

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 2021-061

Establishing Fees, Charges, and Penalties for Chapter 21, Health, of the Multnomah County Code, and Repealing Resolution No. 2021-005

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 2021-005 establishing fees and charges for MCC Chapter 21, Health, on January 28th, 2021.
- c. The Board wishes correct an error on resolution 2021-005 that inadvertently removed food cart pod fees.

The Multnomah County Board of Commissioners Resolves:

- 1. Effective January 1, 2021, 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:	\$880
Each additional pool/spa/wading pool:	\$310
First two seasonal pools/spas, each:	\$450
Each additional seasonal pool/spa:	\$310
Each seasonal wading pool:	\$530

Section 21.151. SWIMMING POOL AND SPA PLAN REVIEW FEES

Minor Plan Review	\$290
Plan review, New Construction or Complete Replacement >=2,000 square feet	\$1,860
Plan review, New Construction or Complete Replacement <2,000 square feet	\$1,480

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 \$205
- (B) Reinstatement or Late Fee \$100

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: \$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	\$730
Seating capacity 16 – 50	\$865
Seating capacity 51 – 150	\$970
Seating capacity over 150	\$1,160
Limited-service restaurants	\$670
Commissaries	\$540

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	\$365
Seating capacity 16 – 50	\$430
Seating capacity 51 –150	\$485
Seating capacity over 150	\$580
Limited-service restaurants	\$335
Commissaries	\$270

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	\$105
Temporary Event, 30 Day Intermittent	\$160
Temporary Event, 1-30 Day Single Event	\$160
Temporary Event, 90 Day Seasonal	\$160
Warehouses	\$475
Mobile units, Class I, II, and III as defined by OAR 333-162-0020	\$570
Mobile units, Class IV as defined by OAR 333-162-0020	\$690

Vending Machines:	
1-10 units	\$525
11-20 units	\$585
21-30 units	\$680
31-40 units	\$855
41-50 units	\$985
51-75 units	\$1,340
76-100 units	\$1,705
101-250 units	\$2,410

	251-500 units	\$3,120
	501-750 units	\$3,880
	751-1,000 units	\$4,540
	1,001-1500	\$5,260
	> 1500	\$5,980

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		\$240
Mobile units, Class I, II, and III, as defined by OAR 333-162-0020		\$285
Mobile units, Class IV, as defined by OAR 333-162-0020		\$345
Vending Machines:		
	1-10 units	\$260
	11-20 units	\$290
	21-30 units	\$340
	31-40 units	\$430
	41-50 units	\$490
	51-75 units	\$670
	76-100 units	\$850
	101-250 units	\$1,205
	251-500 units	\$1,560
	501-750 units	\$1,940
	751-1,000 units	\$2,270
	1,001-1,500	\$2,630
	>1,500	\$2,990

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	\$595	\$1,790
Remodel Plan Review	\$890	\$2,680
New construction Plan Review	\$950	\$2,840

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 \$100
- (G) Temporary Restaurant License Late Fee \$100
- (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 \$315

Section 21.634 FOOD CART POD FEES AND PENALTY

Food Cart Pods		
	2-9 units permit:	\$405
	10 units and over permit	\$540
	Food cart pod plan review	\$580
	Food cart pod re-inspection	\$205
	Late fee	\$100

Section 21.650. TOURIST AND TRAVELERS FACILITIES LICENSE FEES.

Tourist and travelers facilities and recreation parks:		
	1-25 units:	\$370
	26-50 units:	\$380
	51-75 units:	\$460
	76-100 units	\$490
	101 units and over:	\$510 plus \$1 per unit over 100 units
Recreational Vehicle Parks		
	1-25 units	\$770
	26-50 units	\$785
	51-75 units	\$800
	76-100 units	\$820
	100 units and over	\$830 plus \$1 per unit over 100 units

	Picnic parks:	\$420
	Organizational camps:	\$570

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

Annual license fee \$230

Section 21.652 REINSTATEMENT AND LATE FEES

(B) Reinstatement or Late Fee \$100

Section 21.708. HEARING.

Deposit for each witness subpoenaed for hearing \$15

2. This Resolution is effective and Resolution 2021-005 is repealed effective

ADOPTED this 24th day of June, 2021.



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: Ebony Clarke, Interim Director of the Department of Health