

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1023

Amending MCC Chapter 21, Health, Relating to Food Service, Pool and Spa and Tourist and Traveler License Fees and Declaring an Emergency

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

The Multnomah County Board of Commissioners Finds:

- a. MCC §§ 21.152 and 21.612 provide that a reinstatement or late fee may be added to any fee not paid as required with respect to Pool and Spa and Food Services. A late fee should also be added to any fee not paid as required with respect to Tourist Facilities.
- b. There currently is no requirement that all penalties and fees, including but not limited to reinstatement or late fees, be paid before a license is issued or reinstated. All penalties and fees should be brought current before a license is issued or reinstated.

Multnomah County Ordains as follows:

Section 1. MCC §§ 21.150, 21.610, 21.613, 21.650 and 21.651 are amended as follows:

§ 21.150- Swimming Pool License Fee.

For the services of the department in connection with the inspection of public swimming pools, public spa pools, and bathhouses as those terms are defined in ORS 448.005, the department will collect a license fee from each applicant as set by Board resolution based on the number of swimming or spa pools located at the same address, and operated by the same licensee. A license will not be issued until all penalties and fees are brought current. A license expires annually on December 31. The annual license fee must be paid in advance or postmarked to the department on or before midnight December 31 of the preceding license year.

§ 21.610 Food Service License Fee.

For the services of the department in connection with issuance of food service licenses, the department shall collect a fee from every applicant, at the time of application. A license will not be issued until all penalties and fees are brought current. The fees shall be in amounts set by Board resolution.

§ 21.613 Bed and Breakfast Facilities; Food Service License Fees.

For the services of the department in connection with the inspection of food service facilities as those terms are defined in ORS 624, the department shall collect an annual license fee from each applicant in an amount set by Board resolution. A license will not be issued until all penalties and fees are brought current.

§ 21.650- Tourist and Travelers Facilities License Fees.

For the services of the department in connection with the issuance of licenses, the department shall collect from every applicant, at the time of application, fees in amounts set by Board resolution. A license will not be issued until all penalties and fees are brought current.

§ 21.651 Bed and Breakfast Facilities; Tourist Accommodations License Fee.

For the services of the department in connection with the inspection of tourist accommodation facilities, as those terms are defined in ORS 446, the department shall collect an annual license fee from each applicant in an amount set by Board resolution. A license will not be issued until all penalties and fees are brought current.

Section 2. MCC Chapter 21, Health, is amended to add a new section imposing late fees with respect to tourist facilities licensing as follows:

§ 21.652 Late Fees.

(A) The Board by resolution will set a reinstatement or late fee for failure to pay license fees when due.

(B) 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 subsection (A) will be waived.

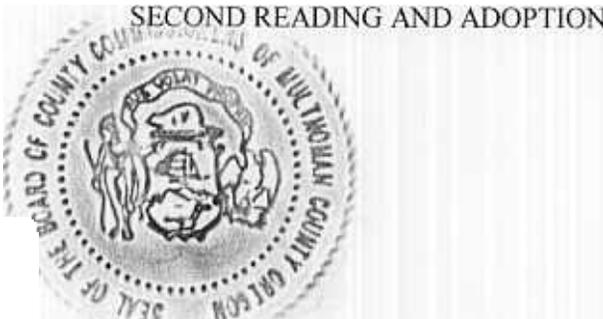
Section 3. An emergency is declared in that it is necessary for the health, safety and general welfare of the people of Multnomah County for this ordinance to take effect upon expiration of annual licenses on December 31st. Under section 5.50 of the Charter of Multnomah County, this ordinance will take effect on January 1, 2004.

FIRST READING:

December 11, 2003

SECOND READING AND ADOPTION

December 18, 2003



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn
Diane M. Linn, Chair

REVIEWED

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By *Jacqueline A. Weber*
Jacqueline A. Weber, Assistant County Attorney