

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

RESOLUTION NO. 2019-019

Establishing Fees, Charges, and Penalties for Chapter 21, Health, of the Multnomah County Code, and Repealing Resolution No. 2018-113.

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 2018-113 establishing fees and charges for MCC Chapter 21, Health, on November 15, 2018.
- c. The Board wishes to update existing fees to recover actual service costs effective January 1, 2019.

The Multnomah County Board of Commissioners Resolves:

1. Effective January 1, 2019, 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

Effective July 1, 2019, fees imposed under this section are:

Tobacco Retail License Fee: \$683

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 foot 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 2018-113 is repealed effective January 1, 2019.

ADOPTED this 14th day of March, 2019.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury

Deborah Kafoury, Chair

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

By *Robert E. Sinnott*
Robert E. Sinnott, Senior Assistant County Attorney

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