

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: 4.14.20 **Approx Start Time:** 2:15pm **Approx Length:** 15 Minutes

Presentation Title: Public Health Division Proposed Fees for FY 2020-21

Department: Health, Housing & Human Services (H3S)

Presenters: Richard Swift, Health, Housing & Human Services Director

Other Invitees: Ed Johnson, H3S; Sherry Olson, Public Health; Julie Hamilton, Public Health; Julie Aalbers, Public Health

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

We are requesting the approval to delay an Environmental Health program fee increase for inclusion in FY 2020-21 budget due to COVID-19.

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 allow County departments to integrate those proposals into the requested budgets they submit to the County Administrator. For next fiscal year, there are no fine changes proposed; however, there is a request to delay an Environmental Health program fee increase.

In 2019, the Board of County Commissioners (BCC) approved a full cost recovery schedule for the Environmental Health (EH) program fees. The BCC requested that staff from H3S Public Health Division present annual fee increases as needed to maintain a full cost recovery model. In FY21, the EH program operating costs are increasing, and the EH program funding with the current fee rates will not be sufficient. A flat 8% increase of EH program fees in FY21 would provide an additional \$111,090 in cost recovery to fill the anticipated budget gap.

When new fees are approved, businesses do not experience the increase until they are assessed for the renewal of the next annual licensing period, beginning on January 1st. Businesses that pay the increased fees as soon as they are effective include temporary restaurants at events, new owners, and fee for service inspections such as schools and child care facilities.

Governor Kate Brown's Executive Orders 20-07 through 20-12, due to COVID-19, have heavily impacted most of the businesses licensed and/or inspected by the EH program. Since the initial executive order that closed restaurant dining rooms, the EH program staff have been calling business owners and managers to consult and offer technical assistance. EH program staff are reporting back that many businesses are fully closed or struggling with reduced sales and employee layoffs. It is unknown how long the closures will last or how the business community will be impacted overall, even with stimulus and funding packages available.

The Environmental Health program provides Clackamas County with:

- Food Safety Inspections: Restaurants, mobile units, vending machines, temporary events, farmers markets, schools, and child care facilities
- Code complaint investigations
- Public pool, spa, and fountain inspections and plan reviews
- Bed & Breakfast, tourist facility, and RV park inspections
- Organizational camps and contracted Job Corp inspections

Additional services provided:

- Communicable Disease and Foodborne Illness Outbreak Investigations
- Public Health Emergency Preparedness and Response
- The **H3S Public Health Division** is proposing to delay an Environmental Health program fee increase for the FY2020-21 budget.

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? YES NO

What is the cost? \$111,090

What is the funding source? Fee-for-Service. Instead of the projected \$111,090 in additional fee revenue needed to cover program costs, Public Health will offset with Vital Statistics (Death Certificate) revenue.

STRATEGIC PLAN ALIGNMENT:

- How does this item align with your Department's Strategic Business Plan goals?
-Sustaining public health and wellness.
- How does this item align with the County's Performance Clackamas goals?
-Ensuring safe, healthy, and secure communities by regulating inspections through the Environmental Health program.

LEGAL/POLICY REQUIREMENTS:

Unless otherwise delegated or approved, 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. Proposed and provisionally approved fees are at that point integrated into the Proposed Budgets 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. Make no fee increases at this time, and delay approval of a fee increase until there is more clear information on how COVID-19 has affected our business community.
2. Approve recommended full cost recovery fee increases during June budget session.

RECOMMENDATION:

Staff respectfully recommends:

1. To make no fee increases at this time, and delay approval of a fee increase until there is more clear information on how COVID-19 has affected our business community.

ATTACHMENTS:

1. Attachment A: Public Health Division Additions to Fee Schedule for FY 2020-21

SUBMITTED BY:

Division Director/Head Approval _____

Department Director/Head Approval [Electronic Approval - Rod Cook 4/8/20](#)

County Administrator Approval _____

Department/Division	AUTH. LEGISLATION	FEE SET BY ORS	ORS AUTH. FEE	CODE AUTH. FEE	CURRENT FEE AMOUNT	PROPOSED FEE AMOUNT FOR FY 2020/2021
ENVIRONMENTAL HEALTH - Public Health	Code §1.01.090, ORS 624.510(2), OAR 333-012-0053					
Food Service/Restaurant Licenses						
Full Service Restaurants	ORS 624.490(1)					
0-15 seats			x		\$690	\$745
16-50 seats			x		\$765	\$826
51-150 seats			x		\$840	\$907
151+ seats			x		\$990	\$1,069
Limited Restaurants	ORS 624.490(1)		x		\$475	\$513
License Reinstatement Fee	ORS 624.490(2)	x			\$100	\$100
Benevolent Kitchen	ORS 624.490(3)		x		\$40	\$40
Bed & Breakfasts	ORS 624.490(1)					
Breakfast only			x		\$465	\$502
Full menu			x		*	*
Temporary Restaurants	ORS 624.490(1)					
Single event			x		\$160	\$173
Intermittent			x		\$160	\$173
Seasonal			x		\$160	\$173
Temporary Restaurant Late Fee			x		\$50	\$50
Benevolent	ORS 624.106, ORS 624.490(3)					
1 day event			x		\$50	\$50
2 day event			x		\$50	\$50
3-4 day event			x		\$50	\$50
5-30 day event			x		\$50	\$50
90 day event			x		\$50	\$50
Mobile Units & Pushcarts	ORS 624.490(1)					
Class I			x		\$600	\$648
Class II			x		\$600	\$648
Class III			x		\$690	\$745
Class IV			x		\$708	\$765
Commissaries	ORS 624.490(1)		x		\$705	\$761
Comb. commissaries			x		\$465	\$502
Warehouses	ORS 624.490(1)		x		\$390	\$421
Food Worker Certificate	ORS 624.570(5)	x			\$10	\$10
Duplicate	ORS 624.570(5)	x			\$5	\$5
Pool/Spa	ORS 448.035(2)					
Year round primary			x		\$840	\$907
Year round secondary			x		\$505	\$545
Seasonal primary			x		\$465	\$502

Department/Division	AUTH. LEGISLATION	FEE SET BY ORS	ORS AUTH. FEE	CODE AUTH. FEE	CURRENT FEE AMOUNT	PROPOSED FEE AMOUNT FOR FY 2020/2021
Seasonal secondary			x		\$280	\$302
Day care	Code §1.01.090					
Family Home (15 children max)				x	\$262	\$283
School Care Facility				x	\$262	\$283
Child Care Centers (1-40 children)				x	\$337	\$364
Child Care Centers (41+children)	Code §1.01.090			x	\$412	\$445
Certificates of Sanitation Well/Septic						
Septic Inspections					**	**
Well Inspections	Code §1.01.090, ORS 448.271			x	\$525	\$525
Well/Septic (combination)					**	**
Wells, second revisit	Code §1.01.090			x	\$187	\$187
Duplicate Copy	Code §1.01.090				\$5	\$5
Record Search	Code §1.01.090			x	\$10	\$10
Public Drinking Water System Review					***	***
Schools	Code §1.01.090					
Full kitchen				x	\$431	\$466
Satellite kitchen				x	\$337	\$364
Miscellaneous Fees - Hourly Rate	Code §1.01.090			x	\$227/1st hour & \$152 each add't hour	\$227/1st hour & \$152 each add't hour
Food Service Re-Inspection			x		150	150
Non County MU Inspeccion	ORS 624.650	x			25	25
Tourist Accommodations	ORS 446.321(1)					
1-10 units			x		\$300	\$324
11-25 units			x		\$337	\$364
26-50 units			x		\$450	\$486
51-75 units			x		\$487	\$526
76-100 units			x		\$525	\$567
101 + units			x		\$562	\$607
Recreation vehicle parks	ORS 446.321(1)					
1-10 spaces			x		\$570	\$616
11-25 spaces			x		\$600	\$648
26-50 spaces			x		\$675	\$729
51-75 spaces			x		\$750	\$810
76 + spaces			x		\$825	\$891
Organizational camps	ORS 446.321(1)					
no food service			x		\$600	\$648
with food service			x		\$825	\$891
Picnic Parks	ORS 446.321(1)		x		\$450	\$486
Job Corps Program (quarterly)	Code §1.01.090			x	\$2,550	\$2,754
Vending	ORS 624.490(1)					

Department/Division	AUTH. LEGISLATION	FEE SET BY ORS	ORS AUTH. FEE	CODE AUTH. FEE	CURRENT FEE AMOUNT	PROPOSED FEE AMOUNT FOR FY 2020/2021
1-10 units			x		\$375	\$405
11-20 units			x		\$399	\$431
21-30 units			x		\$426	\$460
31-40 units			x		\$450	\$486
41-50 units			x		\$474	\$512
51-75 units			x		\$501	\$541
76-100 units			x		\$546	\$590
101-250 units			x		\$786	\$849
251-500 units			x		\$1,104	\$1,192
501-750 units			x		\$1,425	\$1,539
751-1000 units			x		\$1,749	\$1,889
Plan Review Fees						
Restaurants	ORS 624.630					
0-50 seats			x		\$637	\$688
51-150 seats			x		\$712	\$769
151+ seats			x		\$787	\$850
Temporary restaurant	ORS 624.091		x		\$75	\$81
Schools	Code §1.01.090			x	\$637	\$688
Bed & Breakfasts	ORS 624.630		x		\$487	\$526
Mobile Units & Pushcarts	ORS 624.630					
Class I			x		\$412	\$445
Class II			x		\$412	\$445
Class III			x		\$487	\$526
Class IV			x		\$562	\$607
Commisary	ORS 624.630		x		\$487	\$526
Warehouses	ORS 624.630		x		\$262	\$283
Pools						
Pool, Spa, and Fountains (per basin)	ORS 448.030(4)		x		\$1,200	\$1,296
Plan permits - minor alterations			x		\$750	\$810
Add'l inspection - const. revisit			x		\$525	\$567
Tourist Facilities	ORS 446.330, Code §1.01.090					
1-10 units			x		\$412	\$445
11-25 units			x		\$412	\$445
26 + units			x		\$487	\$526
RV Parks	ORS 446.330, Code §1.01.090					
1-5 spaces			x		\$337	\$364
6-9 spaces			x		\$337	\$364
10+ spaces			x		\$412	\$445

Department/Division	AUTH. LEGISLATION	FEE SET BY ORS	ORS AUTH. FEE	CODE AUTH. FEE	CURRENT FEE AMOUNT	PROPOSED FEE AMOUNT FOR FY 2020/2021
Picnic Park	ORS 446.330, Code §1.01.090		x		\$412	\$445
Organization camps	ORS 446.330, Code §1.01.090		x		\$562	\$607
Day care centers	Code §1.01.090			x	\$292	\$316

- * Remove fee because, If more than breakfast for guest, must be licensed as a restaurant separately
- ** Remove fee because, no longer offering service
- *** Remove fee because, the State sets the fees and charges directly