

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR
MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 118

An ordinance relating to administrative procedures for certain County licensing and related functions delegated from the Oregon State Health Division; and declaring an emergency.

Multnomah County ordains as follows:

Section 1. Policy and Purpose.

Pursuant to the Board's order of October 9, 1975, Multnomah County has requested the Administrator of the Oregon State Health Division to delegate responsibility to the County for certain licensing and other functions which Oregon Laws 1975, Chapter 790, authorizes said Administrator to delegate to the state's counties. Under the laws of Oregon, any person aggrieved by a denial, suspension or revocation of a license or certificate in connection with the delegated functions, or otherwise coming within the statutory conditions for the existence of a contested case with respect to such delegated functions, is entitled to a hearing and other administrative procedures which meet the requirements of ORS Chapter 183. The purpose of this ordinance is to establish administrative rules for hearings and other procedures in Multnomah County in connection with the functions delegated to the County pursuant to Oregon Laws 1975, Chapter 790.

Section 2. Adoption of Rules.

Except as otherwise provided in this ordinance, the Board

adopts Division III of the "Attorney General's Model Rules of Procedure Under the Administrative Procedure Act," dated October 22, 1975, together with any provisions of ORS Chapter 183 which are not embodied in said Model Rules and which set forth procedural requirements for contested cases, as the County's rules for hearings and other administrative procedures in connection with contested cases arising from the County's performance of the functions delegated to the County pursuant to Oregon Laws 1975, Chapter 790.

Section 3. Definition.

For purposes of this ordinance, the word "agency" as used in the rules herein adopted shall mean the Board of County Commissioners of Multnomah County, Oregon.

Section 4. Judicial Review.

(1) The notice to parties of their right to judicial review of final orders under Rule 30.70(2) of said rules shall read as follows:

"NOTICE: You are entitled to judicial review of this Order in the manner provided by applicable laws of the State of Oregon."

(2) At such time as the legislature or the courts of Oregon determine what judicial procedures are applicable to review of final orders of the Board of County **Commissioners** under Oregon Laws 1975, Chapter 790, the foregoing form of notice shall be replaced by a notice which specifies the applicable procedures for judicial review.

Section 5. Adoption.

This ordinance being necessary for the immediate preservation

of the public health and safety, an emergency is declared to exist and this ordinance shall take effect upon its adoption.

ADOPTED this 23rd day of December, 1975, being the date of its first reading before the Board of County Commissioners of Multnomah County, Oregon.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

By *Donald S. Clark*
Chairman

APPROVED AS TO FORM:

GEORGE M. JOSEPH
County Counsel for
Multnomah County, Oregon

By *Martin B. Vidgoff*
Martin B. Vidgoff
Deputy County Counsel