



## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b> September 15, 2025		<b>Subject:</b> Public Safety Project Update – Solutions for Graffiti Abatement and Adding Administrative Warrants Process  <b>Staff Member:</b> Amanda Guile-Hinman, City Attorney and Hannah Young, Law Clerk  <b>Department:</b> Legal	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input 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 type="checkbox"/> Resolution <input checked="" 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> N/A			
<b>Recommended Language for Motion:</b> N/A			
<b>Project / Issue Relates To:</b>			
<input checked="" type="checkbox"/> Council Goals/Priorities: 2025-27 Council Goal No. 2: Public Safety; Strategy 2.4 -2.5	<input type="checkbox"/> Adopted Master Plan(s):	<input type="checkbox"/> Not Applicable	

### ISSUE BEFORE COUNCIL:

Council input on (1) an alternatives analysis addressing current gaps in Wilsonville's administrative warrant process, including a comparison with Clackamas County's existing procedures; and (2) potential opportunities to implement graffiti abatement programs.

## 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 2.4 and 2.5 call for the City to “investigate developing a graffiti enforcement/reward program” and to “review Clackamas County’s administrative warrant process and consider whether the City should adopt a similar local process.” Prior to addressing each of these topics, this staff report provides background information on the identified issues and provides potential solutions. From the information provided herein, during the September 15, 2025 work session, staff seeks the following feedback from Council:

1. At this time, does Council have any questions or feedback regarding the alternatives analysis of the relevant code provisions staff is performing concerning administrative warrants?
  - a. Is Council prepared to move forward with reviewing draft code language for an administrative warrant process?
2. Are there any other alternatives that Council wants staff to examine regarding graffiti abatement?
  - a. Is there a particular alternative Council would like staff to prepare for further consideration?

## I. BACKGROUND

Based on the implementation timeline identified in the approved Council Goals, staff began working on the first outcome of Goal 2 in May 2025. An interdepartmental team consisting of employees from Legal, Police, Code Compliance, Administration, and Community Development met to discuss the strategies identified for the outcome of streamlining response to code enforcement challenges. A chart of each subgroup for the five (5) strategies is provided below:

Strategy	Subgroup Members
2.1 – Investigate enforcement solutions for RVs (and examine abandoned vehicle definition in code)	Legal, Code Compliance, Police, Administration
2.2 – Update Chapter 1 code enforcement process and penalties (incl. admin process instead of police citation)	Legal, Code Compliance, Planning, Building, Administration, Police (optional)
2.3 – Update Nuisance code provisions, with particular review of noxious vegetation, property appearance, noise, and other chronic nuisances	Legal, Code Compliance, Planning (optional), Building (optional), Natural Resources (stormwater), Tualatin Valley Fire District (TVF&R) (fire season)
2.4 – Investigate developing a graffiti enforcement/reward program	Legal, Code Compliance, Police, Administration, Public Works (optional)
2.5 – Review Clackamas County administrative warrant process and consider whether City should adopt a similar local process	Legal, Code Compliance, Police, Administration, Building, Planning

### **A. Issues Identified**

The Strategy 2.4 Subgroup discussed concerns expressed by Council regarding graffiti abatement on Wilsonville private property. Staff noted the following regarding the concerns:

- The City's Public Works Department and Parks and Recreation Department currently address all reports of vandalism and graffiti on City Property and on City parks and trails.
- Current City Code provides a nuisance charge for those responsible for the graffiti and private property owners who do not address graffiti left on their property beyond a reasonable time.
- However, there is no support program for private property owners who have their property vandalized.

The Strategy 2.5 Subgroup discussed concerns expressed by Council regarding the administrative warrants process. Staff noted the following regarding the concerns:

- Clackamas County has an existing administrative warrants process for enforcement officers and county staff to seek, obtain, and execute administrative warrants in Circuit Court when there is a reasonable suspicion to believe that a violation of County Code is occurring, and it is necessary to investigate and/or inspect premises despite the owners and/or occupants refusing to allow inspection.
- However, and of significant importance to City staff, for non-law enforcement purposes, the City has no process for City staff to enter premises where probable cause exists that City Code has been violated, outside of agreement by the property owner, or potentially seeking litigation (which can be time-consuming, lead to delayed responses to emergent situations, and costly). City employees within Code Enforcement, Building, Planning, Public Works, and Engineering may need an administrative warrant process to enter onto private property to investigate possible Wilsonville Code violations.
- Based on review of other jurisdictions' administrative warrant process, the Strategy 2.5 Subgroup anticipates that the Wilsonville Municipal Court Judge would have the signing authority under any newly adopted administrative warrant process. However, Municipal Court is only held twice a month. For this administrative warrant process to be obtainable and efficient, the City needs to ensure access to the Municipal Court Judge outside regularly scheduled court dates.
- The City must have the capacity to enforce any new regulations, so administrative, enforcement, and cost burden must be considered.

Sections II and III below discuss possible new programs in response to Strategy 2.4 and 2.5. Strategy 2.5 (Administrative Warrants) is discussed first, in Section II, because other jurisdictions'

policies analyzed are very similar in approach. Strategy 2.4 (Graffiti Abatement) is discussed second, in Section III, because several different program alternatives are proposed for further Council consideration.

## **II. ADMINISTRATIVE WARRANTS PROCESS**

The Strategy 2.5 Subgroup met and analyzed both existing Clackamas County Administrative Warrant processes as they relate to law enforcement of code violations and surrounding City jurisdictions that have applicable administrative warrants processes. Attached as **Attachment 1** is the Administrative Warrants Research Chart.

In this Section II, staff examines the existing administrative warrants process in Clackamas County Code as it pertains particularly to law enforcement and RV eviction in notice of tow. Currently, there is no need for the City to adopt a similar process, as the Strategy 2.5 Subgroup has determined that the administrative warrant process in County Code can be utilized by law enforcement when needed.

The gap in Wilsonville Code exists in the lack of an administrative warrant process for City employees who may need right of entry for different purposes, such as engineering, public works, building inspections and general nuisance abatement. For example, City staff may receive a report from a community member about possible City Code violations involving the removal of trees and development activity along the Willamette River embankment in a property owner's backyard, and staff may not have the legal ability to enter the site to confirm whether significant damage to protected areas is occurring.

### **A. Current Clackamas County Code**

Clackamas County currently has a process in place to issue administrative warrants, which the Sheriff's Office utilizes in certain towing situations. Clackamas County Code [2.07.030 \(G\)](#) provides as follows:

"The Board of County Commissioners has made a policy decision to allow staff to seek, obtain, and execute administrative warrants in Circuit Court when there is a reasonable suspicion to believe that a violation of the Clackamas County Code is occurring, and it is necessary to investigate and/or inspect premises despite the owner(s) and/or occupant(s) refusing to allow inspection. In order to obtain an administrative warrant, the County will proceed as follows:

1. Prepare an affidavit in support of request for administrative warrant. The affidavit should describe the purpose for the inspection or search and explain why the warrant is necessary. The warrant should describe the property to be inspected, the manner of the inspection, and the timeframe for conducting the inspection.
2. Present the Circuit Court judge with the affidavit and warrant.

3. If the judge signs the warrant, make a copy and take both the original and copy of the warrant to the property to be entered to execute the warrant.
4. County representatives shall be accompanied by a sworn member of the Sheriff's Office during warrant execution.
5. Upon arrival at the premises to be inspected, the County representative authorized to execute the warrant should tell the resident or person in apparent control their identity, authority, and purpose for being there.
6. The person executing the warrant should read the warrant out loud and give a copy of the warrant to the person in apparent control of the property. On the original warrant, note the date and time of entry onto the property and sign.
7. If the property is unoccupied or there is no one in apparent control, the person executing the warrant should post a copy of the warrant on the property, note on the posted warrant the date and time of entry, and sign the note.
8. Make copies of the original executed warrant for the County's file.
9. After execution, return the original warrant to the issuing judge along with a Return of Administrative Warrant."

Clackamas County Sheriff's Office currently utilizes this section of County Code to perform necessary RV evictions prior to towing vehicles. This process, as the Code requires, is supported by signed affidavit from the officer seeking the warrant, and is submitted to the Circuit Court for judicial approval. An example template of this affidavit is provided as **Attachment 2**.

Staff discussed the County's administrative warrant process with Sheriff's Office staff, who explained that the County Code is sufficient for their law enforcement needs and who further recommended to City staff to not extend any future City-led administrative warrant process to this area of code enforcement.

#### **B. Consideration of City Administrative Warrant Process**

Other cities also have their own administrative warrants process. Similar jurisdictions such as Corvallis, Tualatin, Tigard, West Linn, King City, and Beaverton and their procedures are detailed in **Attachment 1**.

In all cities with similar procedures, a City employee seeking an administrative warrant must complete the same basic steps: (1) establish probable cause that a code violation has occurred and (2) submit an affidavit signed by the requesting party. "Probable cause" is generally interpreted to mean that the facts would lead a reasonable person to believe that a violation is occurring. Thus, the affidavit must include facts, and reasonable inferences from the facts, that would cause a reasonable person to believe a code violation is occurring. Upon review of the

affidavit, the warrant must then be signed by a municipal judge or a judge of competent jurisdiction (often a circuit court judge in jurisdictions without a municipal court).

For Wilsonville, the primary costs of implementing this process would involve the administrative and initial workload of adopting new code provisions, as well as the coordination required with law enforcement and City staff to ensure consistent application of the procedure. In addition to staff time to investigate and prepare affidavits, the other additional cost would be extending the Municipal Court Judge's hours as necessary to review and sign warrants. Within the Strategy 2.5 Subgroup, staff who have utilized an administrative warrant process at other jurisdictions noted that the process was needed sparingly, only in the most extreme cases where property owner consent was not available and there was significant concern in protecting against an ongoing, emergent code violation. Thus, staff anticipates that additional costs for this process will be minimal.

### **III. GRAFFITI ABATEMENT**

Section III first discusses current Wilsonville practices for graffiti removal on public property. This Section next reviews current Wilsonville Code related to graffiti abatement on private property. Third, this Section outlines potential updates to the City's existing strategies to improve graffiti response on private property and highlights similar programs used in other jurisdictions.

Council identified the possibility of also implementing a graffiti tip rewards program, but there are no current applications of this initiative in Oregon. Staff found reports of a \$250 reward program in the City of Portland (2018); however, it has since been abandoned in favor of a graffiti removal program. To encourage timely removal of graffiti on private property, the alternatives discussed herein highlight programs either offered in other cities or emulate Wilsonville's current abatement programs for other types of nuisances.

#### **A. Graffiti Abatement on City Property**

For graffiti on City property, Wilsonville's Public Works Department has a timely standard operating procedure (SOP). This SOP document is attached as **Attachment 3**. The City Parks and Recreation Department confirmed that this SOP is generally also followed by the Parks employees for graffiti in City parks and on City trails.

The City is responsible for removing graffiti from City-owned assets in the public right-of-way and notifying utility operators of vandalism to their assets. Reports may be submitted through the "Ask the City!" customer relationship management (CRM) system, phone, or email.

Reports are documented in the tracking system Cartegraph, which routes them to the appropriate department. Offensive or safety-related graffiti (e.g., hate speech, sexual content, threats) is prioritized for removal within 24 hours; all other City-owned graffiti is addressed within three business days, and is usually completed within 48 hours.

Staff determine asset ownership and notify the responsible party: City departments, public agencies, or private utilities. Cartegraph tracks details, photos, police report numbers (if

applicable), and follow-up actions. Tasks are completed once removal or repair is finalized. Due to existing SOPs and reporting systems in place, graffiti on City-owned property is generally well-managed and removed in a timely manner. Thus, in analyzing Strategy 2.4, the Subgroup focused on programs to assist property owners in removing graffiti on private property.

#### **B. Current Wilsonville Code Governing Graffiti on Private Property**

As explained herein, current Wilsonville Code only discusses graffiti as a possible nuisance where both responsible parties and property owners can be held responsible for removal. Notwithstanding a narrow exception in WC 6.215(4) (stated below), no current Wilsonville Code provisions or City programs are designed to help property owners who are victims of graffiti nuisances when the responsible party is unknown. Wilsonville Code 6.215 - Graffiti Nuisance Property states as follows:

- (1) Any property, building or structure within the city which becomes a graffiti nuisance property is in violation of this Chapter and is subject to nuisance abatement procedures under WC 6230-6.250.
- (2) Any persons responsible for property who permit property under their control to become a graffiti nuisance shall be in violation of this Chapter and subject to its remedies. As used herein "permit" means to knowingly suffer, allow or acquiesce by any failure, refusal or neglect.
- (3) Where graffiti is applied by an unemancipated minor, the parent, guardian or other person having the legal custody of the minor shall be liable for actual damages to person or persons in connection with the removal of graffiti or the costs and assessment for city abatement of the nuisance.
- (4) Persons subject to subsections (1) and (2) above may, at any time, show good cause why the city should not pursue remedies there under such as serious illness or disability, extremely inclement weather that temporarily prevents removal of graffiti, or other extraordinary circumstances.

If a section (4) exemption is not present, and graffiti is found, then the below abatement process shall be initiated as outlined in [WC 6230-6.250](#). That process includes the following steps:

1. City Notice to Remove Nuisance
2. Opportunity for Public Hearing
3. 10 Days to Abate
  - a. By Either the Responsible Party/Property Owner
  - b. By the City – charges for labor, administrative overhead (20%)

Currently, Wilsonville's abatement process applies to individuals responsible for graffiti and to property owners who allow graffiti to remain to the point that it becomes a nuisance. While the current Code includes an exception for those unable to remove graffiti themselves, it does not offer support for property owners whose property is vandalized. Staff proposes introducing new

programs to subsidize graffiti removal for affected property owners and to create optional volunteer opportunities for local community groups interested in assisting with removal efforts.

### **C. Current Abatement Programs Offered by the City**

In examining potential programs to assist property owners whose property is vandalized by graffiti, staff reviewed other abatement programs currently offered by the City. These programs may serve as a model for a graffiti abatement program. These current programs are discussed below.

Cities across the U.S. have advocated that prompt removal of graffiti (within 24-48 hours) is one of the most effective deterrents from repeat offenses.

#### *i. Sidewalk Repair Subsidy*

The City of Wilsonville offers a reimbursement program to help homeowners with the cost of repairing sidewalks damaged by street tree roots. Eligible residential property owners can receive up to 50% reimbursement, with a cap of \$1,500 for full replacements or \$500 for grinding/patching, based on the lowest of three contractor bids.

- *Apply Before Work Begins:* Submit an application through the City's CRM system with three contractor bids and the required right-of-way permit.
- *Get Approval from the City:* If approved, you'll receive confirmation to move forward with the work. Projects must be completed within 90 days of approval.
- *Submit for Reimbursement:* After the work is done, send the final invoice and reimbursement form to the City. The homeowner will be reimbursed for 50% of the lowest bid or actual cost (whichever is lower), within program limits.

#### *ii. Tree Replacement Program*

Applicants can receive up to \$100 per person per year from the City's Tree Fund. The City will mail participants a check for the reimbursement. In order to receive reimbursement applicants must:

- *Receive Approval* of a Type 'A' Tree Removal Permit from the City.
- *Buy and Plant:* must be a new tree of a similar nature (evergreen for evergreen, deciduous for deciduous) on the permit grantee's property.
- *Submit for Reimbursement:* provide copy of the receipt for the new tree to the City's Planning Division. Include a photo, or identification of the species of tree, location the tree was planted, and your name and mailing address.

#### *iii. Sewer Lateral Grant Program*

The City of Wilsonville previously launched a pilot program to help property owners repair or replace structurally damaged sewer laterals located beneath City-owned streets. The program provided up to \$4,000 in reimbursement for qualifying work, helping prevent street damage and protect the City's wastewater system. Funding is limited and available on a first-come, first-served basis each fiscal year.



- *Apply & Qualify:* Contact Public Works and submit a video showing the damaged lateral. City staff will review the footage to determine eligibility.
- *Get Bids & Permits:* Obtain contractor bids and submit the application with a detailed cost breakdown. Once approved, the contractor must obtain necessary permits and begin work within 60 days.
- *Complete Work & Request Reimbursement:* After final inspection, submit proof of payment to the City within 30 days to receive reimbursement for eligible costs, up to \$4,000.

#### **D. Alternatives Analysis**

##### *i. Subsidizing Graffiti Removal from Private Property*

As mentioned, Wilsonville currently operates a cost-sharing program that subsidizes sidewalk repairs for property owners when damage results from street trees or when sidewalks present tripping hazards. Under this program, property owners submit a request through the City's CRM system and provide three repair bids. The City then offers to reimburse 50% of the cost based on the lowest bid received.

A similar framework could be adapted for graffiti abatement. Property owners could submit a CRM request and obtain three bids for graffiti removal. The City could then offer a 50% subsidy based on the lowest bid, mirroring the existing sidewalk repair model.

Another option is to keep a list of recommended graffiti removal products posted on Wilsonville's website. When property owners file a CRM request, instead of providing bids for the cost of service, the City could cover a percentage of the cost of supplies upon proof of receipt. This alternative would be similar to the Tree Replacement Program. Similarly, Wilsonville could also maintain a Graffiti Removal Fund, mirroring that of the existing Tree Fund.

##### *ii. In-House Supplies for Rent or Loan*

Tualatin and Portland currently offer a program where graffiti removal supplies are kept to loan to private property owners whose properties are vandalized. This would be another low-cost option that would serve multiple applicants, while also being available for public property use. Community members interested in cleaning up graffiti may request a kit from the City.

Additionally, if these supplies are also made available to volunteer groups, the combination of these two alternatives would cover both the supplies costs and service required for property owners looking to have graffiti removed.

Portland's Graffiti Removal Kit includes:

- Graffiti cleaning spray
- Towel
- Plastic scraper (to remove stickers)
- Safety gloves
- Safety glasses

- Small bucket

Maintaining the costs of a loaner supplies kit would remain relatively low, nothing beyond the cost of supplies themselves, and the administrative load of keeping track of loan-outs.

### *iii. Volunteer Opportunities*

Wilsonville can utilize its volunteer base and system to provide graffiti removal services to private property owners. By adding a “Graffiti Removal” service opportunity, any organization or individual could be used to provide those services to vandalized properties.

This alternative would utilize the existing volunteer services application included on the Wilsonville City website. Once requests are filed into CRM, Code Enforcement/Parks/Public Works departments could lead organization and assignment efforts for each volunteer group.

Other cities employ a Volunteer Services Agreement that both the applicable city department, volunteer group and property owners would need to sign to cover any potential liability of allowing groups onto the private property to complete removal. Wilsonville already has a General Waiver of Liability that can be utilized for this purpose.

Beyond the administrative overhead of organizing volunteer groups and executing volunteer service agreements with the owners, this would be a low cost, community-based approach to graffiti abatement.

### *iv. City Removal of Qualified Graffiti or Locations*

Portland has implemented a program where the City will cover the costs and performance of removal of graffiti for qualified property owners. To request graffiti removal, one must complete a graffiti removal service agreement.

According to the Portland City Website, qualified locations include

1. Small businesses with fewer than 10 employees
2. Nonprofits, excluding those with more than 100 employees
3. Individual, single-family dwellings
4. Any location where vandalized with hate-speech

In combination with the volunteer opportunities, if Wilsonville were to implement this alternative, these qualified locations could be given priority when assigning volunteer work. Alternatively, the City could organize service days similar to previous Volunteer WERK (Wilsonville Environmental Resource Keepers) Days in Wilsonville—where volunteers are assigned the above-qualifying locations to complete removals.

STAFF RECOMMENDATION: Staff recommends that any of these alternatives begin as a two- to three-year pilot project to determine its efficacy. The Strategy 2.4 Subgroup recommends further exploration of Alternative (i) and/or (ii), as these programs are anticipated to require less

administrative burden and time and/or more cost-effective than the other options.

**EXPECTED RESULTS:**

An administrative warrants process would provide City officials with an additional tool when likely violations of the Wilsonville Code are occurring on private property. It will allow, when necessary, a means for City staff to access a site to confirm whether a violation is occurring and to potentially stop or limit further damage to occur to public infrastructure and preserved and sensitive areas.

Although a graffiti-tip rewards program targets the identification and disincentivizing of responsible parties who vandalize public and private property in Wilsonville, taking a proactive and community-based approach to the removal of graffiti may achieve similar abatement outcomes, and is consistent with other programs offered by the City. Staff identified these alternatives to implement further proactive efforts to successfully maintain quick removal times and incentivize volunteer and community groups to assist in protecting the City of Wilsonville.

**TIMELINE:**

Staff anticipates that a draft code amendment for an administrative warrant process can be provided to Council later this calendar year, and if the Council elects to move forward with an abatement program for graffiti, that a pilot program may be drafted for Council consideration later this calendar year or early 2026.

**CURRENT YEAR BUDGET IMPACTS:**

Staff do not anticipate current year budget impacts. This project is currently being managed in-house by City staff. However, new programs will have administrative overhead costs to deploy them. If the City adopts one or more of the abatement programs, including the subsidy or the “rental” of graffiti removal equipment, costs will be incurred for those programs.

Staff anticipates that, as Council continues to discuss the strategies under the outcome to streamline responses to code enforcement issues, a larger discussion regarding funding of code enforcement will need to occur. While any one proposed change regarding code enforcement may not indicate a need for a dedicated funding source, the potential combination of multiple new programs (administrative warrants, graffiti mitigation, RV towing) will be cost-prohibitive without a revenue source. While staff is not proposing a funding source at this time, Council should be aware that multiple new public safety programs may require discussions about how to fund the programs.

As has been mentioned, the implementation of a general abatement fund would likely cover any and all new costs associated with the implementation of a graffiti removal program.

**COMMUNITY INVOLVEMENT PROCESS:**

Staff has established a project page on Let’s Talk, Wilsonville! for this overarching Council goal, where community members can learn about these different strategies and provide input to 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 warrant process, while not commonly needed, is a tool currently unavailable to City staff to confirm serious code violations on private property. Mechanisms to assist private property owners with graffiti removal similarly do not currently exist. These additional tools can help protect the safety and livability of the community.

**ALTERNATIVES:**

Council could determine not to pursue a local administrative warrant process. Regarding graffiti abatement, various alternatives are discussed above in Section III of this staff report.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

Attachment 1: Administrative Warrants Research Chart

Attachment 2: Clackamas County Administrative Warrant Affidavit Model

Attachment 3: Graffiti Abatement SOP from Public Works