

City of Wilsonville's Civil Exclusion Policy

Exclusion Generally:

The following conduct is prohibited on the City of Wilsonville's Property as authorized by the City Manager. Wilsonville Code 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. 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 1-25 below or any Conduct Violations listed in rules 26-48 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 on the same day or within a previously imposed exclusion period; (b) more than one of the Conduct Violations 1-25 below; or (c) any Conduct Violations listed in rules 26-48 may be cause for exclusion from all City Property for a period of one day to 180 days, 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.

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 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 or exclusions issued by law enforcement.

Written Notice:

City employees or exclusion officers will attempt to provide written notice to the fullest extent possible. Written notice signed by the excluding officer shall be given to any person excluded from any City Property. 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, in writing, to the Wilsonville Municipal Court Clerk. A hearing shall be held at the next regularly scheduled session of the Wilsonville Municipal Court. The excluded individual may request, in writing, setting forth the reason therefor, that the hearing be postponed, and the Clerk shall grant such a postponement upon a showing of necessity. The Municipal Judge shall dismiss the exclusion upon a showing that: (1) The excluding officer lacked probable cause;

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.

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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Tier 1: Disruptive Personal Conduct						
Consequences (Exclusion Period)						
#	Violation	1st Violation	2nd Violation	3rd Violation	4th Violation	5th Violation
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 Including verbal abuse	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 library 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	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
16	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
17	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
18	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

19	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 (Wilsonville City Code 10.300)	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
20	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
21	Fraudulently Using another Patron's account for any purpose	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
Tier 2: Disruptive Property Violations						
Consequences (Exclusion Period)						
#	Violation	1st Violation	2nd Violation	3rd Violation	4th Violation	5th Violation
22	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

23	Using Facility Rooms, Materials, and/or furniture for purposes in 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
24	Damage to City Facility or Facility 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
25	Disruptive behavior defined as conduct that interferes with: (a) Normal facility operations; and/or (b) Staff's ability to do their job; and/ or (c) 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
Tier 3: Criminal Violations						
Consequences (Exclusion Period)						
#	Violation	1st Violation	2nd Violation	3rd Violation	4th Violation	5th Violation
26	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

27	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
28	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
29	Selling, Using or Distributing of Cannabis, Alcohol or Other illegal substances. (ORS 475.005)	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
30	Engaging in Conduct that is classified as theft such as taking, appropriating, or withholding property from a patron or a city facility. (ORS 164.055)	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
31	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. (ORS 166.023; ORS 166.715)	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

32	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. (ORS 167.060;ORS 163.70)	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
33	Attempting to bribe a public servant/employee with the intent to assert influence. (ORS 162)	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
34	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)	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
35	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)	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

36	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)	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	Possession of a firearm, destructive device, ammunition, or body armor on city property. (ORS 166)	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
38	Engaging in Conduct that is abusive of animals, creates a hazard, obscene, promotes gambling, or prostitution (ORS 167)	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
39	Conduct in which a person below the age of 21 years old attempts to purchase, acquire, or possess any form of alcoholic liquor. (Wilsonville City Code 10.130)	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
40	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. (Wilsonville City Code 10.220;10.240)	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

41	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. (Wilsonville City Code 10.230)	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
42	Engaging in conduct in which a person requests an immediate donation of money or any other gratuity from another person, and includes seeking donations: (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. (Wilsonville City Code 10.310)	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
43	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
44	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

45	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
46	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
47	Engaging in Conduct of unauthorized camping on public property. (Wilsonville City Code 10.425)	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
48	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