

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. 2018-113

Establishing Fees, Charges, and Penalties for Chapter 21, Health, of the Multnomah County Code, and Repealing Resolution No. 2017-088.

The Multnomah County Board of Commissioners Finds:

- a. Chapter 21, Health, of the Multnomah County Code provides that the Board shall establish certain fees, charges, and penalties by resolution.
- b. The Board adopted Resolution 2017-088 establishing fees and charges for MCC Chapter 21, Health, on October 1, 2017.
- c. The Board wishes to update existing fee to recover actual service costs effective January 1st, 2019.

The Multnomah County Board of Commissioners Resolves:

1. Effective January 1, 2018, the fees and charges for Chapter 21, Health, of the Multnomah County Code are set as follows:

Section 21.150. SWIMMING POOL, SPA, WADING POOL LICENSE FEE

| | |
|--|-------|
| First two pools/spas/wading pools, each: | \$810 |
| Each additional pool/spa/wading pool: | \$285 |
| First two seasonal pools/spas, each: | \$415 |
| Each additional seasonal pool/spa: | \$285 |
| Each seasonal wading pool: | \$490 |

Section 21.151. SWIMMING POOL AND SPA PLAN REVIEW FEES

| | |
|---|---------|
| Minor Plan Review | \$265 |
| Plan review, New Construction or Complete Replacement >=2,000 square feet | \$1,715 |
| Plan review, New Construction or Complete Replacement <2,000 square feet | \$1,365 |
| Renewal of construction permit pool or spa | \$95 |

The definition of minor plan review, new construction or complete replacement shall be established by department administrative policy.

Section 21.152 MORE THAN 2 RECHECKS PER YEAR, REINSTATEMENT AND LATE FEES

- (A) More than 2 rechecks per year, each \$190
- (B) Reinstatement or Late Fee 50% of fee

Section 21.408. APPLICATION FOR LICENSE (EMS)

Each ambulance: \$250

Section 21.561 TOBACCO RETAIL LICENSE REQUIRED and Section 21.563 PROHIBITED ACTIVITIES:

The civil penalties for violating any provision of these subchapters related to tobacco retail facilities includes:

| | |
|--|---|
| 1 st violation | \$500 Fine and mandatory training |
| 2 nd violation within 60 months | \$500 Fine and 30 day license suspension |
| 3 rd violation within 60 months | \$750 Fine and 90 day license suspension |
| 4 th violation within 60 months | \$1,000 Fine and license revocation for 2 years |

Section 21.567: APPEALS AND HEARINGS

Appeal fee: \$50.00

Section 21.568: TOBACCO RETAIL FEES AND PENALTY

Fees imposed under this section are:

Tobacco Retail License Fee: \$580

Tobacco Retail Facility Rechecks, more than 1 recheck per year, each \$155

Late Fee: 50% of fee

Section 21.605. CERTIFICATE FEES

- (A) All food handlers trained under MCC 21.603 shall pay the health department a \$5 fee for the issuance of an original food handler's certificate.
- (B) All other food handlers shall pay the health department a program participation fee at \$5.00 for certification and \$5.00 for each test or retest.
- (C) All food handlers shall pay the health department a \$5 fee for the issuance of a replacement certificate when issued in person. Replacement certificates issued online are free.

Section 21.610. FOOD SERVICE LICENSE FEE.

For the services of the department of health 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 commissary licenses issued or applied for between January 1 and September 30:

| | |
|-----------------------------|---------|
| Seating capacity 0 – 15 | \$675 |
| Seating capacity 16 – 50 | \$800 |
| Seating capacity 51 – 150 | \$895 |
| Seating capacity over 150 | \$1,070 |
| Limited-service restaurants | \$620 |
| | |
| Commissaries | \$500 |

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

| | |
|-----------------------------|-------|
| Seating capacity 0 – 15 | \$340 |
| Seating capacity 16 – 50 | \$400 |
| Seating capacity 51 – 150 | \$450 |
| Seating capacity over 150 | \$535 |
| Limited-service restaurants | \$310 |
| | |
| Commissaries | \$250 |

For the following special food service facilities, the following fees shall be charged for licenses issued or applied for:

| | |
|---|-------|
| Temporary restaurants: | |
| Operational Review for Seasonal and Intermittent | \$95 |
| Temporary Event, 30 Day Intermittent | \$150 |
| Temporary Event, 1-30 Day Single Event | \$150 |
| Temporary Event, 90 Day Seasonal | \$150 |
| | |
| Warehouses | \$440 |
| | |
| Mobile units, Class I, II, and III as defined by OAR 333-162-0020 | \$525 |
| Mobile units, Class IV as defined by OAR 333-162-0020 | \$640 |

| | | |
|-------------------|---------------|---------|
| Vending Machines: | | |
| | 1-10 units | \$485 |
| | 11-20 units | \$540 |
| | 21-30 units | \$630 |
| | 31-40 units | \$790 |
| | 41-50 units | \$910 |
| | 51-75 units | \$1,235 |
| | 76-100 units | \$1,575 |
| | 101-250 units | \$2,225 |
| | 251-500 units | \$2,885 |

| | | |
|--|-----------------|---------|
| | 501-750 units | \$3,580 |
| | 751-1,000 units | \$4,195 |
| | 1,001-1500 | \$4,860 |
| | > 1500 | \$5,525 |

The following fee structure shall apply for limited service, combined facilities limited service, mobile units, warehouses or vending machines issued or applied for between October 1 and December 31:

| | | |
|--|-----------------|---------|
| Warehouses | | \$220 |
| Mobile units, Class I, II, and III, as defined by OAR 333-162-0020 | | \$265 |
| Mobile units, Class IV, as defined by OAR 333-162-0020 | | \$320 |
| Vending Machines: | | |
| | 1-10 units | \$245 |
| | 11-20 units | \$270 |
| | 21-30 units | \$315 |
| | 31-40 units | \$395 |
| | 41-50 units | \$455 |
| | 51-75 units | \$620 |
| | 76-100 units | \$790 |
| | 101-250 units | \$1,115 |
| | 251-500 units | \$1,445 |
| | 501-750 units | \$1,790 |
| | 751-1,000 units | \$2,100 |
| | 1,001-1,500 | \$2,430 |
| | >1,500 | \$2,765 |

When a facility receives two consecutive failing inspections, it will be placed into an increased frequency inspection schedule. This schedule will double the frequency of receiving full inspections. (E.g. A restaurant that normally receives two inspections per year will receive an additional two inspections in that year.) This increased frequency schedule will continue until the facility receives a passing grade for four consecutive full inspections. Facilities will also be asked to pay for each additional full inspection it receives. The fee amount to be paid will equal to half of that facility's annual license fee.

Section 21.611. FOOD SERVICE PLAN REVIEW

| | Regular Review Fee | Expedited Review Fee (review of complete application guaranteed in two business days) |
|------------------------------|--------------------|---|
| Mobile unit plan review | \$550 | \$1,650 |
| Remodel Plan Review | \$825 | \$2,475 |
| New construction Plan Review | \$875 | \$2,625 |

Benevolent organizations are subject to food service plan review fees.

Section 21.612. PAYMENT OF LICENSE FEES, REINSPECTION FEES;
DELINQUENCY.

(B) Reinstatement or Late Fee 50% of fee

(G) Temporary Restaurant License Late Fee \$150

(H) Food Service Benevolent Administrative Processing Fee

For the administrative services of the department of health in connection with Benevolent organization defined in ORS 624.028 and 624.067 \$50

(I) Inspection of mobile unit licensed
In another jurisdiction \$25

Section 21.613. BED AND BREAKFAST FACILITIES; FOOD SERVICE LICENSE FEES.

Annual license fee \$290

Section 21.650. TOURIST AND TRAVELERS FACILITIES LICENSE FEES.

| Tourist and travelers facilities and recreation parks: | | |
|--|-----------------------|--|
| | 1-25 units: | \$345 |
| | 26-50 units: | \$355 |
| | 51-75 units: | \$425 |
| | 76-100 units | \$455 |
| | 101 units and over: | \$475 plus \$1 per unit over 100 units |
| Recreational Vehicle Parks | | |
| | 1-25 units | \$710 |
| | 26-50 units | \$725 |
| | 51-75 units | \$740 |
| | 76-100 units | \$760 |
| | 100 units and over | \$770 plus \$1 per unit over 100 units |
| | | |
| | | |
| | Picnic parks: | \$390 |
| | Organizational camps: | \$530 |
| | Day camps | \$350 |

Section 21.651. BED AND BREAKFAST FACILITIES; TOURIST ACCOMMODATIONS LICENSE FEE.

Annual license fee \$215

Section 21.652 REINSTATEMENT AND LATE FEES

(B) Reinstatement or Late Fee 50% of fee

Section 21.708. HEARING.

Deposit for each witness
subpoenaed for hearing \$15

2. This Resolution is effective and Resolution 2016-105 is repealed effective January 1, 2018.

ADOPTED this 15th day of November 2018.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury

Deborah Kafoury, Chair

REVIEWED:
JENNY MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By *Bernadette D. Nunley* for:
Bernadette D. Nunley, Assistant County Attorney

SUBMITTED BY: Wendy Lear, Acting Co-Director of the Department of Health