



EXHIBIT A.

# Sandy Municipal Code Enforcement Procedure Updates

City Council  
October 7, 2024

# Introduction - Why update the code?

- Current code enforcement procedures vary across the chapters and sections of the Sandy Municipal Code. Some code chapters have not been modified in decades.
- Remove outdated fine amounts from some chapters and instead refer to Title 1.
- Align penalty/fine amounts with regional averages for similar infractions.
- Standardize enforcement procedures to ensure equality in practice.
- Define procedures for repeat offenses, fine escalation, and irreversible infractions.
- The Business License code has not been revised since 1974. The Model Business License Ordinance provided by the League of Oregon Cities is being proposed.
- The Sign Code has First Amendment violations.

# Limitations

This code enforcement project is for code provisions that are enforced by the Development Services Department, not the Police Department, except for outdoor burning regulations.

Municipal Code Enforcement Responsibilities - City of Sandy

Community Service Officer Sandy Police	Code Enforcement Specialist Development Services
<b>Contact:</b> Kevin Moody <b>Email:</b> <a href="mailto:kmoody@ci.sandy.or.us">kmoody@ci.sandy.or.us</a> <b>Phone:</b> (503) 489-2184	<b>Contact:</b> Chris Relyea <b>Email:</b> <a href="mailto:crelyea@ci.sandy.or.us">crelyea@ci.sandy.or.us</a> <b>Phone:</b> (503) 783-2587
Homeless issues & residential camping	Weeds & junk accumulation
Noise complaints	Mud & debris on streets
Animal issues	Residential property issues <sup>1</sup>
Graffiti	Street trees/hazard trees
Parking issues	Streets, sidewalks & public property
Abandoned vehicles	Land use issues
Outdoor burning	Commercial property & business issues <sup>2</sup>
Illegal dumping	Dangerous & derelict buildings
Violations of park rules	Signs & sign code

<sup>1</sup> - includes property line issues, fences, trash cans, etc.

<sup>2</sup> - includes business license issues, transit tax issues, "dark sky" & other lighting issues, etc.

# Task Force

Councilors: Hokanson, Sheldon, and Smallwood

Commissioners: Wagener

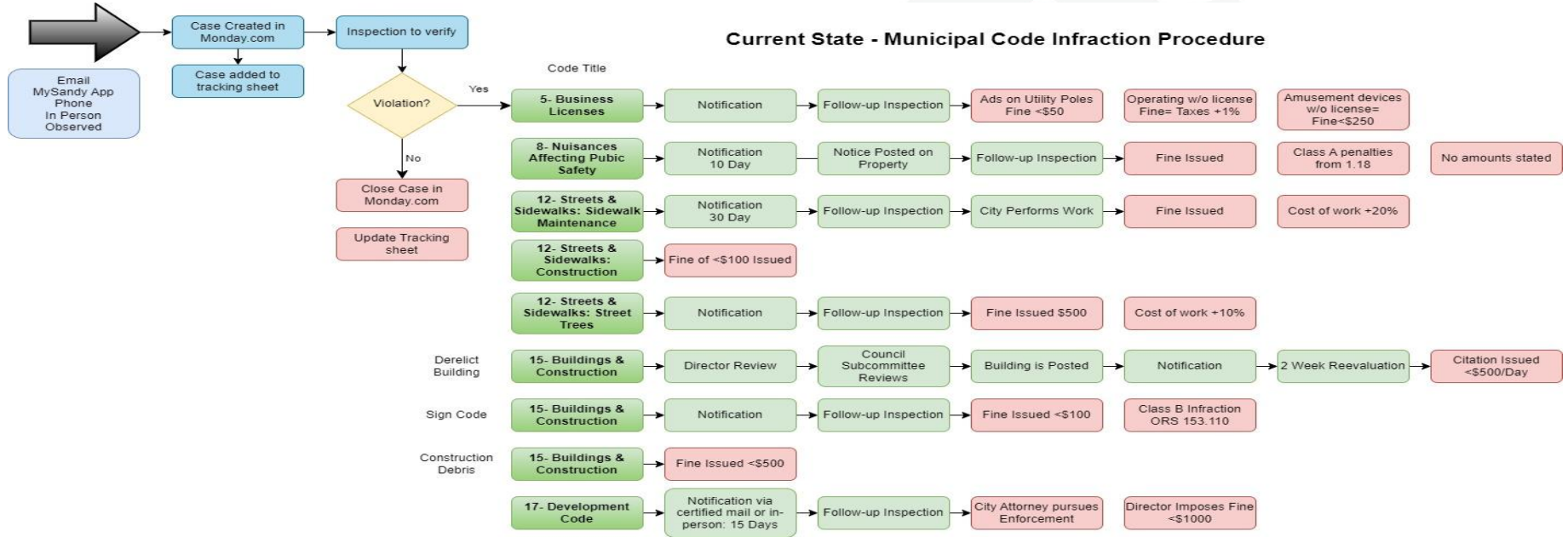
## **Meeting on September 6, 2024, and set these reminders:**

- We want compliance, not money. The increased citation amounts are not being completed for the generation of revenue, but as an additional deterrent to violating the Sandy Municipal Code.
- Larger fine amounts should be tied to violations of land use decisions, by developers, rather than more basic homeowner violations.
- Ongoing citations are also a pathway for judicial foreclosure for properties with egregious violations that no progress is being made or attempted by the property owner.

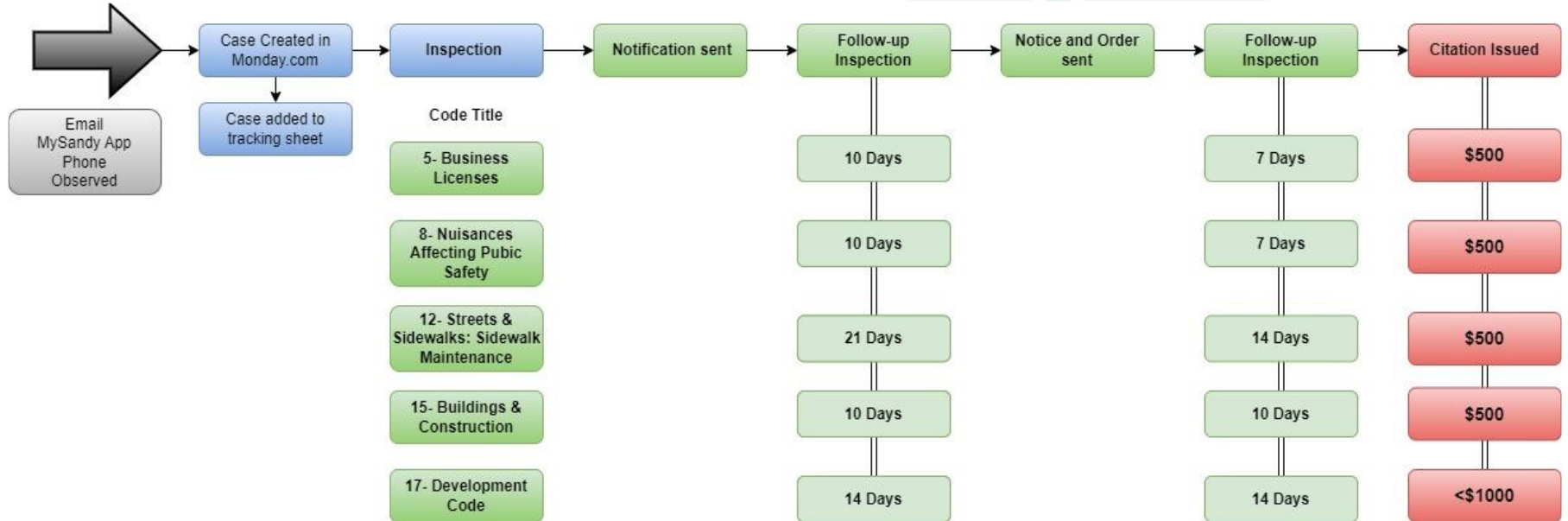
# Task Force

- Research other sanctions in addition to typical citations, such as a deposit equal to a percentage of the total project cost. This will require a discussion with our attorney.
- Research how to define and differentiate between homeowner violations and 'developer' violations. The task force wanted different citation schedules for the two. This will also require a discussion with our attorney.
- In the business license municipal code revisions make sure to provide an exception for vendors that only do business in Sandy at community events, such as Mountain Festival, Winterfest, and the Mt. Hood Farmers Market.
- In Chapter 8.22 of the Sandy Municipal Code, add that the City Manager can declare properties as a chronic nuisance for violations that are in Title 8, 12, 15, 17, and so on.
- The City Manager wants staff to address outdoor burning regulations as Chapter 8.36 is not comprehensive and doesn't have specificity on violations or enforcement.

# Current Code Enforcement Procedures



# Proposed Code Enforcement Procedures





# Penalties in comparison with other Oregon municipalities

SMC Title	1	5	8.16	12	12	15
Title Name	General	Bus Lic	Nuisances	Street Tree	Sidewalk	Sign Code
Sandy Current	up to \$500	\$100	up to \$500	up to \$500	Cost +15%	\$100
Proposed	\$250/\$500/\$1000	\$500	\$500	\$500	\$500	\$500
Happy Valley	\$150/\$2500	\$500	cost + 20%	\$150/\$2500	\$500	\$500
Gladstone	\$90/\$180/\$360/\$720	\$720	\$720	\$360	\$360	\$360
Lake Oswego	\$1,000	\$1,000	n/a	\$1,000	n/a	\$1,000
Milwaukie	\$150/\$500	\$500	\$500	\$500	\$250	\$250
Estacada	\$500	n/a	\$500	\$500	\$250	\$500
West Linn	\$500	\$500	\$500	\$500	\$200	\$500
Wilsonville	\$500	\$500	\$1,000	\$500	cost	\$100
Oregon City	\$300	\$300	\$300	\$300	\$300	\$300
Clackamas County Averages	\$450	\$525	\$565	\$523	\$310	\$439
Bend	\$200/\$400/\$750	\$750	\$0	\$750	cost	\$750
Hillsboro	\$500	5% per month	\$0	\$500	Cost +15%	\$500
Tualitin	\$100/\$250/\$500	\$500	10-50-250-500	\$100	cost	\$250
Ashland	\$138/\$200/\$325/\$500	\$500	\$325	\$200	\$500	\$500
Astoria	\$1,000	\$250	up to \$1000	up to \$1000	up to \$1000	up to \$1000
Aurora	\$500	\$500	\$500	\$500	\$500	\$200
Corvallis	\$100	\$300	\$1,000	\$500	\$250	\$100
Salem	\$2,000	\$2,000	up to \$2000	\$2,000	\$2,000	\$2,000
Sherwood	\$500	\$500	\$500	\$500	n/a	\$500
Troutdale	\$1,000	\$300	\$1,000	\$1,000	n/a	\$100
Hood River	\$500	\$100/\$250/\$500	\$500	\$500	cost	\$250
Beaverton	\$100/\$250/\$500	\$500	\$500	\$500	\$500	\$500
Newport	\$500	\$500	\$1,000	\$500	\$500	\$200
Statewide Averages	\$522	\$475	\$500	\$517	\$351	\$488



# Proposed Penalty Updates

## Current Fine Amounts:

General Provisions = up to \$500

Business License = \$100

Nuisance = up to \$500

Sidewalks = Cost of Repair + 15%

Sign Code Violation = \$100

Building and Construction = \$100 - \$1,000

Development Code = up to \$1,000

## Proposed Fine Amounts:

Class C = **\$250**

Class B = **\$500**

Class A = **\$1,000**

**Repeat Offenses escalate to the next class of infraction.** Example: If a class B infraction is repeated by the same individual or business the new offense is a class A infraction. If a class A infraction is repeated, the penalty is doubled.

# Proposed Penalties for Irreversible Violations

## Damaged and Destroyed Trees:

Street trees: \$500 per tree

Trees on existing lots: \$1,000 per tree

Trees removed during development: \$5,000 per tree

## Hillside Disturbance / Wetland Disturbance:

Existing lots: \$1,000

Disturbance during development: \$5,000

## Damaged and Destroyed Tree Fines:

Current Sandy	up to \$1000
Milwaukie	\$60 - \$675
Camas	\$250 - \$1000
West Linn	\$500
Eugene	\$250 - \$4400
Woodburn	\$5000 - \$10000
Happy Valley	\$500 - \$2500
Canby	up to \$500
Troutdale	up to \$1000
Portland	\$225 - \$1000
Redmond	up to \$3000
<b>Average</b>	<b>2000</b>

# Next Steps

2024/early 2025  
(not in order of Council review)

- General Penalty Chapter 1.16
- Civil Infraction Procedure Chapter 1.18
- Business License Code Chapter 5.04
- Chronic Nuisance Properties Chapter 8.22
- Outdoor Burning Chapter 8.36
- Sign Code Chapter 15.32

2025/2026

- Irreversible Violations (tree removal, wetland disturbance, etc.)
- Tree Code Chapter 17.102

# Input

Is there any additional input that the City Council would like to provide staff as we move forward with the Municipal Code updates?