



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: August 17, 2026		Subject: Public Safety Project Update – Updating Wilsonville Code Enforcement Provisions	
		Staff Member: Amanda Guile-Hinman, City Attorney	
		Department: Legal	
Action Required		Advisory Board/Commission Recommendation	
☐ Motion ☐ Public Hearing Date: ☐ Ordinance 1 st Reading Date: ☐ Ordinance 2 nd Reading Date: ☐ Resolution ☒ Information or Direction ☐ Information Only ☐ Council Direction ☐ Consent Agenda		☐ Approval ☐ Denial ☐ None Forwarded ☒ Not Applicable	
		Comments: N/A	
Staff Recommendation: N/A			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
☒ Council Goals/Priorities: 2025-27 Council Goal No. 2: Public Safety; Strategy 2.2	☐ Adopted Master Plan(s):	☐ Not Applicable	

ISSUE BEFORE COUNCIL:

Council discussion and input on proposed new administrative process for enforcing most of the Wilsonville Code.

EXECUTIVE SUMMARY:

As part of its 2025-27 Council Goals, the City Council adopted Goal 2: Public Safety. The first outcome identified in Goal 2 is to “streamline response to code enforcement challenges.” To achieve this outcome, Strategies 2.2 calls for the City to “update Chapter 1 code enforcement process and penalties” and to “investigate the potential implementation of an administrative process.” This staff report reviews the proposed structure of a new administrative code enforcement process and explains the portions of the Wilsonville Code staff recommends exempting from the administrative code enforcement process. Staff is seeking Council feedback on the recommended administrative process and exemptions, with the intent to provide Council with draft Code language at its September 21, 2026 work session.

I. BACKGROUND

The City interdepartmental project team, led by the Legal Department, began working on Strategy 2.2 in Summer 2025. As part of that process, staff: (1) undertook a comprehensive review of the Wilsonville Code to identify current enforcement provisions throughout the Wilsonville Code; (2) determined whether such provisions should be incorporated into a potential administrative enforcement process; and (3) researched other jurisdictions’ enforcement processes to develop a proposed administrative process for Council consideration.

At the December 1, 2025 Council meeting, staff provided Council with an overview of the issues experienced in the current code enforcement process; provided a summary of the current code enforcement process; reviewed other jurisdictions’ code enforcement processes; and offered recommendations for updating the City’s code enforcement procedures. Of particular note, the summary of identified issues with the City’s current code enforcement procedures is summarized below:

- Currently, Chapter 1 has a singular violation fee not exceeding \$500 per violation per day, regardless of circumstances warranting heightened fines, such as knowledge, intent, repetitiveness, and severity of violation.
- Despite misdemeanor language within the Code, the City does not currently have a streamlined process for moving code violations into Circuit or Justice Court to charge misdemeanors for code violations.
- Currently, separate procedures for enforcement exist in Chapters 4, 5, 6, 7, 8, 9, and 10, with different fine amounts, enforcement authority, and processes.
- Clear, consistent and appropriate application is of top priority in any upcoming updates to the enforcement provisions.
- There needs to be appropriate discretion for police and code enforcing authorities in the City built into the language of the provisions — ensuring that the level of authority to enforce is specified for each provision.
- The City must have the capacity to enforce any new regulations, so administration and cost burden must be considered.

Council was supportive of the proposed procedural changes, namely, creating a graduated fine structure, establishing a defined process for compliance agreements and appeals, instituting an authority structure that corresponds to the appropriate employee's responsibilities and authority, and moving forward with an administrative process for code enforcement.

Since then, as part of the overarching Council Goal 2, the Council adopted an administrative warrant process into the Wilsonville Code, which is a necessary tool for ensuring compliance with the Wilsonville Code.

As mentioned, this staff report summarizes staff's proposed updated administrative process for code enforcement and the exemptions to this administrative process.

II. SUMMARY OF ADMINISTRATIVE PROCESS

Below is a summary of the proposed administrative code enforcement process to replace the current process outlined in Chapter 1.

- **Purpose and applicability:**
 - Generally applies to civil (non-criminal or traffic) code violations; applies to "responsible persons," not just a property owner. Section III below highlights the code provisions staff recommends to be exempted from the proposed administrative code enforcement process.
- **Investigation of possible violation:**
 - Upon a complaint or proactive observation, the Compliance Officer may investigate violations and collect evidence.
 - May inspect public areas, may enter private areas only if: (1) consent; (2) administrative warrant; or (3) exigent circumstances necessitating immediate entry.
- **Notice of code violation:**
 - If a violation is confirmed, the Compliance Officer issues a Notice of Violation by posting and mailing (or in-person delivery).
- **Corrective action by responsible person:**
 - Correct violation within deadline stated in Notice of Violation.
 - Enter into a voluntary compliance agreement within the deadline stated in the Notice of Violation.
- **Corrective action by City:**
 - If responsible person fails to act or violates voluntary compliance agreement, City may undertake corrective action.
 - An administrative warrant is required for entry unless the violation poses an immediate threat to health or safety.
 - **Notice and collection of corrective action costs:**

- All responsible persons are jointly and severally liable for all costs incurred by the City.
 - City prepares Notice of Corrective Action Costs, posts on premises and mail (or in-person delivery).
 - Deadline for payment or else costs are recorded as a city lien on the property with interest.
- Remedies and penalties:
 - Corrective action cost recovery is remedial, and thus in addition to penalty(ies) for code violation(s).
 - If violation fully corrected within deadline stated in Notice of Violation or voluntary compliance agreement, then civil penalty may be waived.
 - If not fully corrected within deadline, the City may impose a civil penalty by issuing a Notice of Civil Penalty.
 - Notice of Civil Penalty is posted and mailed (or in-person delivery).
 - Each uncorrected day is a separate violation.
 - Matrix of penalties:
 - Range from \$25 to \$5,000 depending on several factors:
 - Prior violations;
 - Gravity and magnitude of violation;
 - Whether violation was repeated or continuous;
 - Whether the cause was an unavoidable accident, negligence, or an intentional act;
 - Violator's cooperativeness and efforts to correct the violation; and
 - Any other relevant rules or regulations of the City of Wilsonville.
 - If not paid, the civil penalty is recorded as a city lien against the property.
- Protests and appeals:
 - Protest to City Manager within 10 days with reasoning and evidence.
 - City Manager issues a final order to uphold, amend, or dismiss the Notice of Violation, Notice of Corrective Action Costs, or Notice of Civil Penalty.
 - Appeal to City Council within 10 days of City Manager's final order, with reasoning and evidence.
 - A responsible party may seek review of the City Council decision by writ of review under ORS Chapter 34.

III. EXEMPTIONS FROM ADMINISTRATIVE PROCESS

Like McMinnville and Beaverton, staff recommends explicitly stating in Chapter 1 the parts of the Wilsonville Code that are exempt from the standard administrative process. The proposed sections are outlined in the chart below, with the justification for their exemption(s).

Code Section	Description	Reason(s) for exemption
WC Chapter 5	Enforcement of traffic laws and parking	State law (ORS 153.045) requires traffic laws to be enforced by citation conforming to the listed statutory requirements; citations for parking violations are more efficient for enforcement and towing
WC 8.318	Enforcement related to erosion and sediment control permits for managing stormwater during construction activities	In 2018, the City overhauled its enforcement processes related to stormwater management due to violations occurring on construction sites. The new regulations are comprehensive and responsive to state and federal requirements for stormwater management and so changing this process to conform to Chapter 1 is not recommended. Some of the processes in Chapter 1 are modeled off of this section.
WC 8.500-8.502; 8.600-8.608	Enforcement related to the City's industrial wastewater regulations and industrial pretreatment program	The City is required, pursuant to the federal Clean Water Act and General Pretreatment Regulations, to enforce certain requirements for the treatment and disposal of wastewater. Any updates to such provisions must be approved by DEQ and so it is recommended to continue separating these provisions from the City's general enforcement provisions.
WC Chapter 9	City Building Code	State law dictates a specific enforcement process, which is incorporated into Chapter 9
WC 10.000-10.390, 10.540, 10.680	Oregon Criminal Code, Welfare of Minors, Animals, Miscellaneous Violations, Civil Exclusions, Transit Rider Rules	Chapter 10 of the Wilsonville Code covers general offenses. For those offenses that are criminal acts, they must be charged in accordance with Oregon law. Similarly, violations of the civil exclusion provisions and transit rider rules may lead to criminal trespass charges, and so those provisions are recommended to be exempted. Camping regulations and other provisions that currently provide for enforcement under Chapter 1 are recommended to remain included in the Chapter 1 enforcement processes.

IV. COUNCIL FEEDBACK AND NEXT STEPS

Staff seeks feedback from the City Council regarding the proposed approach to updating the City's general code enforcement processes. Upon receiving Council feedback, staff anticipates reviewing proposed code updates with the City Council at its September 21, 2026 work session. If the Council remains supportive of the proposed updates, staff anticipates a public hearing before the Planning Commission related to the updates to Chapter 4 in October and then a public hearing and second reading before City Council in November. The proposed effective date of any changes is January 1, 2027.

STAFF RECOMMENDATION:

Staff recommends that Chapter 1 is updated to include an overarching code enforcement administrative process, including references to each Chapter that falls under its purview. Additionally, staff recommends that other references in Wilsonville Code are updated to reflect any new Chapter 1 processes and that Chapter 1 includes language that specifies which Chapters of the Code it does NOT apply to.

EXPECTED RESULTS:

Streamlined, efficient, and clear code enforcement procedures for any violations of Wilsonville Code provisions.

TIMELINE:

Staff anticipates that a draft code update for Chapter 1 can be provided to Council in September 2026.

CURRENT YEAR BUDGET IMPACTS:

Staff do not anticipate current year budget impacts. This project is currently being managed in-house by City staff.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Council's Public Safety Goal aims to ensure that City staff and community members have the tools necessary to address different public safety and livability concerns. An administrative code enforcement process to streamline responses to code violations within the City and ensuring that there is fair and equal application of penalties to violators overall will ensure that any future issues are clearly resolved to benefit the overall community.

ALTERNATIVES:

Council could determine not to pursue code enforcement updates or to exclusively rely on the Municipal Court as the venue for prosecuting violations of the Wilsonville Code.

CITY MANAGER COMMENT:

N/A