



**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date: June 19, 2023</b>		<b>Subject: Resolution No. 3059</b> A Resolution of the City of Wilsonville Approving a Civil Exclusion Policy	
		<b>Staff Member:</b> Amanda Guile-Hinman, City Attorney and Megan Adams, Law Clerk	
		<b>Department:</b> Legal	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable <b>Comments:</b> N/A	
<b>Staff Recommendation:</b> Approve Resolution No. 3059.			
<b>Recommended Language for Motion:</b> I move to approve Resolution No. 3059.			
<b>Project / Issue Relates To:</b>			
<input type="checkbox"/> Council Goals/Priorities:	<input type="checkbox"/> Adopted Master Plan(s):	<input checked="" type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:**

Consider approval of a civil exclusion policy as a refinement of the City’s current civil exclusion regulations to allow City staff to administer progressive exclusion consequences based on an individual’s conduct. The proposed civil exclusion policy is attached as **Exhibit A** to Resolution No. 3059.

## **EXECUTIVE SUMMARY:**

The City currently has two mechanisms to exclude individuals from City facilities when exhibiting certain inappropriate behavior in those facilities. However, the City lacks clear guidance for progressive discipline that is linked to the behavior exhibited. Unlike Wilsonville, many other cities, and particularly, public libraries, have progressive civil exclusion policies as a resource for individuals' disruptive conduct. As a tangent to the City's recent Wilsonville Code update regarding camping for survival, City staff identified the need for a more comprehensive, nuanced, and uniform policy for civil exclusions from City facilities, particularly the library and parks and recreation buildings and parks.

At the June 5, 2023 work session, Council reviewed a draft of the proposed civil exclusion policy. This staff report reviews current civil exclusion regulations, provides an overview of the proposed civil exclusion policy, and highlights the revisions to the proposed policy since the June 5, 2023 work session.

### **I. Current Civil Exclusion Regulations**

#### **A. Wilsonville Code 10.540**

Wilsonville Code (WC) 10.540 states that a person may be excluded from city property for violating "any applicable provision of law or regulation in or on any City Property from that City Property..." WC 10.540(2). Generally, a warning must first be given, but then the civil exclusion is issued for the following time periods:

- First offense within a two-year period: 30-day exclusion
- Second offense within a two-year period: 90-day exclusion
- Third (or more) offense within a two year period: 180-day exclusion

There is no provision that allows for a shorter exclusion period than 30 days, and, while the provision covers "any applicable provision of law or regulation," it is unclear whether certain disruptive conduct, such as continually making loud noises in the library or leaving personal items unattended, would be subject to the Code provision. Furthermore, the Code is, at best, unclear if an individual is only excluded from the one City facility where the disruptive conduct occurred or excluded from all City facilities. At times, staff encounter situations where an individual is disruptive in one City facility, told to leave, and then enters another City facility and continues to engage in the disruptive behavior.

#### **B. Clackamas County Sheriff's Office Exclusion Program**

Since the City contracts with the Clackamas County Sheriff's Office (CCSO), the City may also utilize CCSO's exclusion program. The CCSO exclusion program is a means to potentially charge individuals with criminal trespass when they engage in certain conduct and refuse to leave a premises. While the City has utilized this program, staff identified the need for intermediate steps that allow for shorter term exclusions and exclusions across all City facilities when an individual

is engaging in disruptive conduct at multiple City facilities. City staff also seek authorization to enforce an exclusion policy without requiring a police response.

## II. Proposed Civil Exclusion Policy

The proposed civil exclusion policy is attached as **Exhibit A** to Resolution No. 3059. The policy breaks Conduct Violations into three (3) categories: disruptive personal conduct, disruptive property conduct, and criminal violations. The personal conduct and property conduct violations were developed by examining other cities' and other public libraries' exclusion policies. The criminal violations were also derived from other exclusion policies as well as the violations listed in WC 10.540(4).

The proposed policy explains that an individual may be excluded from all City property (not just the particular City facility where the violation occurred) if any of the following circumstances exist: (a) the individual engages in one or more of the Conduct Violations on different City Properties within the same day or within a previously imposed exclusion period; (b) the individual commits more than one of the disruptive personal or property conduct violations (Conduct Violations 1-21); (c) the individual commits any of the criminal violations (Conduct Violations 22-43); or (d) the individual demonstrates intentional or willful disregard of patrons, employees, or City Property when engaging in any of the Conduct Violations or when receiving compliance instructions from City employees or Excluding Officers.

The policy also states that repeated violations will lead to longer exclusion periods. It further notes that any civil exclusions may be in addition to other criminal penalties, orders, or exclusions issued by law enforcement or courts.

As discussed in more detail in Section III below, the proposed policy provides a dual track for appeals where an individual may either have their exclusion appeal heard by the City Manager or by the Municipal Court. These appeals are the only local process that an individual may pursue before seeking a remedy in court.

The shortest exclusion period provided in the policy is for the remainder of the day, and is for disruptive personal conduct and disruptive conduct regarding property such as leaving trash, inappropriate use of the public restrooms, and blocking access to facility services.

Criminal conduct, depending on the type of conduct, will result in an immediate exclusion for the remainder of the day without warning, an immediate exclusion for seven (7) days without warning, or an immediate exclusion for 30 days. The policy does not contemplate a first offense as having a longer period than 30 days due to the limitations stated in WC 10.540(3), which states that a first offense will result in a 30-day exclusion. This minimum exclusion does not preclude the ability to use longer exclusion timeframes in the Wilsonville Code, the CCSO program, or other legal remedies, but provides some flexibility for City employees to respond based on the nature of the conduct and the circumstances of the particular incident.

### III. Revisions Since Work Session

**Attachment 2** attached hereto shows the revisions made to the policy since the version provided to Council at the June 5, 2023 work session. Below is a summary of the revisions made.

- Excluded sidewalks and rights-of-way from the “City Property” definition because the City cannot exclude people from traveling on a sidewalk or street. The City has other regulations, in addition to state statutes, that outline offenses and related consequences for conduct on City streets and sidewalks (e.g., littering).
- Council sought language for exclusion from all City Property when one incident is severe enough to warrant such an exclusion. Staff added language that intentional or willful disregard of patrons, employees, or City Property when engaging in a Conduct Violation may cause an exclusion from all City Property.
- For added flexibility for staff depending on the situation, the policy now states that an Excluding Officer may issue an exclusion for a duration up to and including the number of days stated for an offense. Staff recognized that there are times when an individual may need to be excluded for the remainder of the day on one occasion and again need to be excluded months later, but the conduct does not warrant a more severe exclusion.
- Employees noted that a person may be excluded and leave before the employee can communicate this to the person. The policy now has language regarding notice that the Excluding Officer needs to provide notice as soon thereafter to the fullest extent possible.
- Council discussed a dual track appeal process in recognition of the shorter appeal period that this policy provides. As such, the policy now allows an individual to either appeal to the City Manager or the Municipal Court, with specific requirements for each. The policy also explains that the next step after a decision from either the Municipal Court or the City Manager is a writ of review in circuit court pursuant to ORS 34.010 through 34.102.
- The matrix of offenses generally remained unchanged except as to the following:
  - Minor grammatical and formatting changes
  - Removal of duplicative offenses
  - Clarifying cannabis violation as to only smoking or otherwise using any cannabis products that are prohibited from use on City Property
  - Increasing the allowed exclusion period for certain criminal conduct, such as disorderly conduct, homicide, assault, kidnapping, coercion, sexual offenses, invasion of privacy, stalking, extortion, money laundering, arson, criminal mischief, and animal abuse
  - Clarifying that the firearm possession does not apply to individuals who are licensed to carry concealed handguns, as stated in ORS 166.370(3)(g)

**EXPECTED RESULTS:**

Clearer guidance for City employees and patrons of City facilities regarding rules of conduct and consequences for violating such rules.

**TIMELINE:**

Staff recommends that this refined civil exclusion policy be implemented concurrent with the effective date of the City's new regulations governing camping for survival, which is July 1, 2023.

**CURRENT YEAR BUDGET IMPACTS:**

N/A

**COMMUNITY INVOLVEMENT PROCESS:**

N/A

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

Disruptions, particularly at the Library, Community Center, and City Parks, have demonstrated a need for clearer regulations and processes when individuals are engaging in the disruptive conduct. A policy that has flexibility with duration of the exclusion based on the conduct and circumstances will mean that situations can be handled without law enforcement involvement.

**ALTERNATIVES:**

Continue to process civil exclusions through WC 10.540 and the CCSO policy.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. Resolution No. 3059
  - A. Civil Exclusion Policy
2. Redline of Revisions to Policy Since June 5, 2023 Work Session

**RESOLUTION NO. 3059**

**A RESOLUTION OF THE CITY OF WILSONVILLE APPROVING A CIVIL EXCLUSION POLICY FOR CITY FACILITIES.**

WHEREAS, Wilsonville Code (WC) 10.540 provides broad authority for the City to issue a civil exclusion against an individual who violates any Code provisions, ordinances, or criminal or traffic laws while on City property; and

WHEREAS, WC 10.540 establishes a minimum exclusion period of 30 days; and

WHEREAS, there is currently no Code provision that establishes the parameters for a shorter exclusion period; and

WHEREAS, ongoing disruptive conduct in City facilities that may not be explicitly prohibited in City Code or ordinances should be subject to an exclusion policy; and

WHEREAS, when individuals engage in disruptive or prohibited conduct in a City facility, the City should have a policy that addresses exclusions in other City facilities; and

WHEREAS, City employees should have authority to issue exclusions without involvement of law enforcement when an individual is disruptive but not engaging in criminal conduct.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

Section 1. Findings. The above-stated recitals are incorporated as findings, along with the staff report accompanying this Resolution.

Section 2. The Civil Exclusion Policy attached hereto and incorporated by reference herein as **Exhibit A** is approved as the City of Wilsonville Exclusion Policy.

Section 3. Effective Date. This Resolution is effective beginning July 1, 2023.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 19th day of June, 2023, and filed with the Wilsonville City Recorder this date.

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JULIE FITZGERALD, MAYOR

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBITS:

- A. City of Wilsonville Civil Exclusion Policy

**City of Wilsonville’s Civil Exclusion Policy**  
**Effective July 1, 2023**

**Exclusion Generally:**

The following conduct is prohibited on the City of Wilsonville’s property as authorized by the City Manager. Wilsonville Code (WC) 10.540. “City Property” means any property, including but not limited to parks, greenways, libraries, buildings, parking lots, or other land or physical structures owned by the City, but excluding City-owned sidewalks and rights-of-way. Persons who violate rules outlined below (“Conduct Violations”) may be subject to the penalties set forth herein.

Engaging in more than one of the Conduct Violations 1-21 below or any Conduct Violations listed in rules 22-43 may be cause for immediate exclusion as well as criminal penalty. Engaging in: (a) one or more of the Conduct Violations on different City Properties within the same day or within a previously imposed exclusion period; (b) more than one of the Conduct Violations 1-21 below; (c) any Conduct Violations listed in rules 22-43; or (d) demonstrating intentional or willful disregard of patrons, employees, or City Property when engaging in Conduct Violation(s) or when receiving compliance instructions from City employees or Excluding Officers may be cause for exclusion from all City Property for a period of one day to one year, dependent on the number and severity of the Conduct Violation(s). An “Excluding Officer” is defined as any police officer or City employee who is authorized by the City Manager to issue exclusions. An Excluding Officer may issue exclusions for durations up to and including the number of days stated for an offense.

**Repeat Offenses:**

Individuals who repeatedly engage in Conduct Violations after having been previously excluded for Conduct Violations will face longer exclusions. Repeat offenders need not violate the same rule, nor violate rules in the same facility, to be subject to stricter enforcement and may not be warned that their conduct is inappropriate before being excluded.

**Exclusion Regarding Criminal Conduct:**

The City of Wilsonville may issue a civil exclusion in addition to any criminal penalties, orders, or exclusions issued by law enforcement and/or courts.



**Written Notice:**

Written notice signed by the Excluding Officer shall be given to any person excluded from any City Property when the exclusion period is longer than the remainder of the day. Excluding Officers will attempt to provide written notice to the fullest extent possible at the time of issuing the exclusion. If an individual has left the City Property before the notice may be provided to the individual, the Excluding Officer will provide the notice as soon as reasonably possible thereafter. The notice shall specify: (a) the date of the exclusion's issuance; (b) length of exclusion; (c) City Property from which the person is excluded; (d) identify the provision of law the person has violated and shall contain a brief description of the offending conduct; (e) inform the excluded person of the right to appeal, including the time limit and the place of delivering the appeal; (f) inform the excluded person of the right to petition for a waiver of all or any portion of the exclusion; and (g) the consequences for failure to comply shall be prominently displayed on the notice.

**Appeal Procedure:**

A person receiving such notice of exclusion may appeal the exclusion to either: (1) the Wilsonville City Manager; or (2) the Wilsonville Municipal Court. The appellant is prohibited from appealing to both the City Manager and the Wilsonville Municipal Court. If an individual submits an appeal to both, whichever receives the appeal first will consider the appeal and the other appeal will be summarily dismissed. If an appeal is submitted simultaneously to both, the appeal will be considered by the City Manager and the appeal to the Municipal Court will be summarily dismissed without a hearing.

**Appeal to City Manager:**

If an individual elects to appeal to the City Manager, the appellant must submit, in writing, to the City Manager, not later than seven (7) days after the exclusion or issuance of the exclusion notice (if provided after the beginning of the exclusion period), the following information: (a) appellant's name, contact information (address, telephone number, email, and any other information as a means to contact the individual); (b) the exclusion the appellant is appealing; and (c) appellant's reason(s) why the exclusion should be rescinded. The written appeal must be submitted by at least one of the following means: (a) hand-delivery at Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon 97070; (b) email to: [Administration@ci.wilsonville.or.us](mailto:Administration@ci.wilsonville.or.us); or (c) first-class mail to City of Wilsonville,

attention: City Manager, 29799 SW Town Center Loop East, Wilsonville, Oregon 97070. For appeals sent via first-class mail, the appellant bears the responsibility to ensure the appeal is received by the City within the seven-day appeal period. Any untimely appeals will be summarily dismissed without further consideration.

For all timely submitted appeals, the City Manager will decide whether to uphold, rescind, or modify the exclusion not later than two (2) Business Days after receipt of the appeal. For clarity, the day the appeal is submitted does not count toward the two-Business-Day period. "Business Day" means any day Wilsonville City Hall is open to transact business.

The City Manager will rescind the exclusion upon a showing that: (1) it was more likely than not that the excluded individual did not commit the Conduct Violation(s); or (2) the excluded individual was engaged in the lawful exercise of any right or privilege guaranteed under the United States Constitution, Constitution of the State of Oregon, or any other law. The City Manager may seek evidence from the Excluding Officer to aid in the City Manager's decision. The City Manager's decision will be provided to the email and/or mailing address provided by the individual.

**Appeal to Municipal Court:**

If an individual elects to appeal to the Wilsonville Municipal Court, the appellant must submit, in writing, to the Municipal Court, not later than seven (7) days after the exclusion or issuance of the exclusion notice (if provided after the beginning of the exclusion period), the following information: (a) appellant's name, contact information (address, telephone number, email, and any other information as a means to contact the individual); and (b) the exclusion the appellant is appealing. An evidentiary hearing shall be held at the next regularly scheduled session of the Wilsonville Municipal Court. The Excluding Officer will be provided the opportunity to attend the hearing and to present evidence to support issuing the exclusion. The excluded individual may request, in writing, setting forth the reason therefor, that the hearing be postponed, and the Municipal Court shall grant such a postponement upon a showing of necessity. The Municipal Court shall dismiss the exclusion upon a showing that: (1) it was more likely than not that the excluded individual did not commit the Conduct Violation(s); or (2) the excluded individual was engaged in the lawful exercise of any right or privilege

guaranteed under the United States Constitution, Constitution of the State of Oregon, or any other law.

**Writ of Review:**

The decision of the City Manager or the Municipal Court may be reviewed via a writ of review process provided in ORS 34.010 through 34.102.

**Exclusions during an Election:**

To ensure eligible voters are not excluded, a maximum of two hours shall be permitted to anyone issued a notice of exclusion in order to participate in an election facilitated on City property.

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<b>Tier 1: Disruptive Personal Conduct</b>						
<b>Consequences (Exclusion Period)</b>						
<b>#</b>	<b>Violation</b>	<b>1st Violation</b>	<b>2nd Violation</b>	<b>3rd Violation</b>	<b>4th Violation</b>	<b>5th Violation</b>
1	Excessive odor, either because of poor personal hygiene or excessive cologne/perfume	Asked to leave until resolved	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
2	Disruptive cell phone use	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
3	Loud Noises, including but not limited to shouting, snoring, and impermissible audio equipment use	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days

4	Disregarding the direction of facility staff	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
5	Verbal or written abuse directed toward staff or patrons	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
6	Behavior that endangers other Patrons and/or Staff	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
7	Solicitation of any kind, except in dedicated areas	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
8	Use of Tobacco, Cigarettes, e-cigarettes, or Vape Pens	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days

9	Leaving Personal Items unattended	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
10	Disruptive eating (consuming food that is loud or messy, more than a quick tidy snack)	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for One Week	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
11	Leaving trash or food waste in the facility (except in designated garbage receptacles)	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
12	Entering or remaining on facility premises with belongings that cannot be carried in a single trip and stored under a chair or table without disturbing others	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
13	Using restrooms for bathing, washing hair, shaving, washing laundry, or other improper use	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days

14	Significantly rearranging or moving furniture or materials without returning them.	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
15	Laying on the floor for the purpose of sleeping	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
16	Bringing animals into the facility (Except Service Animals)	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
17	Skateboarding in a prohibited area  (Wilsonville City Code 10.420)	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
18	Using rooms, materials, and/or furniture for purposes for which they are not intended	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days

19	Any other Disruptive behavior defined as conduct that interferes with: (a) Normal facility operations; and/or (b) Staff's ability to do their job; and/ or Another patron's ability to use a facility.	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
<b>Tier 2: Disruptive Property Violations</b>						
<b>Consequences (Exclusion Period)</b>						
#	Violation	1st Violation	2nd Violation	3rd Violation	4th Violation	5th Violation
20	Blocking access to Facility Services	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days
21	Inflicting damage to City facility or a facility's property	Warning Given; and if Continued, Exclusion for Remainder of Day	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion 180 days



<b>Tier 3: Criminal Violations</b>						
<b>Consequences (Exclusion Period)</b>						
<b>#</b>	<b>Violation</b>	<b>1st Violation</b>	<b>2nd Violation</b>	<b>3rd Violation</b>	<b>4th Violation</b>	<b>5th Violation</b>
22	Refusing to leave the facility when asked to do so	Immediate Exclusion with No Warning	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion, 180 days
23	Harassment of staff or other Patrons	Immediate Exclusion with No Warning	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion, 180 days
24	Intoxication: Including exhibiting any signs of or being under the influence; being under the influence of any controlled substance listed in Schedules I-V of the Controlled Substances Act, 21 U.S.C. §812 (ORS 475; Wilsonville City Code 10.300)	Immediate Exclusion with No Warning	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion, 180 days
25	Selling or Distributing of Cannabis, Alcohol or any illegal substances; smoking or using any cannabis products that are prohibited from use on City Property or in City facilities.	Immediate Exclusion for 7 Days with No Warning	Excluded for 30 Days	Excluded For 60 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion, 180 days

26	<p>Engaging in Conduct that is classified as theft such as taking, appropriating, or withholding property from a patron or a city facility.</p> <p>(ORS 164.055)</p>	<p>Immediate Exclusion for 7 Days with No Warning</p>	<p>Excluded for 30 Days</p>	<p>Excluded For 60 Days</p>	<p>If within two years before the date of the present exclusion, 90 days</p>	<p>If within two years before the date of the present exclusion, 180 days</p>
27	<p>Engaging in disorderly conduct by intentionally causing public inconvenience or alarm, pulling a fire alarm when there is no emergency, circulating a knowingly false report, inciting a riot.</p> <p>(ORS 166.023; ORS 166.715)</p>	<p>Immediate Exclusion for 7 Days with No Warning</p>	<p>Excluded for 30 Days</p>	<p>Excluded For 60 Days</p>	<p>If within two years before the date of the present exclusion, 90 days</p>	<p>If within two years before the date of the present exclusion, 180 days</p>
28	<p>Engaging in Sexual Conduct including but not limited to indecent exposure or physical contact through clothing for sexual gratification or disregarding another person's reasonable expectation of privacy.</p> <p>(ORS 167.060; ORS 163.070)</p>	<p>Immediate Exclusion for 30 Days with No Warning</p>	<p>Excluded for 60 Days</p>	<p>If within two years before the date of the present exclusion, 90 days</p>	<p>If within two years before the date of the present exclusion, 180 days</p>	<p>If within two years before the date of the present exclusion, 1 year.</p>
29	<p>Attempting to bribe a public servant/employee with the intent to assert influence.</p> <p>(ORS 162)</p>	<p>Immediate Exclusion for 7 Days with No Warning</p>	<p>Excluded for 30 Days</p>	<p>Excluded For 60 Days</p>	<p>If within two years before the date of the present exclusion, 90 days</p>	<p>If within two years before the date of the present exclusion, 180 days</p>

30	<p>Engaging in Conduct including:                  (1) Homicide                  (2) Assault and Related Offenses                  (3) Kidnapping and Related Offenses                  (4) Coercion                  (5) Sexual Offenses                  (6) Invasion of Privacy                  (7) Stalking                  (ORS 163)</p>	<p>Immediate Exclusion for 30 Days with No Warning</p>	<p>Excluded for 60 Days</p>	<p>If within two years before the date of the present exclusion, 90 days</p>	<p>If within two years before the date of the present exclusion, 180 days</p>	<p>If within two years before the date of the present exclusion, 1 year.</p>
31	<p>Engaging in conduct such as extortion, money laundering, arson, criminal mischief, graffiti, littering or other criminal offenses regarding the destruction of city property.                  (ORS 164)</p>	<p>Immediate Exclusion for 30 Days with No Warning</p>	<p>Excluded for 60 Days</p>	<p>If within two years before the date of the present exclusion, 90 days</p>	<p>If within two years before the date of the present exclusion, 180 days</p>	<p>If within two years before the date of the present exclusion, 1 year</p>
32	<p>Engaging in Conduct that is fraudulent or deceptive such as forgery, fraudulent use of a credit card, falsifying a record, misrepresentation of age, misrepresentation of identity.                  (ORS 165)</p>	<p>Immediate Exclusion for 7 Days with No Warning</p>	<p>Excluded for 30 Days</p>	<p>Excluded For 60 Days</p>	<p>If within two years before the date of the present exclusion, 90 days</p>	<p>If within two years before the date of the present exclusion, 180 days</p>
33	<p>Possession of a firearm, destructive device, ammunition, or body armor on city property. (Not applicable to persons licensed to carry a concealed handgun)(ORS 166.370(3)(g))</p>	<p>Immediate Exclusion for 7 Days with No Warning</p>	<p>Excluded for 30 Days</p>	<p>Excluded For 60 Days</p>	<p>If within two years before the date of the present exclusion, 90 days</p>	<p>If within two years before the date of the present exclusion, 180 days</p>
34	<p>Engaging in Conduct that is abusive of animals, creates a hazard, obscene, promotes gambling, or prostitution                  (ORS 167)</p>	<p>Immediate Exclusion for 30 Days with No Warning</p>	<p>Excluded for 60 Days</p>	<p>If within two years before the date of the present exclusion, 90 days</p>	<p>If within two years before the date of the present exclusion, 180 days</p>	<p>If within two years before the date of the present exclusion, 1 year</p>

35	<p>Conduct in which a person below the age of 21 years old attempts to purchase, acquire, or possess any form of alcoholic liquor.</p> <p>(Wilsonville City Code 10.130)</p>	Immediate Exclusion for 7 Days with No Warning	Excluded for 30 Days	Excluded For 60 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion, 180 days
36	<p>Allow a dog to be off leash or at large in any public street, park, or other city facility unless it is a designated are for off leash animals, or the dog is a service animal. The owner is responsible for all fecal matter collection and any behaviors of the animal.</p> <p>(Wilsonville City Code 10.220;10.240)</p>	Immediate Exclusion for 7 Days with No Warning	Excluded for 30 Days	Excluded For 60 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion, 180 days
37	<p>Engaging in conduct that harms or kills birds or any animal without consent in the form of a written motion from the City Council approving/designating such animal as a nuisance.</p> <p>(Wilsonville City Code 10.230)</p>	Immediate Exclusion with No Warning	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion, 180 days
38	<p>Engaging in conduct in which a person requests an immediate donation of money or any other gratuity from another person, and includes seeking donations:</p> <p>(a) By vocal appeal or for music, singing, or other street performance; (b) When the person being solicited receives an item of little or no monetary value in exchange for a donation, under circumstances where a reasonable person would understand that the transaction is in substance a donation.</p> <p>(Wilsonville City Code 10.310)</p>	Immediate Exclusion with No Warning	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion, 180 days

39	Spitting upon a public sidewalk or street, or in a public facility, except in receptacles designated for that purpose. Urinating or defecating in public unless it is in an appropriately designated bathroom facility. (Wilsonville City Code 10.350)	Immediate Exclusion with No Warning	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion, 180 days
40	Engaging in conduct of destroying or injuring any property of the City. (Wilsonville City Code 10.350)	Immediate Exclusion with No Warning	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion, 180 days
41	Intentionally defacing or tearing down any notice, bulletin, or sign before its date of expiration; or posting of any unauthorized posters. (Wilsonville City Code 10.390)	Immediate Exclusion for 7 Days with No Warning	Excluded for 30 Days	Excluded For 60 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion, 180 days
42	Engaging in conduct of jumping, climbing, or diving from the public pilings at the boat dock or swimming dock at the Wilsonville Memorial Park or Boone's Ferry Park. (Wilsonville City Code 10.425)	Immediate Exclusion for 7 Days with No Warning	Excluded for 30 Days	Excluded For 60 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion, 180 days
43	Promoting an individual to commit any of the offenses specifically prohibited in the City code. (Wilsonville City Code 10.510)	Immediate Exclusion with No Warning	Excluded for 7 Days	Excluded For 30 Days	If within two years before the date of the present exclusion, 90 days	If within two years before the date of the present exclusion, 180 days