

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Establishing Fees, Charges, and Penalties for Chapter 21, Health, of the Multnomah County Code, and Repealing Resolution No. 2016-~~064~~105

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 2016-~~105~~064 establishing fees and charges for MCC Chapter 21, Health, on ~~June 16~~October 20, 2016.
- c. The Board wishes to update existing fee to recover actual service costs effective January 1st, 2018~~7~~.

The Multnomah County Board of Commissioners Resolves:

1. Effective January 1, 2018~~7~~, 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/ <u>spas/wading pools</u> , each:	<u>\$740770</u>
Each additional pool/ <u>spa/wading pool</u> :	<u>\$260270</u>
First two seasonal pools/ <u>spas</u> , each:	<u>\$380395</u>
Each additional seasonal pool/ <u>spa</u> :	<u>\$260270</u>
<u>Each seasonal wading pool</u> :	<u>\$465</u>

Section 21.151. SWIMMING POOL AND SPA PLAN REVIEW FEES

Minor Plan Review	<u>\$240250</u>
Plan review, New Construction or Complete Replacement >=2,000 square feet	<u>\$1,5651,630</u>
Plan review, New Construction or Complete Replacement <2,000 square feet	<u>\$1,2501,300</u>
Renewal of construction permit pool or spa	<u>\$8590</u>

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 \$475180
- (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	\$ <u>615640</u>
Seating capacity 16 – 50	\$ <u>730760</u>
Seating capacity 51 – 150	\$ <u>815850</u>
Seating capacity over 150	\$ <u>9751,015</u>
Limited-service restaurants	\$ <u>565590</u>
Commissaries	\$ <u>455475</u>

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	\$ <u>310320</u>
Seating capacity 16 – 50	\$ <u>635380</u>
Seating capacity 51 – 150	\$ <u>410425</u>
Seating capacity over 150	\$ <u>490505</u>
Limited-service restaurants	\$ <u>285295</u>
Commissaries	\$ <u>230235</u>

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	\$ <u>8590</u>
Temporary Event, 30 Day Intermittent	\$ <u>135140</u>
Temporary Event, 1-30 Day Single Event	\$ <u>135140</u>
Temporary Event, 90 Day Seasonal	\$ <u>135140</u>
Warehouses	\$ <u>400415</u>
Mobile units, Class I, II, and III as defined by OAR 333-162-0020	\$ <u>480500</u>
Mobile units, Class IV as defined by OAR 333-162-0020	\$ <u>580605</u>

Vending Machines:	
1-10 units	\$ <u>440460</u>
11-20 units	\$ <u>495515</u>
21-30 units	\$ <u>575600</u>
31-40 units	\$ <u>720750</u>
41-50 units	\$ <u>830865</u>
51-75 units	\$ <u>11301,175</u>
76-100 units	\$ <u>1,4351,495</u>
101-250 units	\$ <u>2,0302,115</u>
251-500 units	\$ <u>2,6352,745</u>

	501-750 units	<u>\$3,2703,405</u>
	751-1,000 units	<u>\$3,8303,990</u>
	1,001-1500	<u>\$4,4404,625</u>
	> 1500	<u>\$5,0455,255</u>

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		<u>\$200205</u>
Mobile units, Class I, II, and III, as defined by OAR 333-162-0020		<u>\$240250</u>
Mobile units, Class IV, as defined by OAR 333-162-0020		<u>\$290300</u>
Vending Machines:		
	1-10 units	<u>\$220230</u>
	11-20 units	<u>\$250255</u>
	21-30 units	<u>\$290300</u>
	31-40 units	<u>\$360375</u>
	41-50 units	<u>\$415430</u>
	51-75 units	<u>\$565585</u>
	76-100 units	<u>\$720750</u>
	101-250 units	<u>\$10151,055</u>
	251-500 units	<u>\$1,3201,370</u>
	501-750 units	<u>\$1,6351,700</u>
	751-1,000 units	<u>\$1,9151,995</u>
	1,001-1,500	<u>\$2,2202,310</u>
	>1,500	<u>\$2,5202,625</u>

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	<u>\$505525</u>	<u>\$1,5201,575</u>
Remodel Plan Review	<u>\$750780</u>	<u>\$2,2502,340</u>
New construction Plan Review	<u>\$790825</u>	<u>\$2,3652,475</u>

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 [\\$135140](#)

(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 [\\$265275](#)

Section 21.650. TOURIST AND TRAVELERS FACILITIES LICENSE FEES.

Tourist and travelers facilities and recreation parks:		
	1-25 units:	\$315330
	26-50 units:	\$320335
	51-75 units:	\$390405
	76-100 units	\$415430
	101 units and over:	\$430-450 plus \$1 per unit over 100 units
Recreational Vehicle Parks		
	1-25 units	\$650675
	26-50 units	\$665690
	51-75 units	\$675705
	76-100 units	\$690720
	100 units and over	\$700-730 plus \$1 per unit over 100 units
	Picnic parks:	\$355370
	Organizational camps:	\$485505
	Day camps	\$320335

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

Annual license fee [\\$195205](#)

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-~~105061~~ is repealed effective January 1, 201~~78~~.

ADOPTED this ____ day of _____ 201~~67~~.

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