

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS
2 FOR MULTNOMAH COUNTY, OREGON
3 ORDINANCE NO. 834
4

5 An ordinance to amend Ordinance 828, correcting an error in fee schedules for restaurant
6 licenses and declaring an emergency,
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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. PURPOSE

13 MCC Chapter 5.10.322 was amended by Ordinance 828, adopted August 31, 1995. Two words
14 were inadvertently omitted from Ordinance 828. This omission results in a provision which treats
15 benevolent association nontemporary restaurants and other nontemporary restaurants unequally and is
16 inconsistent with existing policy and procedure. This ordinance adds the two words inadvertently
17 omitted from Ordinance 828.
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19 SECTION 2. AMENDMENT

20 Section 2, Ordinance 828 is amended to read as follows:

21 5.10.322 Payment of license fees, reinspection fees and delinquency penalty:

22 (A) Licenses issued under this section terminate and are renewable on December 31 of each
23 year. The renewal of license fees imposed by MCC 5.10.320 through 5.10.345 shall be paid or
24 postmarked on or before midnight of January 31 of the current license year, to the department.

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

1 (C) If the department determines that the delinquency was due to reasonable cause and
2 without any intent to avoid compliance, the penalty provided by subsections (B) and (I) of this section
3 shall be waived.

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

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

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

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

16 (H) The application and license fee for any temporary restaurant shall be received in the
17 Environmental Health Office by noon two working days before the event begins.

18 (I) Except as provided in Subsection (C) and for benevolent organizations as defined in ORS
19 624.015, for any temporary restaurant license not applied and paid for as required in subsection (H) of
20 this section, there shall be added a \$50 Late Processing Fee.

21 (J) Benevolent Organizations are exempt from any Temporary Restaurant license and inspection
22 related fees.

23 (K) For the services of the Department of Health in providing more than two reinspection in a
24 calendar year connected with the operation of a food service facility, the department shall collect a
25 Reinspection Fee for each reinspection in the amount of \$120. Reinspection for the sole purpose of
26 checking the number of food handler cards shall not be subject to this fee.

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2 SECTION 3. EMERGENCY CLAUSE
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4 This ordinance, being necessary for the health, safety and general welfare of the people of
5 Multnomah County, an emergency is declared and this ordinance shall be effective September 30, 1995,
6 to coincide with the effective date of Ordinance 828.
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9 ADOPTED this 19th day of September, 1995, being the date of
10 its first reading before the Board of County Commissioners of Multnomah County,
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13
14 *Beverly Stein*
15 Beverly Stein, Chair
Multnomah County, Oregon

16 REVIEWED:

17
18 *Katie Gaetjens*

19 Katie Gaetjens, Assistant County Counsel, for
20 Laurence Kressel, County Counsel
21 for Multnomah County, Oregon
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