



STAFF REPORT

Meeting Type: City Council
Meeting Date: October 5, 2026
From: Kelly O'Neill Jr., Development Services Director
Subject: PUBLIC HEARING: Ordinance 2026-23 - Civil Infractions Code Amendments

DECISION TO BE MADE:

Hold a public hearing to discuss proposed code amendments related to civil infractions in the Sandy Municipal Code and consider adoption of Ordinance No. 2026-23.

APPLICABLE COUNCIL GOAL:

- **Goal 6.10:** Continue to improve and refine code language, policies, and practices related to code enforcement.

BACKGROUND / CONTEXT:

At the City Council Work Session on October 7, 2024, staff outlined several chapters within the Sandy Municipal Code (SMC) that would be brought forth for modification as recommended by the Code Enforcement Task Force. On December 2, 2024, the City Council adopted Ordinance No. 2024-23, which removed Chapter 1.16 and modified Chapter 1.18. The modifications to Chapter 1.18 included infraction classifications consistent with other municipalities and a fine escalation clause for repeat offenders. At the time of adoption of Ordinance No. 2024-23, staff stated that a future code modification process would identify outdated code references to Chapter 1.16 and would also standardize violation references to a Class A, B, or C, as permissible.

While the Planning Commission is not part of the public hearing process for these code amendments because they are outside of Title 17, staff sought input from the Commission at a work session on March 30, 2026. The only input that the Commission provided was to modify Section 8.28.010. to have nuisance penalties in Chapters 8.04 through 8.24 be a Class B Civil Infraction at \$500 instead of the existing violation of a Class A Civil Infraction at \$1,000.

City Council Direction at the September 21, 2026 Meeting

The City Council held a work session on September 21, 2026, and discussed the proposed code amendments and the recommendation from the Planning Commission. The City Council concurred with the Commission's recommendation to reduce the penalty amount for nuisance penalties, but determined it should not apply to Chapter 8.22 relating to chronic nuisance properties. Based on this input staff wrote the following in Chapter 8.28:

"Violation of any provision of Chapters 8.04 through 8.20 shall be in violation of a Class B Civil Infraction and is subject to the Forfeitures defined in Section 1.18.050."

Chapter 8.22 does not need a separate violation penalty called out in Chapter 8.28 because it's already included in Section 8.22.040.C. No violation penalty is required for Chapter 8.24 because it's an abatement procedure (i.e., an alternative enforcement mechanism), not a violation in its own right.

KEY CONSIDERATIONS / ANALYSIS:

The infraction table in Attachment 1. identifies all violation references in the Sandy Municipal Code, except for Title 17. The table defines current code language and proposed code language, highlighting the dollar amount of each proposed infraction classification. A few proposed modifications of note:

- Staff have removed references that each day constitutes a separate violation as Section [1.18.050](#) states, "Each day a violation continues or occurs shall constitute a separate infraction."
- Staff have mirrored the infraction classification to the dollar amount in the existing code when possible. For example, if a code section currently states the violation is \$500 then the proposed infraction classification is a Class B which is currently set at \$500.
- Staff have set new infraction classifications as close to the dollar amount in the existing code, as possible. For example, if a code section currently states the violation is \$100 then the proposed infraction classification is a Class C which is currently set at \$250.
- Staff are recommending removal of Chapter [1.20](#) as the City does not hold jury trials.
- Staff have removed 'imprisonment' as a potential penalty as the City does not have jury trials nor a defense counsel.
- Staff are recommending removal of references to ORS in Chapters [8.34](#) and [8.35](#) for violations as the City Attorney recommends referring to the City's violation schedule instead of ORS. The only limitation is that the City's fines cannot be higher than they would be under state law, which they are not proposed to exceed.
- Staff are recommending removal of Section [8.34.080.E](#) as the minimum fine language in this subsection establishes a floor for the fine the court can impose, while the amounts in Chapter 1.18 provide a ceiling ("not exceeding..."). Establishing a floor is not common as it's generally just left to the discretion of the court.

BUDGET IMPACT:

Staff and City Attorney expenses that have already been incurred.

RECOMMENDATION:

Staff recommend that the City Council hold a public hearing, discuss the proposed code modifications, and adopt Ordinance No. 2026-23.

SUGGESTED MOTION LANGUAGE:

"I move to approve the first reading of Ordinance 2026-23."

LIST OF ATTACHMENTS / EXHIBITS:

- Ordinance No. 2026-23
 - Exhibit A. Track Change Code Modifications