

corrected W. S. E. I.

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.  
06-8-2-6

IN THE MATTER OF AMENDING CHAPTERS 16 AND  
60 OF THE LANE MANUAL REGARDING USED  
MERCHANDISE DEALERS REPORTING FEES, DE-  
LETE LICENSE REQUIREMENT, AND DELEGATE  
AUTHORITY (LM 16.600-16.615 and LM 60.839)

The Board of County Commissioners of Lane County orders as follows:

Lane Manual Chapters 16 and 60 are hereby amended by deleting, substituting, and adding the following section:

**DELETE THIS SECTION**

16.600 through 16.615  
as located on pages 16-4 through 16-5  
(a total of 2 pages)

60.839  
as located on pages 60-11 through 60-12  
(a total of 2 pages)

**INSERT THIS SECTION**

None

60.839  
as located on pages 60-11 through 60-12  
(a total of 2 pages)

Said section is attached hereto and incorporated herein by reference. The purpose of these deletions and substitution is to implement Ordinance No. 7-05 to add used merchandise dealer reporting fees and to delete the license requirement; and it is further

ORDERED that the County Administrator is hereby delegated authority to execute an inter-governmental agreement with the City of Eugene to implement the provisions of Ordinance No. 7-05.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2006.

\_\_\_\_\_  
Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date 8/1/06 Lane County

Teresa J. White  
OFFICE OF LEGAL COUNSEL

expertise, then the Department Head and/or Custodian of Records may charge the actual hourly rate, as adjusted to include fringe benefits and indirect costs, of the staff personnel assigned to obtain and furnish the requested information. Charges will be computed on the quarter-hours and the requestor will be provided with the hourly rate to be charged at the initiation of the request. *(Revised by Order No. 83-11-30-24, Effective 11.30.83)*

#### **60.839 Department of Public Safety Fees.**

Under the authority of the Lane County Home Rule Charter and consistent with state law, the following fees are established:

(1) **Fingerprinting Service Fee.** Subject to the availability of personnel, the Department of Public Safety is authorized to offer fingerprinting as a public service on a request basis. The fee of \$10.00 for each initial fingerprint card and \$10.00 for each and every card thereafter so prepared is hereby established to defray expenses in connection with offering such service. The fees shall be waived for fingerprinting necessary in conducting County business.

(2) **Personal Property Seizures and Sale.** The Sheriff shall collect the following fees per ORS 21.410 and 23.460:

- (a) Levy upon and inventory of seized property  
(1 hour minimum) ..... \$ 34.00/hr.
- (b) Prepare and mail notices of sale and exemption.. \$ 15.50
- (c) Post notices of sale in three public places ..... \$ 34.00
- (d) Conduct sale, collect monies, prepare certificates  
and return (1 hour minimum) ..... \$ 31.00/hr.

(3) **Real Property Seizures and Sale.** The Sheriff shall collect the following fees per ORS 21.410 and 23.460:

- (a) Prepare and file certificate of levy..... \$ 15.50
- (b) Prepare, mail and publish notices of sale..... \$ 15.50
- (c) Conduct sale (including postponements),  
prepare return (1 hour minimum)..... \$ 31.00/hr.
- (d) Prepare and post after-sale notice..... \$ 32.50

(4) **Background Checks for Transfer of Handguns.**

The Sheriff shall collect per ORS 166.420..... \$ 15.00

(5) **Community Corrections Center (Center) and Electronic Supervision Program (ESP):**

(a) The Sheriff is authorized to collect the following offender fees:

	Hourly Wage	Center Fee/Day	ESP Fee/Day
1.	6.50 - 7.00	10.50	9.00
2.	7.01 - 8.50	12.50	11.00
3.	8.51 - 10.00	15.50	14.00
4.	10.01 - 11.50	17.50	16.00
5.	11.51 - 13.00	19.50	18.00
6.	13.01 - 14.50	21.50	20.00
7.	14.51 - 16.00	23.50	22.00
8.	16.01 - 17.50	26.50	25.00
9.	17.51 - 19.00	28.50	27.00

	Hourly Wage	Center Fee/Day	ESP Fee/Day
10.	19.01 - 20.50	30.50	29.00
11.	20.51 - 22.00	32.50	31.00
12.	22.01 - 23.50	35.50	34.00
13.	23.51 - 25.00	37.50	36.00
14.	25.01 +	39.50	38.00

(b) The Sheriff is authorized to collect the following set up fee from those persons eligible and accepted for the Electronic Surveillance Program (ESP) pretrial house arrest ..... \$ 35.00

(c) The Sheriff may approve fee reductions based upon verified financial hardship. .... \$ 15.50

(6) Community Service Fees.

(a) The Sheriff is authorized to collect the following offender fees:

Referral Fee ..... \$ 40.00

Re-Referral Fee..... \$ 15.00

(b) The Sheriff may approve reduction of the referral fee to \$15.00 when an offender presents an Oregon Trail Card.

(7) Used Merchandise Reporting Fees (LC 3.615) – Annual Fee

Number of annual transactions	Fee
(a) 1-199 .....	\$ 200.00
(b) 200-999 .....	\$ 400.00
(c) 1,000-2,999 .....	\$ 550.00
(d) 3,000 up .....	\$ 700.00

(e) The Sheriff may authorize payment of the annual fee for used merchandise dealers in unincorporated Lane County out of duly appropriated funds within the budget for the Department of Public Safety. *(Revised by Order No. 01-10-17-9, Effective 1.1.02)*

(2) The Board of County Commissioners hereby delegates to the Director its duties and authority as the licensing authority to issue permits. *(Revised by Order 88-1-6-31; Effective 2.27.88)*

**16.420 Application, Investigation, Approval and Appeal.**

(1) Application shall be made to the Director, who may prescribe any forms in addition to those prescribed by the State.

(2) Upon receipt, the Director shall investigate the application for conformance to any State Fire Marshal and Lane County rules and regulations and shall recommend approval or denial of the permit application. The applicant will be responsible for submitting his or her permit to the State Fire Marshal after the Director's review.

(3) If the Director refuses to issue a permit, the applicant may make a written request for a hearing to be held before the Director in accordance with this subsection.

(a) Written notice of the time and place of a hearing shall be served upon the applicant at his or her home or place of business at least 10 days before the date set for the hearing. The notice shall contain a brief statement of the grounds alleged as the basis for the refusal to issue the permit.

(b) At the hearing, the applicant shall be confronted by the evidence on which the action or proposed action of the Director is based and shall be given an opportunity to answer and thereafter be heard. After due deliberation, the Director may approve or disapprove the issuance or renewal of the permit. *(Revised by Order 88-1-6-31; Effective 2.27.88)*

**16.430 Fees.**

An investigative fee for a permit application shall be paid to the Director prior to acceptance of the application, according to the following schedule:

Fireworks Display .....	\$25.00
Fireworks Sale.....	\$25.00
Model Rocket Launching.....	\$ 0.00

*(Revised by Order 88-1-6-31; Effective 2.27.88)*

**~~SECONDHAND BUSINESS LICENSES~~**

**~~16.600 Definitions.~~**

~~As used in this subchapter:~~

~~Director means Director of the Department of Public Safety.~~

~~License means a license for the operation of a second-hand business under LC 3.600 to 3.630. *(Revised by Order 88-1-6-31; Effective 2.27.88)*~~

**~~16.605 Authority.~~**

~~Pursuant to LC 3.605, the provisions of this subchapter shall govern the application, approval and revocation of licenses. *(Revised by Order 88-1-6-31; Effective 2.27.88)*~~

**~~16.610 Application, Approval, Revocation and Appeal.~~**

~~(1) Application for a license shall be made to the Director, who may prescribe the form of such applications. Applications for renewal of a license shall be made 60 days prior to the expiration date of the license.~~

~~(2) The Director may revoke a license or refuse to issue a license for the reasons provided in LC 3.625.~~

~~(3) No license will be approved by the Director without conformance to LC 3.615.~~

~~(4) If the Director refuses to issue or renew a license, upon the written request of the applicant, a proceeding shall be held in accordance with this subsection. Such a proceeding shall also be held when the Director proposes to revoke a license. The proceeding shall be conducted as follows:~~

~~(a) Written notice of the time and place of a hearing shall be served upon the applicant or licensee at least 10 days before the date set for the hearing. Service may be made by delivering a copy of the notice to the applicant's or licensee's place of business. The notice shall contain a brief statement of the grounds alleged as the basis for the refusal to issue or renew the license or for the revocation of the license.~~

~~(b) At the hearing, the applicant or licensee shall be confronted by the evidence on which the action or proposed action of the Director is based and shall be given an opportunity to answer and thereafter be heard. A record shall be made of the hearing, by tape recording or other means. After due deliberation, the Director may, in the case of an application for an initial or renewed license, approve or disapprove the issuance or renewal of the license or, in the case of a proposed revocation, dismiss the complaint against the licensee or revoke the license.~~

~~(5) Where a licensee has made timely and proper application for renewal of a license, such license shall not be deemed to expire, despite any stated expiration date thereon, until the Director has approved or disapproved such renewal. (Revised by Order 88-1-6-31; Effective 2.27.88)~~

#### **16.615 Fees.**

A nonrefundable investigative service fee in connection with the application for original or renewal licenses shall be paid to the Director, prior to acceptance of the application, according to the following schedule:

~~Initial application and annual renewals..... \$ 25.00  
(Includes Investigative Fee)~~

~~(Revised by Order 88-1-6-31; Effective 2.27.88)~~

## **CONCEALED WEAPONS LICENSES**

### **16.800 Definitions.**

As used in this subchapter:

Director means the Director of the Department of Public Safety.

License as described in ORS 166.290. (Revised by Order 88-1-6-31; Effective 2.27.88)

### **16.810 Authority and Delegation.**

Pursuant to the authority of ORS 166.290 the provisions of this subchapter shall govern the application, investigation, approval, revocation and appeal of licenses. (Revised by Order 88-1-6-31; Effective 2.27.88)

### **16.820 Application, Investigation, Approval, Revocation and Appeal.**

(1) Application for a concealed weapons license shall be made to the Director, who may prescribe any forms in addition to those required by the State of Oregon.

expertise, then the Department Head and/or Custodian of Records may charge the actual hourly rate, as adjusted to include fringe benefits and indirect costs, of the staff personnel assigned to obtain and furnish the requested information. Charges will be computed on the quarter-hours and the requestor will be provided with the hourly rate to be charged at the initiation of the request. *(Revised by Order No. 83-11-30-24, Effective 11.30.83)*

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5.	11.51 - 13.00	19.50	18.00
6.	13.01 - 14.50	21.50	20.00
7.	14.51 - 16.00	23.50	22.00
8.	16.01 - 17.50	26.50	25.00
9.	17.51 - 19.00	28.50	27.00
10.	19.01 - 20.50	30.50	29.00
11.	20.51 - 22.00	32.50	31.00

	Hourly Wage	Center Fee/Day	ESP Fee/Day
12.	22.01 - 23.50	35.50	34.00
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