



REQUEST FOR COUNCIL ACTION

Title: Request for Council Action – Code Compliance Abatement Lien for 780 9th Avenue

Preferred Agenda: July 8, 2025

Submitted By: Cecily Hope Pretty, Deputy City Manager

Reviewed By: Blair Larsen, City Attorney
Jason Ogden, City Manager / Police Chief

Type of Action: Motion ☒ Resolution ☐ Reading ☐ Roll Call ☐

Relevant Code/Policy: SHMC 8.04-II Abatement Procedure

Towards Council Goal: Effective Government, Desirable Community

Attachments: N/A

Purpose of this RCA:

The purpose of this RCA is to request City Council approval to place a lien on 780 9th Avenue consistent with the procedure outlined in Sweet Home Municipal Code (SHMC) Chapter 8.04-II for the assessment of a lien following City abatement of a property with code violations.

Background/Context:

Chapter 8.04 of the Sweet Home Municipal Code outlines a number of nuisances that must be addressed by property owners; failure to abate the nuisances may result in fines or the City may choose to abate the nuisances. If the City performs the abatement, a private company is hired to clean up the property and costs are assessed to the City. The City then invoices the costs to the property owner, plus an administrative fee, consistent with SHMC 8.04-II.

Below is a description of the history of code compliance issues at 780 9th Avenue. This list may not be comprehensive as it has spanned multiple years and Code Enforcement Officers.

Address: 780 9th Avenue

Owner: Kenneth Oberg

Violations: Open storage, Nuisances Affecting Public Health, Declaration of Public Nuisance, Attractive Nuisances

Abatement Costs: \$47,779.21

This property has a history of code violations dating back to at least 2009 according to City records, particularly for vehicles and open storage. The Code Enforcement program has been actively working with the property owner since at least 2023 to resolve code violations based on neighborhood complaints. The property owner was given the opportunity to avoid fines and abatement if progress was made to resolve the code violations at multiple occasions, most

recently in October 2024. From October 2024 to February 2025, the Code Enforcement Officer visited the property and noted little to no improvements in the status of the violations.

The resident was sent a notice of abatement pending on February 25, 2025. The final notice of abatement was posted on the property on March 12, 2025. City management met with the owner in mid-March where he stated that he would utilize the weekend to address the violations and the owner requested the Code Enforcement Officer to visit the property on March 26, 2025 to observe improvements. This site visit revealed few improvements. An abatement of the exterior of the property was conducted on April 1, 2025 through April 4, 2025.

Final invoices were sent to the property owner on May 13, 2025. Per SHMC, the owner has 30 days to settle the balance before City Council may take action to place a lien on the property for the amount of the lien. The balance has not been settled.

The owner received personal service of a notice of the Council action item on July 2, 2025.

The Challenge/Problem:

The City's abatement budget is funded through taxpayer dollars. Because the bills have not been paid by the owner, the full cost of cleanup currently lies upon the City. Failure to place a lien on the property means that the City will never recoup the costs for the abatement.

Issues and Financial Impacts:

If the lien is not placed, the City will bear the cost of the abatement. While it may take many years to recover those costs with the lien, it will still ensure the funds are restored to the Code Enforcement program (or the General Fund) at some point in the future whenever the property is sold or the lien is paid off.

Elements of a Stable Solution:

A fiscally responsible approach consistent with municipal code that balances the interests of the property owner, the surrounding neighborhood, and the City.

Options:

1. Do nothing: The City will not place a lien on the property and costs will be fully absorbed by the General Fund.
2. Move to direct the City Recorder (City Manager) to enter the proposed charges in the City lien docket as a lien upon 780 9th Avenue: A lien in the amount of \$47,779.21 will be placed on the property.
3. Move to direct the City Recorder (City Manager) to enter modified charges in the City lien docket as a lien upon 780 9th Avenue: The City Council may choose to modify the amount of the lien.

Recommendation:

Staff recommends option #2: Move to direct the City Recorder (City Manager) to enter the proposed charges in the City lien docket as a lien upon 780 9th Avenue.