6 Department of Health.
7

8 (Language in brackets [] is to be deleted; underlined language is new)
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10 Multnomah County ordains as follows:
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12 SECTION 1. AMENDMENT.
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14 MCC 5.10.320 is amended to read as follows:

15 5.10.320 Food Service License Fee. For the services of the Department of Health in
16 connection with issuance of food service licenses, the department shall collect a fee from every
17 applicant, at the time of application.

18 The following fee structure shall apply for full service restaurants, limited service
19 restaurants, or commissary licenses issued or applied for between January 1, and [March 31]
20 September 30:
21

22	[Seating Capacity 0-15 \$215
23	Seating Capacity 16-50 \$280
24	Seating Capacity 51-100 \$333
25	Seating Capacity Over 100 \$398
26	Limited Service Restaurants \$215
27	Commissaries servicing 1-5
28	mobile units and/or 1-50
29	vending machines \$215
30	Commissaries servicing 6 or more

1	mobile units and/or		
2	51 or more vending		
3	machines	\$323]
4			
5	<u>Seating Capacity 0-15</u>	<u>\$230</u>	
6	<u>Seating Capacity 16-50</u>	<u>\$300</u>	
7	<u>Seating Capacity 51-150</u>	<u>\$360</u>	
8	<u>Seating Capacity Over 150</u>	<u>\$430</u>	
9	<u>Limited Service Restaurants</u>	<u>\$230</u>	
10	<u>Commissaries servicing 1-5</u>		
11	<u>mobile units and/or 1-50</u>		
12	<u>vending machines</u>	<u>\$230</u>	
13	<u>Commissaries servicing 6 or</u>		
14	<u>more mobile units and/or</u>		
15	<u>51 or more vending</u>		
16	<u>machines</u>	<u>\$350</u>	

18 Where there are more than two food service facilities located at the same address and
19 licensed [by] to the same licensee, the licensee fee shall be the amount listed above for the first
20 two largest facilities and one-half the amount for each additional facility.

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22 [The following fee structure shall apply for full-service restaurants, limited service
23 restaurants, or commissary licenses issued or applied for between April 1 and June 30:

25	Seating Capacity 0-15	\$161
26	Seating Capacity 16-50	\$210
27	Seating Capacity 51-150	\$250
28	Seating Capacity Over 150	\$299
29	Limited Service Restaurants	\$161

1	Commissaries servicing 1-5	
2	mobile units and/or 1-50	
3	vending machines	\$161
4	Commissaries servicing 6 or	
5	more mobile units and/or	
6	51 or more vending	
7	machines	\$242

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9 Where there are more than two food service facilities located at the same address and

10 licensed by the same licensee, the licensee fee shall be the amount listed above for the first two

11 largest facilities and one-half the amount for each additional facility.]

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13 The following fee structure shall apply for full-service restaurants, limited service

14 restaurants, or commissary licenses issued or applied for between [July] October 1 and December

15 31:

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17	[Seating Capacity 0-15	\$108	
18		Seating Capacity 16-50	\$140	
19		Seating Capacity 51-150	\$167	
20		Seating Capacity Over 150	\$199	
21		Limited Service Restaurants	\$108	
22		Commissaries servicing 1-5		
23		mobile units and/or 1-50		
24		vending machines	\$108	
25		Commissaries servicing 6 or		
26		more mobile units and/or		
27		51 or more vending		
28		machines	\$161]

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30 Seating Capacity 0-15 \$115

1	<u>Seating Capacity 16-50</u>	<u>\$150</u>
2	<u>Seating Capacity 51-[100] 150</u>	<u>\$180</u>
3	<u>Seating Capacity Over [100] 150</u>	<u>\$215</u>
4	<u>Limited Service Restaurants</u>	<u>\$115</u>
5	<u>Commissaries servicing 1-5</u>	
6	<u>mobile units and/or 1-50</u>	
7	<u>vending machines</u>	<u>\$115</u>
8	<u>Commissaries servicing 6 or</u>	
9	<u>more mobile units and/or</u>	
10	<u>51 or more vending</u>	
11	<u>machines</u>	<u>\$175</u>

Where there are more than two food service facilities located at the same address and licensed to the same licensee, the licensee fee shall be the amount listed above for the first two largest facilities and one-half the amount for each additional facility.

For [licenses issued or applied for, for] the following special food service facilities, the following fees shall be charged for licenses issued or applied for:

20	Temporary Restaurants:		
21	1 day	[\$ 59]	<u>\$ 65</u>
22	2-4 days	[\$ 97]	<u>\$105</u>
23	5 or more days	[\$108]	<u>\$115</u>
24			
25	Seasonal Full Service,		
26	Commissaries or Limited		
27	Service Restaurants		
28	Operating Six (6)		
29	months or less	[\$108]	<u>\$115</u>

Smoke Shops: Selling
only pre-wrapped food
without the use of
reusable utensils

[\$108] \$120

Warehouses

[\$ 129] \$ 140

Mobile Units

[\$ 115] \$ 125

Vending Machines:

1- 10 units [\$ 118] \$ 130

11- 20 [\$ 237] \$ 255

21- 30 [\$ 354] \$ 385

31- 40 [\$ 413] \$ 445

41- 50 [\$ 471] \$ 510

51- 75 [\$ 589] \$ 635

76- 100 [\$ 706] \$ 765

101- 250 [\$ 941] \$1,015

251- 500 [\$1,765] \$1,900

501- 750 [\$2,826] \$3,050

751-1,000 [\$3,532] \$3,815

1,001-1,500 [\$4,711] \$5,090

1,501-2,000 [\$4,814] \$5,090 plus \$1 for
each unit over 2,000
units

SECTION 2. AMENDMENT.

MCC Chapter 5.10 is amended to read as follows:

5.10.321 Food Service Plan Review. For the services of the Department of Health in connection with the review of plans for the construction of food service facilities as those terms are defined in ORS 624, the department shall collect the following fees:

1	Mobile units	[\$ 97]	<u>\$105</u>
2	Minor remodeling	[\$ 97]	<u>\$105</u>
3	Major remodeling	[\$194]	<u>\$210</u>
4	New construction	[\$242]	<u>\$280</u>

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6 The definition of these categories shall be established by administrative rule.

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9 SECTION 3. AMENDMENT.

10 MCC Chapter 5.10.322 is amended to read as follows:

11 5.10.322 Payment of license fees and delinquency penalty:

12 (A) [ORS 624.020 states that all licenses] Licenses issued under this section [(ORS
13 624.020)] terminate and are renewable on December 31 of each year. The renewal of license fees
14 imposed by MCC 5.10.320 through 5.10.345 shall be paid or postmarked on or before midnight of
15 January 31 of the current license year, to the department.

16 (B) Except as provided in subsection (C) of this section, to any license fee not paid as
17 required in subsection (A) and (D) of this section, there shall be added a penalty of fifty percent of
18 such license fees.

19 (C) If the department determines that the delinquency was due to reasonable cause and
20 without any intent to avoid payment, the penalty provided by subsection (B) of this section shall
21 be waived.

22 (D) When a license fee is due at any other time of the year other than January 31, the
23 license fee shall be payable to the department within thirty days of application. If the license fee
24 is not paid as provided in this subsection, then subsection (b) of this section shall apply.

25 (E) The license fee for a seasonal facility, which operates six (6) or fewer consecutive
26 months, shall be payable within 30 days of the first day of operation for the current year. If the
27 fee is not paid as provided in this subsection, then subsection (B) of this section will apply.

28 (F) One-half of the license fee shall be refunded if an establishment closes or changes
29 ownership within the first two months of the year or within any two-month period of ownership,
30 and application for a refund is made, in writing, within the same two-month period.

1 (G) The license fee for a temporary restaurant operating on an intermittent basis at the
2 same specific location in a grouping of less than six shall be \$[108] 120 per month for the first
3 four (4) months of operation within a calendar year, and \$[36] 40 per month for the remainder of
4 the year.

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7 SECTION 4. AMENDMENT.

8 MCC 5.10.323 is amended to read as follows:

9 5.10.323 Bed and Breakfast Facilities. Food service license fees: For the services of the
10 Department of Health in connection with the inspection of food service facilities as those terms
11 are defined in ORS 624, the department shall collect a [\$115] \$120 annual license fee from each
12 applicant.

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15 SECTION 5. AMENDMENT.

16 MCC 5.10.340 is amended to read as follows:

17 5.10.340 Swimming pool license fee. For the service of the Department of Health in
18 connection with the inspection of public swimming pools, public spa pools, and bathhouses as
19 those terms are defined in ORS 448.005, the department shall collect annual license fees from
20 each applicant [, except where more than one public swimming pool or public spa pool is] based
21 on the number of swimming or spa pools located at the same address, and operated by the same
22 licensee, [in which case the annual] Annual license fees shall be as follows:

23 For the first three pools [\$177] \$195 each.

24 For each additional pool [\$ 89] \$ 95 each.

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27 SECTION 6. AMENDMENT

28 MCC 5.10.341 is amended to read as follows:

29 5.10.341 Swimming pool and spa plan review. For the services of the Department of
30 Health in connection with the review of plans for the construction of public swimming pools,

1 public spa pools and bathhouses as those terms are defined in ORS 448.005 the department shall
2 collect a [\$473] \$500 fee from each applicant.

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5 SECTION 7. AMENDMENT

6 MCC 5.10.345 is amended to read as follows:

7 5.10.345 Tourist and travelers facilities license fees. For the services of the Department
8 of Health in connection with the issuance of licenses the department shall collect from every
9 applicant at the time of application, the following fees:

10 Tourist and travelers facilities and recreation parks:

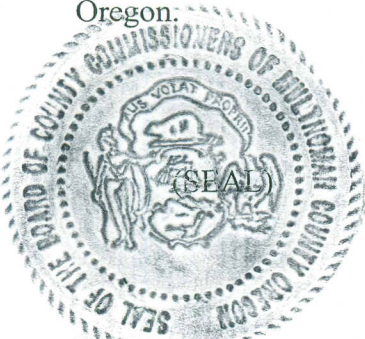
11	1 - 25 units	[\$145]	<u>\$155</u>
12	26 - 50	[\$172]	<u>\$185</u>
13	51 - 75	[\$199]	<u>\$215</u>
14	76 - 100	[\$226]	<u>\$245</u>
15	101 units and over	[\$226]	<u>\$245</u> plus \$1 per unit over
16			101 units
17	Picnic parks	[\$ 59]	<u>\$ 65</u>
18	Organizational camps	[\$118]	<u>\$125</u>
19	Day Camps	[\$ 75]	<u>\$ 80</u>

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22 SECTION 8. AMENDMENT

23 MCC Chapter 5.10 is amended to read as follows:

24 5.10.346 Bed and Breakfast Facilities. Tourist Accommodations license fee. For the
25 services of the Department of Health in connection with the inspection of tourist accommodation
26 facilities as those terms are defined in ORS 446, the department shall collect a [\$59] \$65 annual
27 license fee from each applicant.

ADOPTED this 27th day of October, 1994, being the date of its
second reading before the Board of County Commissioners of Multnomah County,
Oregon:




Beverly Stein, Chair
Multnomah County, Oregon

REVIEWED:


Laurence Kressel, County Counsel
for Multnomah County, Oregon

10/94