

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	[ <del>\$230</del> ]	<u>\$260</u>
Seating Capacity 51-100	[ <del>\$260</del> ]	<u>\$310</u>
Seating Capacity Over 100	[ <del>\$290</del> ]	<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 more mobile units and/or 51 or more vending 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 only pre-wrapped food without the use of 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>
<u>251 - 500</u>	<u>[\$1,500]</u>	<u>\$1,642</u>
<u>501 - 750</u>	<u>[\$2,400]</u>	<u>\$2,629</u>
751 - 1,000	[\$3,000]	<u>\$3,286</u>

09/13/91:1

1	1,001 - 1,500	[\$4,000]	<u>\$4,382</u>	
2	1,502 - 2,000	[\$2,000]	<u>\$4,000</u>	plus \$1 each over 2,000 units

3 SECTION 2. AMENDMENT.

4 MCC Chapter 5.10 is amended to read as follows:

5 5.10.321 Food Service Plan Review. For the services of the  
6 Department of Human Services in connection with the review of plans for  
7 the construction of food service facilities as those terms are defined  
8 in ORS 624, the department shall collect [a \$100 fee from each  
9 applicant; and in connection with the review of plans for the remodeling  
10 of food service facilities, the department shall collect a [\$50] \$100  
11 fee from each applicant;] the following fees:

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

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

18 SECTION 3. AMENDMENT.

19 MCC Chapter 5.10.322 is amended to read as follows:

20 5.10.322 Payment of license fees and delinquency penalty:

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

26 (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	[ <del>\$150</del> ]	<u>\$165</u>
20	For each additional pool	[ <del>\$ 75</del> ]	<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

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

3 SECTION 7. AMENDMENT

4 MCC 5.10.345 is amended to read as follows:

5 5.10.345 Tourist and travelers facilities license fees. For the  
 6 services of the Department of Human Services in connection with the  
 7 issuance of licenses the department shall collect from every applicant  
 8 at the time of application, the following fees:

9 Tourist and travelers facilities and recreation parks:

10	1 - 25 units	[\$ 75]	<u>\$135</u>	
	26 - 50	[\$100]	<u>\$160</u>	
11	51 - 75	[\$125]	<u>\$185</u>	
	76 - 100	[\$150]	<u>\$210</u>	
12	101 and over	[\$150]	<u>\$210</u>	plus \$1 per unit over 101 units
13				
14	Recreational parks		\$100	
15	Picnic parks	[\$ 50]	<u>\$ 55</u>	
	Organizational camps	[\$100]	<u>\$110</u>	

17 SECTION 8. AMENDMENT.

18 MCC Chapter 5.10 is amended to read as follows:

19 5.10.346 Bed and Breakfast Facilities. Tourist Accommodations  
 20 license fee. For the service of the Department of Human Service in  
 21 connection with the inspection of tourist accommodation facilities as  
 22 those terms are defined in ORS 446, the department shall collect a [~~\$50~~]  
 23 \$55 annual license fee from each applicant.

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



3  
4 *Gladys McCoy*  
5 \_\_\_\_\_  
6 Gladys McCoy, Chair  
Multnomah County, Oregon

7 REVIEWED:  
8 *Laurence Kressel* (for)  
9 \_\_\_\_\_  
Laurence Kressel, County Counsel  
of Multnomah County, Oregon

10  
11  
12 M:\FILES\001HHL.ORD\mw

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

09/13/91:1