

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

RESOLUTION NO. 2016-061

Establishing Fees, Charges, and Penalties for Chapter 21, Health, of the Multnomah County Code, and Repealing Resolution No. 2015-086

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 No. 2015-086 establishing fees and charges for MCC Chapter 21, Health, on August 6, 2015.
- c. The Board wishes to update and replace Resolution No. 2015-086 to include fees and penalties associated with Sections 21.561, 21.567, and 21.568 and to recover actual program costs associated with tobacco retail licensing effective July 1, 2016. The remainder of the fees and charges in Chapter 21 are unchanged.

The Multnomah County Board of Commissioners Resolves:

1. Effective January 1, 2016, the fees and charges for Chapter 21, Health, of the Multnomah County Code are set as follows:

Section 21.150. SWIMMING POOL LICENSE FEE

First two pools, each:	\$650
Each additional pool:	\$230
First two seasonal pools, each:	\$335
Each additional seasonal pool:	\$230

Section 21.151. SWIMMING POOL AND SPA PLAN REVIEW FEES

Minor Plan Review	\$210
Plan review, New Construction or Complete Replacement $\geq 2,000$ square feet	\$1,375
Plan review, New Construction or Complete Replacement $< 2,000$ square feet	\$1,100
Renewal of construction permit pool or spa	\$75

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 \$155

(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	\$540
Seating capacity 16 – 50	\$640
Seating capacity 51 – 150	\$715
Seating capacity over 150	\$855
Limited-service restaurants	\$495
Commissaries	\$400

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	\$270
Seating capacity 16 – 50	\$320
Seating capacity 51 –150	\$360
Seating capacity over 150	\$430
Limited-service restaurants	\$250
Commissaries	\$200

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	\$85
Temporary Event, 30 Day Intermittent	\$120
Temporary Event, 1-30 Day Single Event	\$120
Temporary Event, 90 Day Seasonal	\$120
Warehouses	\$350
Mobile units, Class I, II, and III as defined by OAR 333-162-0020	\$420
Mobile units, Class IV as defined by OAR 333-162-0020	\$510

Vending Machines:		
	1-10 units	\$385
	11-20 units	\$435
	21-30 units	\$505
	31-40 units	\$635
	41-50 units	\$730
	51-75 units	\$995
	76-100 units	\$1,260
	101-250 units	\$1,785
	251-500 units	\$2,315

	501-750 units	\$2,875
	751-1,000 units	\$3,370
	1,001-1500	\$3,905
	> 1500	\$4,435

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		\$175
Mobile units, Class I, II, and III, as defined by OAR 333-162-0020		\$210
Mobile units, Class IV, as defined by OAR 333-162-0020		\$255
Vending Machines:		
	1-10 units	\$190
	11-20 units	\$220
	21-30 units	\$250
	31-40 units	\$320
	41-50 units	\$365
	51-75 units	\$500
	76-100 units	\$630
	101-250 units	\$895
	251-500 units	\$1,160
	501-750 units	\$1,440
	751-1,000 units	\$1,685
	1,001-1,500	\$1,955
	>1,500	\$2,220

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 facilities 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	\$445	\$1,335
Remodel Plan Review	\$660	\$1,980
New construction Plan Review	\$695	\$2,080

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 \$120
- (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 \$30

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

Annual license fee \$235

Section 21.650. TOURIST AND TRAVELERS FACILITIES LICENSE FEES.

Tourist and travelers facilities and recreation parks:		
	1-25 units:	\$275
	26-50 units:	\$280
	51-75 units:	\$345
	76-100 units	\$365
	101 units and over:	\$380 plus \$1 per unit over 100 units
Recreational Vehicle Parks		
	1-25 units	\$570
	26-50 units	\$585
	51-75 units	\$595
	76-100 units	\$605
	100 units and over	\$615 plus \$1 per unit over 100 units
	Picnic parks:	\$310
	Organizational camps:	\$425
	Day camps	\$280

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

Annual license fee \$170

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 2015-086 is repealed on July 1, 2016.

ADOPTED this 16th day of June, 2016.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury, Chair

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

By

Bernadette D. Nunley, Assistant County Attorney

SUBMITTED BY: Joanne Fuller, Director of the Department of Health.