

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 697

An ordinance to provide fee schedule changes for the Environmental Health Section of the Department of Human Services.

(Language in brackets [] is to be deleted; underlined language is new)

Multnomah County ordains as follows:

SECTION 1. AMENDMENT.

MCC 5.10.320 is amended to read as follows:

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

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

Seating Capacity 0-15	\$200	
Seating Capacity 16-50	[\$230]	<u>\$260</u>
Seating Capacity 51-100	[\$260]	<u>\$310</u>
Seating Capacity Over 100	[\$290]	<u>\$370</u>
[Commissaries	\$200]	
Limited Service Restaurants	\$200	
<u>Commissaries servicing 1-5</u>		
<u>mobile units and/or 1-50</u>		
<u>vending machines</u>	\$200	
<u>Commissaries servicing 6 or</u>		
<u>more mobile units and/or</u>		
<u>51 or more vending</u>		
<u>machines</u>	\$300	

09/13/91:1

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

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

Seating Capacity 0-15	\$150	
Seating Capacity 16-50	[\$173]	<u>\$195</u>
Seating Capacity 51-100	[\$195]	<u>\$233</u>
Seating Capacity Over 100	[\$218]	<u>\$278</u>
[Commissaries	\$150]	
Limited Service Restaurants	\$150	
<u>Commissaries servicing 1-5</u>		
<u>mobile units and/or 1-50</u>		
<u>vending machines</u>	<u>\$150</u>	
<u>Commissaries servicing 6 or</u>		
<u>more mobile units and/or</u>		
<u>51 or more vending</u>		
<u>machines</u>	<u>\$225</u>	

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

The following fee structure shall apply for full-service restaurants, limited service restaurants, or commissary licenses issued or applied for between July 1 and December 31:

Seating Capacity 0-15	\$100	
Seating Capacity 16-50	[\$115]	<u>\$130</u>
Seating Capacity 51-100	[\$130]	<u>\$155</u>
Seating Capacity Over 100	[\$145]	<u>\$185</u>
[Commissaries	\$100]	
Limited Service Restaurants	\$100	
<u>Commissaries servicing 1-5</u>		
<u>mobile units and/or 1-50</u>		

09/13/91:1

<u>vending machines</u>	<u>\$100</u>
<u>Commissaries servicing 6 or</u>	
<u>more mobile units and/or</u>	
<u>51 or more vending</u>	
<u>machines</u>	<u>\$150</u>

Where there are more than two food service facilities located at the same address and licensed by 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 the following special food service facilities, the following fees shall be charged:

Temporary Restaurants:	[\$ 70]
<u>1 day</u>	<u>\$ 55</u>
<u>2-4 days</u>	<u>\$ 90</u>
<u>5 or more days</u>	<u>\$100</u>

Seasonal Full Service, Commissaries or Limited Service Restaurants Operating Six (6) Months or Less	\$100
---	-------

<u>Smoke Shops: Selling</u> <u>only pre-wrapped food</u> <u>without the use of</u> <u>reusable utensils</u>	<u>\$108</u>
--	--------------

Warehouses	[\$ 100]	<u>\$ 120</u>
Mobile Units	[\$ 70]	<u>\$ 81</u>
Vending machines:		
1 - 10 units	[\$ 100]	<u>\$ 110</u>
11 - 20	[\$ 200]	<u>\$ 220</u>
21 - 30	[\$ 300]	<u>\$ 329</u>
31 - 40	[\$ 350]	<u>\$ 384</u>
41 - 50	[\$ 400]	<u>\$ 438</u>
51 - 75	[\$ 500]	<u>\$ 548</u>
76 - 100	[\$ 600]	<u>\$ 657</u>
101 - 250	[\$ 800]	<u>\$ 875</u>
251 - 500	[\$1,500]	<u>\$1,642</u>
501 - 750	[\$2,400]	<u>\$2,629</u>
751 - 1,000	[\$3,000]	<u>\$3,286</u>

09/13/91:1

1,001 - 1,500	[\$4,000]	<u>\$4,382</u>	
1,502 - 2,000	[\$2,000]	<u>\$4,000</u>	plus \$1 each 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 Human Services 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 [a \$100 fee from each applicant; and in connection with the review of plans for the remodeling of food service facilities, the department shall collect a [\$50] \$100 fee from each applicant;] the following fees:

<u>Mobile units</u>	<u>\$ 90</u>
<u>Minor remodeling</u>	<u>\$ 90</u>
<u>Major remodeling</u>	<u>\$180</u>
<u>New construction</u>	<u>\$225</u>

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

SECTION 3. AMENDMENT.

MCC Chapter 5.10.322 is amended to read as follows:

5.10.322 Payment of license fees and delinquency penalty:

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

(B) Except as provided in subsection (C) of this section, to any

09/13/91:1

1 license fee not paid as required in subsection (A) and (D) of this
2 section, there shall be added a penalty of fifty percent of such license
3 fees.

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

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

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

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

21 (G) The license fee for a temporary restaurant operating on an
22 intermittent basis at the same specific location in a grouping of less
23 than six (6) such restaurants shall be \$90 per month for the first four
24 (4) months of operation within a calendar year, and \$30 per month for
25 the remainder of the year.

26
09/17/91:1

1 SECTION 4. AMENDMENT.

2 MCC 5.10.323 is amended to read as follows:

3 5.10.323 Bed and Breakfast facilities. Food service license fees:
 4 For the services of the Department of Human Services in connection with
 5 the inspection of food service facilities as those terms are defined in
 6 ORS 624, the department shall collect a [\$100] \$107 annual license fee
 7 from each applicant.

8
 9 SECTION 5. AMENDMENT.

10 MCC 5.10.340 is amended to read as follows:

11 5.10.340 Swimming pool license fee. For the services of the
 12 Department of Human Services in connection with the inspection of public
 13 swimming pools, public spa pools, and bathhouses as those terms are
 14 defined in ORS 448.005, the department shall collect a [\$150] \$164
 15 annual license fee from each applicant, except where more than one
 16 public swimming pool or public spa pool is located at the same address,
 17 and operated by the same licensee, in which case the annual license fee
 18 shall be as follows:

19 For the first three pools	[\$150]	<u>\$165</u>
20 For each additional pool	[\$ 75]	<u>\$ 82</u>

21
 22 SECTION 6. AMENDMENT.

23 MCC 5.10.341 is amended to read as follows:

24 5.10.341 Swimming pool and spa plan review. For the services of
 25 the Department of Human Services in connection with the review of plans
 26 for the construction of public swimming pools, public spa pools and bath

09/13/91:1

houses as those terms are defined in ORS 448.005 the department shall collect a [~~\$400~~] \$440 fee from each applicant.

SECTION 7. AMENDMENT

MCC 5.10.345 is amended to read as follows:

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

Tourist and travelers facilities and recreation parks:

1 - 25 units	[\$ 75]	<u>\$135</u>	
26 - 50	[\$100]	<u>\$160</u>	
51 - 75	[\$125]	<u>\$185</u>	
76 - 100	[\$150]	<u>\$210</u>	
101 and over	[\$150]	<u>\$210</u>	plus \$1 per unit over 101 units
Recreational parks		\$100	
Picnic parks	[\$ 50]	<u>\$ 55</u>	
Organizational camps	[\$100]	<u>\$110</u>	

SECTION 8. AMENDMENT.

MCC Chapter 5.10 is amended to read as follows:

5.10.346 Bed and Breakfast Facilities. Tourist Accommodations license fee. For the service of the Department of Human Service in connection with the inspection of tourist accommodation facilities as those terms are defined in ORS 446, the department shall collect a [~~\$50~~] \$55 annual license fee from each applicant.

ADOPTED this 26th day of September, 1991, being the date of its second reading before the Board of County Commissioners of Multnomah County. ADOPTED this 26th day of September,

09/13/91:1

1 1991, being the date of its second reading before the Board of
2 County Commissioners of Multnomah County, Oregon.



7
8
9

Gladys McCoy
Gladys McCoy, Chair
Multnomah County, Oregon

10
11
12

REVIEWED:

13
14
15
16
17
18
19
20
21
22
23
24
25
26

Laurence Kressel
Laurence Kressel, County Counsel
of Multnomah County, Oregon

M:\FILES\001HHL.ORD\mw

09/13/91:1