

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: March 17, 2015 **Approx Start Time:** 3:00 **Approx Length:** 60 min

Presentation Title: Proposed Fee and Fine Changes for FY 2015-16

Department: County Administration

Presenters: Deputy County Administrator Laurel Butman

Other Invitees: Parks: Gary Barth & Rick Gruen; Transportation & Development: Barb Cartmill & Diedre Landon; H3S: Rich Swift, Julie Hamilton & Sherry Whitehead

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

We are seeking preliminary approval of the comprehensive fee schedule for inclusion in FY 2015-16 budget proposals.

EXECUTIVE SUMMARY:

This is the annual review of proposed fees and fines for the coming fiscal year. Each year, the Board of County Commissioners sets fees and fines along with adoption of the budget for the coming fiscal year. Early review and preliminary approval of proposed fees and fines allows County departments to integrate those proposals into the requested budgets they submit to the County Administrator.

For purposes of this policy session, only departments with revisions to their fees and/or fines are represented with revised, new, or discontinued items highlighted.

A summary of changes is as follows; the attachments listed below include the proposed fees/fine.

County Parks is proposing several FINE adjustments for FY 2015-16 to ensure consistency with recent ordinance changes. Most fines are within the currently established range. Approval of this fine schedule will also adjust the upper limits for some violations related to parking fees, noise, disturbance, and alcohol as many are outdated and inconsistent with similar civil fine amounts.

The proposed fine schedule also includes a *new violation* for failure to properly display a parking receipt or pay envelope. This change will also come to the Board for separate action as a Parks ordinance policy change recommendation. The rationale is that Parks has had a number of parking citations overturned by the Hearings Officer. While Counsel has understood the failure to properly display is consistent showing with proof of payment, the Hearings Officer is much more literal and his findings state there is no ordinance and therefore no violation for not displaying parking receipts properly. Thus, there is the need to adopt an accompanying ordinance to establish the violation.

H3S, Environmental Health is raising fees because the current fees set in FY 2006-07 no longer cover the costs associated with providing and administering services. In FY 2013-14, the Environmental Health Program exhausted its fund balance and fell into a deficit. H3S covered the deficit with General Fund resources already assigned to the Public Health Division. State revenue support for this program is limited and has been flat for many years. A fee increase is the most viable option to rectify this situation.

Moving forward, the goal is for the Environmental Health Program to be self-supporting with a fee schedule based on a cost of service formula. For FY 2015-16 the projected revenue from the fee increases is \$126,894. For FY 2016-17 and annually thereafter, the division will propose approval of an additional increase to offset COLA expenses with a full fee review every five years.

The State sets a general fee for these services with county fees expected to be within a range of 20% below to 20% above. If proposed fee increase is out of 20% range, the local jurisdiction will set the fee according to cost. The State retains authority to override local jurisdiction decisions if they are not justified.

Transportation & Development is revising some fees for several reasons including: covering rising actual costs; achieving increased cost recovery; regulatory changes; adding process efficiencies; and better capturing staffing costs spent in initial review even if proposals ultimately do not move forward.

NOTE: All fee/fine changes are highlighted in yellow on the attachments.

FINANCIAL IMPLICATIONS (current year and ongoing):

Fee and fine changes respond to constituent and market forces and demands as well as local, state, or other regulatory changes. For departments dependent on cost recovery to provide required levels of service, annual adjustments allow them to keep pace with economic changes.

LEGAL/POLICY REQUIREMENTS:

Unless otherwise delegated, the Board of County Commissioners establishes fees and fines as part of the annual budget adoption process.

PUBLIC/GOVERNMENTAL PARTICIPATION:

The Budget Committee meets for several days of review and hearings in the spring. Fees and fines are at that point integrated into the Administrator’s Proposed Budget and subject to further review. The Board of County Commissioners formally sets the fees and fines at the budget adoption hearing in June.

OPTIONS:

1. Approve the proposed fees and fines for integration into departmental budgets.
2. Provide further direction to departments regarding proposed fees and fines.

RECOMMENDATION:

Staff respectfully recommends approval of proposed departmental fees and fines for integration into departmental budgets.

ATTACHMENTS:

1. Attachment A: County Parks Fine Changes for FY 2015-16
2. Attachment B: Environmental Health Fee Changes for FY 2015-16
3. Attachment C: Environmental Health Statewide Fee Comparison
4. Attachment D: Transportation & Development Fee Changes for FY 2015-16

SUBMITTED BY:

Division Director/Head Approval _____

Department Director/Head Approval _____

County Administrator Approval _____ **LB** _____

For information on this issue or copies of attachments, please contact Laurel Butman @ 503-655-8893

Fiscal Impact Statement

RESOURCES:

Is this item in your current work plan and budget?

YES

NO (but to be included in requested budgets for FY 2015-16)

START-UP EXPENSES AND STAFFING (if applicable): N/A

ONGOING OPERATING EXPENSES/SAVINGS AND STAFFING (if applicable): N/A

ANTICIPATED RESULTS: Noted in worksheet and attachments

COSTS & BENEFITS: Noted in worksheet and attachments

Attachment A – County Parks **FINE** Changes for FY 2015-16

VIOLATION DESCRIPTION	AUTHORIZING LEGISLATION	Fine set by ORS	ORS auth. fine	Code auth. fine	CURRENT Fine Amount 2014-2015	PROPOSED Fine amount
Entering, using park area or facilities without first paying the required fee	Code §6.06.030.D			X	\$20-\$34	\$40
Failure to properly display parking permit (NEW FINE)	Code §6.06.030.D			X	n/a	\$40
Remaining in or returning to a park area after being ordered to leave	Code §6.06.030.G			X	\$25-\$100	\$100
Entering, remaining in park or leaving vehicle in a park between posted closing/opening time, except when overnight camping permitted	Code §6.06.030.J			X	\$25-\$55	\$55
Failure to maintain campsite in clean, sanitary and safe manner	Code §6.06.030.M			X	\$20	\$34
Occupying a campsite assigned to another person	Code §6.06.030.N			X	\$20	\$34
More than two vehicles in a campsite	Code §6.06.030.O			X	\$20	\$34
Entering campground in unauthorized vehicle	Code §6.06.030.P			X	\$20	\$34
Occupying trailer campsite in shelter other than trailer/camper	Code §6.06.030.Q			X	\$20	\$34
Occupying campsite by more than 1 family without permission	Code §6.06.030.R			X	\$20	\$34
Camping overnight under the age of 18, unless accompanied by an adult	Code §6.06.030.R.3			X	\$20	\$34
Failure to vacate campsite by checkout time	Code §6.06.040.E			X	\$55	\$55
Entering, remaining in park after hours	Code §6.06.050.A			X	\$55	\$55
Exposing genitalia in public	Code §6.06.050.B			X	\$55-\$150	\$150
Performing sexual intercourse in public	Code §6.06.050.C			X	\$55-\$150	\$150
Possession of glass beverage containers without permit	Code §6.06.050.D			X	\$55	\$55
Building fires outside park camp stoves, fireplaces, portable stoves or permitted areas	Code §6.06.050.E.1			X	\$35-\$55	\$55
Leaving a fire unattended or failing to extinguish fire before leaving the park area	Code §6.06.050.E.2			X	\$35-\$55	\$55
Building a fire that constitutes a hazard to any pile of wood, grass, tree, underbrush, or other flammable material	Code §6.06.050.E.3			X	\$175-\$225	\$225
Moving a camp stove or fireplace	Code §6.06.050.E.4			X	\$35-\$55	\$55

VIOLATION DESCRIPTION	AUTHORIZING LEGISLATION	Fine set by ORS	ORS auth. fine	Code auth. fine	CURRENT Fine Amount 2014-2015	PROPOSED Fine amount
Hunting, etc, any bird or animal	Code §6.06.050.F.1			X	\$55-\$150	\$150
Discharging any firearms, pellet gun, bow & arrow, slingshot, paintball gun, or other weapon capable of injury	Code §6.06.050.F.2			X	\$250-\$500	\$250-\$500
Possessing a pellet gun, bow & arrow, slingshot, other weapon capable of injury or a loaded firearm	Code §6.06.050.F.3			X	\$55-150	\$150
Possessing or using fireworks or other explosives	Code §6.06.050.F.4			X	\$34	\$150
Possessing alcohol in prohibited areas without permit	Code §6.06.050.G			X	\$55	\$150
Causing public disturbance	Code §6.06.050.H			X	\$55	\$150
Mutilate, deface, etc., any structure, facility or sign in park area	Code §6.06.050.H.1			X	\$20-\$34	\$55
Less than \$100 damage	Code §6.06.050.H.1				\$25-\$55	\$55
More than \$100 damage	Code §6.06.050.H.1				\$150-\$207	\$207
Dig up, deface, etc., any dirt, stone, rock or other substance in park area	Code §6.06.050.H.2			X	\$20-\$34	\$55
Lay/set off blast in park area	Code §6.06.050.H.2				\$25-\$55	\$55
Roll any stones, etc.	Code §6.06.050.H.2				\$25-\$55	\$34
Erecting temporary signs, markers, or inscriptions in park area without permission from a County Park employee	Code §6.06.050.H.3			X	\$10-\$20	\$55
Set up, use public address system without permission from Park Administrator	Code §6.06.050.H.4			X	\$20-\$34	\$55
Washing clothing or cleaning fish in lake, stream, river or pond	Code §6.06.050.H.5			X	\$10-\$20	\$34
Using abusive/threatening language or gestures, creating public disturbances, riotous behavior	Code §6.06.050.H.6			X	\$25-\$55	\$55
Operating, using any noise producing machine, vehicle, etc. in a manner that is disturbing to other park visitors	Code §6.06.050.H.7			X	\$20-\$34	\$55
Picking, cutting, etc. any flowers, shrubs, trees, etc.	Code §6.06.050.H.8			X	\$20-\$34	\$34
Operating a concession in park area without written consent	Code §6.06.050.I.1			X	\$20-\$34	\$55
Solicitation or offering for sale any goods without consent from Park Administrator	Code §6.06.050.I.2			X	\$10-\$20	\$55

VIOLATION DESCRIPTION	AUTHORIZING LEGISLATION	Fine set by ORS	ORS auth. fine	Code auth. fine	CURRENT Fine Amount 2014-2015	PROPOSED Fine amount
Advertising any goods or services without written consent	Code §6.06.050.I.3			X	\$20-\$34	\$55
Distributing any circulars, notices, etc. on property without permission	Code §6.06.050.I.4			X	\$20-\$34	\$55
Riding, driving, leading, or keeping a horse in any park without written consent	Code §6.06.050.J.1			X	\$20-\$34	\$55
Bringing in or keeping any animal in park area unless controlled on a maximum 6 foot leash or allowing animals other than seeing eye dogs in park area buildings	Code §6.06.050.J.2			X	\$20-\$34	\$55
Allowing any animal to annoy, molest, attack, or injure any person or animal in park area	Code §6.06.050.J.3			X	\$25-\$55	\$55
Tying up an animal and leaving them unattended	Code §6.06.050.J.4			X	\$20-\$34	\$55
Failure of owner to contain/remove animal wastes	Code §6.06.050.J.5			X	\$20-\$34	\$55
No person shall allow more than two domestic pets in any campsite	Code §6.06.050.J.6			X	\$20-\$34	\$55
Operating any vehicle in violation of Oregon Vehicle Code or other laws	Code §6.06.050.K.1			X	\$55	\$55
Violation of maximum speed limit or traveling in excess of reasonable and prudent speed:	Code §6.06.050.K.2			X	See below:	
1-10 mph in excess of limit	Code §6.06.050.K.2			X	\$72	\$72
11-20 mph in excess of limit	Code §6.06.050.K.2			X	\$104	\$104
21-30 mph in excess of limit	Code §6.06.050.K.2			X	\$170	\$170
30+ mph in excess of limit	Code §6.06.050.K.2			X	\$290	\$290
Parking a vehicle any place other than areas designated as parking, or in violation of signs	Code §6.06.050.K.3			X	\$15-\$25	\$34
Parking in an emergency access area or travel lane	Code §6.06.050.K.4			X	\$15-\$25	\$55
Operating a motor vehicle in area not designated for motor vehicle use	Code §6.06.050.K.5			X	\$25-\$55	\$55
Operating any OHV or ATV or any other vehicle not legal for street riding	Code §6.06.050.K.6			X	\$25-\$55	\$55
Leaving bottles, cans, ashes, waste, etc. in non-designated locations	Code §6.06.050.L.1			X	\$25-\$55	\$55
Bringing into a park area any trash, etc. for the purpose of leaving it there	Code §6.06.050.L.2			X	\$25-\$55	\$55

VIOLATION DESCRIPTION	AUTHORIZING LEGISLATION	Fine set by ORS	ORS auth. fine	Code auth. fine	CURRENT Fine Amount 2014-2015	PROPOSED Fine amount
Kitchen or toilet waste violation	Code §6.06.050.L.3			X	\$55-\$100	\$100
Camping in a non-designated area	Code §6.06.050.M.1			X	\$20-\$34	\$55
Camping in any one park area for more than 10 days in a 14-day period, or in the park system for more than 20 days total from 5/1 to 9/30	Code §6.06.050.M.2			X	\$35-\$55	\$55
Making excessive noise between the hours of 10:00 pm. & 7:00 am	Code §6.06.050.M.3			X	\$25-\$55	\$55
Camping overnight without an approved shelter	Code §6.06.050.M.4			X	\$10-\$20	\$34
Washing vehicle or trailer in campsite	Code §6.06.050.M.5			X	\$15-\$25	\$34
Filling swimming pool in campground	Code §6.06.050.M.6			X	\$15-\$25	\$34

Attachment B – Environmental Health Fee Changes for FY 2015-16

DESCRIPTION	AUTHORIZING LEGISLATION	Fee set by ORS	ORS auth. fee	Code auth. fee	CURRENT Fee Amount 2014-2015	PROPOSED Fee amount
Restaurants	Code §1.01.090; ORS 624.490		X	X		
0-15 seats		\$368			\$441	\$500
16-50 seats		\$415			\$498	\$565
51-150 seats		\$473			\$567	\$635
151+ seats		\$525			\$630	\$775
Limited		\$210			\$252	\$297
Temporary Restaurants	ORS 624.490		X			
Single Event		\$37			\$118	\$165
Intermittent		\$53			\$118	\$165
Seasonal		\$53			\$118	\$165
Benevolent	ORS 624.106	-	X		-	-
Benevolent - 1 day event		-			-	-
Benevolent - 2 day event		-			-	-
Benevolent - 3-4 day event		-			-	-
Benevolent - 5-30 day event		-			-	-
Benevolent - 90 day event		-			-	-
Mobile Units	ORS 624.490		X			
Class I		\$132			\$157	\$297
Class II		\$132			\$254	\$297
Class III		\$132			\$271	\$345
Class IV		\$132			\$283	\$414
Commissary		\$263			\$315	\$368
Combo Commissary					\$59	\$69
Warehouses		\$105			\$118	\$138
Pool/Spa	ORS 448.035		X			
Year round - primary		\$100			\$354	\$483
Year round - secondary		\$60			\$236	\$345
Seasonal - primary		\$100			\$207	\$242
Seasonal - secondary		\$60			\$148	\$173

DESCRIPTION	AUTHORIZING LEGISLATION	Fee set by ORS	ORS auth. fee	Code auth. fee	CURRENT Fee Amount 2014-2015	PROPOSED Fee amount
Day Care	Code §1.01.090			X		
5-15 children (capacity change from 5-12 to 5-15 due to child care allowances for family homes)					\$118	\$138
16-40 children (capacity change from 13-40 to 16-40 due to child care allowances for family homes)					\$177	\$207
41-75 children					\$236	\$240
76+ children					\$271	\$275
Tourist Accommodations	Code §1.01.090			X		
1-10 units					\$148	\$173
11-25 units					\$177	\$207
26+ units					\$266	\$311
Organizational Camps	Code §1.01.090			X		
No food					\$118	\$345
With food					\$295	\$552
Picnic Park						
Picnic Park					\$177	\$207
Recreation Vehicle Parks	Code §1.01.090			X		
1-5 spaces					\$260	\$304
6-9 spaces					\$271	\$317
10+ spaces					\$295	\$345
Schools	Code §1.01.090			X		
Full Kitchen					\$236	\$276
Satellite Kitchen					\$177	\$207
Bed & Breakfast	ORS 624.490		X			
Breakfast only		158.00			\$189	\$221
Full menu		158.00			\$366	\$366
Real Estate Evaluations	Code §1.01.090			X		
Septic Inspection					\$178	-
Well Inspections					\$315	\$355
Well and Septic					\$433	-
Wells, second revisit					\$59	\$138
Vending Machines	ORS 624.490		X			
1 - 10 machines		\$27			\$31	\$138
11 - 20 machines		\$53			\$64	\$161

DESCRIPTION	AUTHORIZING LEGISLATION	Fee set by ORS	ORS auth. fee	Code auth. fee	CURRENT Fee Amount 2014-2015	PROPOSED Fee amount
Vending Machines, continued	ORS 624.490		X			
21 - 30 machines		\$79			\$95	\$184
31 - 40 machines		\$105			\$126	\$207
41 - 50 machines		\$131			\$157	\$230
51 - 75 machines		\$158			\$190	\$253
76 - 100 machines		\$210			\$252	\$295
101 - 250 machines		\$367			\$441	\$515
251 - 500 machines		\$578			\$693	\$810
501 - 750 machines		\$788			\$946	\$1,106
751 - 1000 machines		\$966			\$1,159	\$1,355
Plan Reviews	Code §1.01.090			X		
Restaurants 0-50 seats					\$297	\$489
Restaurants 51-150 seats					\$415	\$552
Restaurants 151+ seats					\$534	\$621
Temporary Restaurant					\$45	\$45
Schools					\$413	\$483
Bed & Breakfast					\$297	\$297
Mobile Unit Class I					\$178	\$276
Mobile Unit Class II					\$237	\$276
Mobile Unit Class III					\$271	\$345
Mobile Unit Class IV					\$295	\$414
Commissary					\$297	\$345
Warehouses					\$118	\$138
Pool & Spa	ORS 448.035	\$300	X		\$649	\$897
Pool & Spa - Minor alterations	Code §1.01.090			X	\$118	\$414
Pool & Spa- Add'l Const. Inspection	ORS 448.035	\$100	X		\$118	\$138
Tourist 1-10 units	Code §1.01.090			X	\$177	\$276
Tourist 11-25 units					\$177	\$276
Tourist 26+					\$236	\$345
RV 1-5 spaces					\$177	\$207
RV 6-9 spaces					\$177	\$207
RV 10+ spaces					\$236	\$276
Organizational camps					\$354	\$414
Picnic Park					\$236	\$276
Day Care Centers					\$142	\$166

Attachment C – Environmental Health Statewide Fee Comparison

	CURRENT Clackamas County Fees	PROPOSED Clackamas County Fees	Difference	Washington	Multnomah	Marion	Statewide Average
Restaurants							
0-15 seats	\$441	\$500	\$59	\$616	\$490	\$410	\$505
16-50 seats	\$498	\$565	\$67	\$674	\$580	\$463	\$572
51-150 seats	\$567	\$635	\$68	\$734	\$650	\$527	\$637
151+ seats	\$630	\$775	\$145	\$849	\$775	\$586	\$737
Limited	\$252	\$297	\$45	\$412	\$450	\$234	\$365
Temporary Restaurants							
Single Event	\$118	\$165	\$47	\$178	\$110	\$118	\$135
Intermittent	\$118	\$165	\$47	\$178	\$110	\$236	\$175
Seasonal	\$118	\$165	\$47	\$178	\$110	\$236	\$175
Benevolent - 1 day event		\$0	\$0		\$25	\$25	\$25
Benevolent - 2 day event		\$0	\$0		\$25	\$44	\$35
Benevolent - 3-4 day event		\$0	\$0		\$25	\$61	\$43
Benevolent - 5-30 day event		\$0	\$0		\$25	\$98	\$62
Benevolent - 90 day event		\$0	\$0		\$25	\$196	\$111
Mobile Units							
Class I	\$157	\$297	\$140	\$513	\$380	\$193	\$362
Class II	\$254	\$297	\$43	\$513	\$380	\$193	\$362
Class III	\$271	\$345	\$74	\$564	\$380	\$193	\$379
Class IV	\$283	\$414	\$131	\$618	\$465	\$193	\$425
Commissary	\$315	\$368	\$53	\$543	\$365	\$322	\$410
Combo Commissary	\$59	\$69	\$10	\$490			\$490
Warehouses	\$118	\$138	\$20	\$369	\$320	\$131	\$187
Pool/Spa							
Year round - primary	\$354	\$483	\$129	\$483	\$590	\$338	\$470
Year round - secondary	\$236	\$345	\$109	\$394	\$210	\$221	\$275
Seasonal - primary	\$207	\$242	\$35	\$267	\$305	\$307	\$293
Seasonal - secondary	\$148	\$173	\$25	\$222	\$210	\$221	\$218
Day Care							
5-15 children	\$118	\$138	\$20		\$200	\$160	\$180
16-40 children	\$177	\$207	\$30		\$215	\$160	\$188

	CURRENT Clackamas County Fees	PROPOSED Clackamas County Fees	Difference
Day Care, continued			
41-75 children	\$236	\$240	\$4
76+ children	\$271	\$275	\$4
Tourist Accommodations			
1-10 units	\$148	\$173	\$25
11-25 units	\$177	\$207	\$30
26+ units	\$266	\$311	\$45
Organizational Camps			
No food	\$118	\$345	\$227
With food	\$295	\$552	\$257
Picnic Park			
Picnic Park	\$177	\$207	\$30
Recreation Vehicle Parks			
1-5 spaces	\$260	\$304	\$44
6-9 spaces	\$271	\$317	\$46
10+ spaces	\$295	\$345	\$50
Schools			
Full Kitchen	\$236	\$276	\$40
Satellite Kitchen	\$177	\$207	\$30
Bed & Breakfast			
Breakfast only	\$189	\$221	\$32
Full menu	\$366	\$366	\$0
Real Estate Evaluations			
Septic Inspection	\$178	\$0	-\$178
Well Inspections	\$315	\$355	\$40
Well and Septic	\$433	\$0	-\$433
Wells, second revisit	\$59	\$138	\$79
Vending Machines			
1 - 10 machines	\$31	\$138	\$107
11 - 20 machines	\$64	\$161	\$97
21 - 30 machines	\$95	\$184	\$89
31 - 40 machines	\$126	\$207	\$81
41 - 50 machines	\$157	\$230	\$73

Washington	Multnomah	Marion	Statewide Average
	\$225	\$160	\$193
	\$225	\$160	\$193
\$169	\$250	\$203	\$207
\$169	\$250	\$221	\$213
			\$0
\$564		\$344	\$454
\$564		\$344	\$454
\$322		\$92	\$207
\$313		\$196	\$255
\$313		\$196	\$255
			\$0
	\$235	\$246	\$241
	\$235	\$154	\$195
\$328	\$135	\$175	\$213
\$328	\$350	\$175	\$284
			\$0
			\$0
			\$0
			\$0
\$369		\$32	\$201
\$478		\$63	\$271
\$590		\$96	\$343
\$703		\$130	\$417
\$817		\$161	\$489

	CURRENT Clackamas County Fees	PROPOSED Clackamas County Fees	Difference
Vending Machines, continued			
51 - 75 machines	\$190	\$253	\$63
76 - 100 machines	\$252	\$295	\$43
101 - 250 machines	\$441	\$515	\$74
251 - 500 machines	\$693	\$810	\$117
501 - 750 machines	\$946	\$1,106	\$160
751 - 1000 machines	\$1,159	\$1,355	\$196
Plan Reviews			
Restaurants 0-50 seats	\$297	\$489	\$192
Restaurants 51-150 seats	\$415	\$552	\$137
Restaurants 151+ seats	\$534	\$621	\$87
Temporary Restaurant	\$45	\$45	\$0
Schools	\$413	\$483	\$70
Bed & Breakfast	\$297	\$297	\$0
Mobile Unit Class I	\$178	\$276	\$98
Mobile Unit Class II	\$237	\$276	\$39
Mobile Unit Class III	\$271	\$345	\$74
Mobile Unit Class IV	\$295	\$414	\$119
Commissary	\$297	\$345	\$48
Warehouses	\$118	\$138	\$20
Pool & Spa - Minor alterations	\$649	\$414	-\$235
Pool & Spa- Add'l Const. Inspection	\$118	\$138	\$20
Tourist 1-10 units	\$177	\$276	\$99
Tourist 11-25 units	\$177	\$276	\$99
Tourist 26+	\$236	\$345	\$109
RV 1-5 spaces	\$177	\$207	\$30
RV 6-9 spaces	\$177	\$207	\$30
RV 10+ spaces	\$236	\$276	\$40
Organizational camps	\$354	\$414	\$60
Picnic Park	\$236	\$276	\$40
Day Care Centers	\$142	\$166	\$24

Washington	Multnomah	Marion	Statewide Average
\$931		\$193	\$562
\$1,045		\$258	\$652
\$1,159		\$450	\$805
\$1,274		\$710	\$992
\$1,388		\$967	\$1,178
\$1,388		\$1,187	\$1,288
\$585	\$630	\$492	\$569
\$754	\$630	\$492	\$625
\$754	\$630	\$492	\$625
\$50	\$70	\$60	\$60
		\$342	\$342
			\$0
\$423	\$405	\$277	\$368
\$423	\$405	\$277	\$368
\$499	\$405	\$277	\$394
\$509	\$405	\$277	\$397
\$585		\$368	\$477
\$423		\$228	\$326
\$1,254		\$492	\$873
\$901			\$451
\$440			\$440
\$440			\$440
\$440			\$440
			\$0
			\$0
			\$0
\$440		\$246	\$343
			\$0
	\$250	\$342	\$296

Attachment D – Transportation & Development Fee Changes for FY 2015-16

Summary of Changes

DTD - ADMINISTRATION

Credit Card Convenience Fee 2.16% on transactions

Description: Adopt a new fee to cover card transaction costs. Currently DTD allows cards for transactions of up to \$1,500; however, this does not align with county policies that prevent minimum or maximum limits on card transactions. With the adoption of this new fee, DTD would allow customers to use cards for any transaction amount; however, payments would require the payment of a convenience fee to offset transaction costs required by the card company. The ability to expand the use of card payments, subject to the adoption of the convenience fee, would help our customers by expanding their payment options while supporting DTD's effort to broaden the ability for people to pay permit fees remotely via the Internet or by phone.

DTD – ENGINEERING

Development Permit (minimum fee) \$1,825

Description: A minimum permit fee of \$974 is currently required on any development permit issued by the Engineering Division for the construction of on-site civil improvements. Permits of this nature are generally issued to ensure that any civil improvements conditioned through the land use planning process are designed and constructed in a satisfactory manner. The actual total cost of some of these permits is based on the basis of parking space or percentage of construction costs. In some instances, such as commercial projects with no parking, sizeable projects are submitted but under the current fee structure only a minimum fee is applicable. While staff considered adjusting the fee methodology, staff felt a more reasonable approach would be to simply increase the minimum fee to \$1,825 to increase cost recovery on these minimum permit fee projects from 34% to 65%.

Surface Water and Erosion Control Plan Review Fee \$710

Description: Currently the DTD Engineering Division is required to review surface water and erosion control measures for all proposed developments in the unincorporated area of Clackamas County when the parcel is not located in a surface water management district, such as Clackamas County Service District #1 and Oak Lodge Sanitary District. These reviews are above and beyond the customary on-site civil and traffic reviews and this charge will help improve the cost recovery rate on our Site Development (SD) permits when this additional plan review is required. DTD staff have the expertise and currently complete these reviews, but there is currently no fee for this additional service.

Reimbursement District / Zone of Benefit Application Fee Actual Cost / \$10,000 Deposit

Description: County code currently allows individuals or developers to establish a Zone of Benefit, commonly referred to as a reimbursement district, to cover the cost of required improvements that provide broader benefit to other properties in the area. While districts of this nature are initiated at the request of the individual or developer, the formation of the district requires significant public outreach, analysis and a Board of County Commissioners public hearing. Section 4.03.030 of the County Code regulates formation of a Zone of Benefit. Subsection (B)(6) states, "A nonrefundable application fee, as established by the Board of County Commissioners by

resolution, to cover the County's costs in providing notice of public hearing and the Administrator's examination and report, shall be paid at the time of application. " To date, no such fee has been established. Staff recommends the adoption of an actual cost fee with a minimum \$10,000 deposit because the one recent application we received cost more than \$7,000 before the application was withdrawn after an agreement was reached between the two parties.

Utility Permit Fee **\$100**

Description: Utility permit fee to offset the cost of performing inspections for work in the right of way, this fee will help the county recover the cost of inspecting right-of-way encroachments by utilities. ORS 758.010 prohibits charging permit fees for certain public utility use of the road right-of-way and the permit fee will be waived for these applicants. This fee recovers the cost of inspecting the utility work twice, once upon completion by the contractor and once at the end of the surety period.

Utility Permit Surety **\$0**

Description: Utility permits are issued to private construction companies and public utility providers when work is required on or near utilities located in road and right-of-way under Clackamas County's jurisdiction. Currently a \$1,000 cash surety is required and retained for three years following any work completed to ensure any impacts to the County road system are adequately repaired. Review of historical data shows the surety is rarely used for repairs, but still staff costs are accrued to track the surety over the three-year period and release of the surety. Staff determined that the Construction Contractors Board (CCB) surety can be used as an alternative method of cash surety to gain compliance with a contractor working in the right-of-way. In lieu of the current surety of \$1,000, staff recommends CCB license numbers be a permit requirement and staff will contact the CCB to collect the contractor's licensing surety if any issue arises.

Temporary Road Closures on an Arterial, Collector or Connector Road **\$195**

Description: DTD is also proposing to *decrease* the fee for temporary road closures. Currently, the fee for a road closure request is actual costs with a deposit:

- \$2,000 deposit for a road with average daily traffic (ADT) counts of less than 5000
- \$5,000 deposit for a road with ADT greater than 5000

The current deposit is significantly higher than the cost for the department to process the vast majority of requests. While DTD does spend staff time on them, most involve just a small amount of administrative work and a traffic control review. DTD would like to replace the deposit with a flat fee of \$195 for all temporary road closures.

DTD – DOG SERVICES

Owner Surrender Fee **\$105**

Description: Increase the owner surrender fee to cover increased costs associated with providing needed services (such as behavior and medical assessment, sheltering, medical services and if deemed appropriate, euthanasia).

DTD - PLANNING

POLICY: Refunding Application Fees

- Application or Appeal Withdrawn—no public notice sent, staff report issued or decision issued: Full refund of application fee
- Application or Appeal Withdrawn—public notice sent: application or appeal fee refunded less \$135 notice fee
Note: \$135 is equivalent to our adopted re-notification fee.
- Application Withdrawn—staff report or decision issued: no refund of application fee

Description: The Code updates last fall repealed one provision related to the policy on refunding application fees, but our language has never fully covered our refund policy. The ZDO currently states: “Appeal fees shall be refunded if the appellant prevails. Any other fee refund policy shall be established by separate order of the Board of County Commissioners“. Refunding appeal fees if the appellant prevails is a statutory requirement. Our internal fee schedule includes the refund policy (except on appeals), but we recommend editing the language to better clarify our land use application refund policy for our customers.

Transportation & Development (DTD) Fee Changes

Description	AUTHORIZING LEGISLATION	Current FEE amount	Proposed FEE amount	Comparables
ADMINISTRATION				
Credit/Debit Card Convenience Fee	Code §1.01.090	\$0 - transactions limited to a maximum \$1,500	2.16% on transactions	<ul style="list-style-type: none"> Washington County Tax Assessor = 2.49% Credit/Debit Multnomah County Tax Assessor = 1% Debit; 2.35% Credit Clackamas County Tax Assessor = 2.49% Credit/Debit
ENGINEERING				
Residential Subdivision/Partition Plan Review & Construction Inspection Up to \$10,000 in improvement costs For \$10,000 or more in construction costs	Code §1.01.090	\$974 min. fee 8.83% of construction cost	\$1,825 min. fee 8.83% of construction cost or \$1,825 min. fee whichever is greatest	<ul style="list-style-type: none"> Washington County = Actual cost / \$3,735 minimum Multnomah County & City of Portland = \$1,066 - minimum fee + Actual Cost / 20% deposit for work in right of way (\$100,000 value = \$1,738 minimum fee)

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Description	AUTHORIZING LEGISLATION	Current FEE amount	Proposed FEE amount	Comparables
ENGINEERING, continued				
Commercial Development Traffic & Site Plan Review & Construction Inspection (includes apartments & condominiums):	Code §1.01.090			<ul style="list-style-type: none"> • Washington County = Actual cost / \$3,735 minimum • Multnomah County & City of Portland = \$1,066 - minimum fee + Actual Cost / 20% deposit for work in right of way (\$100,000 value = \$1,738 minimum fee)
Non-structured Parking Up to eight (8) parking spaces Eight (8) or more spaces		\$974 min. fee \$122 per space	\$1,825 min. fee \$122 per space or \$1,825 min. fee whichever is greatest	
Structured Parking (Fee assessed on the average number of parking spaces per level) Up to eight (8) parking spaces per level Eight (8) or more spaces per level		\$974 min. fee \$122 per space	\$1,825 min. fee \$122 per space or \$1,825 min. fee whichever is greatest	
Surface Water and Erosion Control Plan Review (Minor Partition, Subdivision, Partition, Multi-family, Commercial, Industrial)	Code §1.01.090	\$0	\$710	<ul style="list-style-type: none"> • WES = Min. \$710, fee may increase based on cost of surface water management system. • Oak Lodge = \$725 flat fee
Reimbursement District Application (Zone of Benefit)	Code §1.01.090; §4.03.030(B)(6)	\$0	Actual Costs / \$10,000 deposit	<ul style="list-style-type: none"> • Happy Valley = Actual Cost / \$1,500 deposit
Utility Permit - Inspection Fee	Code §1.01.090; ORS §758.010	\$0	\$100; ORS prohibits charging fee for certain public utility use of the road right-of-way. Fee is waived for these applicants	<ul style="list-style-type: none"> • Linn County = \$55 • Benton County = \$305

Description	AUTHORIZING LEGISLATION	Current FEE amount	Proposed FEE amount	Comparables
ENGINEERING, continued				
Utility Permit - Surety	Code §1.01.090; §7.03.130(E)	\$1,000	\$0	
Temporary Road Closures on an arterial, collector or connector road: with less than 5000 ADT	Code §1.01.090	Actual Costs/ \$2,000 deposit	\$195	<ul style="list-style-type: none"> Washington County charges a \$1000 deposit and charges actual costs.
Temporary Road Closures on an arterial, collector or connector road: with more than 5000 ADT	Code §1.01.090	Actual Costs/ \$5,000 deposit	\$195	<ul style="list-style-type: none"> Washington County charges a \$1000 deposit and charges actual costs.
DOG SERVICES				
Owner surrender fee	Code §1.01.090	\$55	\$105	<ul style="list-style-type: none"> Washington County = \$91-200 (\$40 + minimum \$51 / maximum \$149 for euthanasia) Humane Society = \$90 (\$50 + minimum \$40 for euthanasia)
PLANNING				
Application or Appeal Withdrawn—no public notice sent, staff report issued, or decision issued	Code §1.01.090		Full Refund of Application Fee	
Application or Appeal Withdrawn—public notice sent	Code §1.01.090		Application or Appeal Fee Refunded; Less \$135.00 Notice Fee	<ul style="list-style-type: none"> \$135 is equivalent to our adopted re-notification fee.
Application Withdrawn—staff report or decision issued	Code §1.01.090		No Refund of Application Fee	