



CITY OF OREGON CITY CITY COMMISSION WORK SESSION AGENDA

Hanlon Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Wednesday, November 12, 2025 at 6:00 PM

Typically there are no public comments at work sessions, but written comments are accepted by:

- Email recorderteam@orc.city.org (deadline to submit written testimony via email is 3:00 PM on the day of the meeting)
- Mail to City of Oregon City, Attn: City Recorder, P.O. Box 3040, Oregon City, OR 97045
- You may also attend this meeting by watching the livestream on the City's YouTube Channel:

<https://www.youtube.com/user/CityofOregonCity>

1. CONVENE MEETING AND ROLL CALL

2. GENERAL BUSINESS

- a. Downtown Parking Follow-up Discussion
- b. Distressed Commercial Property Discussion
- c. Revenue Sources Discussion

3. FUTURE AGENDA ITEMS

- a. List of Future Work Session Agenda Items

4. CITY MANAGER'S REPORT

- a. Project Updates

COMMITTEE REPORTS

a. Commissioner Wilson

- Citizen Involvement Committee Liaison
- Homeless Solutions Coalition

b. Commissioner Smith

- Clackamas Heritage Partners
- Destination Management Marketing Organization
- South Fork Water Board

c. Commissioner Marl

- Citizen Involvement Committee Liaison
- Clackamas County Coordinating Committee (C4)
- Clackamas County Coordinating Committee (C4) – Metro Subcommittee (alternate)
- Metro Policy Advisory Committee (MPAC) (alternate)
- Youth Advisory Commission

d. Commissioner Mitchell

- Clackamas County Coordinating Committee (C4) (alternate)
- Clackamas County Coordinating Committee (C4) – Metro Subcommittee
- Downtown Oregon City Association Board (alternate)
- South Fork Water Board

e. Mayor McGriff

- Arts Commission
- Ad Hoc County Old Historic Courthouse
- Clackamas Heritage Partners (alternate)
- Clackamas Water Environment Services Policy Committee
- Destination Management Marketing Organization (alternate)
- Downtown Oregon City Association Board

- Metro Policy Advisory Committee (MPAC)
- South Fork Water Board
- Willamette Falls and Landings Heritage Area
- Willamette Falls Legacy Project Liaisons
- Willamette Falls Locks Authority

6. ADJOURNMENT

ADA NOTICE

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Agenda Posted at City Hall, Pioneer Community Center, Library, City Website.

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CITY OF OREGON CITY

625 Center Street
Oregon City, OR
97045
503-657-0891

Staff Report

To: City Commission
From: Shaun Davis, Police Chief

Agenda Date: November 12, 2025

SUBJECT:

Downtown Parking Follow-up Discussion

STAFF RECOMMENDATION:

Provide direction for staff on future work session and/or City Commission agenda items

EXECUTIVE SUMMARY:

In May of this year, the Clackamas County Courthouse moved from its current location in downtown Oregon City to its new location on top of the hill. The Courthouse had a significant impact on downtown parking. With the relocation of the Courthouse, the Commission has requested to bring this topic to a work session to discuss downtown parking. In August, staff brought this topic to a work session for Commission discussion and the Commission requested additional information from staff.

BACKGROUND:

In May of this year, the Clackamas County Courthouse moved from its current location in downtown Oregon City to its new location on top of the hill. The Courthouse had a significant impact on downtown parking.

During this biennium's budget preparation, staff knew the Courthouse was going to be relocating but did not have any data to know the true impact the Courthouse relocating would have on downtown parking revenue. Staff had to estimate the revenue on the 25-27 biennium budget and to do so, looked back on previous parking revenue and made an estimate. The budget for each year during this biennium was estimated at \$100k. This estimate does not include permit parking.

In August of this year, the Commission had a work session discussion about downtown parking. During the meeting, staff presented a revenue comparison for June and July of this year and compared it to June and July 2024. The Commission requested additional information from staff about what the cost would be to transition downtown parking from its current 2-hour parking to a proposed 3-hour parking. The Commission also requested additional data related to the year-over-year revenue comparisons between 2024 and 2025.

Attached is the most recent revenue year-over-year revenue comparisons between 2024 and 2025, an estimated cost breakdown to change downtown parking from 2-hour to 3-

hour, and the most recent draft parking study for review.

OPTIONS: N/A

OPTIONS:

1. Approve Downtown Parking Follow-up Discussion.
2. Approve Downtown Parking Follow-up Discussion with Amendments.
3. Deny Downtown Parking Follow-up Discussion and provide further direction.

Parking Meters
100-215-4415

	<u>June 2024</u>	<u>June 2025</u>	<u>July 2024</u>	<u>July 2025</u>	<u>Aug 2024</u>
Cash	\$ 11,820.35	\$ 4,832.07	\$ 6,089.51	\$ 6,685.25	\$ 8,886.76
Credit Card	6,385.75	4,936.50	7,266.75	5,117.00	7,399.75
Hot Spot	4,850.60	2,701.25	5,204.22	3,222.67	5,483.27
	<u>\$ 23,056.70</u>	<u>\$ 12,469.82</u>	<u>\$ 18,560.48</u>	<u>\$ 15,024.92</u>	<u>\$ 21,769.78</u>

Parking Lot Charges
100-215-4416

	<u>June 2024</u>	<u>June 2025</u>	<u>July 2024</u>	<u>July 2025</u>	<u>Aug 2024</u>
Cash	\$ 538.00	\$ 283.00	\$ 732.00	\$ 295.00	\$ 908.00
Credit Card	4,929.00	3,315.00	6,304.00	4,144.00	7,730.00
	<u>\$ 5,467.00</u>	<u>\$ 3,598.00</u>	<u>\$ 7,036.00</u>	<u>\$ 4,439.00</u>	<u>\$ 8,638.00</u>

<u>Aug 2025</u>	<u>Sept 2024</u>	<u>Sept 2025</u>	<u>Oct 2024</u>	<u>Oct 2025</u>
\$ 6,927.58	\$ 5,874.20	\$ 4,860.85	\$ 9,105.21	
5,072.00	7,039.50	4,671.00	8,203.50	
3,006.72	4,935.91		5,594.25	
\$ 15,006.30	\$ 17,849.61	\$ 9,531.85	\$ 22,902.96	\$ -

<u>Aug 2025</u>	<u>Sept 2024</u>	<u>Sept 2025</u>	<u>Oct 2024</u>	<u>Oct 2025</u>
\$ 286.00	\$ 739.00	\$ 257.00	\$ 670.00	
3,357.00	5,495.00	3,644.00	6,237.00	
\$ 3,643.00	\$ 6,234.00	\$ 3,901.00	\$ 6,907.00	\$ -

Downtown Parking 3-Hour Meter Adjustment Costs

November 2025

There has been a request to determine what the costs would be to increase our parking time limits in the downtown district from 2-Hours to 3-Hours. This is a breakdown of the costs associated with this change.

Equipment/Signs:

Total Coin Meters Downtown:	127
Coin Meters 7 th -11 th & Main St. to Railroad Av:	55
Total Kiosk Machines Downtown:	22
Kiosk Machines 7 th -11 th & Main St. to Railroad Av:	10
Total Parking Time Limit Signs Downtown:	126
Parking Time Limit Signs 7 th -11 th & Main St. to Railroad Av:	52
Average Cost Per Sign Replacement:	\$125
<u>Total Sign Cost (All Downtown Signs):</u>	<u>\$15,750</u>
<u>Total Sign Cost (Only 7th-11th Main to Railroad):</u>	<u>\$6,500</u>

Costs to Update:

Rental Cost for Coin Meters Reprogramming:	\$750
Costs to Reprogram Coin Meters:	\$75 per meter
<u>Update Costs for Coin Meters 7th-11th & Main St. to Railroad Av:</u>	<u>\$750</u>
Meter Stickers:	\$500
Update Cost Per Kiosk:	\$100
<u>Total Update Costs for Kiosks:</u>	<u>\$2,200</u>
<u>Update Costs for Kiosks 7th-11th & Main St. to Railroad Av:</u>	<u>\$1,000</u>
 <u>Total Cost Updating All of Downtown to 3-Hours:</u>	 <u>\$28,725</u>
<u>Total Cost Updating 7th-11th/Main to Railroad:</u>	<u>\$12,875</u>



Downtown Oregon City Strategic Parking Management Plan Update

February 2022
Version 1.1

Prepared For:



DRAFT

Prepared By:

RICK WILLIAMS CONSULTING
Parking & Transportation



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1.0 Introduction

Oregon City last outlined parking management strategies in the Downtown Parking Study, created in 2009. With the 2009 study, the City, through its stakeholder process and subsequent city policy, concluded that the objective of parking management for the downtown should be one “that supports the development of a vibrant, growing, and attractive destination for shopping, working, living, recreation, and entertainment.”

In 2021, Oregon City initiated a follow up parking study entitled Comparative Summary of Parking Utilization in Historic Downtown and the Bluff. The work was initiated in 2021 and included revising 2009 study area boundaries for both the Downtown and Bluff area, creating a new and complete inventory of all on-and off-street parking in both study areas (public and private parking supplies), and conducting a weekday and Saturday parking occupancy and utilization survey of both study areas.¹



With information derived from these recent efforts, the City is interested in a reexamination and evaluation of the 2009 parking management strategies to determine the following:

- Elements from the original Plan which are still **relevant and effective**
- An **updated approach** to parking management that will include visitor, residential, and employee parking
- Identify parking management strategies for both **Downtown and the Bluff**
- Improvements for on and off-street **supply and demand management**
- Determine **system-wide strategies** that will benefit City operations
- Identify on and off-street parking format changes that will that **improve efficiency, capacity, and communications**

The purpose of this report is to document the evaluation of the parking system and to present new strategic recommendations to bring the 2009 plan up-to-date with existing and future market conditions.

¹ Full copies of the inventory and parking occupancy and utilization reports are attached as **Appendix A** and **B**, respectively.



2.0 Key Elements of the 2009 Downtown Oregon City Parking Study

The 2009 Downtown Oregon City Parking Study provided prioritized guidance for the management of parking in the Downtown (a key focus area) and on the Bluff. The study recognized that the role of parking in downtown cannot be seen as a stand-alone solution in and of itself. The key to a successful downtown parking experience is in management of the parking supply. The Plan noted the following:

To provide for the Downtown's further development as a viable commercial district, on-street parking must be managed to ensure the priority customer's demand for parking is met. Additionally, given the multi uses in the Downtown core, parking must be managed to ensure the needs of all users can be accommodated.²

The 2009 study outlined the following key elements:

- Stakeholder priorities
- Guiding themes and principles
- Parking data and demand analysis, and
- Management strategy recommendations

To assist with the study, a stakeholder committee was formed in 2008 to inform the process and outline desired outcomes, opportunities, and challenges. Guiding themes and principles, a set of value statements summarizing the agreed upon for use of the public parking supply, and desired outcomes for parking management were developed. An objective data inventory and collection effort created a baseline from which the stakeholder priorities and guiding principles were evaluated. Finally, a list of strategies emerged to lead the City in its management of its parking supply.

2.1. GUIDING THEMES AND PRINCIPLES (2009)

The adopted Guiding Principles were derived from dialogues with the Parking Advisory Committee, City Commission, and other stakeholders, establishing a solid foundation for coordinating parking and transportation decision-making and policy. The Guiding Principles were intended to support the long-term economic development vision of the City and its downtown stakeholders. A summary of the 2009 Guiding Principles, leading with the original statement of purposes, are below.

Statement of Purpose

It is the primary objective of the City of Oregon City to implement a Parking Management Plan for the Downtown that supports the development of a vibrant, growing, and attractive destination for shopping, working, living, recreation and entertainment.

² Downtown Oregon City Parking Study, Findings and Recommendations of the Stakeholder's Advisory Committee (April 2009), Executive Summary. Page VI.



Guiding Principles were separated into nine central elements and 25 statements of priority, establishing desired outcomes for future decision making related to parking and access in the Downtown and on the Bluff. The 2009 Guiding Principles are summarized below³:

- **Access:** Parking should be just one of a diverse mix of access options available to users of the downtown.
- **Priority Customer:** While numerous users need parking in the downtown, the priority parker is the short-term trip (two hours or less), those who use downtown to shop, dine, recreate, and access businesses. City owned supply must be prioritized and managed to accommodate these trips.
- **Priority Parking (On-Street):** Recognize that on-street parking is a finite resource and should be managed to assure maximum access for the priority user. On the Bluff, manage parking to balance the on-street system to support multiple users that include visitor, employee, and residential demand.
- **Employee Parking & Off-Street City Owned Supply:** Develop means and/or partnerships that provide adequate and affordable parking for employees and those needing longer-term stays that meet demand, particularly shared use opportunities to transition employees into the off-street public and private supply. Employee access should be provided in conjunction with an access system that provides balanced and reasonable travel mode options.
- **Residential Parking:** Residential development downtown will provide parking for the residential units on-site, or find parking in off-street lots, and parking in areas zoned residential will be prioritized for residents and their guests and visitors.
- **Multi-Modal Access:** Transition more downtown employees into alternative modes (i.e., transit, bike, walk, rideshare) through business-based programs and incentives and calibrate parking standards to fully support this outcome.
- **Understandability:** Make downtown parking user-friendly—easy to access and easy to understand.
- **Quality:** Provide a "parking product" in the downtown that is of the highest quality to deliver a safe, secure, and well-lit parking system ensuring a sense of security at all times on-street and off-street.
- **Coordination:** Provide coordinated management of the public parking supply and assure a representative body of affected private and public constituents from within the downtown informs decision-making regarding parking. Use the "85% Rule" to inform and guide the decision-making process.

2.2. PARKING MANAGEMENT STRATEGIES (2009)

Based on the Guiding Principles, the 2009 study "supports creation of a parking system that facilitates and contributions to a vital and growing downtown." Using data as well as the Guiding Principles, specific parking management strategies were identified and recommended for consideration. The recommendations were organized into two categories: *Policy Level Actions* and *Recommended Parking Management Strategies*.

³ The key desired outcomes of the 2009 Guiding Principles are summarized here. The complete 2009 narrative can be found in the Downtown Oregon City Parking Study, Findings and Recommendations of the Stakeholder's Advisory Committee (April 2009), pages 22 – 27.



Policy Level Actions

The following policy elements were recommended to be adopted immediately by the City:

1. Assign the responsibilities of a 'Parking Manager/Coordinator' for the City.
2. Establish an advisory role for stakeholders to assist in parking program implementation and review.
3. Adopt policies and rules to guide parking management and development.
 - a. Codify Guiding Principles for Parking Management as elements of City Code.
 - b. Adopt the 85% Rule to facilitate/direct parking management strategies.
 - c. City Commission to adopt rate ranges for parking rates in public facilities (on and off-street).
Ranges would be established for hourly meter rates and monthly parking rates. This would allow the City Manager to adjust rates administratively within the ranges adopted and based on the 85% Rule.

Parking Management Strategies:

The following strategies were recommended for near-term implementation (6-18 months):

1. Appoint a Downtown Parking Manager.
2. Initiate Parking Advisory Committee process.
3. Add parking to the on-street system in the Historic downtown in areas currently designated as no parking areas. This parking will be provided as either 2-hour parking or '2-hour or by permit' (based on location and proximity to downtown core).
 - a. Install new on-street signage in areas designated for new parking.
4. Reduce and/or eliminate all 15-minute, 30-minute, 4-hour, 8-hour, and No-limit parking stalls in the historic downtown and convert to 2-hour parking (62 existing stalls). Request for these types of stalls in the future would be coordinated through an exception process as described in Strategy 12.
5. Transition a minimum of 20 existing Blue and Green employee permits now parking in high occupancy node, to on-street locations in the NE end of downtown (signed 2-hours or by permit).
6. Begin work with the County Courthouse and County Corrections to develop an action plan to transition existing on-street reserved stalls to non-core locations.
7. Work with County Courthouse to refine juror parking program to specifically direct jurors into the Municipal Lot. This would include direct contact/mailings, maps and other materials necessary to localize jurors at the Municipal Lot.
8. Re-evaluate and revise all current parking permit pricing based on 85% standard.
9. Initiate a new and comprehensive outreach program to all businesses within the study zone that communicates the parameters of a new revised City's permit program.
10. Develop a lighting and pedestrian walkway plan linking the NE end of the historic downtown to the core as a way to assure convenience and safety for use of parking in the downtown. Develop a similar plan for the Bluff area with particular focus on areas between potential parking sites and the elevator.
11. Develop a Residential Parking Permit Zone (RPPZ) policy and program for adoption by the City Commission for future implementation in residential areas affected by spillover from commercial parking.

12. Develop 'exception' criteria for adoption by City Commission that informs decision making for establishment of loading zones and 15, 30, 60 & 90-minute stalls within the on-street supply.

The following strategies were recommended Phase 2 implementation (18-36 months):

13. Transition additional Blue and Green employee permits to on-street locations in the NE end of downtown (signed '2-hours or by permit') as per the 85% Rule.
14. Implement lighting and pedestrian plan developed in Strategy 10.
15. Adopt and establish a residential parking permit zone (RPPZ) policy and program (as developed in Strategy 11) that could be implemented at the request of residential neighborhoods adjacent to the downtown as a measure to mitigate commercial parking spillover into residential areas.
16. Adopt 'exception' criteria (as developed in Strategy 12) necessary for approval location and type of loading zones within the downtown/Bluff parking areas and for approval of on-street 15-, 30-, 60-, and 90-minute stalls.
17. Restripe all on-street parking in the Historic Downtown to better identify parking availability and location.
18. Negotiate shared use and/or lease agreements with owners of strategically placed existing private surface lots in the Historic Downtown to provide for an interim supply of parking where needed.
19. Negotiate shared use and/or lease agreements with owners of strategically placed existing private surface lots on the Bluff to provide for an interim supply of parking where needed.
20. Develop and install a signage package of uniform design, logo, and color at public and private (shared use) off-street parking facilities.
21. Partner with the business community to develop/refine a marketing and communication system for access in Oregon City (building on existing materials/programs).
22. Evaluate and adjust minimum parking ratios for new development in the downtown, to assure that access impacts of new development are meaningfully addressed and correlated to actual parking demand.
23. Lease/acquire strategically located land parcel for use as future public off-street parking on the Bluff.
24. Develop a recommended package of incentives for the private development of publicly available parking.
 - a. Sponsor employee-based initiatives to encourage employee use of alternate travel modes.
25. Establish commuter mode split targets for employee access in the downtown.
26. Examine the feasibility of a year-round 'shuttle' that conveniently links/connects employee and/or juror parking areas in the Historic Downtown and on the Bluff.
27. Monitor downtown parking utilization continuously and periodically. Conduct parking inventory analyses.
28. Restripe all on-street parking on the Bluff to better identify parking availability and location.

The following strategies were recommended Phase 3 implementation (3 years and beyond):

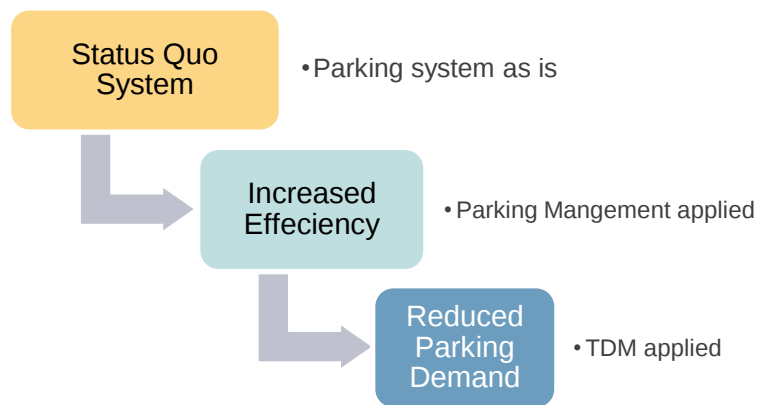
29. Recommend to the City Commission the commuter modes split targets developed in Strategy 25 for adoption as a policy element of the Oregon City Transportation and Parking Management Plan.
30. Evaluate lowering maximum parking ratios for new development based on updated 'true demand' calculations derived from updates derived in Strategy 27.

31. Strategically place new and unique wayfinding signage in the right-of-way at locations chosen carefully to direct visitors to off-street locations.
32. Implement the recommended package of incentives for the private development of publicly available parking as determined in Strategy 24.
33. Implement year-round 'shuttle' service if feasibility is established in Strategy 26.

Overall, the 2009 study emphasized a long-term economic development vision of Oregon City, coordinating parking and transportation decision-making and policy. These Guiding Principles provided a solid foundation from which data and policy decisions have been made to truly reflect a shared, community informed, desired outcome for how stakeholders want to see their community grow.

3.0 Considerations: Parking Management Strategy Updates

The components of a parking management plan need to be simple and intuitive for the user, providing an understandable system that is safe, secure, affordable, and well-integrated into the traffic system and other access modes. The Plan updates offered here strive to recognize the role of the public sector (the City) in providing parking for patrons of the Downtown and accommodating a diverse mix of commercial and residential demands in the Bluff area. Underscoring this is the role the City plays in seeking out and realizing opportunities by creating partnerships with the private sector to provide needed parking and support of alternative modes of access through transportation demand management (TDM).



These new updated strategies will assure that parking management remains flexible enough to inform a decision-making framework that best serves the unique and changing nature of the Downtown and Bluff area. The updated strategies support the importance of parking management to meet the economic vision for the Downtown and Bluff, and, equally, the City's vision for compact urban development, sustainability and climate action, equity, and innovation. Moving forward, the parking management system will require attentive management and nimble curation to fully maximize this valuable resource, particularly as the City emerges from, and manages through, post-pandemic impacts.

New strategies presented here for consideration are offered as supplements to those adopted in 2009, not as replacements. Strategy considerations are provided within four areas of Parking Management and are ordered in near-term (6 – 18 months) and mid-term (18 – 36 months) implementation phases. The four areas of parking management include:

1. Recommendations for Downtown

- On-Street
 - Permits reduction
 - Permit rate evaluation

- Standard Meter Fee
- No Limit stall elimination
- Convert 4- and 8-Hour stalls to 3-Hour stalls
- Enforcement
 - Shift Enforcement Hours
 - Extend Enforcement to Saturdays
- Off-Street
 - Shared Use Opportunities

2. Recommendations for the Bluff

- On-Street
 - Commercial Zoned Areas:
 - Convert No-Limit stalls
 - Controlled Employee Permits
 - Residential Zoned Areas:
 - Convert No-Limit stalls
 - Offer Residential Permits
- Off-Street
 - Shared Use Opportunities

3. Reaffirmation of 2009 Strategies

- Create Exception Process
- Parking Advisory Committee

4. Systemwide

- City Parking Performance Dashboard
- Routine Parking Utilization

A concise summary table of all recommended strategy updates is provided in **Section 5** at the end of this document.



3.1. RECOMMENDATIONS FOR DOWNTOWN

Strategies 1 through 8 are recommendations for parking changes, both on and off-street, that focus on parking within the Downtown parking management study area.

Strategy 1: Reduce On-Street Permits Issued in the Downtown

Action Statement

Continue to reduce the number of on-street permits issued for use in the Downtown.

Strategy Description

There are currently **119 on-street stalls** that allow permit parking in the Downtown parking study area. This equates to 25% of the on-street parking supply in Downtown. Being that the Downtown's primary user group is intended to be visitors/customers, it would be ideal to reduce the number of on-street permits. By reducing the number of permits, the on-street system could add back additional short-term stalls for visitors/customers of the Downtown. This recommendation should be coordinated with **Strategy 5** and **Strategy 13**, providing off-street parking options in the form of shared use and/or encouragement of parking on the Bluff and alternative modes.

Timeframe:

Near-term implementation (6-18 months)

Strategy 2: Reevaluate On-Street Monthly Permit Fees

Action Statement

Evaluate increasing **fees for monthly parking permits** in the public supply (on- and off-street) to honor 85% occupancy standard and to minimize existing waiting list (find market demand).

Strategy Description

A key element of parking management and sound fiscal policy concerns the management of parking rates, both on-street and off-street. Adjusting parking rates is often a controversial topic among stakeholders in downtowns. It is therefore critical to outline both the *reasons* for rate changes as well as the *intended outcomes* of the change. The primary drivers of the need for rate changes include the following:

- *Reflect market demand.* The 85% occupancy standard can be used as a decision-making trigger for adjusting rates; when rates are too low, demand can far exceed the available supply. Keeping fees in line with market demand helps to manage parking demands efficiently.
- *Balance supply and facilitate broader mode goals.* Rates and fees should support efficient use and not compete with other modes of access (i.e., transit, bike, walk, and rideshare).
- *Operating costs.* Cover normal annual increases in operating costs of the system for which a fee is assessed (e.g., on-street meter system, off-street lot and/or garage).



- *Provide for future need.* This would include normal capital planning and projected growth in the system.

Incremental rate changes that reflect changing market demand and adhere to specific objectives are often more palatable to users than infrequent but substantial changes. In other words, justifiable *market demand-based* increases need to be strategic and policy based rather than reactive. The financial systems that support parking are adversely impacted when normal costs of operation, demand, and future infrastructure needs are not addressed. Best practices parking management supports a routine policy-based process that evaluates rates routinely and adjusts rates as necessary.

It is also important to note that a rate review does not assume a rate increase, only that the system is fiscally sound and adjusting to market demands.

The current allocation of parking permits and pricing has not been routinely evaluated within the context of the 85% standard. There is a waiting list for permits with permit fees ranging from \$20/month (Blue Permits) to \$60/month (Red Permits).⁴ Permit rates, by type and location, should be reviewed annually (or more frequently) and increased if the 85% standard for that type of permit is exceeded. This (a) assures that parking is priced according to market demand, (b) ensures parking rates also cover normal increases in program costs and administration and (c) better correlates employee parking rates to transportation options (particularly transit and ridesharing). This reevaluation would become a routine procedure with recommendations for rate changes presented to the City Manager.

Timeframe

Near-term implementation (6-18 months)

Strategy 3: Standardize On-Street Meter Rates

Action Statement

Standardize all on-street meter hourly rates throughout the Downtown, so that hourly rates are consistent in all metered on-street stalls in Downtown Oregon City.

Strategy Description

Currently on-street rates are \$1.00/hour in the core of Downtown (7th to 10th), while just to the north and south of the core the rate drops to \$0.50/hour for the metered on-street stalls. However, there is no clear or consistent signage or communications to make users aware of the "lower rate" option just outside of the core. With only 252 metered stalls in Downtown, maintaining and clearly communicating different rates on different blocks may outweigh the potential benefits at this time. Standardizing the rate to \$1.00/hour will make the

⁴ A waiting list indicates that the rate charged for parking is lower than market rate. Pricing to eliminate waiting lists brings pricing to market and also elevates other mode options (that may be less costly) as reasonable options to consider (support TDM goals).

system easier to understand for the average user⁵, while helping to keep pace with maintenance costs in the currently lower priced areas.

It is important to note that over time, annual rate evaluations may indicate that a higher rate is justified in Downtown. If a two-tiered rate system is reapplied in the future, it will be important to clearly communicate the availability of nearby “discount” parking for those willing to walk a greater distance.

Timeframe

Near-term implementation (6-18 months)

Strategy 4: Eliminate No-Limit On-Street Stalls in the Downtown

Action Statement

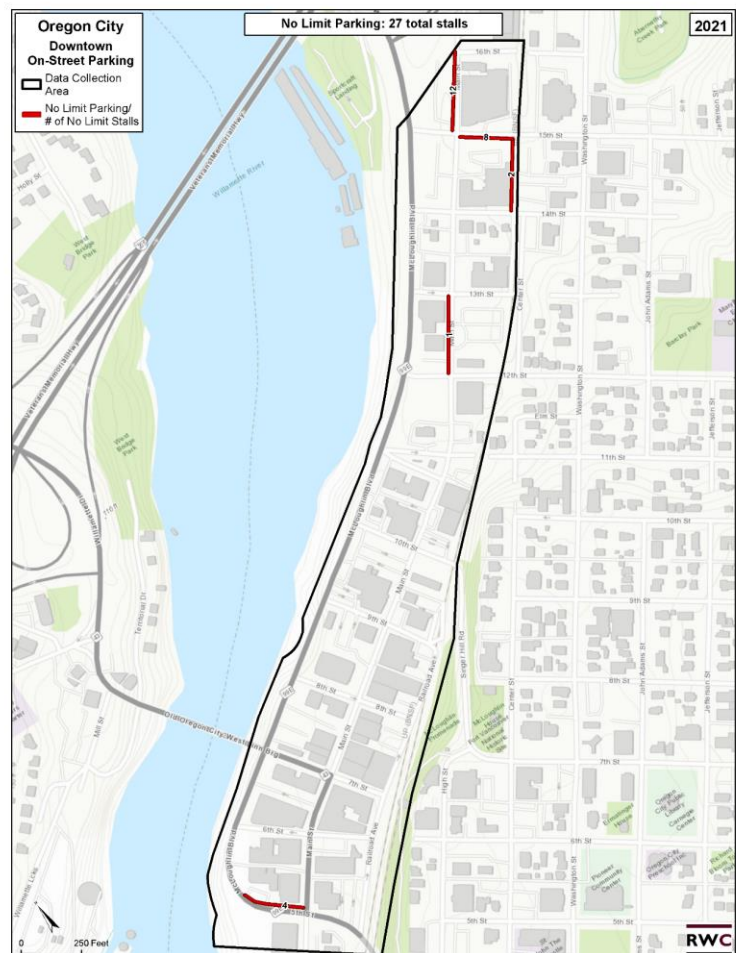
Eliminate the remaining No Limit on-street stalls Downtown to encourage short-term visitor/customer stays and transition longer-term stays (3 or more hours) to off-street locations or into transportation options.

Strategy Description

There are currently 27 No Limit on-street stalls located within the Downtown study boundary. The average length of stay for the No Limit on-street stalls was 7 hours and 14 minutes and have a peak occupancy of 78%. These stalls are located along Main, 13th, Center and 5th—largely in the north and south areas, and not in the core of Downtown (see map at right). Being that the priority users of the on-street system is the short-term customer/visitor, the remaining No Limit stalls should be eliminated and converted to 3-hour time limited stalls.

Timeframe

Near-term implementation (6-18 months)



⁵ This is especially important now, as the Downtown recovers, reactions and transitions out of the COVID-19 pandemic. The focus here is on simplifying the on-street system.

Strategy 5: Encourage Shared Use Off-Street Parking

Action Statement

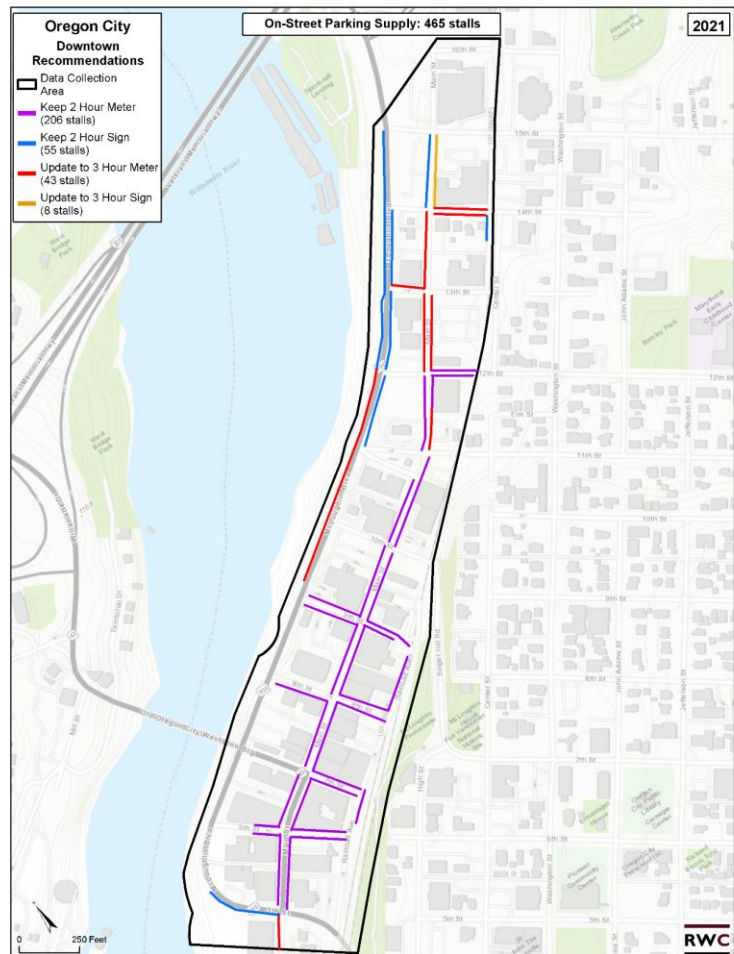
Continue to encourage off-street shared use parking opportunities in private lots Downtown (for both employee and visitor uses).

Strategy Description

As noted in the 2009 Parking Management Plan, private off-street parking facilities in some areas have underutilized capacity. The Downtown Oregon City Association (DOCA) has done a terrific job at encouraging employers to create shared use agreements between different users (public and private) to direct parking demand into these facilities to both maximize existing parking resources and minimize overall parking development costs. Establishing more agreements will be important as a reduction in Downtown on-street permits is evaluated (**Strategy 1**) and permit fee adjustments are analyzed (**Strategy 2**). Off-Street shared use parking rates need to be attractive to incent long-term parking off-street, and not in an on-street permitted stall.

Timeframe

Near-term implementation (6-18 months)



**Strategy 6: Reduce the Number of On-Street Long-Term Parking Stalls****Action Statement**

Convert existing 4 and 8-Hour stalls to 3-Hour stalls in Downtown to encourage short-term visitor/customer stays and transition longer-term stays (3 or more hours) to off-street locations or into other transportation options.

Strategy Description

With a limited number of on-street stalls in the Downtown, the priority for that system should be for short-term use (2-3 hours). Currently, there are 43 long-term (4 or more hours) on-street metered stalls and 8 long-term (4 hour) on-street time limited stalls within the Downtown on-street system (see map at right).

The average length of stay indicates those stalls are being used for a shorter duration (4-Hour Metered: 2 hours 54 minutes; 4-Hour Signed: 2 hours 20 minutes; and 8-Hour Metered: 1 hour 50 minutes). These 51 stalls should be reassigned as short-term spaces, reflecting the desired high turnover trips indicative of downtown, while also accommodating the average existing user (according to their length of stay). It is recommended that these stalls convert to 3-Hour stalls (metered and signed).

Downtown Long-Term Stalls - Current

	4-Hour Metered	8-Hour Metered	4-Hour Signed
Parking stalls	14	29	8

Downtown Long-Term Stalls – Proposed Conversion

	3-Hour Metered	3-Hour Signed
Parking stalls	43	8

Timeframe

Near-term implementation (6-18 months)

Strategy 7: Adjust Enforcement Hours in Accordance with Current Parking Demand**Action Statement**

Adjust enforcement hours to 10:00 AM – 7:00 PM to better account for parking use trends and support evening business hours.

Strategy Description

Based on the data trends, the on-street occupancy is relatively low in the morning, and then trends upwards by 5:00 PM. Currently, enforcement hours are from 8:00 AM – 5:00 PM Monday-Friday. Consequently, delaying the



start of enforcement until 10:00 AM and extending evening hours until 7:00 PM would provide more management of the on-street system when demand for parking is still relatively high.

Timeframe

Mid-term implementation (18-36 months)

Strategy 8: Initiate Saturday Enforcement

Action Statement

Extend enforcement (and associated on-street signage) to Saturdays to prioritize customer access to Downtown businesses.

Strategy Description

The 2021 weekend occupancy data indicated that parking behavior was similar to the 2016 weekend data, where the on-street system was being well utilized during the afternoon and evening hours. With the average length of stay increasing and the violation rate being over 11% (industry best practice targets 5-7%) in 2021, the on-street system would benefit from encouraging longer-term vehicle trips to off-street options, on-street permit stalls, or alternative modes. To this end, implementing Saturday parking enforcement (and installing appropriate signage) would prioritize on-street stalls for customer/visitor use and improve ease of access to Downtown for this user group.

Timeframe

Mid-term implementation (18-36 months)



3.2. RECOMMENDATIONS FOR THE BLUFF

The following strategy recommendations (9 – 13) focus on the Bluff – both the on and off-street parking systems.

Strategy 9: Implement 3-Hour Time Limits on Blocks Adjacent to Commercial Areas

Action Statement

Convert on-street No-Limit stalls abutting commercial zoned areas to 3-Hour time-limited stalls.

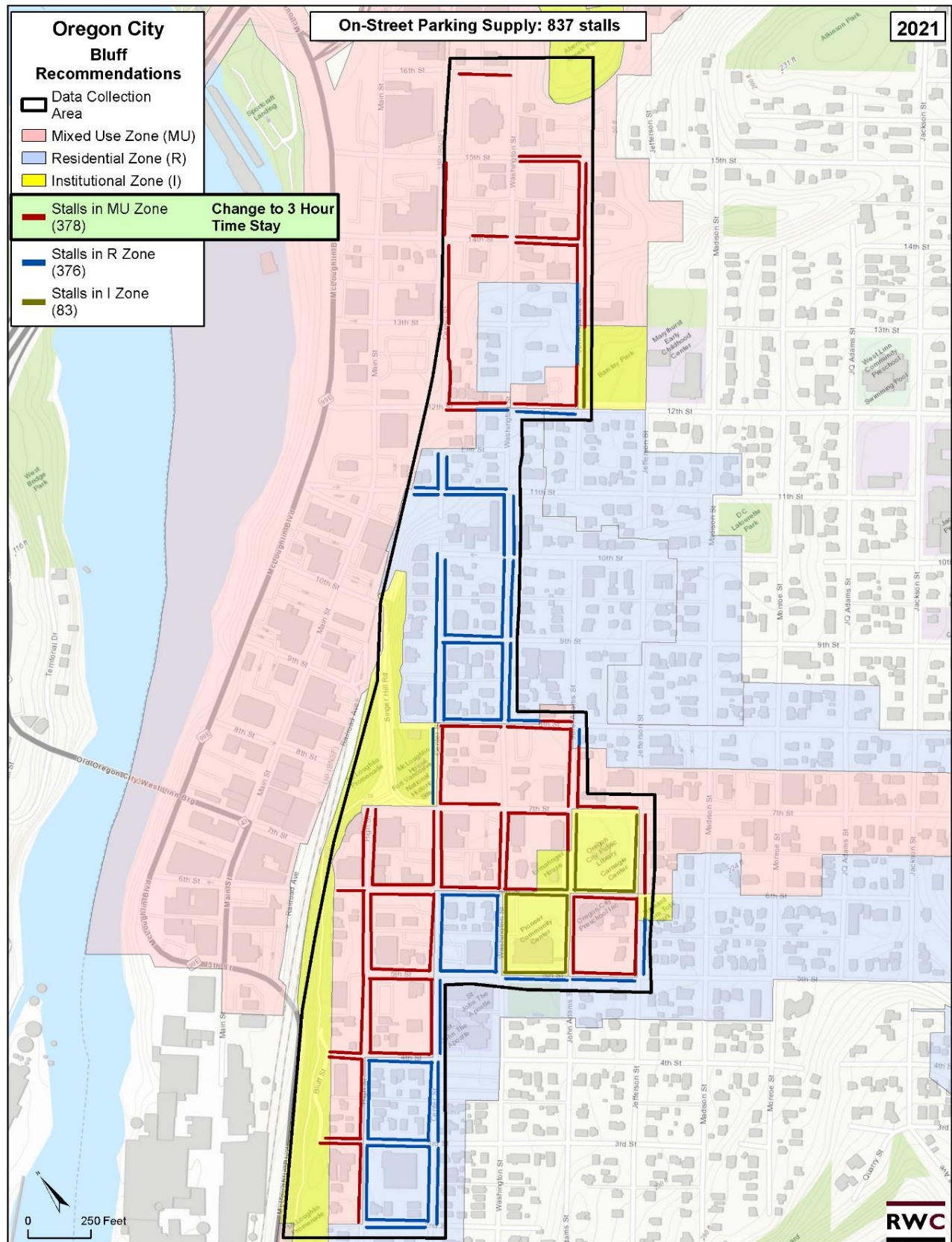
Strategy Description

This recommended on-street format change is largely centered around 7th and Washington as well as further north by 14th and John Adams where commercial block faces allow unlimited (No Limit) parking. These two areas contain the most amount of commercially zoned parcels in the Bluff study area, and in order to better serve the customers/visitors of those areas, 3-hour time-limited short-term stalls are recommended to encourage increased turnover and a reasonable customer/visitor time stay to serve local commercial businesses. The map, below, provides an illustrated summary of block faces recommended to transition to 3-hour signed parking.

Implementation of this strategy would need to be in coordination with **Strategy 10** and **Strategy 11** to provide a controlled on-street employee permit program on commercial block faces while protecting residential block faces (through expansion of the current residential permit program on the Bluff) from employee spill over into neighborhoods.

Timeframe

Mid-term implementation (18-36 months)





Strategy 10: Sell a Controlled Number of On-Street Employee Parking Permits

Action Statement

Allow a **controlled number of on-street employee permits** on the commercial streets closest to to the elevator.

Strategy Description

With time-limit changes to commercial streets (**Strategy 9**) as well as an expanded residential permit program (**Strategy 11**), the on-street system on the Bluff will have a higher level of management and limitations for people who seek to park for longer than 3 hours. To mitigate concerns from nearby employees, it is recommended to allow a controlled number of on-street employee permits on the commercial streets closest to the elevator. The permit area may include commercial streets by 3rd and High Street. The on-street employee permit system is intended as an interim program, made available at this time because certain on-street stalls have adequate capacity to allow permit use and continue to provide convenient patron access. With a current on-street parking permit program in place, providing additional interim employee parking on-street on commercial streets allows for flexibility as the on-street time-limit format changes take place. It also provides an interim backstop for employee parking demand that would be intended to transition to off-street lots (**Strategy 13**) and/or alternative modes.

Timeframe

Near-term implementation (6-18 months)

Strategy 11: Protect Residential Neighborhoods from Commercial Spill Over

Action Statement

Convert on-street No-Limit stalls abutting residential zoned areas to **2-Hour time-limited/or-by-permit stalls**.

Strategy Description

Of the 837 on-street stalls located within the Bluff study area, 424 (51%) are No Limit stalls. With the **Strategy 9** recommendation to change time-limits to 3-Hour on block faces abutting commercial streets, people seeking long-term free parking may attempt to use No-Limit stalls in neighboring residential streets on the Bluff. To mitigate this type of spillover and to continue to prioritize and protect residential streets for the abutting residents, it is recommended that the No-Limit stalls abutting residential zoned areas be converted to 2-Hour time-limited/or-by-residential-permit stalls. This strategy would need to be coordinated with the implementation of **Strategy 9** as well as **Strategy 12**. Implementation of this recommendation would come at the request of affected neighborhoods.

See proposed commercial and residential on-street changes in the map associated with **Strategy 9**.

Timeframe

Mid-term implementation (18-36 months)

Strategy 12: Expand Residential Parking Permit District

Action Statement

Allow expansions of the Bluff's residential permit program on residential block faces to mitigate any issues arising from commercial parking overspill into neighborhoods. Use the City's existing residential permit program (through revisions, expansions, and/or enforcement) to preserve priority access in these areas for residents and their guests.

Strategy Description

One dynamic of growing downtowns or business districts are the impacts such growth can have on the neighborhoods that abut these commercial districts. When parking management strategies such as time limits and paid parking are implemented in growing commercial districts, employees will often seek out free and unlimited parking in nearby residential areas. Residential parking permit programs help to address this spillover by requiring parking permits for long-term stays (typically issued exclusively to residents of the permit district).

Signage typically continues to allow short-term stays in these areas without a permit (for residential visitors and customers of the adjacent commercial areas).

In coordination with **Strategy 11**, the on-street parking abutting residential streets will be time-limited allowing short-term stays or longer-term stays with a residential permit. The current residential parking program on the Bluff may need to be evaluated and potentially expanded to accommodate the recommended changes associated with **Strategy 11**. Initiation of this recommendation should be at the request of the neighborhood association(s).

Oregon City has a long standing and successful residential parking permit program. Continued use of the program and continued communication and partnership with the McLoughlin Neighborhood Association will reinforce the City's intent to protect residential parking. Also, conducting periodic data collection in affected neighborhoods per **Strategy 17** can also provide useful information on use of the neighborhood parking system(s), inform the community, and reinforce sound decision making.

Timeframe

Near-term implementation (6-18 months)





Strategy 13: Allow for and Encourage Off-Street Shared Use Parking on the Bluff

Action Statement

As in the Downtown, **encourage shared use off-street parking** opportunities in private lots to provide parking for long-term users (helping to mitigate spill over in residential areas).

Strategy Description

Similar to **Strategy 8** for Downtown, the off-street system in the Bluff is significantly underutilized and has capacity to absorb additional demand for those seeking long-term parking options. As **Strategy 9** and **Strategy 11** change the on-street format in the Bluff, encouraging additional off-street opportunities will be an important option for visitors/customers wanting to stay longer than 3 hours.

Timeframe

Near-term implementation (6-18 months)

3.3. SYSTEM-WIDE RECOMMENDATIONS

The following recommendations are system-wide recommendations, which echo previous recommendations outlined in the 2009 plan as well as are strategies which are for the entire parking system, to provide key objective performance metrics from which decision can be informed and strategies can be pivoted from.

Strategy 14: Allow Exemption Requests to the Standard Time Stay

Action Statement

Create an exemptions process for Downtown/Bluff businesses to request on-street stalls that are not of the base parking standard (2-Hour/3-Hour), as a means to address quick trips to downtown (e.g., 30-minute stalls, loading zones, etc.).

Strategy Description

An important part of any on-street parking system is consistency with base time standards (2-Hours and/or 3-Hours in Oregon City's case), however, the base standard may not always be the right time standard for certain types of businesses, particularly those that rely on very high customer turnover. COVID and a changing economy have led to some behavior changes and businesses, especially retail, has had to adapt to these changes to thrive. For these businesses, such as restaurants, a shorter time stay may be necessary.

A possible draft exceptions process for granting exceptions to the base standard is outlined below. Criteria for evaluating high turnover spaces (as exceptions to the 2 or 3-Hour base standard) would include:

- **High turnover exception spaces will be located at ends of blocks (next to intersections)** to simplify signage and provide easy access (via convenient crosswalks) to all surrounding businesses. Ideally, exemption spaces should not make up more than 15% percent of stalls on a single block face. Exemption spaces, particularly in Downtown Oregon City, can serve businesses on both sides of the street.
- **High turnover exception spaces are limited to 30 minutes in the 2-Hour Base Zone.** It is important to limit the number and types of exceptions to the base standard.
- **High turnover exception spaces will be used for specific types of business.** The requesting business types must have a documented high percentage of short transactions. Examples are dry cleaners, post office/shipping retailers, and ticket agents. A more detailed list of businesses that have such high turnover needs should be established through a collaborative process between the City and the TDM Work Group and be reflective of business types unique to Downtown Oregon City and business types as suggested above.
- **High turnover exception spaces should not be granted where private parking spaces are available.** High turnover spaces will be limited or not approved for businesses that have adjacent off-street private parking lots or private garage spaces for short-term customers.
- **High turnover exception spaces will be used where on-street parking occupancy exceeds 85%.** Utilization data show that occupancy exceeds 85% during the peak hour on block faces adjacent to business, justifying a reduced base time stay standard.
- **High turnover exception spaces will be converted to the base standard where citation data indicate these spaces are not used for short stays.** If citations increase at the location of an exception space, the space is needed for longer-term stays and may be better served at the base standard.

Timeframe

Mid-term implementation (18-36 months)

Strategy 15: Continue Public Involvement in Parking Management

Action Statement

Establish a **Parking Advisory Committee** to review the Parking Management Plan and to maintain the role of downtown stakeholders, staff, and City leadership to assist in implementation of the updated strategies of this plan. [NOTE: the Oregon City TDM Work Group may already be fulfilling this role]

Strategy Description

Active participation by those affected by downtown and the Bluff parking management strategies is best accomplished through an established advisory committee that reviews the performance of the public parking system, serves as a sounding board for issues, periodically review the recommendations presented in this plan, and acts as a liaison to the broader stakeholder community as changes are implemented. The City should continue this process if filled by the Oregon City TDM Work Group.

An added charge for the TDM Work Group could be to assist the Enforcement Manager or parking staff in establishing key parking and access management performance measures that would be routinely quantified, tracked and published in a dashboard format in an Annual Downtown Parking Management Report (see **Strategy 16**). Tracking and communicating system performance, clearly documenting annual changes, and adjusting strategies in areas where performance is not met can be a catalyzing element of any city's parking management program.

Timeframe

Near-term implementation (on-going)

Strategy 16: Produce Annual Parking Performance Status Dashboard

Action Statement

Publish an annual Parking Performance Status Dashboard outlining key **parking metrics**, such as parking occupancy data, financial information, enforcement performance, etc.

Strategy Description

An annual status and performance dashboard will provide consistent tracking of performance measures (and fund status). The information could be presented as an annual summary as well as performance to previous operating years (e.g., three previous years).





An annual report provides transparency within the program and helps inform City leadership and the TDM Work Group of opportunities, challenges, strategy implementation progress, and system performance. This reinforces and facilitates decision-making. The report would be presented by the Enforcement Manager/City staff to City Commission and made available on the City's parking website.

Minimum performance “success measures” can be developed with the TDM Work Group. The measures bullet-pointed below are useful examples of metrics other cities track and incorporate into their annual summary reports. The final list of success measures should be developed in collaboration with the TDM Work Group and tailored to the Oregon City system.

- Downtown Parking Management District boundary (i.e., map)
- City lot locations and stall totals
- Rate schedules for on-street meters, off-street (by lot), and permits by type (on, off-street and residential)
- Revenue/Expense Summary
 - Program revenue
 - Program expenses
 - Surplus/deficit
- Number of permits sold (average month)
 - On-street permits (downtown)
 - Off-street permits (downtown)
 - Residential permits
- Citations issued
 - Number of citations issued / dollar value of citations
 - Number of citations voided, or waived / dollar value of citations voided or waived
 - Number of citations outstanding (unpaid)
- Peak Occupancy (as measured in **Strategy 17**)
 - On-street
 - Off-street by lot/garage
 - Areas of constraint (based on 85% Occupancy Standard)
 - Other measures of utilization (turnover, average length of stay, violation rate, etc.)
- Customer service (routine tracking and reporting of customer complaints, recommendations and other input from users and stakeholders)

Timeframe

Mid-term implementation (18-36 months)

Strategy 17: Measure Performance - Parking Utilization

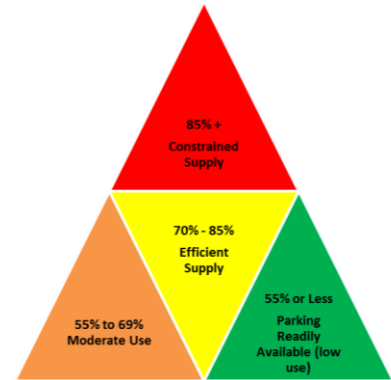
Action Statement

Develop a reasonable schedule of data collection to assess performance for both the Downtown and the Bluff.

Strategy Description

A foundational element of this parking management plan is the facilitation of decision-making with accurate data. The Guiding Principles, developed in 2009, referenced use of the 85% Occupancy Standard which requires routine data collection. Data can be used by the City and stakeholders to inform decisions (e.g., rates, fees, management of permit systems), track use, and objectively measure success.

As such, a system for routine data collection should be established. The system does not need to be elaborate, but it should be consistent and structured to answer relevant questions about occupancy, seasonality, turnover, duration of stay, patterns of use, and enforcement. Data findings should be published (see **Strategy 16**) and presented in a format that compares previous years. Parking occupancy and/or utilization studies and updates should be conducted at least every 2 – 3 years.



Occupancy and /or utilization data⁶ should, at minimum, be collected for:

- Downtown & the Bluff on-street parking (occupancy and/or utilization)
- Publicly owned off-street parking (occupancy)
- Adjacent residential parking areas, as necessary (occupancy and recording displayed permits)
- Private off-street facilities to measure shared parking opportunities (occupancy)

Timeframe

Mid-term implementation (18-36 months)

⁶ An *occupancy study* generally records parked vehicles within a supply on an hourly basis over a prescribed operating day (at minimum, hours of enforcement). A *utilization study* includes occupancy counts, but also records vehicle license plates and observed permits. A utilization study allows for measuring average durations of stay, number of permits in use, rates of stall turnover, and rates of violating time stays.



4.0 Summary

Despite the COVID pandemic, Oregon City is moving forward in the right direction, with a bustling and historic Downtown and continued growth and development changes on the Bluff. With growing visitor and customer demand, Oregon City will face additional pressure on its existing parking supply, so managing the on and off-street systems based on established performance measures will be important to minimize conflict, ensure efficient access for users, and continue to adhere to the established Guiding Principles for the system. The strategies above represent a toolbox of methods that reaffirm, update, and strengthen the 2009 Parking Management Plan.

This report recommends parking management strategies that directly address these issues through data analysis, observation, stakeholder input, and strategic partnerships. At this time, these updated strategies are in draft form and will require additional review and input from stakeholders, City staff, and the City Commission. This document is intended to facilitate conversations that will lead to affirmation of an updated plan that is adopted and actively implemented.



5.0 Strategy Summary Table

The following table summarizes the strategies recommended in **Section 3**. This summary can be used as a concise outline of all recommendations and as a checklist of actions recommended as updates to the 2009 Parking Management Plan.

Management Focus Area	Strategy	Action	Timeframe
Downtown	1: Reduce On-Street Permits Issued in the Downtown	Continue to reduce the number of on-street permits issued for use in the Downtown.	Near-Term (6-18 months)
	2: Reevaluate On-Street Monthly Permit Fees	Evaluate increasing fee of monthly parking permits in the public supply (on- and off-street) to honor 85% occupancy standard and to minimize existing waiting list (find market demand).	Near-Term (6-18 months)
	3: Standardize On-Street Meter Rates	Standardize all on-street meter hourly rates throughout the Downtown, so that hourly rates are consistent in all metered on-street stalls in Downtown Oregon City.	Near-Term (6-18 months)
	4: Eliminate On-Street No-Limit Stalls in the Downtown	Eliminate the remaining No Limit On-Street stalls downtown to encourage short-term visitor/customer stays and transition longer-term stays (3-hours plus) to off-street options or alternative modes.	Near-Term (6-18 months)
	5: Encourage Shared Use Off-Street Parking	Continue to encourage off-street shared use parking opportunities in private lots Downtown (for both employee and visitor uses).	Near-Term (6-18 months)



Management Focus Area	Strategy	Action	Timeframe
	6: Reduce the Number of On-Street Long-Term Parking Stalls	Convert the 4 and 8-Hour stalls to 3-Hour stalls in Downtown to encourage short-term visitor/customer stays and transition longer-term stays (3-hours plus) to off-street options or alternative modes.	Near-Term (6-18 months)
	7: Adjust Enforcement Hours in Accordance with Current Parking Demand	Adjust enforcement hours to 10:00 AM – 7:00 PM to better account for parking use trends and support evening business hours.	Mid-Term (18-36 months)
	8: Initiate Saturday Enforcement	Extend enforcement to Saturdays to prioritize customer access to street-level businesses.	Mid-Term (18-36 months)
The Bluff	9: Implement 3-Hour Time Limits on Blocks Adjacent to Commercial Areas	Convert on-street No-Limit stalls abutting commercial zoned areas to 3-Hour time-limited stalls.	Mid-Term (18-36 months)
	10: Sell a Controlled Number of On-Street Employee Parking Permits	Allow a controlled number of on-street employee permits on commercial streets in proximity to the elevator.	Near-Term (6-18 months)
	11: Protect Residential Neighborhoods from Commercial Spill Over	Convert on-street No-Limit stalls abutting residential zoned areas to 2-Hour time-limited stalls or by permit.	Mid-Term (18-36 months)
	12: Expand Residential Parking Permit District	Expand the Bluff's residential permit program to mitigate any issues arising from commercial parking overspill into neighborhoods.	Near-Term (6-18 months)



Management Focus Area	Strategy	Action	Timeframe
	13: Allow for and Encourage Shared Use Off-Street Parking on the Bluff	As in the Downtown, encourage shared use off-street parking opportunities in private lots to provide parking to long-term users (helping to mitigate spill over in residential areas).	Near-Term (6-18 months)
Reaffirm Previous Recommendations	14: Allow Exemption Requests to the Standard Time Stay	Create an exemptions process for Downtown/Bluff businesses to request on-street stalls that are not of the base parking standard (2-Hour/3-Hour), as a means to address quick trips to downtown (e.g., 15/30/60/90 minute stalls, loading zones, e-deliveries).	Mid-Term (18-36 months)
	15: Continue Public Involvement in Parking Management	Establish a Parking Advisory Committee to review the Parking Management Plan and to maintain the role of downtown stakeholders, staff, and City leadership to assist in implementation of the updated strategies of this plan. (NOTE: the Oregon City TDM Work Group may already fulfilling this role)	Near-Term (6-18 months)
System-wide Recommendations	16: Produce Annual Parking Performance Status Dashboard	Publish an annual Parking Performance Status Dashboard outlining key parking metrics, such as parking occupancy data, financial information, enforcement performance, etc.	Mid-Term (18-36 months)
	17: Measure Performance - Parking Utilization	Develop a reasonable schedule of data collection to assess performance for both the Downtown and the Bluff.	Mid-Term (18-36 months)



Appendix A: Inventory Summary Report



Appendix B: Data Summary Report

Evan Lee

From: Juliana Allen <juliana@downtownoregoncity.org>
Sent: Wednesday, November 12, 2025 7:57 AM
To: Jakob Wiley
Cc: Adam Marl; Scott Wilson; Denyse McGriff; Mike Mitchell; City Recorder Team; Rocky Smith, Jr.
Subject: Downtown Parking Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

As Executive Director of the Downtown Oregon City Association, I am writing to urge the City Commission to take immediate action on downtown parking, specifically, the time limits that impact our visitors and businesses.

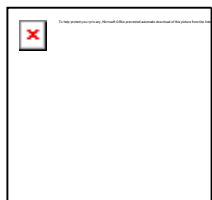
Since the courthouse relocated out of downtown, parking availability has significantly improved. The challenge we now hear from both visitors and business owners is not about finding a parking space, but about how long they are allowed to stay. The current two-hour limit simply does not provide enough time for visitors to enjoy a meal, explore our shops, and take full advantage of what our district has to offer. With the busy holiday season approaching, this is the time to try something new. I encourage the Commission to consider one of the following adjustments which we have discussed in detail with the downtown business district:

- 1.
- 2.
- 3. Extend all downtown parking**
- 4. to a three-hour limit.** This
5. simple change would allow visitors to both eat and shop without feeling rushed.
- 6.
- 7.
- 8.
- 9. Keep Main Street at two hours,**
- 10. but extend side street parking to four hours.** This
11. option would better serve service-oriented businesses and provide flexibility for visitors who wish to stay longer. As a general principal, individuals will typically choose an extended duration to avoid the possibility of a ticket, which could increase City
12. revenue by having overlapping time payments as business customers do not remain parked for the full term.
- 13.

Both approaches would support a more vibrant and economically thriving downtown by encouraging people to linger, explore, and spend more locally. This policy change would also communicate to the downtown businesses that the commission is listening, and more importantly, acting. If the presence of the courthouse operation was part of the decision to implement paid parking initially, should one not question the logic of such a program if the operations have relocated, stalls are empty, and the policy is directly impacting the ability for small businesses downtown to keep their doors open?

I urge the Commission to act without the need for another parking study and the associated cost of over \$20,000. The reality is clear, since the courthouse relocation, there is more available parking downtown. Let us take this opportunity to make a simple, practical adjustment that benefits our businesses and visitors alike.

Thank you for your consideration and for your continued support of Downtown Oregon City.



Juliana Allen (she/her)
Executive Director, Downtown Oregon City Association

814 Main Street
Oregon City, OR 97045



CITY OF OREGON CITY

625 Center Street
Oregon City, OR
97045
503-657-0891

Staff Report

To: City Commission
From: Shaun Davis, Police Chief

Agenda Date: November 12, 2025

SUBJECT:

Distressed Commercial Property Discussion

STAFF RECOMMENDATION:

Provide direction for staff on future work session and/or City Commission agenda items

EXECUTIVE SUMMARY:

This work session is to provide an opportunity for the City Commission to have a discussion about possible options to regulate commercial properties that are vacant, non-maintained, and/or distressed.

BACKGROUND:

The Commission requested to have a work session to discuss vacant, non-maintained, and/or distressed commercial properties and what options through code amendments could regulate these properties. Currently there is no city code to regulate commercial property maintenance or distressed commercial properties besides OCMC 15.25 – Demolition by Neglect. The City does have codes to regulate residential properties.

Attached is OCMC 15.11 and 15.25 along with other city codes that address building maintenance for review.

OPTIONS:

1. Approve Distressed Commercial Property Discussion.
2. Approve Distressed Commercial Property Discussion with Amendments.
3. Deny Distressed Commercial Property Discussion and provide further direction.

Chapter 15.11 DISTRESSED RESIDENTIAL PROPERTY

15.11.010 Definitions.

The following definitions apply to Sections 15.11.010 to 15.11.080 unless inconsistent with the context:

"Abandoned residential property" means:

1. Residential property that is both vacant and subject to either a pending judicial execution sale under ORS 18.901 et seq., or to non-judicial foreclosure pursuant to ORS 86.740 to 86.755; or
2. Residential property that is both vacant and was the subject of either a judicial execution sale under ORS 18.901 et seq., or non-judicial foreclosure pursuant to ORS 86.726 et seq. where legal title is retained by the beneficiary(ies) of a foreclosed trust deed or was otherwise transferred to beneficiary(ies) pursuant to a deed in-lieu of foreclosure.

"Foreclosed residential property" means residential property an owner obtains as a result of:

1. Foreclosing a trust deed on the residential property;
2. Obtaining a judgment foreclosing a lien on the residential property; or
3. Purchasing the residential property at a trustee's sale or a sheriff's sale.

"Local" means within thirty road/driving miles distance of the city of Oregon City.

"Manager" means the city manager or authorized designate thereof.

"Owner" means any natural person, partnership, association, corporation, or other entity identified as having or claiming a lien interest either as a mortgagee under a mortgage or as a trustee and/or beneficiary under a trust deed in abandoned residential property or vacant foreclosed residential property.

"Residential property" is property as defined in ORS 18.901.

"Vacant" means condition(s) indicative of residential property being uninhabited, vacant, or abandoned including, but are not limited to:

1. Visibly overgrown and/or dead vegetation at the property;
2. Accumulation of newspapers, circulars, flyers and/or mail;
3. Visible accumulation of trash, junk and/or debris;
4. Absence of typical household furnishing consistent with active residential habitation; and/or
5. Statements by neighbors, delivery agents or government employees that the property is uninhabited or vacant.

(Ord. No. 22-1005, § 1(Exh. A), 9-21-2022)

15.11.020 Registration, security and maintenance obligations.

All owners of abandoned residential property and vacant foreclosed residential property are obligated to continuously comply with the requirements imposed by Sections 15.11.030 to 15.11.060.

(Ord. No. 22-1005, § 1(Exh. A), 9-21-2022)

15.11.030 Registration requirement—Information required—Change in ownership.

- A. Residential property shall be registered by the owner(s) thereof with the city recorder in the event:
 - 1. Of an anticipated judicial foreclosure of the property, no earlier than the commencement of any of the actions described by ORS 18.904, 18.906, 18.908 and not later than the date first set for the execution sale described in ORS 18.930;
 - 2. Of an anticipated non-judicial foreclosure of the property done pursuant to ORS 86.726 et seq. not later than the date of service or mailing of the notice of sale described in ORS 86.764; or
 - 3. An owner receives written notice from the city manager that the city manager believes the residential property is vacant.
- B. Each registration shall be on a form approved by the city recorder and contain at a minimum the following:
 - 1. The name of the trustee or mortgagee;
 - 2. If applicable, the name of the beneficiary (if different from the trustee) under the trust deed;
 - 3. The street/office mailing address(es) of the trustee/mortgagee and if there is one, the beneficiary under the trust deed;
 - 4. The name, mailing address and contact information of a local individual or entity charged with responsibility by the trustee, mortgagee and/or beneficiary for ensuring compliance with the obligations imposed by Sections 15.11.030 through 15.11.050.
- C. The registration form shall notify owners of their obligations with respect to maintenance, security and inspection and by signing the form, the owners acknowledge that should an owner fail to comply with these requirements, after being given the opportunity to come into compliance, the city may enter the property and cause the identified failures to be corrected subject to the terms set forth in Section 15.11.070.
- D. Each registration shall be accompanied by payment of a registration fee which amount is to be set by commission resolution. In the event residential property subject to the registration requirement imposed by the terms of Section 15.11.020 remains in a state subject thereto for more than three hundred sixty days, an additional fee may be imposed each thirty days thereafter for the period the property remains either abandoned residential property or vacant foreclosed residential property. Said fee, if unpaid, shall be made an assessment lien on the property and recorded as such in the city's lien docket.
- E. The city recorder shall maintain a current list of registered residential properties.
- F. In the event ownership of a registered residential property changes, notice of the change shall be provided to the city recorder's office no later than thirty days after the change becomes effective.
- G. Registered residential property may be removed from the registry at the written request of the owner indicating that the property is no longer vacant.

(Ord. No. 22-1005, § 1(Exh. A), 9-21-2022)

15.11.040 Maintenance obligations.

- A. The owners of residential property either determined to be or registered as abandoned residential property or vacant foreclosed residential property shall cause said property to be maintained in a generally kempt condition generally found on surrounding occupied residential property and free of weeds, dead vegetation, graffiti, trash, accumulated newspapers, circulars, flyers, discarded personal items and other items/conditions that give the appearance the property is vacant or abandoned.

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- B. In the event there is an outdoor pool and/or spa at an abandoned residential property or a vacant residential property, it/they shall either be kept in working order or drained and kept dry.

(Ord. No. 22-1005, § 1(Exh. A), 9-21-2022)

15.11.050 Security obligations.

- A. The owners of residential property determined to be or registered as abandoned residential property or vacant foreclosed residential property shall cause said property to be secured (including closure and locking of windows, doors, gates, and other opening(s) allowing access to the dwelling) and thereafter maintained so as not to be readily accessible to unauthorized persons.
- B. Residential property subject to subsection A shall be continuously posted with a notice (printed and legible with a font size no less than fourteen point) listing the name and contact information of the local individual or entity identified in the city's registration form along with the following phrases completed with the appropriate identification and contact information.

"THIS PROPERTY MANAGED BY ____."

"TO REPORT PROBLEMS OR CONCERNS CALL ____."

The posting shall be placed either on the interior of the dwelling or secured to the exterior of the dwelling. Exterior posting must be constructed of and printed on weather resistant materials. Either posting shall be made visibly accessible.

(Ord. No. 22-1005, § 1(Exh. A), 9-21-2022)

15.11.060 Inspection obligation.

The local individual or entity identified in the registration required by Section 15.11.030 shall cause to be inspected or inspect the property not less than monthly to ensure the requirements imposed by the terms of Sections 15.11.040 to 15.11.050 are met.

(Ord. No. 22-1005, § 1(Exh. A), 9-21-2022)

15.11.070 City authorized to act—Additional authority—Enhanced penalty.

- A. In the event the city manager believes, based on a visual inspection accomplished from a public right-of-way, that an owner has failed to meet any or all of the registration, maintenance, security and inspection mandates of this chapter, the city manager shall send notice of said failure to the owner at the address listed on the county's tax rolls maintained consistent with ORS 311.560 or at such other address as may be known to the city manager. The notice shall set out the nature of the failure(s) to be corrected, giving the owner not less than fourteen working days from the date of the notice to correct them.
- B. In the event the owner fails to remedy the matters within the time set out in the notice (or make, in the city manager's reasonable view, adequate arrangements otherwise) the city may then seek a warrant from the municipal court or any court with competent jurisdiction to enter the property and cause said failures to be corrected, charging the costs thereof to the property as an assessment lien to be recorded in the city's lien docket. All said liens may be enforced consistent with the terms of ORS 223.505 to ORS 223.595.
- C. In addition to authority afforded the city manager under the terms of this section, the city manager may also seek to obtain compliance with and/or enforce the terms of this chapter as may be otherwise allowed using

remedies and enforcement mechanisms provided for either in the city of Oregon City Municipal Code or in state law.

- D. If the city manager reasonably believes an owner's failure to comply with the requirements of this chapter is willful or purposeful, the city manager may authorize appropriate enforcement personnel to seek an enhanced penalty of up to one thousand dollars per day in addition to the general penalty provided for in Section 1.20.090 of this code either in the municipal court or in any court with competent jurisdiction.

(Ord. No. 22-1005, § 1(Exh. A), 9-21-2022)

15.11.080 Appeals.

- A. In the event an owner is notified that residential property under their ownership is subject to the terms of this chapter but believes the property should not be or the owner disagrees with the city manager determination that maintenance, security and inspection failures exist, they may appeal said determination to the municipal court.
- B. Any appeal by an owner shall be:
1. In writing;
 2. Received by the municipal court within ten working days of the date of the notice informing the owner that their residential property was subject to this chapter; and
 3. Setting out in summary form the basis for their belief that their residential property should not be subject to this chapter.
- C. Upon receipt of an appeal, the municipal court shall review the matter and provide the owner an opportunity to give additional information if the court believes additional information could better inform the decision on whether to affirm, deny or modify the notification. After the owner had been given the opportunity to provide additional information, the court shall within ten working days of the receipt of that information, affirm, deny, or modify the notification as to the applicability of this chapter to the residential property in writing. The court's decision is final subject only to judicial review pursuant to a writ of review taken pursuant to ORS 34.010 et seq.

(Ord. No. 22-1005, § 1(Exh. A), 9-21-2022)

- **Chapter 15.25 - DEMOLITION BY NEGLECT**

- **15.25.010 - Purpose.**

Safeguard the city's historic, aesthetic and cultural heritage as embodied and reflected in its historic structures. It is declared as a matter of public policy that the retention of historic structures is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people.

(Ord. No. 08-1014, 7-1-2009)

- **15.25.015 - Definitions.**

The term "Demolition by Neglect" refers to the gradual deterioration of a building when routine or major maintenance is not performed. A demolition by neglect citation issued by the city is against the owner of the property for failure to properly maintain the property as per the specific criteria stated in the following paragraphs.

The types of deficiencies identified as "Demolition by Neglect" include any structural deficiency or a deficiency in a building part, which left unrepaired could lead to deterioration of the building's structural frame. A building is also identified as "Demolition by Neglect" if it is open to entry by vandals or vagrants.

(Ord. No. 08-1014, 7-1-2009)

- **15.25.020 - Applicability.**

All locally designated historic structures shall comply with this chapter in addition to the requirements of Oregon City Municipal Code Chapter 15.24—Dangerous Buildings.

(Ord. No. 08-1014, 7-1-2009)

- **15.25.025 - Criteria for determination of demolition by neglect.**

Specific criteria for the determination of demolition by neglect are as follows:

A. The deterioration of a building to the extent that it creates or permits a hazardous or unsafe condition as determined by the building official.

B. The deterioration of a building(s) characterized by one or more of the following:

1. Those buildings, which have parts thereof which are so attached that they may fall and injure members of the public or property;
2. Deteriorated or inadequate foundation;
3. Defective or deteriorated floor supports or floor supports insufficient to carry imposed loads with safety;
4. Members of walls, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration;
5. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety;
6. Members of ceiling, roofs, ceiling and roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration;
7. Members of ceiling, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety;
8. Fireplaces or chimneys which list, bulge, or settle due to defective material or deterioration;
9. Any fault, defect, or condition in the building, which renders the same structurally unsafe or not properly watertight.

C. The deterioration of a building(s) as specified by the International Property Maintenance Code.

D. Action by the city, the fire marshall, or the building official relative to the safety or physical condition of any building.

(Ord. No. 08-1014, 7-1-2009)

- **15.25.030 - Stabilization process.**

A. Identification by community development director and the building official that a building's condition falls under the city's criteria of demolition by neglect. This initial identification may be made by a staff inspection of the building or by a citizen through the code enforcement process.

B. The staff presents the building's condition to the historic review board at a noticed public meeting with a report detailing the defects that, in the staff's opinion, qualifies the structure for demolition by neglect. To proceed with the citation process the historic review board must vote by a majority to make a preliminary finding of demolition by neglect.

C. If the historic review board makes a preliminary determination, the owner shall be notified by certified mail of the defects in the building. The owner shall be given thirty days in which to respond to the preliminary determination by obtaining a certificate of appropriateness from the community development director for the corrective work. If a certificate of appropriateness is issued at this point, it will detail the specific work that is necessary to correct the demolition by neglect conditions, and a time limit for work to begin and be completed shall be set.

D. If the owner of the property receives the letter regarding the preliminary determination, but either fails to respond or wishes to present his/her case in front of the historic review board, the matter shall be referred to the historic review board for a citation hearing. If the owner fails to receive the letter regarding the preliminary determination after two attempts, the building shall be posted with a notice of the violation in accordance with the provisions of the ordinance, and a public hearing on the citation shall be scheduled.

E. At the public hearing the historic review board may issue a citation to the owner of the property for failure to correct the demolition by neglect conditions. The citation shall be made by a vote of the majority of the historic review board on a motion recognizing the condition of the building and the owner's failure to correct the defects. The owner shall be invited to the public hearing to address the historic review board's concerns and to show cause why a citation should not be issued. The historic review board may also defer the matter to give the owner more time either to correct the deficiencies, make a proposal for repairs, or perhaps sell the property.

F. If the owner is cited for the condition of demolition by neglect of the property, the owner shall be given ten days grace period to respond with a proposal to correct the defects.

If the owner fails to respond after the ten-day grace period following the citation, or has proposed a plan that does not fully address the stabilization defects, or does not receive a certificate of appropriateness for the proposed work, the building shall be turned over to the code enforcement division for action in Municipal Court per Oregon City Municipal Code 1.25. In absence of a stabilization plan, the city may hire an inspector or structural/building specialist to estimate the cost to bring the building out of demolition by neglect status. The city may charge the cost of the analysis to the owner to be included in any future liens.

(Ord. No. 08-1014, 7-1-2009)

- **15.25.035 - Emergency stabilization.**

In the event of a fire, earthquake, flood or other incident that has an immediate effect on the stabilization of the historic structure, the building official may require the application of emergency stabilization measures that will ensure the stability of the building while it is being reviewed through the stabilization process in section Oregon

City Municipal Code 15.25.050. Stabilization measures may include, but are not limited to the following: boarding of windows, tarping of roofs, or the addition of temporary exterior or interior bracing. If the stabilization measures are not completed within forty-eight hours of notice to the property owner by the building official or code enforcement officer, the city manager shall cause the building to be stabilized per the requirements of the Historic Review Board and with means that meet the Secretary of Interior's Standards for Rehabilitation.

(Ord. No. 08-1014, 7-1-2009)

- **15.25.040 - Process to lien property.**

The cost of the stabilization, plus twenty-five percent thereof for administrative overhead shall constitute the cost of the stabilization. The city recorder shall forward to the owner a notice setting forth the expense incurred, stating that such expense will be assessed against the real property involved and that any objections must be filed in writing with the city recorder within twenty days of the date of mailing. If such objections be filed, the commission shall set a date for hearing and determine the amount of assessment. The expense so incurred or determined upon hearing shall then be assessed by ordinance, entered in the city lien docket, and shall be collected and foreclosed as in the manner for collection of city liens for street and sewer improvements. All such liens shall bear interest at the legal rate from the date of entry in the lien docket.

(Ord. No. 08-1014, 7-1-2009)

- **15.25.045 - Violation—Penalty.**

Violation of any provision of this chapter shall constitute a civil infraction, subject to the code enforcement procedures of [Chapter 1.20](#) of this Code.

(Ord. No. 08-1014, 7-1-2009)

[15.24.060 - Violation—Penalty.](#)

Chapter 8.07

RESIDENTIAL PROPERTY MAINTENANCE CODE

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Part 1. GENERAL

8.07.010 Short title.

BC [8.07.010](#) through [8.07.520](#) shall be known and may be cited as the “residential property maintenance code” and may be referred to herein as “this code.” [BC 8.07.010, added by Ordinance No. 4448, 8/20/07]

8.07.020 Purpose.

This code is enacted to protect the health, safety and welfare of Beaverton residents, to prevent deterioration of existing housing, to preserve and enhance the quality of life in residential neighborhoods, and to prevent or reduce urban blight by establishing minimum residential property maintenance standards. [BC 8.07.020, added by Ordinance No. 4448, 8/20/07]

8.07.030 Scope, conflict with state law.

- A. The provisions of this code shall apply to all residential property within the City of Beaverton.
- B. If a provision of this code conflicts with a provision of the building code as adopted by the City of Beaverton, the provision of the building code shall apply to the exclusion of the conflicting provision of this code.
- C. Except as provided otherwise by state or federal law, if a provision of this code conflicts with a residential property maintenance law, rule or regulation promulgated by a state or federal authority having jurisdiction over residential property in the City of Beaverton, the provision of the state or federal law, rule or regulation shall apply to the exclusion of the conflicting provision of this code. [BC 8.07.030, added by Ordinance No. 4448, 8/20/07]

8.07.040 Application of other laws.

Any repair, alteration, or addition to and change of occupancy in an existing building, or any change of use of residential property, shall be made in accordance with all applicable provisions of law, including, but not limited to, the building code, the Beaverton Code and the Beaverton Development Code. [BC 8.07.040, added by Ordinance No. 4448, 8/20/07]

8.07.050 Definitions – Generally.

Terms, words, phrases and their derivatives used, but not defined, in this code shall have the meanings defined in the Beaverton Development Code or in BC Titles [8](#) or [9](#), or, if not defined therein, shall have their commonly accepted meanings. If a conflict exists between definitions in the Beaverton Code or the Beaverton Development Code and this code, the definition provided in this code shall apply to actions taken pursuant to this code. [BC 8.07.050, added by Ordinance No. 4448, 8/20/07]

8.07.060 Definitions.

As used in this code, unless the context requires otherwise, the following mean:

Approved – Meets the standards set forth by the municipal code, the community development code, the building code, or other standards referenced in those codes, or is approved by the code official.

Bathroom – A room containing plumbing fixtures including a bathtub or shower.

Bedroom – Any room or space used or intended to be used for sleeping purposes.

Building code – The combined specialty codes described at ORS [455.010](#), as adopted and as may be amended by the City.

Code official – The code enforcement officer, chief building official or other person authorized by the city manager to enforce the provisions of this code.

Courtyard – An open space bounded on three or more sides by walls of a building.

Dwelling – Any structure containing a dwelling unit, including the following dwelling classifications:

A. *Accessory Dwelling Unit.* An additional dwelling unit within an attached or detached single-family dwelling.

B. *Apartment.* Any building or portion of a building containing three or more dwelling units that is intended to be occupied for residential living purposes by renting, leasing, letting, or hiring out, including condos.

- C. *Manufactured Dwelling*. Including manufactured homes, mobile homes, and residential trailers.
- D. *Rowhouse*. An attached single-family dwellings unit as defined by the State Building Code.
- E. *Single-Family Dwelling*. A structure containing one dwelling unit, including adult foster care homes.
- F. *Single-Room Occupancy*. A one-room dwelling unit provided for human habitation in which some or all sanitary or cooking facilities are shared with other occupants.
- G. *Social Care Facilities*. Any building or portion of a building that is designed, built, rented, leased, let, hired out or otherwise occupied for group residential living purposes. Such facilities include, but are not limited to, retirement homes, assisted living facilities, residential care facilities, half-way houses, youth shelters, and homeless shelters.
- H. *Townhouse*. An attached single-family dwellings unit as defined by the State Building Code.
- I. *Two-Family Dwelling*. A structure containing two dwelling units, also known as a duplex.

Dwelling unit – A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. Hotels used exclusively for transient occupancy are excluded from this definition of dwelling unit.

Exit – A continuous, unobstructed means of egress from a dwelling to the exterior of the building and to a public way.

Floor area – The area of clear floor space in a room exclusive of fixed or built-in cabinets or appliances.

Habitable – Suitable for human habitation.

Habitable space – The area inside a structure available for living, sleeping, eating or cooking, not including attics, bathrooms, closets, garages, halls, laundry rooms, storage spaces, toilet rooms, or utility rooms.

Hazardous materials – Materials defined by the current fire code adopted by the Tualatin Valley Fire and Rescue District as hazardous.

Human habitation – The use of a structure, portion of the structure, or space, in which any person remains for a continuous period of two or more hours per day, or for periods which will accumulate to four or more hours in a day.

Occupant – Any individual living or sleeping in a dwelling, or having possession of a space within a dwelling.

Residential property – Real property and all improvements thereon including edifices, structures, buildings, dwelling units or parts thereof used or intended to be used for residential purposes including single-family, duplex, multifamily structures and mixed-use structures which have one or more dwelling units. Hotels used exclusively for transient occupancy are excluded from this definition of residential property. [ORS 105.425/Tigard]

Structure – A building constructed for any use. [BC 8.07.060, added by Ordinance No. 4448, 8/20/07; amended by Ordinance No. 4794, 12/1/20]

8.07.070 Severability.

The sections and subsections of this code are severable. If any part of this code is held unconstitutional or otherwise invalid, the remaining parts shall remain in force unless:

- A. The remaining parts are so essentially and inseparably connected with and dependent upon the unconstitutional or invalid part that it is apparent that the remaining parts would not have been enacted without the unconstitutional or invalid part; or
- B. The remaining parts, standing alone, are incomplete and incapable of being executed according to the legislative intent. [BC 8.07.070, added by Ordinance No. 4448, 8/20/07]

Part 2. STANDARDS

8.07.100 Housing maintenance requirements – Generally.

- A. A dwelling shall be constructed, altered or repaired in accordance with the standards of the applicable building code in effect at the time of construction, alteration or repair.
- B. No person shall maintain or permit to be maintained any dwelling or residential property that does not comply with the requirements of this code.
- C. An existing dwelling that does not comply with the provisions of this code and that does not comply with the standards of the applicable building code then in effect at the time of construction or subsequent alteration or repair shall be altered or repaired to provide a minimum level of public health, safety and maintenance as required herein.
- D. The provisions of this code shall not be mandatory for an existing dwelling designated as a historic building when such dwelling is judged by the code official to be safe and its continued maintenance in historic condition to be in the public interest. [BC 8.07.100, added by Ordinance No. 4448, 8/20/07]

8.07.110 Minimum standards for human habitation.

No dwelling shall be habitable unless provided with current service for:

- A. Electricity;
- B. Water;
- C. Sanitary sewer; and
- D. Weekly removal and disposal of trash.

Temporary interruptions of service for routine maintenance or emergency repairs shall not constitute a violation of this section. [BC 8.07.110, added by Ordinance No. 4448, 8/20/07]

8.07.115 Vacant dwellings.

- A. A vacant dwelling shall meet the standards of this code to be habitable.

B. Measures taken to secure a vacant dwelling from unauthorized entry, including boarding of windows and nailing or screwing doors into door frames, shall be removed before a vacant dwelling may be inhabited. [BC 8.07.115, added by Ordinance No. 4448, 8/20/07]

8.07.120 Roofs.

A. The roof and flashing of a dwelling shall be structurally sound, tight, and have no defects that admit water.

B. Roof drainage of a dwelling shall channel water into approved receivers and shall be adequate to prevent water buildup or ponding from causing dampness in the walls or interior portion of the building. Roof drains, gutters and downspouts of a dwelling shall be free from obstructions and maintained in good repair, so as not to be plugged, overflowing, or in a state of deterioration. Any building or structure having originally been designed for and fitted with gutters and downspouts shall continuously be maintained with such devices, in sound condition and good repair.

C. In any two-year period, tarps, tar paper or other similar materials shall not be exposed to weather on the exterior of a structure for a cumulative period of more than three months. [BC 8.07.120, added by Ordinance No. 4448, 8/20/07]

8.07.130 Chimneys.

A. Every chimney, stovepipe and vent pipe of a dwelling shall remain adequately supported, free from obstructions, and shall be maintained in sound condition and good repair, so as to assure there will be no leakage or backup of noxious gases.

B. Every chimney, stovepipe and vent pipe of a dwelling shall be reasonably plumb.

C. Any loose chimney brick or block shall be rebounded, and any loose or missing mortar shall be replaced.

D. Unused openings in the interior of the structure for chimneys, stovepipes and vent pipes shall be permanently sealed using appropriate, durable materials. [BC 8.07.130, added by Ordinance No. 4448, 8/20/07]

8.07.140 Foundations and structural members.

- A. A foundation shall adequately support its structure and be free of rot, crumbling, or similar deterioration.
- B. All supporting structural members of a foundation shall show no significant evidence of deterioration or decay that would substantially impair the ability of a foundation to carry imposed loads. [BC 8.07.140, added by Ordinance No. 4448, 8/20/07]

8.07.150 Exterior walls and exposed surfaces.

- A. Every exterior wall and weather-exposed exterior surface of a dwelling shall be free of holes, breaks, loose or rotting boards or timbers and any other conditions likely to admit water or dampness to the interior portions of the dwelling.
- B. All exterior wood surfaces of a dwelling shall be made substantially impervious to the adverse effects of weather by periodic application of a protective coating of weather-resistant preservative such as paint or stain and be maintained in good condition, substantially free from peeling or flaking.
- C. Exterior metal surfaces of a structure shall be protected from rust and corrosion.
- D. Every section of exterior brick, stone, masonry, or other veneer of a structure shall be maintained in sound condition and good repair and be adequately supported and tied back to its supporting structure.
- E. In any two-year period, tarps, tar paper or other similar materials shall not be exposed to weather on the exterior of a structure for a cumulative period of more than three months. [BC 8.07.150, added by Ordinance No. 4448, 8/20/07]

8.07.160 Stairs and porches.

Every stair, porch, and attachment to stairs or porches shall be:

- A. Safe to use and capable of supporting the loads to which it is subjected.

B. Be kept in sound condition and good repair, including replacement as necessary of flooring, treads, risers, and stringers so there is no excessive wear and no broken, warped, or loose parts. [BC 8.07.160, added by Ordinance No. 4448, 8/20/07]

8.07.170 Handrails and guardrails.

A. Every flight of stairs having more than four risers shall have a handrail on at least one side. Handrails shall be between 30 and 38 inches high, measured from the tread or floor of the landing or walking surface. Handrails shall be continuous the full length of the stairs.

B. Every open portion of a stair, landing, balcony, porch, deck, ramp, or other walking surface that is more than 30 inches above the floor or grade below shall have guardrails. Guardrails shall not be less than 36 inches high. Guardrails shall have intermediate rails or ornamental closures which will effectively exclude the passage of an object four inches or more in diameter.

C. Every handrail and guardrail shall be firmly fastened, maintained in sound condition and good repair, and capable of supporting the loads to which it is subjected. [BC 8.07.170, added by Ordinance No. 4448, 8/20/07]

8.07.180 Windows.

A. Every habitable space shall have at least one window facing an exterior yard or courtyard or shall be provided with approved artificial light. The minimum total window area for each habitable space shall be eight percent of the floor area of the space, except for a habitable space in a basement, where the minimum shall be five percent of the floor area of the space.

B. Every habitable space shall have at least one openable window or openable skylight for ventilation purposes unless equipped with mechanical ventilation.

C. Every bathroom and toilet compartment shall comply with the light and ventilation requirements for a habitable space except that no window shall be required in a bathroom or toilet compartment if the bathroom or toilet compartment is equipped with artificial lighting and a mechanical ventilation system that discharges to the outdoors.

D. All windows of a dwelling unit that are openable and that are within ten feet of the exterior grade shall be able to be both opened and locked from the inside without the use of a key or any special knowledge or effort.

E. All windows of a dwelling unit that are openable and are accessible from the outside, regardless of height from the exterior grade, such as a balcony window or a fire escape window, shall be able to be both opened and locked from the inside without the use of a key or any special knowledge or effort.

F. Every window of a dwelling shall be kept in sound condition and good repair, substantially weathertight, and shall comply with the following:

1. Every window sash shall be fully supplied with glass window panes or an approved substitute without open cracks and holes.
2. Every window sash shall be in sound condition and good repair and fit weathertight within its frame.
3. Every window frame shall be constructed and maintained in relation to the adjacent wall construction so as to substantially exclude wind and rain from entering the dwelling.

[BC 8.07.180, added by Ordinance No. 4448, 8/20/07]

8.07.190 Doors.

A. Every dwelling shall have at least one exit door leading to the exterior, or in the case of a duplex or apartment, to the exterior or to an approved exit. Exit doors shall be able to be opened from the inside without any special knowledge or effort. Screen doors and storm doors must be able to be opened from the inside without any special knowledge or effort.

B. In apartments, duplexes, single-room occupancies and social care facilities, exit doors in common corridors or passageways shall be able to be opened from the inside with one hand in a single motion, such as pressing a bar or turning a knob, without the use of any special knowledge or effort.

C. Every door to the exterior of a dwelling shall be equipped with a lock designed to discourage unwanted entry and to permit opening from the inside without the use of a key or any special knowledge or effort.

D. Every exterior door of a dwelling shall comply with the following:

1. The door hinge, door lock, and strike plate shall be maintained in sound condition and good repair.
2. When closed, the door shall fit reasonably well within its frame and be weathertight.
3. Every door frame shall be constructed and maintained in relation to the adjacent wall construction so as to substantially exclude wind and rain from entering the dwelling.

E. Every interior door shall fit reasonably well within its frame by being properly and securely attached to jambs, headers or tracks and shall be capable of being opened and closed. [BC 8.07.190, added by Ordinance No. 4448, 8/20/07]

8.07.200 Interior walls, floors, and ceilings.

A. All interior surfaces of a dwelling shall be maintained in sound condition and good repair, so to permit the interior to be kept in a clean and sanitary condition. Walls, floors, ceilings, windows, cabinets and doors shall be free of holes larger than four inches in diameter and cracks wider than one-half inch.

B. Peeling, chipping, flaking, or abraded paint in a dwelling shall be repaired, removed or covered. Cracked or loose plaster or wall paper, decayed wood and other defective surface conditions shall be repaired or replaced.

C. Every toilet compartment, bathroom, and kitchen floor surface of a dwelling shall be constructed and maintained to be substantially impervious to water and to permit the floor to be kept in a clean and sanitary condition. [BC 8.07.200, added by Ordinance No. 4448, 8/20/07]

8.07.205 Street addresses.

No person shall occupy or allow occupancy of a dwelling unless a street number assigned pursuant to BC [9.02.010](#) through [9.02.070](#) is displayed in accordance with the requirements of BC [9.02.040](#). [BC 8.07.205, added by Ordinance No. 4448, 8/20/07]

8.07.210 Cleanliness and sanitation.

A. The interior of every dwelling shall be maintained in a clean and sanitary condition free from the accumulation of rubbish, garbage and any material that:

1. Provides a breeding place for insects, rodents or vermin; or
2. Produces dangerous or offensive gases, odors or bacteria; or
3. Blocks exits, hallways or corridors.

B. An occupant of a dwelling shall be responsible for keeping that part of the dwelling the occupant occupies or is in control of in a clean and sanitary condition.

C. The owner of any residential property with shared or common areas, including apartments, single-room occupancies, social care facilities, mobile home parks, trailer parks and manufactured home parks, shall be responsible for maintaining the shared or common areas of the property in a clean and sanitary condition at all times. [BC 8.07.210, added by Ordinance No. 4448, 8/20/07]

8.07.220 Interior dampness.

Every dwelling, including its basement and crawl space shall be maintained reasonably free from dampness so as to prevent conditions conducive to decay, mold growth, or deterioration of the structure. [BC 8.07.220, added by Ordinance No. 4448, 8/20/07]

8.07.225 Standing water.

A. No person shall cause or permit water to stand outdoors on property the person owns or controls in containers or objects that have not been emptied within seven days.

B. No person shall allow or cause containers or objects that collect water, including buckets, pots and unmounted tires, to be left outdoors for more than seven days on property the person owns or controls. [BC 8.07.225, added by Ordinance No. 4448, 8/20/07]

8.07.230 Insect and rodent harborage.

- A. Every dwelling shall be kept free from insect and rodent infestation. Infestations of insects or rodents shall be promptly exterminated by methods that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.
- B. The owner of any residential property shall be responsible for extermination within any structure prior to any occupancy thereof.
- C. The occupant of a single-family dwelling shall be responsible for extermination within the dwelling during the occupancy thereof.
- D. The owner of a structure containing two or more dwelling units shall be responsible for extermination within the structure. [BC 8.07.230, added by Ordinance No. 4448, 8/20/07]

8.07.240 Bathroom facilities.

- A. Except as otherwise noted in this code, every dwelling unit shall contain within its walls in safe, clean and sanitary working condition:
1. A toilet located in a room that is separate from the habitable space and that allows privacy;
 2. A lavatory basin; and
 3. A bathtub or shower located in a room that allows privacy.
- B. In single-room occupancies and social care facilities where private toilets, lavatories, or baths are not provided, there shall be at least one toilet, lavatory, and bathtub or shower provided for every twelve residents or less. Toilets, bathtubs, and showers shall be in a room, or rooms, that provide privacy. [BC 8.07.240, added by Ordinance No. 4448, 8/20/07]

8.07.250 Kitchen facilities.

- A. Every dwelling shall contain a kitchen sink apart from the lavatory basin required under BC [8.07.240](#), with the exception of single-room occupancy, which shall comply with BC [8.07.390](#) and social care facilities complying with BC [8.07.250\(C\)](#).
- B. Except as otherwise provided for in BC [8.07.250\(C\)](#) and [8.07.390](#), every dwelling shall have approved service connections and facilities for refrigeration and cooking.
- C. A social care facility may be provided with a community kitchen with facilities for cooking, refrigeration, and washing utensils. [BC 8.07.250, added by Ordinance No. 4448, 8/20/07]

8.07.260 Plumbing facilities.

- A. Every plumbing fixture or device within a structure shall be properly connected to a public or an approved private water system and to a public or an approved private sanitary sewer system.
- B. Sinks, lavatory basins, bathtubs and showers within a dwelling shall be supplied with both hot and cold running water. Every dwelling shall be supplied with water heating facilities for each dwelling unit. Water heating facilities within a dwelling shall be capable of heating an adequate amount of water to provide water at a temperature of at least 120 degrees Fahrenheit at each hot water outlet for at least 10 minutes.
- C. In every dwelling, all plumbing or plumbing fixtures shall be:
1. Properly installed, connected, and maintained in good working order;
 2. Kept free from significant obstructions, leaks, and defects;
 3. Capable of performing the function for which they are designed; and
 4. Installed and maintained so as to prevent structural deterioration or health hazards. [BC 8.07.260, added by Ordinance No. 4448, 8/20/07]

8.07.270 Heating equipment and facilities.

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- A. Every dwelling shall have a permanently installed heat source capable of maintaining a temperature of 68 degrees Fahrenheit at a point three feet from the floor and two feet from any wall in all habitable spaces, bathrooms and toilet rooms.
- B. All heating devices or appliances shall be listed, approved, and properly vented. No cooking appliance, inverted flame heaters or open flame heaters may be used as a heating source in a dwelling.
- C. All heating equipment in a dwelling, including equipment used for cooking, water heating and clothes drying shall be:
1. Maintained in sound condition and good repair;
 2. Free from leaks and obstructions and kept functioning properly so as to be free from fire, health, and accident hazards; and
 3. Capable of performing the function for which they are designed. [BC 8.07.270, added by Ordinance No. 4448, 8/20/07]

8.07.280 Electrical system, receptacles, and lighting.

- A. Electric power to any structure shall be from an approved source; receptacles and fixtures shall be safely connected to an approved electrical system. The electrical system within a structure shall not constitute a hazard by reason of inadequate service, deterioration, damage, improper fusing, improper wiring or installation.
- B. In addition to other electrical system components that may be used to meet cooking, refrigeration, and heating requirements listed elsewhere in this code, the following receptacles and lighting fixtures are required in a dwelling:
1. Every habitable space shall contain at least two operable electric receptacles or one receptacle and one operable electric light fixture.
 2. Every toilet compartment, bathroom, laundry room or other wet location shall contain at least one operable electric light fixture and one grounded electrical receptacle or a receptacle with a ground-fault interrupter.

3. Every furnace room and all similar nonhabitable spaces in a dwelling shall have one operable electric light fixture.
4. Every public hallway, corridor, and stairway in apartments, single-room occupancies and social care facilities shall be adequately lighted at all times with an average intensity of illumination of at least one foot candle at principal points such as angles and intersections of corridors and passageways, stairways, landings of stairways, landings of stairs and exit doorways, and at least one-half foot candle at other points. Measurement of illumination shall be taken at points not more than four feet above the floor. [BC 8.07.280, added by Ordinance No. 4448, 8/20/07]

8.07.290 Bedroom requirements.

- A. Every bedroom in a dwelling shall be a habitable space.
- B. Every bedroom in a dwelling shall have at least one emergency exit for escape or rescue, either an openable window or exterior door.
- C. Windows in a dwelling provided to meet emergency exit requirements in bedrooms shall have a sill height of no more than 44 inches above the floor or a permanently installed step. The step must not be more than 12 inches higher than the floor and must be at least 20 inches wide and at least 12 inches deep.
- D. Windows in a dwelling that are provided to meet emergency exit requirements in bedrooms shall have a minimum net clear opening at least 20 inches wide, at least 22 inches high, and, if constructed after July 1, 1974, at least five square feet in area.
- E. Windows in a dwelling provided for emergency exit in bedrooms shall be opened from the inside without the use of a key or any special knowledge or effort and be held open by window hardware. [BC 8.07.290, added by Ordinance No. 4448, 8/20/07]

8.07.300 Overcrowding.

A. No dwelling unit shall be overcrowded. A dwelling unit is overcrowded if there are more occupants than one, plus one additional occupant for every 150 square feet of floor area of the habitable space in the dwelling unit.

B. If a dwelling has three, four or five occupants, the dwelling must have a dining room and living room with a combined area of not less than 200 square feet, plus kitchen space of not less than 50 square feet. If a dwelling has six or more occupants, it must have a dining room and living room with a combined area of not less than 250 square feet, plus kitchen space of not less than 50 square feet. [BC 8.07.300, added by Ordinance No. 4448, 8/20/07]

8.07.310 Emergency exits.

A. Every habitable space shall have at least one openable window or exterior door approved for emergency escape or rescue. Emergency exit windows must be openable from the inside without special knowledge, effort or tools. Windows used to meet this requirement shall meet the size and sill height requirements described in BC [8.07.290](#). All below-grade windows used to meet this requirement shall have a window well the full width of the window constructed of permanent materials with a three-foot clearance measured perpendicular to the outside wall. The bottom of the well may not be more than 44 inches below grade.

B. Required exit doors and windows in a structure shall be free of encumbrances or obstructions that block access to the exit.

C. All doorways, windows and any device used in connection with exits in a structure shall be kept in sound condition and good repair.

D. In addition to other exit requirements, all fire escapes and stairways, stair platforms, corridors or passageways that may be used as a means of emergency exit from an apartment, single-room occupancy or social care facilities:

1. Shall be kept in sound condition and good repair.
2. Shall be kept free of encumbrances or obstructions of any kind.
3. Shall not be used for storage of flammable or combustible materials.

E. Where doors to stair enclosures in a structure are required by a building code or other applicable law to be self-closing, the self-closing device shall be maintained in sound condition and good repair. No person shall wedge or hold open a self-closing door to stair enclosures except by means of an approved magnetic device connected to a functioning fire alarm system.

F. Windows and doors in a structure leading to fire escapes shall be secured against unwanted entry with approved devices that permit opening from the inside without the use of a key or any special knowledge, effort or tool.

G. Apartments, single-room occupancies, and social care facilities shall have directional signs visible throughout common passageways to indicate the way to exit doors and fire escapes. Emergency exit doors and windows in apartments, single-room occupancies, and social care facilities shall be clearly labeled for their intended use as emergency exits. [BC 8.07.310, added by Ordinance No. 4448, 8/20/07]

8.07.320 [Intentionally omitted].

[BC 8.07.320, added by Ordinance No. 4448, 8/20/07]

8.07.330 Hazardous materials.

A. Residential property shall be free of dangerous levels of hazardous materials, contamination by toxic chemicals, or other materials that would render the property unsafe.

B. No person shall keep in an unreasonably dangerous manner any highly combustible or explosive materials or any materials that may be dangerous or detrimental to life or health. No residential property shall be used for the storage or sale of paints, varnishes or oils used in the making of paints and varnishes, except as reasonably needed to maintain the dwelling in sound condition and good repair. [BC 8.07.330, added by Ordinance No. 4448, 8/20/07]

8.07.340 Maintenance of facilities and equipment.

A. In addition to other requirements for the maintenance of facilities and equipment described in this code:

1. All required facilities in every dwelling shall be constructed and maintained to properly and safely perform their intended function.
2. All nonrequired facilities or equipment present in a dwelling shall be maintained to prevent structural damage to the building or hazards of health, sanitation, or fire. [BC 8.07.340, added by Ordinance No. 4448, 8/20/07]

8.07.350 [Intentionally omitted].

[BC 8.07.350, added by Ordinance No. 4448, 8/20/07]

8.07.360 Illegal residential occupancy.

Human habitation of a tent, camper, motor home, recreational vehicle, or other similar structure or space that is not intended for permanent residential use is prohibited, unless:

- A. Authorized by a declaration of local emergency; or
- B. Limited in any three-month period to a cumulative period of not more than 14 days. [BC 8.07.360, added by Ordinance No. 4448, 8/20/07]

8.07.370 Fences.

Fences, whether built as part of a subdivision or added thereafter, shall be maintained in sound condition and good repair. Fence posts shall be kept in a vertical position, and rails shall be kept in a horizontal position. Fence posts and rails with evidence of significant rot or deterioration must be replaced to keep the fence safe and prevent catastrophic failure. Fence posts and rails that lean or sag more than 15 degrees will be considered to be in violation of this section. Missing fence boards must be replaced within 30 days, unless dogs are kept inside a fenced yard, in which case missing boards must be replaced immediately. Fences of weather-resistant

wood, such as redwood or cedar, need not be painted or stained, but if paint or stain is applied, it must be maintained free of peeling, bubbling or flaking. [BC 8.07.370, added by Ordinance No. 4448, 8/20/07]

8.07.380 Swimming pools.

- A. Swimming pools shall comply with the provision of BC [8.05.005](#) through [8.05.100](#).
- B. Special pools and swimming pools that hold or are capable of holding water exceeding 24 inches in depth at any point must be maintained so that the water does not become green, brown or black.
- C. Special pools and swimming pools that hold or are capable of holding water exceeding 24 inches in depth at any point must be maintained so that the water is not stagnant and does not provide a habitat for amphibians, mosquitoes or other insect pests. [BC 8.07.380, added by Ordinance No. 4448, 8/20/07]

8.07.390 Special standards for single-room occupancy housing units.

In addition to meeting requirements for dwellings described elsewhere in this code, single-room occupancies shall comply with the following:

- A. Either a community kitchen with facilities for cooking, refrigeration, and washing utensils shall be provided on each floor, or each single-room occupancy shall have facilities for cooking, refrigeration and washing utensils. In addition, facilities for community garbage storage or disposal shall be provided on each floor.
- B. Where cooking units are provided in single-room occupancies, they shall conform to these requirements:
 - 1. The Mechanical Specialty Code shall be used for installation standards for cooking appliances. Cabinets over cooking surfaces shall be 30 inches above the cooking surface, except that this distance may be reduced to 24 inches when a noncombustible heat shield with one inch airspace and extending at least six inches horizontally on either side of the

cooking appliance is provided. Cooking appliances shall be located with at least a six-inch clear space in all directions from the perimeter of the cooking element or burner;

2. All cooking appliances shall be installed so as to provide a minimum clear space in front of the appliance of 24 inches. [BC 8.07.390, added by Ordinance No. 4448, 8/20/07]

Part 3. ENFORCEMENT

8.07.500 Penalties.

A. Except as otherwise provided in this section, violation of a provision of this code is a Class 1 civil infraction to be processed in accordance with the provisions of BC [2.10.010](#) through [2.10.050](#) punishable upon conviction by a fine of not more than \$250.00. Each day of continuing violation shall be considered a separate offense.

B. Violation of BC [8.07.205](#) or [8.07.380](#) is a Class 2 civil infraction to be processed in accordance with the provisions of BC [2.10.010](#) through [2.10.050](#) punishable upon conviction by a fine of not more than \$150.00. Each day of violation shall be considered a separate offense.

C. Violation of BC [8.07.225](#) is a Class 3 civil infraction to be processed in accordance with the provisions of BC [2.10.010](#) through [2.10.050](#) and punishable upon conviction by a fine of not more than \$50.00. Each day of violation shall be considered a separate offense.

D. Violation of BC [8.07.110](#), [8.07.210](#), [8.07.310](#), [8.07.360](#) or [8.07.510](#) is a Class C misdemeanor, punishable upon conviction by a fine of not more than \$6,250 and/or imprisonment not to exceed 30 days. Each day of violation shall be considered a separate offense. [BC 8.07.500, added by Ordinance No. 4448, 8/20/07]

8.07.510 Prohibited habitation.

A. No person shall inhabit, remain in, or enter a dwelling or structure that has been duly posted with a notice to vacate or with an order forbidding occupancy pursuant to the Uniform Code for the Abatement of Dangerous Buildings as adopted by the City; provided, however, the

building official may grant a person express written permission to enter said dwelling or structure for purposes reasonably related to repair or demolition.

B. No person shall remove or deface any notice to vacate or order forbidding occupancy duly posted on a dwelling or structure pursuant to the Uniform Code for the Abatement of Dangerous Buildings as adopted by the City until the required repairs, demolition or removal have been completed and a certificate of occupancy issued pursuant to the provisions of the building code. [BC 8.07.510, added by Ordinance No. 4448, 8/20/07]

8.07.520 Additional remedies.

A. Any penalty or remedy imposed pursuant to this code is in addition to, and not in lieu of, any other civil, criminal or administrative penalty, sanction or remedy otherwise authorized by law.

B. A violation of this code is a public nuisance and may be enjoined or abated by repair in accordance with the provisions of BC [5.05.200](#) through [5.05.260](#).

C. A violation of this code is a public nuisance and may be enjoined or abated in accordance with the provisions of the Uniform Code for the Abatement of Dangerous Buildings. For purposes of the Uniform Code for the Abatement of Dangerous Buildings, this code shall be deemed a housing code.

D. A court of competent jurisdiction may appoint a receiver pursuant to the Oregon Housing Receivership Act, ORS [105.420](#) to [105.455](#), to perform an abatement of residential property found in violation of this code. For purposes of the Oregon Housing Receivership Act, this code shall be deemed a housing code.

E. A citation for a violation of this code shall not relieve the responsible party of the duty to maintain residential property in accordance with this code. The abatement of a violation pursuant to this code does not prejudice the right of any person to recover damages arising out of or related to the violation.

F. If a citation alleging a violation of BC [8.07.110](#), [8.07.210](#), [8.07.310](#) or [8.07.320](#) is issued, and if the affected dwelling unit is or becomes vacant, no person shall reoccupy or permit

reoccupancy of the dwelling unit until all repairs have been made by the responsible party and inspected by the code official. [BC 8.07.520, added by Ordinance No. 4448, 8/20/07]

The Beaverton Code is current through Ordinance 4864, passed March 18, 2025.

Disclaimer: The City Recorder's Office has the official version of the Beaverton Code. Users should contact the City Recorder's Office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.beavertonoregon.gov](http://www.beavertonoregon.gov)

[Hosted by General Code.](#)

Title 29 Property Maintenance Regulations

(Title replaced by Ordinance [192002](#), effective January 10, 2025.)

Chapter 29.05 Title, Purpose and Scope

29.05.010 Title.

1. This Title is known as the “Property Maintenance Regulations.”

29.05.020 Purpose.

The purpose of this Title is to protect the health, safety and welfare of Portland’s citizens, to prevent deterioration of existing housing and the exterior of non-residential structures, and to contribute to vital neighborhoods by:

1. **A.** Establishing and enforcing minimum standards for residential structures regarding basic equipment, facilities, sanitation, fire safety, and maintenance.
2. **B.** Establishing and enforcing minimum standards of maintenance for outdoor areas and adjacent rights of way.
3. **C.** Regulating and abating dangerous and derelict buildings.
4. **D.** Establishing and enforcing minimum standards for the exterior maintenance of nonresidential structures.

29.05.030 Scope.

The provisions of this Title apply to all property in the City except as otherwise excluded by law.

29.05.040 Application of Titles 24, 25, 26, 27, 28, and 33.

Any alterations to buildings or properties or changes of their use that may be a result of the enforcement of this Title must be done in accordance with Portland City Code Titles 24, 25, 26, 27, 28, and 33 and other applicable regulations.

Chapter 29.10 Definitions

29.10.010 General.

For the purpose of this Title, certain abbreviations, terms, phrases, words and their derivatives must be construed as specified in this Chapter. “And” indicates that all connected items or provisions apply. “Or” indicates that the connected items or provisions may apply singly or in combination. Terms, words, phrases and their derivatives used but not specifically defined in this Title either have the meanings defined in Portland City Code Title 24 or, if not defined there, have their commonly accepted meanings.

29.10.020 Definitions.

1. The definitions of words with specific meaning in this Title are as follows:
2. **A.Abatement of a nuisance.** The act of removing, repairing, or taking other steps as may be necessary in order to remove a nuisance.
3. **B.Accessory structure.** Any structure not intended for human occupancy that is located on residential or nonresidential property. Accessory structures may be attached to or detached from the residential or nonresidential structure. Examples of accessory structures include: garages, carports, sheds, and other non-dwelling buildings; decks, awnings, heat pumps, fences, trellises, flag poles, tanks, towers, exterior stairs, driveways and walkways, and other exterior structures on the property.
4. **C.Adjacent right-of-way.** The sidewalks and planting strips that border a specific property as well as the near half of the streets, alleys, or other public rights of way that border a specific property.
5. **D.Apartment house.** See dwelling classifications.
6. **E.Approved.** Meets the standards set forth by applicable Portland City Code including any applicable regulations for electric, plumbing, building, or other sets of standards included by reference in this Title.
7. **F.Basement.** The usable portion of a building that is below the main entrance story and is partly or completely below grade.
8. **G.Boarded.** Secured against entry by apparatus that is visible off the premises and is not both lawful and customary to install on occupied structures.
9. **H.Building.** Any structure used or intended to be used for supporting or sheltering any use or occupancy.

10. **I. Building, existing.** Existing building is a building erected prior to the 1972 adoption of the building code by the City, or one for which a legal permit has been issued.
11. **J. Ceiling height.** The clear distance between the floor and the ceiling directly above it.
12. **K. Court.** A space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.
13. **L. Dangerous building.** See dangerous structure.
14. **M. Dangerous structure.** Any structure that has any of the conditions or defects described in Section 29.40.020, to the extent that life, health, property, or safety of the public or its occupants are endangered.
15. **N. Demolition warrant.** An order from the Circuit Court authorizing the demolition of a dangerous structure as authorized by this Title, including disposal of all debris in an approved manner, and returning the lot to a clean and level condition.
16. **O. Derelict building.** Any structure that has any of the conditions or defects described in Subsection 29.40.010 A.
17. **P. Director.** Is as defined in Portland City Code Section 24.15.070.
18. **Q. Disabled vehicle.** Any vehicle that is or appears to be inoperative, wrecked or dismantled, or partially dismantled.
19. **R. Duplex.** See dwelling classifications, “two-family dwelling.”
20. **S. Dwelling.** Any structure containing dwelling units, including all dwelling classifications covered by the Title.
21. **T. Dwelling classifications.** Types of dwellings covered by this Title include:
 1. **1. Single-family dwelling.** A structure containing one dwelling unit.
 2. **2. Two-family dwelling.** A structure containing two dwelling units, also known as a “duplex.”
 3. **3. Apartment house.** Any building or portion of a building containing three or more dwelling units that is designed, built, rented, leased, let, or hired out to be occupied for residential living purposes.
 4. **4. Hotel.** Any structure containing six or more dwelling units that are intended, designed, or used for renting or hiring out for sleeping purposes by residents on a daily, weekly, or monthly basis.
 5. **5. Motel.** For purposes of this Title, a motel is defined the same as a hotel.
 6. **6. Single-room occupancy housing unit.** A one-room dwelling unit in a hotel providing sleeping, cooking, and living facilities for one or two persons in which some or all sanitary or cooking facilities (toilet,

lavatory, bathtub or shower, kitchen sink, or cooking equipment) may be shared with other dwelling units.

7. **7.Manufactured dwelling.** The term “manufactured dwelling” includes the following types of single-family dwellings as noted below. Manufactured dwelling does not include any unit identified as a recreational vehicle by the manufacturer:
 - i. **a.Residential trailer.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for, or is intended to be used for, residential purposes, and that was constructed before January 1, 1962.
 - ii. **b.Mobile home.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for, or is intended to be used for, residential purposes, and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.
 - iii. **c.Manufactured home.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for, or is intended to be used for, residential purposes, and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations.
8. **8.Floating home.** A floating structure used primarily as a dwelling unit. Application of this Title will be modified for floating homes, when appropriate, by nautical application and tradition as defined in Portland City Code Section 28.01.020.
22. **U.Dwelling unit.** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, cooking, eating, and sanitation.
23. **V.Eradication.** Eradication is the removal of the entire nuisance plant – including the above ground portion of the plant, and the roots, shoots and seeds of the plant. The eradication provisions apply to those plants on the Nuisance Plants List, Required Eradication List.
24. **W.Exit (means of egress.)** A continuous, unobstructed means of escape to a public way, including intervening doors, doorways, exit balconies, ramps, stairways, smoke-proof enclosures, horizontal exits, passageways, exterior courts and yards.

25. **X.Exterior property area.** The sections of residential property that are outside the exterior walls and roof of the dwelling.
26. **Y.Extermination.** The control and elimination of insects, rodents, vermin or other pests by eliminating their harborage places; by removing or making inaccessible those materials that serve as a source of food or water; or by other approved pest elimination methods.
27. **Z.Floor area.** The area of clear floor space in a room exclusive of fixed or built-in cabinets or appliances.
28. **AA.Guard or guardrail.** A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.
29. **BB.Habitable room (space).** Habitable room or space is a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.
30. **CC.Handrail.** A horizontal or sloping rail intended for grasping by the hand for guidance or support.
31. **DD.Hotel.** See dwelling classifications.
32. **EE.Immediate danger.** Any condition posing a direct immediate threat to human life, health, or safety.
33. **FF.Infestation.** The presence within or around a structure of insects, rodents, vermin or other pests to a degree that is harmful to the dwelling or its occupants.
34. **GG.Inspection.** The examination of a property by the City Administrator for the purpose of evaluating its condition as provided by this Title.
35. **HH.Inspection warrant.** An order from the Circuit Court authorizing a safety or health inspection or investigation to be conducted at a designated property.
36. **II.Inspector.** An authorized representative of the City Administrator whose primary function is the inspection of properties and the enforcement of this Title.
37. **JJ.Interested party.** Any person or entity that possesses any legal or equitable interest of record in a property including but not limited to the holder of any lien or encumbrance of record on the property.
38. **KK.Kitchen.** A room used or designed to be used for the preparation of food.
39. **LL.Lavatory.** A fixed wash basin connected to hot and cold running water and the building drain and used primarily for personal hygiene.

40. **MM.Lawn area.** Any area of a property, including vacant lots, where lawn grasses are used as ground cover, or where the ground covering vegetation does not permit passage to substantial portions of the property without walking directly on the vegetation.
41. **NN. Lawn grass.** Varieties of grass that were planted, or are commonly sold, for the purpose of maintaining a mowed lawn.
42. **OO.Maintenance.** The work of keeping property in proper condition to perpetuate its use.
43. **PP.Maintained compost area.** A small portion of a property set aside for the purpose of encouraging the rapid decomposition of yard debris and other vegetable matter into a suitable fertilizer for the soil on the property. A maintained compost area shows clear indicators that the yard debris placed there is being actively managed to encourage its rapid decomposition. Possible signs of such active management may include evidence of regular turning, a mixture of yard debris types, any woody materials present having been chopped into small sizes, and the presence of internal heat in the composting mixture. A location where yard debris is placed primarily as a means to store it or dump it without reasonable expectation of rapid decomposition is not a maintained compost area.
44. **QQ. Manufactured dwelling.** See dwelling classifications.
45. **RR.Motel.** See dwelling classifications.
46. **SS.Naturescape.** Landscaping and gardening approaches that use predominately native plants for the purpose of creating improved outdoor habitat for native insects, birds, and mammals and reducing the need for pesticides, chemical fertilizers, and summer watering.
47. **TT.Nuisance Abatement Warrant.** An order from the Circuit Court authorizing the removal and abatement of any nuisance as authorized by this Title, including disposal of the nuisance items removed in an appropriate manner.
48. **UU.Occupancy.** The lawful purpose for which a building or part of a building is used or intended to be used.
49. **VV.Occupant.** Any person (including an owner or operator) using a building, or any part of a building, for its lawful, intended use.
50. **WW.Operator.** Any person who has charge, care or control of a building or part of a building in which dwelling units are let or offered for occupancy.
51. **XX.Outdoor area.** All parts of property that are exposed to the weather including the exterior of structures built for human occupancy. This includes, but is not limited to, vehicles parked on the property; open and accessible

porches, carports, garages, and decks; accessory structures, and any outdoor storage structure.

52. **YY.Owner.** The person whose name and address are listed as the owner of the property by the County Tax Assessor on the County Assessment and Taxation records.
53. **ZZ.Plumbing or plumbing fixtures.** Plumbing or plumbing fixtures mean any water heating facilities, water pipes, vent pipes, garbage or disposal units, waste lavatories, bathtubs, shower baths, installed clothes-washing machines or other similar equipment, catch basins, drains, vents, or other similarly supplied fixtures, together with all connection to water, gas, sewer, or vent lines.
54. **AAA. Property.** Any real property and all improvements, buildings or structures on real property, from property line to property line.
55. **BBB.Public right-of-way.** Any sidewalk, planting strip, alley, street, or pathway, improved or unimproved, that is dedicated to public use.
56. **CCC.Repair.** The reconstruction or renewal of any part of an existing structure for the purpose of its maintenance.
57. **DDD.Resident.** Any person (including owner or operator) hiring or occupying a room or dwelling unit for living or sleeping purposes.
58. **EEE.Residential property.** Real property and all improvements or structures on real property used or intended to be used for residential purposes including any residential structure, dwelling, or dwelling unit as defined in this chapter and any mixed-use structures that have one or more dwelling units. Hotels that are used exclusively for transient occupancy, as defined in this Title, are excluded from this definition of residential property.
59. **FFF.Residential rental property.** Any property within the City on which exist one or more dwelling units that are not occupied as the principal residence of the owner.
60. **GGG.Residential structure.** Any building or other improvement or structure containing one or more dwelling units as well as any accessory structure. This includes any dwelling as defined in this Title.
61. **HHH.Must,** as used in this Title, is mandatory.
62. **III.Single-family dwelling.** See dwelling classifications.
63. **JJJ.Single-room occupancy housing unit.** See dwelling classifications.
64. **KKK. Sink.** A fixed basin connected to hot and cold running water and a drainage system and primarily used for the preparation of food and the washing of cooking and eating utensils.
65. **LLL.Sleeping room.** Any room designed, built, or intended to be used as a bedroom as well as any other room used for sleeping purposes.

66. **MMM. Stagnant water.** Any impoundment of water in which there is no appreciable flow of water through the impoundment and the level of water does not vary during any 48-hour period.
67. **NNN. Street.** Includes any street, avenue, boulevard, alley, lane, bridge, bicycle path, road, walk, public thoroughfare or public way, and any land over which a right of way has been obtained, or granted and accepted for any purpose of public travel, including all area between property lines, and area dedicated to street use.
68. **OOO. Structure.** That which is built or constructed, an edifice or building of any kind, or any piece or work artificially built up or composed of parts joined together in some definite manner.
69. **PPP. Summary abatement.** Abatement of a nuisance by the City, or by a contractor hired by the City, without obligation to give prior notice of the abatement action to the owner or occupant of the property.
70. **QQQ. Supplied.** Installed, furnished or provided by the owner or operator.
71. **RRR. Swimming pool.** Any structure intended for swimming or recreational bathing that contains water over 24 inches deep. This includes in-ground, above ground and on-ground swimming pools, hot-tubs and spas.
72. **SSS. Toilet.** A flushable plumbing fixture connected to running water and a drainage system and used for the disposal of human waste.
73. **TTT. Toilet compartment.** A room containing only a toilet or only a toilet and lavatory.
74. **UUU. Transient occupancy.** Occupancy of a dwelling unit in a hotel where the following conditions are met:
1. **1.** Occupancy is charged on a daily basis and is not collected more than six days in advance;
 2. **2.** The lodging operator provides maid and linen service daily or every two days as part of the regularly charged cost of occupancy;
 3. **3.** The period of occupancy does not exceed 30 days; and
 4. **4.** If the occupancy exceeds five days, the resident has a business address or a residence other than at the hotel.
75. **VVV. Two-family dwelling.** See dwelling classifications.
76. **WWW. Unsecured.** Any structure in which doors, windows, or apertures are open or broken so as to allow access by unauthorized persons.
77. **XXX. Vehicle.** Any device in, on, upon, or by which any person or property is or may be transported or drawn upon a public highway, except a device moved by human power or used exclusively upon stationary rails or tracks, including but not limited to a body, an engine, a transmission, a frame, or other major part.

78. **YYY. Warehousing.** Securing a structure against vandalism, deterioration, and unauthorized entry pending its return to active use or occupancy.
79. **ZZZ.Yard.** An open, unoccupied space, other than a court, unobstructed from the ground to the sky, and located between a structure and the property line of the lot on which the structure is situated.

Chapter 29.20 Property Nuisances

29.20.010 Outdoor Maintenance Requirements.

It is the responsibility of the owner of any property, improved or unimproved, to maintain the outdoor areas of the property and adjacent rights of way in a manner that complies with the following requirements:

1. **A.** Holes, tanks, and child traps. Remove, or fill where filling will abate the nuisance, all holes, cisterns, open cesspools, open or unsanitary septic tanks, excavations, open foundations, refrigerators, freezers, or iceboxes with unlocked attached doors and any other similar substance, material or condition that may endanger neighboring property or the health or safety of the public or the occupants of the property.
2. **B.** Unsecured structures. Board over or otherwise secure, and keep boarded over or otherwise secured, all open or broken exterior doors, windows, or apertures of any structure so as to prevent access by unauthorized persons through such openings.
3. **C.** Rat harborage. Remove or repair, and keep removed or repaired, any condition that provides a place where rats gain shelter, feed, or breed.
4. **D.** Emergency access routes. Remove and keep removed all brush, vines, overgrowth and other vegetation located within five feet of a structure or within five feet of a property line that is likely to obstruct or impede the necessary passage of fire or other emergency personnel.
5. **E.** Thickets that conceal hazards. Cut and remove and keep cut and removed all blackberry vines and other thickets when such growth is found to be:
 1. **1.** Concealing trash and debris; or
 2. **2.** Creating rat harborage; or
 3. **3.** Creating harborage for people involved in criminal activity or for products used for criminal activity.
6. **F.** Overgrown lawn areas. Cut and remove and keep cut and removed all weeds and grass that are located in lawn areas and have a prevailing height of more than 10 inches.

7. **G.** Nuisance plants. Eradication, as defined in Subsection 29.10.020 V., is required of all plants identified on the Nuisance Plants List. The City Administrator will adopt administrative rules detailing implementation and enforcement of this provision.
8. **H.** Trash and debris. Remove, and keep removed, unless specifically authorized by ordinance to do otherwise:
 1. **1.** All garbage, offal, dead animals, animal and human waste, and waste materials (All garbage must be stored as specified in Section 29.30.140);
 2. **2.** Accumulations of litter, glass, scrap materials (such as wood, metal, paper, and plastics), junk, combustible materials, stagnant water, or trash;
 3. **3.** All dead bushes, dead trees, and stumps with the exception of such material that:
 - i. **a.** Is being maintained as part of a naturescaped property;
 - ii. **b.** Does not result in a nuisance as otherwise defined in this chapter; and
 - iii. **c.** Is located on a property that is otherwise substantially in compliance with this Chapter;
 4. **4.** All trees that are dead, dying or dangerous and are determined by the City Forester or a private certified arborist to require removal in order to safeguard people or property per the provisions in Portland City Code Title 11;
 5. **5.** Accumulations of dead organic matter and yard debris, with the exception of small accumulations of such material in a maintained compost area on the property and only if such material does not result in a nuisance, such as creating rat harborage, as otherwise defined in this chapter; and
 6. **6.** Accumulations of clothing and any other items not designed for outdoor storage.
9. **I.** Storage of non-trash items. Remove, and keep removed, unless specifically authorized by ordinance to do otherwise:
 1. **1.** Accumulations of wood pallets.
 2. **2.** Any woody debris from Elm trees and all firewood that is not stacked and useable. "Useable" firewood has more wood than rot and is cut to lengths that will fit an approved fireplace or wood stove on the property. Elmwood that is infected with Dutch Elm Disease must be properly disposed of at the direction of the City Forester, per the provisions in Portland City Code Title 11, Trees.

3. **3.** Accumulations of vehicle parts or tires.
 4. **4.** All construction materials, except those that are stored in a manner to protect their utility and prevent deterioration and are reasonably expected to be used at the site.
 5. **5.** All appliances or appliance parts except for storage of appliances that are reasonably expected to be used at the site and are stored in a manner to protect their utility and prevent deterioration.
 6. **6.** All indoor furniture, unless it is stored in a manner to protect its utility and prevent deterioration and is reasonably expected to be used at the property.
 7. **7.** All recycling materials except for reasonable accumulations (amounts consistent with a policy of regular removal) that are stored in a well-maintained manner.
 8. **8.** All other non-trash items that:
 - i. **a.** Are of a type or quantity inconsistent with normal and usual use; or
 - ii. **b.** Are likely to obstruct or impede the necessary passage of fire or other emergency personnel.
- 10.**J.** Disabled vehicles. Neither store nor permit the storing of a disabled vehicle for more than seven days unless the vehicle is enclosed within a legally permitted building or unless it is stored by a licensed business enterprise dealing in junked vehicles lawfully conducted within the City. Removal and disposition of such disabled vehicles must be in accordance with the provisions of Section 16.30.320, 16.30.340, 16.30.350 and 16.30.500 of the Code to the extent that such provisions are applicable.
- 11.**K.** Obstructions to sidewalks, streets, and other rights of way. Keep the adjacent rights of way free of anything that obstructs or interferes with the normal flow of pedestrian or vehicular traffic, unless specifically authorized by permit or ordinance to do otherwise. This responsibility includes, but is not limited to, removal of earth, rock, and other debris, as well as projecting or overhanging bushes and limbs that may obstruct or render unsafe the passage of persons or vehicles. This responsibility also includes, but is not limited to, the obligation to maintain all rights of way referenced in this Subsection to meet the following minimum clearances:
1. **1.** Sidewalks. All sidewalks must be clear of obstructions by earth, rock, or vegetation from edge to edge and to an elevation of 7-1/2 feet above sidewalk level. For example, bushes that encroach on or over any part of a sidewalk area must be cut back or removed and limbs of trees that project over the sidewalk area at an elevation of less than

7-1/2 feet above the sidewalk level must be removed. Pruning Street Trees and tree removal is subject to the requirements of Portland City Code Title 11, Trees.

2. **2.** Improved streets. On any improved street designated as a Regional Trafficway, Major City Traffic Street, District Collector, or a one-way street where parking has been prohibited, branches must be trimmed to a height of 14 feet above the crown of the street. Moreover any other improved streets must be clear of obstructions to vehicle movement and parking from edge to edge and to an elevation of 11 feet above street level. For example, bushes that encroach on or over any part of a street must be cut back or removed; limbs of trees that project over a street at an elevation of less than 11 feet above street level must be removed; and no wires or other things may be maintained over the street level at any elevation less than 11 feet. Pruning Street Trees and tree removal is subject to the requirements of Portland City Code Title 11, Trees.
3. **3.** Alleys and unimproved rights of way. All alleys, unimproved streets, and other public rights of way must be clear of obstructions that may hinder the normal flow of traffic or render the right of way unsafe for its current and necessary use.

29.20.020 Other Endangering Conditions.

It is the responsibility of the owner of any property, improved or unimproved, to remove or repair:

1. **A.** Any damage to or failure of an on-site sewage disposal system, private or common private sewer lines, rain drain system, or nonconforming sewers, and
2. **B.** Any other substance, material or condition that is determined by the City Administrator to endanger neighboring property, the health or safety of the public, or the occupants of the property.

29.20.030 Nuisance Defined, Summary Abatement Authorized.

All conditions in violation of Sections 29.20.010 and 29.20.020 of this Title constitute a nuisance. Any person whose duty it is to correct such conditions and who fails to do so will be subject to charges according to the Fee Schedule approved by the City Council. In cases where the City Administrator determines that it is necessary to

take immediate action in order to meet the purposes of this Title, summary abatement of such nuisances is authorized.

Chapter 29.30 Housing Maintenance Requirements

29.30.005 General.

1. **A.** An owner may not maintain or permit to be maintained, in violation of this Chapter, any residential property.
2. **B.** All residential property must be maintained to the building, mechanical, plumbing and electrical code requirements in effect at the time of construction, alteration, or repair.
3. **C.** Where construction, alteration or repair has been made to a residential property illegally without benefit of a permit, all work must meet current requirements of the applicable Oregon Specialty Code as adopted in Portland City Code Sections 24.10.040, 25.01.020, 26.01.030 and 27.01.030.
4. **D.** The specific minimum maintenance standards set forth in Section 29.30.250 only apply to residential hotels and apartment houses that were constructed, altered or repaired before January 1, 1973.

29.30.010 Display of Address Number.

Address numbers posted must be the same as the number listed on the County Assessment and Taxation Records for the property. All dwellings must have address numbers posted in a conspicuous place so they may be read from the listed street or public way. Units within apartment houses must be clearly numbered, or lettered, in a logical and consistent manner.

29.30.020 Accessory Structures.

All accessory structures on residential property must be maintained structurally safe and sound and in good repair. Exterior steps and walkways must be maintained free of unsafe obstructions or hazardous conditions.

29.30.030 Roofs.

The roof must be structurally sound, tight, and have no defects that might admit rain. Roof drainage must be adequate to prevent rainwater from causing dampness

in the walls or interior portion of the building and must channel rainwater in an approved manner to an approved point of disposal.

29.30.040 Chimneys.

Every masonry, metal, or other chimney must remain adequately supported and free from obstructions and must be maintained in a condition that ensures there will be no leakage or backup of noxious gases. Every chimney must be reasonably plumb. Loose bricks or blocks must be rebonded. Loose or missing mortar must be replaced. Unused openings into the interior of the structure must be permanently sealed using approved materials.

29.30.050 Foundations and Structural Members.

1. **A.** Foundation elements must adequately support the building and must be free of rot, crumbling elements, or similar deterioration.
2. **B.** The supporting structural members in every dwelling must be maintained structurally sound, showing no evidence of deterioration or decay that would substantially impair their ability to carry imposed loads.

29.30.060 Exterior Walls and Exposed Surfaces.

1. **A.** Every exterior wall and weather-exposed exterior surface or attachment must be free of holes, breaks, loose or rotting boards or timbers and any other conditions that might admit rain or dampness to the interior portions of the walls or the occupied spaces of the building.
2. **B.** All exterior wood surfaces must be made substantially impervious to the adverse effects of weather by periodic application of an approved protective coating of weather-resistant preservative, and be maintained in good condition. Wood used in construction of permanent structures and located nearer than six inches to earth must be treated wood or wood having a natural resistance to decay.
3. **C.** Exterior metal surfaces must be protected from rust and corrosion.
4. **D.** Every section of exterior brick, stone, masonry, or other veneer must be maintained structurally sound and be adequately supported and tied back to its supporting structure.

29.30.070 Stairs and Porches.

Every stair, porch, and attachment to stairs or porches must be so constructed as to be safe to use and capable of supporting the loads to which it is subjected and must be kept in sound condition and good repair, including replacement as necessary of flooring, treads, risers, and stringers that evidence excessive wear and are broken, warped, or loose.

29.30.080 Handrails and Guardrails.

Every handrail and guardrail must be firmly fastened, and must be maintained in good condition, capable of supporting the loads to which it is subjected, and meet the following requirements:

1. **A.** Handrails and guardrails required by building codes at the time of construction must be maintained or, if removed, must be replaced.
2. **B.** Where not otherwise required by original building codes, exterior stairs of more than three risers that are designed and intended to be used as part of the regular access to the dwelling unit must have handrails. Interior stairs of more than three risers must have handrails. When required handrails are installed they must be installed so that they meet the applicable building code requirements in effect at the time this work is being performed.
3. **C.** Where not otherwise required by original building codes, porches, balconies or raised floor surfaces located more than 30 inches above the floor or grade below must have guardrails. Open sides of stairs with a total rise of more than 30 inches above the floor or grade below must have guardrails. When required guardrails are installed, they must be installed so that they meet the applicable building code requirements in effect at the time this work is being performed.

29.30.090 Windows.

1. **A.** Every habitable room must have at least one window facing directly to an exterior yard or court. The minimum total glass area for each habitable room must be 6.8 percent of the room's floor area, except for basement rooms where the minimum must be five percent. The glazed areas need not be provided in rooms where artificial light is provided capable of producing an average illumination of three foot-candles over the area of the room measured at a height of 30 inches above the floor and the minimum ventilation requirements in Subsection B. below are satisfied.
2. **B.** Except where another approved ventilation device is provided, the total openable window area in every habitable room must be equal to at least

one-fortieth (2.5 percent) of the area of the room. The glazed areas need not be openable where the opening is not required for emergency escape and an approved mechanical ventilation system is provided capable of producing 0.35 air changes per hour in the room.

3. **C.** Every bathroom or toilet room or compartment must comply with the light and ventilation requirements for habitable rooms as required by Subsections 29.30.090 A. and B., except that no window is required in bathrooms or toilet compartments equipped with an approved ventilation system.
4. **D.** Windows in sleeping rooms that are provided to meet emergency escape or rescue requirements described in Subsection 29.30.230 A. must have a sill height of no more than 44 inches above the floor or above an approved, permanently installed step. The step must not exceed 12 inches in height and must extend the full width of the window. The top surface of the step must be a minimum of six feet from the ceiling above the step.
5. **E.** Windows in sleeping rooms that are provided to meet emergency escape or rescue requirements described in Subsection 29.30.230 A. must have a minimum net clear opening of at least 20 inches wide and at least 22 inches high.
6. **F.** Every window required for ventilation or emergency escape must be capable of being easily opened and held open by window hardware. Any installed storm windows on windows required for emergency escape must be easily openable from the inside without the use of a key or special knowledge or effort.
7. **G.** All windows within 10 feet of the exterior grade that open must be able to be securely latched from the inside as well as be openable from the inside without the use of a key or any special knowledge or effort. This same requirement applies to all openable windows that face other locations that are easily accessible from the outside, such as balconies or fire escapes, regardless of height from the exterior grade.
8. **H.** Every window must be substantially weather-tight, must be kept in sound condition and repair for its intended use, and must comply with the following:
 1. **1.** Every window sash must be fully supplied with glass windowpanes or an approved substitute without open cracks and holes.
 2. **2.** Every window sash must be in good condition and fit weather-tight within its frames.
 3. **3.** Every window frame must be constructed and maintained in relation to the adjacent wall construction so as to exclude rain as

completely as possible and to substantially exclude wind from entering the dwelling.

29.30.100 Doors.

1. **A.** Every dwelling or dwelling unit must have at least one door leading to an exterior yard or court, or in the case of a two-family dwelling or apartment, to an exterior yard or court or to an approved exit. All such doors must be openable from the inside without the use of a key or any special knowledge or effort. All screen doors and storm doors must be easily openable from the inside without the use of a key or special knowledge or effort.
2. **B.** In hotels and apartment houses, exit doors in common corridors or other common passageways must be openable from the inside with one hand in a single motion, such as pressing a bar or turning a knob, without the use of a key or any special knowledge or effort.
3. **C.** Every door to the exterior of a dwelling unit must be equipped with a lock designed to discourage unwanted entry and to permit opening from the inside without the use of a key or any special knowledge or effort.
4. **D.** Every exterior door must comply with the following:
 1. **1.** Every exterior door, door hinge, door lock, and strike plate must be maintained in good condition.
 2. **2.** Every exterior door, when closed, must fit reasonably well within its frame and be weather-tight.
 3. **3.** Every doorframe must be constructed and maintained in relation to the adjacent wall construction so as to exclude rain as completely as possible, and to substantially exclude wind from entering the dwelling.
5. **E.** Every interior door and doorframe must be maintained in a sound condition for its intended purpose with the door fitting within the doorframe.

29.30.110 Interior Walls, Floors, and Ceilings.

1. **A.** Every interior wall, floor, ceiling, and cabinet must be maintained in a clean, sanitary, safe, and structurally sound condition, free of large holes and serious cracks, loose plaster or wallpaper, flaking, peeling or scaling paint.
2. **B.** Every toilet compartment, bathroom, and kitchen floor surface must be constructed and maintained to be substantially impervious to water and to permit the floor to be kept in a clean and sanitary condition.

29.30.120 Interior Dampness.

The City Administrator will adopt administrative rules detailing implementation and enforcement of this provision.

1. **A.** To prevent conditions conducive to decay, deterioration, or mold growth within a structure, every dwelling, including basements, attics, and crawl spaces, must be maintained reasonably free from dampness such that:
 1. **1.** There are no sources of moisture intrusion from either exterior or interior sources; and
 2. **2.** There is no visible or otherwise demonstrable growth of mold or mildew in the interior of any building.
2. **B.** When visible or otherwise demonstrable growth of mold or mildew is found to exist within a residential unit, the property owner must remediate and treat the affected and identified areas in accordance with the requirements set forth in the administrative rules.
3. **C.** When visible or otherwise demonstrable growth of mold or mildew exceeding a total of one square foot is present within a residential unit, an approved ventilation system for reducing moisture may be required for each bathroom with bathing facilities that does not have an approved mechanical ventilation system. The new mechanical ventilation system must be installed and be sized to provide ventilation per the requirements of the Oregon Residential Specialty Code for one- and two-family dwellings or the Oregon Mechanical Specialty Code for commercial structures.
4. **D.** When visible or otherwise demonstrable growth of mold or mildew exceeding a total of one square foot is present within a residential unit, any existing, approved mechanical ventilation systems in bathrooms with bathing facilities must meet the requirements set forth in the administrative rules. Any existing ventilation system that fails to meet these criteria and cannot be repaired or retrofitted must be replaced according to the specifications for new ventilation systems listed in Subsection 29.30.120 C.

29.30.130 Insect and Rodent Harborage.

The City Administrator will adopt administrative rules detailing implementation and enforcement of this provision. Every structure must be kept free from insect, rodent, vermin or other pest infestation, and where found, infestations must be promptly exterminated as set forth in the administrative rules. After extermination, proper precautions must be taken to prevent reinfestation.

29.30.140 Cleanliness and Sanitation.

1. **A.** All exterior property areas must be maintained in a clean and sanitary condition free from any accumulation of rubbish or garbage. All household garbage must be stored in receptacles that are free from holes and covered with tight fitting lids. Receptacles must be of sufficient capacity to prevent the overflow of garbage and rubbish from occurring.
2. **B.** The interior of every dwelling must be maintained in a clean and sanitary condition and free from any accumulation of rubbish or garbage so as not to breed insects and rodents, or produce dangerous or offensive gases, odors and bacteria, or any other unsanitary conditions, or create a fire hazard.
3. **C.** The owner of a residential rental property of four or fewer dwelling units must provide for each dwelling unit, or subscribe to and pay for weekly recycling and composting service and every-other-week garbage removal service by a franchisee as defined in Portland City Code Chapter 17.102, where each dwelling unit is provided with at least one 20 gallon receptacle into which garbage and rubbish may be emptied for storage and collection. Receptacles and lids must be watertight and provided with handles.
4. **D.** The owner of a residential rental property of five or greater dwelling units must subscribe to and pay for recycling and garbage removal service by a refuse collection permittee or franchisee as defined in Portland City Code Chapter 17.102. Collection must occur at least weekly.
5. **E.** The owner of any owner-occupied residential property must subscribe to and pay for weekly recycling and composting service and every-other-week garbage removal service by a refuse collection permittee or franchisee as defined in Portland City Code Chapter 17.102 if the property has been posted two or more times within one year for violation of Subsection 29.20.010 H.1. or 2.

29.30.150 Bathroom Facilities.

Except as otherwise noted in this Section, every dwelling unit must contain within its walls in safe and sanitary working condition:

1. **A.** A toilet located in a room that is separate from the habitable rooms and that allows privacy;
2. **B.** A lavatory basin; and
3. **C.** A bathtub or shower located in a room that allows privacy.

In hotels and apartment houses where private toilets, lavatories, or baths are not provided, there must be on each floor at least one toilet, one lavatory, and one bathtub or shower each provided at the rate of one for every twelve residents or

fraction of twelve residents. Required toilets, bathtubs, and showers must be in a room, or rooms, that allow privacy.

29.30.160 Kitchen Facilities.

1. **A.** Every dwelling unit must contain a kitchen sink apart from the lavatory basin required under Section 29.30.150, with the exception of single-room occupancy housing units, which must comply with Subsection 29.30.290 B.
2. **B.** Except as otherwise provided for in Subsections 29.30.290 B. and C., every dwelling unit must have approved service connections for refrigeration and cooking appliances.

29.30.170 Plumbing Facilities.

1. **A.** Every plumbing fixture or device must be properly connected to a public or an approved private water system and to a public or an approved private sewer system.
2. **B.** All required sinks, lavatory basins, bathtubs and showers must be supplied with both hot and cold running water and have a water pressure of at least 15 psi. Every dwelling unit must be supplied with water heating facilities that are installed in an approved manner, properly maintained, and properly connected with hot water lines to all required sinks, lavatory basins, bathtubs and showers. Water heating facilities must be capable of heating water enough to permit an adequate amount of water to be drawn at every required facility at a temperature of at least 120 degrees at any time needed.
3. **C.** In every dwelling all plumbing or plumbing fixtures must be:
 1. **1.** Properly installed, connected, and maintained in good working order;
 2. **2.** Kept free from obstructions, leaks, and defects;
 3. **3.** Capable of performing the function for which they are designed; and
 4. **4.** Installed and maintained so as to prevent structural deterioration or health hazards.
4. **D.** All plumbing repairs and installations must be made in accordance with the provisions of Portland City Code Title 25 Plumbing Regulations.

29.30.180 Heating and Ventilation Equipment and Facilities.

1. **A.** All heating and ventilation equipment, including that used for cooking, water heating, dwelling heat, and clothes drying must be:

1. **1.** Properly installed, connected, and maintained in safe condition and good working order;
2. **2.** Free from leaks and obstructions and kept functioning properly so as to be free from fire, health, and accident hazards; and
3. **3.** Capable of performing the function for which they are designed.
2. **B.** Every dwelling must have a heating facility capable of maintaining a room temperature of 68 degrees Fahrenheit at a point three feet from the floor in all habitable rooms.
 1. **1.** Portable heating devices may not be used to meet the dwelling heat requirements of this Title.
 2. **2.** No inverted or open flame fuel-burning heater is permitted. All heating devices or appliances must be of an approved type.
3. **C.** All mechanical repairs and installations must be made in accordance with the provisions of Portland City Code Title 27 Heating and Ventilating Requirements.

29.30.190 Electrical System, Outlets, and Lighting.

All buildings used for residential purposes must be connected to an approved source of electric power. Every electric outlet and fixture must be maintained and safely connected to an approved electrical system. The electrical system must not constitute a hazard to the occupants of the building by reason of inadequate service, improper fusing, improper wiring or installation, deterioration or damage, lack of access to a dwelling unit's breaker or disconnect switch or similar reasons.

In addition to other electrical system components that may be used to meet cooking, refrigeration, and heating requirements listed elsewhere in this Title, the following outlets and lighting fixtures are required:

1. **A.** Every habitable room must contain at least two operable electric outlets or one outlet and one operable electric light fixture.
2. **B.** Every toilet compartment or bathroom must contain at least one supplied and operable electric light fixture and one outlet. Every laundry, furnace room, and all similar non-habitable spaces located in a dwelling must have one supplied electric light fixture available at all times.
3. **C.** Every public hallway, corridor, and stairway in apartment houses and hotels must be adequately lighted at all times with an average intensity of illumination of at least one foot candle at principal points such as angles and intersections of corridors and passageways, stairways, landings of stairways, landings of stairs and exit doorways, and at least ½-foot candle at other

points. Measurement of illumination must be taken at points not more than four feet above the floor.

4. **D.** All electrical repairs and installations must be made in accordance with the provisions of Portland City Code Title 26 Electrical Regulations.

29.30.200 Ceiling Heights.

Habitable rooms in existing one- and two-family dwelling buildings must have a clear ceiling height of at least seven feet. Habitable rooms in other existing buildings must have a clear ceiling height of at least seven feet six inches. The following height exceptions may be used for the one- and two-family dwelling ceiling height requirements:

1. **A.** Flat ceilings. Where the ceiling is flat, ceiling heights may be a minimum of six feet eight inches. Pipes, ducts, beams, or similar objects projecting from the ceiling may be as follows:
 1. **1.** Ceiling projections may be as low as six feet where they are located within two feet from the wall; or
 2. **2.** Ceiling projections may be as low as six feet two inches where they do not occupy more than 10 percent of the floor area in the room where they are located.
2. **B.** Sloped ceilings.
 1. **1.** General. Where the ceiling is sloped, the height may be as follows:
 - i. **a.** The minimum ceiling height must be at least six feet eight inches over an area comprising at least 50 percent of the overall room area; and
 - ii. **b.** Portions of the room with a ceiling height less than five feet may not be counted toward the overall room area.
 2. **2.** Bathrooms. In bathrooms with sloped ceilings not more than 75 percent of the floor area of a bathroom is permitted to have a sloped ceiling less than seven feet in height, provided an area of 21 inches by 24 inches in front of toilets and lavatories has a minimum of six feet four inches in height. An area of 24 inches by 30 inches in front of and inside a tub or shower must have a minimum of six feet four inches in height.
3. **C.** These exceptions to the current building codes do not apply where any occupancy has been changed, or the occupant load has been increased, contrary to the provisions of this Title.

29.30.210 Sleeping Room Requirements.

Every room used for sleeping purposes:

1. **A.** Must be a habitable room as defined in this title;
2. **B.** May not be a kitchen;
3. **C.** Must have natural light, ventilation, and windows or other means for escape purposes as required by this Title; and
4. **D.** Must comply with the following minimum requirements for floor area:
 1. **1.** Must have a minimum area of at least 70 square feet of floor area, except that where more than two persons occupy a room used for sleeping purposes, the required floor area must be increased at the rate of 50 square feet for each person in excess of two. No portion of a room measuring less than five feet from the finished floor to the finished ceiling must be included in any computation of the room's minimum area.
 2. **2.** Any dwelling or portion of any dwelling constructed pursuant to permit or lawfully constructed prior to permit requirements will be deemed in compliance with respect to sleeping room area provided that the deficiency in floor area is no more than 15 percent of that required by Subsection 29.30.210 D.1. This subsection does not apply where any occupancy has been changed, or the number of occupants has been increased, contrary to the provisions of this Title.
 3. **3.** Floor area requirements for single-room occupancy housing units must be in accordance with Section 29.30.290 of this Title.

29.30.220 Overcrowding.

No dwelling unit may be permitted to be overcrowded. A dwelling unit is considered overcrowded if there are more residents than one plus one additional resident for every 100 square feet of floor area of the habitable rooms in the dwelling unit.

29.30.230 Emergency Exits.

1. **A.** Every sleeping room must have at least one operable window or exterior door approved for emergency escape or rescue that is openable from the inside to a full clear opening without the use of special knowledge, effort, or separate tools. Windows used to meet this requirement must meet the size and sill height requirements described in Subsections 29.30.090 D. and E. All

below-grade windows used to meet this requirement must have a window well the full width of the window, constructed of permanent materials with a minimum three foot by three-foot clearance in front of the window measured perpendicular to the outside wall. If the bottom of the window well is more than 44 inches below the ground level, approved steps or an approved permanently attached ladder must be used.

2. **B.** Required exit doors and other exits must be free of encumbrances or obstructions that block access to the exit.
3. **C.** All doorways, windows and any device used in connection with the means of escape must be maintained in good working order and repair.
4. **D.** In addition to other exit requirements, in hotels and apartment houses:
 1. **1.** All fire escapes must be kept in good order and repair and painted so as to prevent corrosion of metal, in a manner approved by the Fire Marshal.
 2. **2.** Every fire escape or stairway, stair platform, corridor or passageway that may be one of the regular means of emergency exit from the building must be kept free of encumbrances or obstructions of any kind.
 3. **3.** Where doors to stair enclosures are required by City Code to be self-closing, the self-closing device must be maintained in good working order and it is unlawful to wedge or prop the doors open.
 4. **4.** Windows leading to fire escapes must be secured against unwanted entry with approved devices.
 5. **5.** Every apartment house and hotel must have directional signs in place, visible throughout common passageways, that indicate the way to exit doors and fire escapes. Emergency exit doors and windows must be clearly labeled for their intended use.

29.30.240 Smoke Alarms or Detectors.

Smoke detectors sensing visible or invisible particles of combustions or alarms are required in all buildings in which a room or area is designated for sleeping purposes either as a primary use or use on a casual basis. Smoke detectors or alarms must be installed in each sleeping room or area, in the immediate vicinity of the sleeping rooms and on each additional story of the dwelling, including basements and attics with habitable space. All detectors or alarms must be approved, must be installed in accordance with the manufacturer's instructions, must plainly identify the testing agency that inspected or approved the device, and must be operable.

29.30.245 Carbon Monoxide Alarms.

1. **A.** Existing rental dwelling units must have one or more carbon monoxide (CO) alarm(s) installed in compliance with state Fire Marshal rules and the state building code and maintained per the Oregon Revised Statutes 90.317, if the rental dwelling unit:
 1. **1.** Contains a carbon monoxide source; or
 2. **2.** Is located within a structure that contains a carbon monoxide source and the dwelling unit is connected to the room in which the carbon monoxide source is located by a door, ductwork, or a ventilation shaft.
2. **B.** All existing dwelling units, including rental dwelling units, must have a carbon monoxide (CO) alarm(s) installed in compliance with the current Oregon Residential Specialty Code Section R315, only:
 1. **1.** At such time as a carbon monoxide source is introduced; or
 2. **2.** When interior work requiring a structural permit occurs.
3. **C.** All detectors or alarms installed must be approved, properly functioning, and installed in accordance with the manufacturer's instructions.
4. **D.** In accordance with state building code, all carbon monoxide detectors or alarm(s) required to be installed per this section must be located as follows:
 1. **1.** In each bedroom or within 15 feet outside of each bedroom door;
5. **2.** For bedrooms on separate floor levels in a structure with two or more stories, each story must have separate carbon monoxide alarms; and
6. **3.** Where a fuel-burning appliance is located within a bedroom or its attached bathroom, a carbon monoxide alarm must be installed within the bedroom.

29.30.250 Fire Safety Conditions for Apartment Houses and Hotels of More than Two Stories.

In addition to other fire safety requirements of this title, hotels and apartment houses of more than two stories in height must meet the following requirements:

1. **A.** For structures built prior to January 1, 1973, minimum fire safety standards are as provided per Appendix Chapter 13, Section 1313, of the 1973 edition of the Uniform Building Code. (As previously adopted by Ordinance 135236 effective September 7, 1972 & Ordinance 139124 effective November 20, 1974.)
2. **B.** Residential high-rise buildings constructed in accordance with the high-rise building requirements of the Oregon Structural Specialty Code must

maintain all the required fire and life safety systems and equipment in good repair and working order. Upon request of the City Administrator, the owner must produce proof that required fire and life safety systems are fully operational.

29.30.260 Hazardous Materials.

1. **A.** Any paint(s), veneers, varnishes, or similar pigmented sealers or finishes applied to any surface of a residential structure must be lead free, in compliance with the Federal Consumer Product Safety Commission's 1978 ban on the use of paint containing lead in residential properties.
2. The City Administrator will adopt administrative rules detailing requirements and enforcement of this provision.
3. **B.** Residential property must be free of dangerous levels of hazardous materials, contamination by toxic chemicals, or other hazardous conditions that would render the property unsafe. Where a governmental agency authorized by law to make the determination, has verified that a property is unfit for use and occupancy as a result of hazardous materials or conditions on the property, the property must also be deemed to be in violation of this Title. Any such property must remain in violation of this Title until such time as the authorizing agency has approved the remediation of the hazardous materials or conditions. The City Administrator may order such property vacated pursuant to Section 29.60.070 of this Title.
4. **C.** No residential property may be used as a place for the storage and handling of highly combustible or explosive materials or any articles that may be dangerous or detrimental to life or health. No residential property may be used for the storage or sale of paints, varnishes or oils used in the making of paints and varnishes, except as needed to maintain the dwelling.
5. **D.** Residential property must be kept free of friable asbestos.

29.30.270 Maintenance of Facilities and Equipment.

In addition to other requirements for the maintenance of facilities and equipment described in this Chapter:

1. **A.** All required facilities in every dwelling must be constructed and maintained to properly and safely perform their intended function.
2. **B.** All facilities or equipment present in a dwelling and supplied by the landlord must be maintained and able to perform their intended function to

prevent structural damage to the building or hazards of health, sanitation, or fire.

29.30.280 Swimming Pool Enclosures.

Swimming pool enclosures must comply with the provisions of the applicable building code in effect at the time of the pool installation.

29.30.290 Special Standards for Single-Room Occupancy Housing Units.

In addition to meeting requirements for residential structures defined elsewhere in this Title, hotels containing single-room occupancy housing units must comply with the following:

1. **A.** The unit must have at least 100 square feet of floor area, except that any single-room occupancy housing unit constructed pursuant to permit or lawfully constructed prior to permit requirements will be deemed in compliance with respect to floor area provided it has at least 85 square feet of floor area. This exception does not apply where any occupancy has been changed or increased contrary to the provisions of this Title.
2. **B.** Either a community kitchen with facilities for cooking, refrigeration, and washing utensils must be provided on each floor, or each individual single-room occupancy housing unit must have facilities for cooking, refrigeration and washing utensils. In addition, facilities for community garbage storage or disposal must be provided on each floor.
3. **C.** Where cooking units are provided in individual single-room occupancy housing units, they must conform to the requirements set forth below.
 1. **1.** All appliances must be hard-wired and on separate circuits or have single dedicated connections;
 2. **2.** All cooking appliances must be fixed and permanent;
 3. **3.** The Mechanical Specialty Code, as adopted by Portland City Code Section 27.01.030, will be used for setting standards for cooking appliances. Cabinets over cooking surfaces must be 30 inches above the cooking surface, except that this distance may be reduced to 24 inches when a heat shield with one-inch airspace and extending at least six inches horizontally on either side of the cooking appliance is provided. Cooking appliances are limited to two cooking elements or burners and located with at least a six-inch clear space in all directions

from the perimeter of the cooking element or burner. In lieu of two-burner cooking appliances, standard third-party tested and approved ranges with ovens are acceptable, provided that the units are fixed and hard-wired or have single dedicated connections;

4. **4.** All cooking appliances must be installed under permit from Portland Permitting & Development; and
5. **5.** All cooking appliances must be installed so as to provide a minimum clear workspace in front of the appliance of 24 inches.

Chapter 29.35 Maintenance Requirements for the Exterior of Non-Residential Structures.

29.35.010 General.

1. **A.** The following requirements apply to nonresidential properties.
2. **B.** The exterior of nonresidential structures must be maintained to the building code requirements in effect at the time of construction, alteration, or repair.
3. **C.** The specific minimum maintenance standards set forth in Sections 29.35.020 through 29.35.100 apply to all nonresidential structures.

29.35.020 Accessory Structures.

All accessory structures on non-residential property must be maintained structurally safe and in good repair and sound condition. Exterior steps and walkways must be maintained free of unsafe obstructions or hazardous conditions.

29.35.030 Roofs.

The roof must be maintained structurally sound, and have no exterior defects that might admit rain. Storm water must be channeled in an approved manner to an approved point of disposal.

29.35.040 Chimneys.

Every masonry, metal, or other chimney must remain adequately supported, structurally sound and free from obstructions and must be maintained in good repair and sound condition that ensures there will be no leakage or backup of

noxious gases. Loose bricks or blocks must be rebonded. Loose or missing mortar must be replaced.

29.35.050 Foundations and Structural Members.

1. **A.** Foundation elements must be adequately maintained to support the building and must be free of rot, crumbling elements, or similar deterioration.
2. **B.** The supporting structural members must be maintained structurally sound, showing no evidence of deterioration or decay that could substantially impair their ability to carry imposed loads.

29.35.060 Exterior Walls and Exposed Surfaces.

1. **A.** Every exterior wall and weather-exposed exterior surface or attachment must be maintained to be free of holes, breaks, loose or rotting boards or timbers and any other conditions that might admit rain or dampness to the interior portions of the walls or the occupied spaces of the building.
2. **B.** All exterior wood surfaces must be substantially impervious to the adverse effects of weather and must be maintained in good repair and sound condition. Wood used in repair of permanent structures and located nearer than six inches to earth must be treated wood or wood having a natural resistance to decay.
3. **C.** Exterior metal surfaces must be protected from rust and corrosion where applicable.
4. **D.** Every section of exterior brick, stone, masonry, or other veneer must be maintained structurally sound.

29.35.070 Stairs and Porches.

Every stair, porch, and attachment to stairs or porches must be maintained so as to be safe to use and capable of supporting the loads to which it is subjected, and must be maintained in good repair and sound condition, including replacement as necessary of flooring, treads, risers, and stringers that evidence excessive wear, are broken, warped or loose.

29.35.080 Handrails and Guardrails.

Every handrail and guardrail must be firmly fastened, and must be maintained in good repair and sound condition capable of supporting the loads to which it is subjected, and meet the following requirement:

1. **A.** Handrails and guardrails required by the building codes at the time of construction must be maintained or, if removed, must be replaced.

29.35.090 Windows.

Every window must be substantially weather-tight, maintained in good repair and sound condition for its intended use and must comply with the following:

1. **A.** Every window must be fully supplied with glass window panes or an approved substitute without open cracks and holes.
2. **B.** Every window sash must be in good repair and sound condition and fit weather-tight within its frames.
3. **C.** Every window frame must be maintained so as to exclude rain as completely as possible and to substantially exclude wind from entering the building

29.35.100 Doors.

Every exterior door must comply with the following:

1. **A.** Every exterior door, door hinge, door lock, and strike plate must be maintained in good working condition.
2. **B.** Every exterior door must be maintained in good repair and sound condition and be weather-tight.
3. **C.** Every doorframe must be maintained so as to substantially exclude rain and wind from entering the building.

29.35.110 Cleanliness and Sanitation.

All exterior property areas must be maintained in a clean and sanitary condition free from any significant accumulation of rubbish or garbage. All garbage must be stored in receptacles that are watertight and free from holes and covered with tight fitting lids at all times.

29.35.120 Enforcement.

The City Administrator's authority to enforce the requirements of this Title is the sole and exclusive means of enforcement of the provisions of this Title as those provisions apply to non-residential structures. There is no separate private right of enforcement action arising from any violation of this Title as those provisions apply to non-residential structures. This limitation does not restrict the exercise of any private legal rights that may arise under contract or other applicable law.

Chapter 29.40 Dangerous and Derelict Structures

29.40.005 Generally.

No property may contain any dangerous structure or derelict building as described in this chapter. All such structures must be repaired or demolished.

29.40.010 Derelict Buildings.

1. **A.** A derelict building is considered to exist whenever any building, structure, or portion thereof that is unoccupied meets any of the following criteria or any residential structure that is at least 50 percent unoccupied meets any of the following two criteria:
 1. **1.** Has been ordered vacated by the City Administrator pursuant to Chapter 29.60;
 2. **2.** Has been issued a correction notice by the City Administrator pursuant to Section 29.60.050;
 3. **3.** Is unsecured;
 4. **4.** Is boarded;
 5. **5.** Has been posted for violation of Chapter 29.20 more than once in any two-year period; or
 6. **6.** Has, while vacant, had a nuisance abated by the City pursuant to this Title.
2. **B.** Any property that has been declared by the City Administrator to include a derelict building is in violation of this Title until:
 1. **1.** The building has been lawfully occupied;
 2. **2.** The building has been demolished and the lot cleared and graded under building permit, with final inspection and approval by the City Administrator; or
 3. **3.** The owner has demonstrated to the satisfaction of the City Administrator that the property is free of all conditions and in

compliance with all notices listed in the definition of a derelict building in this Section.

29.40.020 Dangerous Structures.

Any structure that has any or all of the following conditions or defects to the extent that life, health, property, or safety of the public or the structure's occupants are endangered, is deemed to be a dangerous structure and such condition or defects must be abated pursuant to Sections 29.60.050 and 29.60.080 of this Title.

1. **A.** High loads. Whenever the stress in any materials, member, or portion of a structure, due to all dead and live loads, is more than 1-1/2 times the working stress or stresses allowed in the Oregon Structural Specialty Code and Fire and Life Safety Code for new buildings of similar structure, purpose, or location.
2. **B.** Weakened or unstable structural members or appendages.
 1. **1.** Whenever any portion of a structure has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability is materially less than it was before such catastrophe and is less than the minimum requirements of the Oregon State Structural Specialty Code and Fire and Life Safety Code for new buildings of similar structure, purpose, or location; or
 2. **2.** Whenever appendages including parapet walls, cornices, spires, towers, tanks, statuary, or other appendages or structural members that are supported by, attached to, or part of a building, and that are in a deteriorated condition or otherwise unable to sustain the design loads that are specified in the Oregon State Structural Specialty and Fire and Life Safety Code.
3. **C.** Buckled or leaning walls, structural members. Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.
4. **D.** Vulnerability to earthquakes, high winds.
 1. **1.** Whenever any portion of a structure is wrecked, warped, buckled, or has settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction; or
 2. **2.** Whenever any portion of a building, or any member, appurtenance, or ornamentation of the exterior thereof is not of sufficient strength or

stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the Oregon Structural Specialty Code and Fire and Life Safety Code for new buildings of similar structure, purpose, or location without exceeding the working stresses permitted in the Oregon State Structural Specialty Code and Fire and Life Safety Code for such buildings.

5. **E.** Insufficient strength or fire resistance. Whenever any structure that, whether or not erected in accordance with all applicable laws and ordinances:
 1. **1.** Has in any non-supporting part, member, or portion, less than 50 percent of the strength or the fire-resisting qualities or characteristics required by law for a newly constructed building of like area, height, and occupancy in the same location; or
 2. **2.** Has in any supporting part, member, or portion less than 66 percent of the strength or the fire-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height, and occupancy in the same location.
 3. This subsection does not apply to strength required to resist seismic loads. For application of seismic requirements see Chapter 24.85.
6. **F.** Risk of failure or collapse.
 1. **1.** Whenever any portion or member of appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and injure persons or damage property; or
 2. **2.** Whenever the structure, or any portion thereof, is likely to partially or completely collapse as a result of any cause, including but not limited to:
 - i. **a.** Dilapidation, deterioration, or decay;
 - ii. **b.** Faulty construction;
 - iii. **c.** The removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such structure; or
 - iv. **d.** The deterioration, decay, or inadequacy of its foundation.
7. **G.** Excessive damage or deterioration. Whenever the structure exclusive of the foundation:
 1. **1.** Shows 33 percent or more damage or deterioration of its supporting member or members;
 2. **2.** 50 percent damage or deterioration of its non-supporting members; or

3. **3.** 50 percent damage or deterioration of its enclosing or outside wall coverings.
8. **H.** Demolition remnants on site. Whenever any portion of a structure, including unfilled excavations, remains on a site for more than 30 days after the demolition or destruction of the structure;
9. **I.** Lack of approved foundation. Whenever any portion of a structure, including unfilled excavations, remains on a site, including:
 1. **1.** Where a structure is not placed on an approved foundation and no valid permit exists for a foundation for that structure: or
 2. **2.** For more than 90 days after issuance of a permit for a foundation for a structure, where the structure is not placed on an approved foundation.
10. **J.** Fire hazard. Whenever any structure is a fire hazard as a result of any cause, including but not limited to: Dilapidated condition, deterioration, or damage; inadequate exits; lack of sufficient fire-resistive construction; or faulty electric wiring, gas connections, or heating apparatus.
11. **K.** Other hazards to health, safety, or public welfare.
 1. **1.** Whenever, for any reason, the structure, or any portion thereof, is manifestly unsafe for the purpose for which it is lawfully constructed or currently is being used; or
 2. **2.** Whenever a structure is structurally unsafe or is otherwise hazardous to human life, including but not limited to whenever a structure constitutes a hazard to health, safety, or public welfare by reason of inadequate maintenance, dilapidation, unsanitary conditions, obsolescence, fire hazard, disaster, damage, or abandonment.
12. **L.** Public nuisance.
 1. **1.** Whenever any structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence; or
 2. **2.** Whenever the structure has been so damaged by fire, wind, earthquake or flood or any other cause, or has become so dilapidated or deteriorated as to become:
 - i. **a.** An attractive nuisance, or
 - ii. **b.** A harbor for vagrants or criminals.
13. **M.** Chronic dereliction. Whenever a derelict building, as defined in this Title, remains unoccupied for a period in excess of six months or period less than six months when the building or portion thereof constitutes an attractive nuisance or hazard to the public.

14. **N.** Violations of codes, laws. Whenever any structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such structure provided by the building regulations of this City, as specified in the Oregon State Structural Specialty Code and Fire and Life Safety Code or any law or ordinance of this State or City relating to the condition, location, or structure or buildings.

29.40.030 Abatement of Dangerous Structures.

All structures or portions of them that are determined after inspection by the City Administrator to be dangerous as defined in this Title are declared to be public nuisances and will be abated by repair, rehabilitation, demolition, or removal in accordance with the procedures specified in this Title. If the City Administrator determines that a structure is dangerous, as defined by this Title, the City Administrator may commence proceedings to cause the repair, vacation, demolition, or warehousing of the structure.

Chapter 29.45 Odor Off-Site Impact Standard

(Chapter added by Ordinance [191961](#), effective March 1, 2025.)

29.45.010 Generally.

Nonresidential uses in all zones which cause off-site impacts on uses in the R, C, CI, IR, and OS zones are required to meet the standards of this Chapter.

29.45.020 Exemptions.

1. **A.** Use exemption. Retail Sales and Service Uses, as described in Portland City Code Chapter 33.920, are exempt from this standard.
2. **B.** Existing operation exemption. The odor standard does not apply to machinery, equipment, and facilities which were at the site and in compliance with existing regulations at the effective date of these regulations. Any new or additional machinery, equipment, and facilities must comply with the standards of this chapter. Documentation is the responsibility of the proprietor of the use if there is any question about when the equipment was brought to the site.

29.45.030 Odor Standard.

1. **A.** Odor standard. Continuous, frequent, or repetitive odors may not be produced. The odor threshold is the point at which an odor may just be detected.
2. **B.** Exception. An odor detected for less than 30 minutes per day is exempt.

29.45.040 Odor Investigation.

An investigation into an alleged odor standard violation will be initiated when five or more individual complaints from five or more people are received within a 30-day period. The complainants must reside within 150 feet of a property line of the site with the offending odor.

Chapter 29.50 Other Requirements

29.50.010 Permits Required.

No person, firm or corporation may construct, alter, repair, move, improve, or demolish any structure without first obtaining applicable building permits as required by Portland City Code. No person, firm or corporation may prune or remove a tree without first obtaining applicable tree permits as required by Portland City Code Title 11, Trees.

29.50.020 Inspections Required.

All buildings, structures, dwelling units, or other improvements within the scope of this Title, or within the requirements of code enforcement programs created under the authority of this Title or Title 3, as set forth by the City Administrator in the administrative rules, and all construction work for which a permit is required will be subject to inspection as required by Portland City Code.

29.50.030 Requested Inspections for Residential Structures.

Requested inspections that are not part of the City's code enforcement program will be made as soon as practical after payment to Portland Permitting & Development of the fee specified in the Property Maintenance Regulations Fee Schedule as approved by City Council.

29.50.040 Occupancy of Property After Notice of Violation.

1. **A.** If a notice of violation of Chapters 29.30, 29.35, or 29.40 has been issued, and if the affected structure or any portion thereof is residential or neighborhood commercial use or becomes vacant, it is unlawful:
 1. **1.** To re-enter the affected structure or any portion thereof for any purpose if the affected structure or any portion thereof is found to be substantially dangerous or unsafe, unless authorized in writing by the City Administrator; or
 2. **2.** To re-enter the affected structure or portion thereof for any purpose other than work associated with the correction of violations noted in the Notice of Violation.
2. **B.** In addition to any civil penalties imposed pursuant to Portland City Code Subsection 22.05.010 A.5. or Subsection 29.70.020 D., and as collected through a municipal lien process, any person unlawfully occupying any such affected structure or portion thereof may upon conviction be punished by a fine of not more than \$500, or by imprisonment not exceeding six months, or both.

29.50.050 Illegal Residential Occupancy.

Residential occupancy of structures or spaces not intended for permanent residential use or occupancy is unlawful, including but not limited to structures placed, constructed or converted without permit; tents, campers, motor homes, recreational vehicles, and other vehicles.

1. **A.** Exceptions:
 1. **1.** Individual sleeping accommodations within outdoor shelters legally established in conformance with Portland City Code Chapters 33.285 or 33.815, or allowed as temporary occupancies under Portland City Code Chapter 33.296;
 2. **2.** Vehicles on institutional property as allowed by Oregon Revised Statutes, Chapter 203, Section 082;
 3. **3.** Recreational vehicles within in a manufactured dwelling park or mobile home park as provided by Oregon Revised Statues, Chapter 197, Section 493;
 4. **4.** Motor homes and recreational vehicles within a recreational vehicle park allowed as a commercial use by Portland City Code Chapters 33.130 or 33.140; and
 5. **5.** One occupied recreational vehicle provided:

- i. **a.** The recreational vehicle is on a site with a house, attached house, or manufactured home. See Portland City Code Chapter 33.260.
 - ii. **b.** The recreational vehicle is a travel trailer, park model recreational vehicle, camper or motor home.
 - iii. **c.** A permanent recreational vehicle utility hookup that includes an electrical outlet, a water connection, and a sanitary sewer dump is provided on the site. A water connection and sanitary sewer dump is not required if the vehicle lacks internal plumbing.
- 6. **6.** Camping under circumstances not prohibited by Portland City Code Sections 14A.50.140, 14A.50.150, 14A.50.160, authorized by Portland City Code Section 33.296.030, or authorized by declaration by the Mayor.
- 2. **B.** When a property has an illegal residential occupancy, the use must be abated or brought into compliance with the current regulations for a space of the same occupancy.

29.50.060 Interference with Repair, Demolition, or Abatement Prohibited.

- 1. It is unlawful for any person to obstruct, impede, or interfere with any person lawfully engaged in:
 - A.** The work of repairing, vacating, warehousing, or demolishing any structure pursuant to the provisions of this Title;
 - 1. **B.** The abatement of a nuisance pursuant to the provisions of this Title; or
 - 2. **C.** The performance of any necessary act preliminary to or incidental to such work as authorized by this Title or directed pursuant to it.

29.50.070 Warehousing of Structures.

- 1. **A.** When the City Administrator determines that a structure is suitable, due to its historic designation or other significant features, the owner may be permitted to warehouse such structure, as defined in this Title, for a period of up to 30 months. An extension for one further period of one year may be permitted by the City Administrator, provided that the condition of the warehoused structure is determined by inspection, to be satisfactory.

2. **B.** The City Administrator may adopt and enforce written rules concerning the maintenance and monitoring of warehoused structures. The requirements for the warehousing of each structure under the rules will be recorded in the files of Portland Permitting & Development.
3. **C.** All work necessary in warehousing a structure must be carried out under permits required by City Codes.
4. **D.** Owners of a warehoused structure will continue to be subject of the penalties set forth in Chapter 29.70 to pay Portland Permitting & Development for the cost of regular inspections of their buildings during the warehousing period.

Chapter 29.60 Administration and Enforcement

29.60.010 Administration Authority and Responsibility.

The City Administrator administers and enforces all of the provisions of this Title. In accordance with approved procedures, the City Administrator may employ qualified officers, inspectors, assistants, and other employees as may be necessary to carry out the provisions of this Title. The authority of the City Administrator to enforce the provisions of this Title is independent of and in addition to the authority of other City officials to enforce the provisions of any other Title of Portland City Code.

29.60.020 Authorization to Inspect.

The City Administrator may inspect property for the purposes of enforcing this Title. Wherever possible, inspections made by the personnel of Portland Permitting & Development or the Portland Fire Bureau will be coordinated in order to avoid the issuance of multiple or conflicting orders.

29.60.030 Enforcing Compliance.

To enforce any of the requirements of this Title, the City Administrator may:

1. **A.** Institute an action before the Code Hearings Officer as set out in Portland City Code Title 22;
2. **B.** Cause an appropriate action to be instituted in a court of competent jurisdiction; or
3. **C.** Take other action as the City Administrator in the exercise of their discretion deems appropriate.

29.60.040 Right of Entry; Inspection Warrants.

1. **A.** Right of entry. The City Administrator may enter property, including the interior of structures, at all reasonable times whenever an inspection is necessary to enforce any building regulations, or whenever the City Administrator has reasonable cause to believe that there exists in any structure or upon any property any condition that makes such property substandard as defined in any building regulations. In the case of entry into areas of property that are plainly enclosed to create privacy and prevent access by unauthorized persons, the following steps will be taken:
 1. **1.** Occupied property. If any structure on the property is occupied, the City Administrator will first present proper credentials and request entry. If entry is refused, the City Administrator may attempt to obtain entry by obtaining an inspection warrant;
 2. **2.** Unoccupied property.
 - i. **a.** If the property is unoccupied, the City Administrator will contact the property owner, or other persons having charge or control of the property, and request entry. If entry is refused, the City Administrator may attempt to obtain entry by obtaining an inspection warrant.
 - ii. **b.** If structures on the property are unoccupied, the City Administrator will first make a reasonable attempt to locate the owner or other persons having charge or control of the property and request entry. If entry is refused, the City Administrator may attempt to obtain entry by obtaining an inspection warrant; or
 3. **3.** Open, unoccupied property. If any structure on the property is unoccupied and open:
 - i. **a.** The City Administrator will notify the owner of the property's condition and order the owner, or other persons having charge or control of the property, to immediately secure the premises against the entry of unauthorized persons. If the property is not secured within 15 days from the date notice is sent, the City Administrator may secure the property as provided in Chapter 29.20.
 - ii. **b.** If the City Administrator believes that a hazardous condition exists, the City Administrator may immediately secure the property as provided in Chapter 29.20. Following the summary abatement, the City Administrator will notify the owner, or other persons having charge or control of the property, of the

condition of the property and request entry. If entry is refused, the City Administrator may attempt to obtain entry by obtaining an inspection or abatement warrant.

2. **B. Grounds for issuance of inspection warrants; affidavit.**

1. **1. Affidavit.** An inspection warrant may be issued only upon cause, supported by affidavit, particularly describing the applicant's status in applying for the warrant, the statute, ordinance or regulation requiring or authorizing the inspection or investigation, the property to be inspected or investigated and the purpose for which the inspection or investigation is to be made including the basis upon which cause exists to inspect. In addition, the affidavit will contain either a statement that entry has been sought and refused, or facts or circumstances reasonably showing that the purposes of the inspection or investigation might be frustrated if entry were sought without an inspection warrant.
2. **2. Cause.** Cause will be deemed to exist if reasonable legislative or administrative standards for conducting a routine, periodic or area inspection are satisfied with respect to any building or upon any property, or there is probable cause to believe that a condition of nonconformity with any building regulation exists with respect to the designated property, or an investigation is reasonably believed to be necessary in order to discover or verify the condition of the property for conformity with building regulations.

3. **C. Procedure for issuance of inspection warrant.**

1. **1. Examination.** Before issuing an inspection warrant, the judge may examine under oath the applicant and any other witness and will be satisfied of the existence of grounds for granting such application.
2. **2. Issuance.** If the judge is satisfied that cause for the inspection or investigation exists and that the other requirements for granting the application are satisfied, the judge will issue the warrant, particularly describing the person or persons authorized to execute the warrant, the property to be entered and the purpose of the inspection or investigation. The warrant will contain a direction that it be executed on any day of the week between the hours of 8:00 a.m. and 6:00 p.m., or where the judge has specially determined upon a showing that it cannot be effectively executed between those hours, that it be executed at any additional or other time of the day or night.
3. **3. Police assistance.** In issuing an inspection warrant on unoccupied property, including abatement warrants pursuant to Section

29.60.060, the judge may authorize any peace officer, as defined in Oregon Revised Statutes, to enter the described property to remove any person or obstacle and assist the City Administrator or representative of the department inspecting the property in any way necessary to complete the inspection.

4. **D. Execution of inspection warrants**

1. **1. Occupied property.** Except as provided in Subsection 2. of this Section, in executing an inspection warrant, the person authorized to execute the warrant will, before entry into the occupied premises, make a reasonable effort to present the person's credentials, authority and purpose to an occupant or person in possession of the property designated in the warrant and show the occupant or person in possession of the property the warrant or a copy thereof upon request.
2. **2. Unoccupied property.** In executing an inspection warrant, the person authorized to execute the warrant need not inform anyone of the person's authority and purpose, as prescribed in Subsection 1. of this Section, but may promptly enter the property if it is at the time unoccupied or not in the possession of any person or at the time reasonably believed to be in such condition. In such case a copy of the warrant will be conspicuously posted upon the property.
3. **3. Return.** An inspection warrant must be executed within 10 working days of its issue and returned to the judge by whom it was issued within 10 working days from its date of execution. After the expiration of the time prescribed by this Subsection, the warrant unless executed is void.

29.60.050 Notice and Order.

1. **A. Notification required.** Except in the case of summary abatement or immediate danger, if the City Administrator finds one or more violations of the provisions of this Title on a property or adjacent right of way, the City Administrator will notify the property owner to repair, remove or take any other action as necessary to correct the violations. Notification to the property owner will be accomplished by mailing a notice to the owner, at the owner's address as recorded in the county assessment and taxation records for the property. The notice may be sent via First Class Mail or certified mail at the City Administrator's discretion. Notice to the property owner may also be accomplished by posting notice on the property.

2. In addition to the above notice to the property owner, prior notice before towing a disabled vehicle must be provided by mailing a notice to the registered owner(s) and any other persons who reasonably appear to have an interest in the vehicle within 48 hours, Saturdays, Sundays and holidays excluded, after the notice has been posted on the property. The City Administrator will also provide notice to the registered owner and other persons who have an interest in the disabled vehicle by posting written notice on the vehicle.
3. **B. Content of the notice.** The notice will include:
 1. **1.** The date of posting (if notice was posted at the property);
 2. **2.** The street address or a description sufficient for identification of the property;
 3. **3.** A statement that one or more violations of this Title exist at the property with a general description of the violation(s);
 4. **4.** Disclosure that penalties, charges, and liens may result from a failure to remedy the violations, and in the case of a disabled vehicle, a statement that the City intends to tow and remove the vehicle if the violation is not corrected;
 5. **5.** Specification of a response period during which the property may be brought into compliance with this Title before penalties, charges, or liens will be assessed; and
 6. **6.** Disclose the owner's right to appeal the findings of the notice of violation and a description of the time limits for requesting an administrative review or a hearing, as described in Chapter 29.80 of this Title.
4. **C. Notification by mail.** An error in the name of the property owner or address listed in the county assessment and taxation records for the property will not render the notice void, but in such case the posted notice, if a notice was posted on the property, will be deemed sufficient.
5. **D. Notification following summary abatement.** When summary abatement is authorized by this Title, the decision regarding whether or not to use summary abatement will be at the City Administrator's discretion. In the case of summary abatement, notice to the owner or occupant of the property prior to abatement is not required. However, following summary abatement, the City Administrator will post upon the property liable for the abatement a notice describing the action taken to abate the nuisance violation. In addition, a Notice of Summary Abatement will be mailed to the property owner. The Notice of Summary Abatement will include:
 1. **1.** The date the nuisance on the property was abated;

2. **2.** The street address or description sufficient for identification of the property;
3. **3.** A statement of the violations of this Title that existed at the property and were summarily abated;
4. **4.** Disclosure that penalties, charges and liens will result from the summary abatement;
5. **5.** Disclosure of the owner's right to appeal the findings of the notice.
6. **E.** Compliance inspections and penalties. The City Administrator will monitor compliance with the notice through periodic tracking and inspection. Once a notice has been mailed, the owner will be responsible for all enforcement penalties associated with the property, as described in Chapter 29.70, until the violations are corrected and the City Administrator has been so notified. Except in the case of summary abatement, whenever the owner believes that all violations listed in the first or any subsequent notice of violation have been corrected, they must notify the City Administrator.
7. **F.** Time limits for repair. The City Administrator may set time limits in which the violations of this Title are to be corrected. Failure to comply with the time limits is a violation of this Title.
8. **G.** Effective date of notice. All notices served pursuant to this section will be considered served as of the date and time of mailing the notice described in Subsections A. and C. of this section.
9. **H.** Information filed with County Recorder. If the City Administrator finds violations of this Title on any property, the City Administrator may record with the County Recorder information regarding Portland City Code violations and possible liens on the property.

29.60.060 Nuisance Abatement; Warrants.

1. **A.** Abatement. If, within the time limit set by the City Administrator in the notice of violation, any nuisance described in the notice has not been removed and abated, or cause shown, as specified in Chapter 29.80 of this Title, why such nuisance should not be removed or abated, or where summary abatement is authorized, the City Administrator may cause the nuisance to be removed and abated, including disposal in an approved manner.
2. **B.** Warrants. The City Administrator may request any Circuit Court judge to issue a nuisance abatement warrant whenever entry onto private property is necessary to remove and abate any nuisance, or whenever the City Administrator has reasonable cause to believe that there exists in any

building or upon any property any nuisance that makes such property substandard as defined in any building regulations.

3. **C.** Grounds for issuance of nuisance abatement warrants; affidavit.
 1. **1.** Affidavit. A nuisance abatement warrant may be issued only upon cause, supported by affidavit, particularly describing the applicant's status in applying for the warrant, the statute, ordinance or regulation requiring or authorizing the removal and abatement of the nuisance, the building or property to be entered, the basis upon which cause exists to remove or abate the nuisance, and a statement of the general types and estimated quantity of the items to be removed or conditions abated.
 2. **2.** Cause. Cause will be deemed to exist if reasonable legislative or administrative standards for removing and abating nuisances are satisfied with respect to any building or upon any property, or if there is cause to believe that a nuisance violation exists, as defined in this Title, with respect to the designated property.
4. **D.** Procedure for issuance of a nuisance abatement warrant.
 1. **1.** Examination. Before issuing a nuisance abatement warrant, the judge may examine the applicant and any other witness under oath and will be satisfied of the existence of grounds for granting such application.
 2. **2.** Issuance. If the judge is satisfied that cause for the removal and abatement of any nuisance exists and that the other requirements for granting the application are satisfied, the judge will issue the warrant, particularly describing the person or persons authorized to execute the warrant, the property to be entered, and a statement of the general types and estimated quantity of the items to be removed or conditions abated. The warrant will contain a direction that it be executed on any day of the week between the hours of 8:00 a.m. and 6:00 p.m., or where the judge has specially determined upon a showing that it cannot be effectively executed between those hours, that it be executed at any additional or other time of the day or night.
 3. **3.** Police assistance. In issuing a nuisance abatement warrant, the judge may authorize any peace officer, as defined in Oregon Revised Statutes, to enter the described property to remove any person or obstacle and to assist the representative of Portland Permitting & Development in any way necessary to enter the property and, remove and abate the nuisance.
5. **E.** Execution of nuisance abatement warrants.

1. **1.** Occupied property. Except as provided in Subsection 2. of this Section, in executing a nuisance abatement warrant, the person authorized to execute the warrant will, before entry into the occupied premises, make a reasonable effort to present the person's credentials, authority and purpose to an occupant or person in possession of the property designated in the warrant and show the occupant or person in possession of the property the warrant or a copy thereof upon request.
2. **2.** Unoccupied property. In executing a nuisance abatement warrant on unoccupied property, the person authorized to execute the warrant need not inform anyone of the person's authority and purpose, as prescribed in Subsection 1. of this Section, but may promptly enter the designated property if it is at the time unoccupied or not in the possession of any person or at the time reasonably believed to be in such condition. In such case a copy of the nuisance abatement warrant will be conspicuously posted on the property.
3. **3.** Return. A nuisance abatement warrant must be executed within 10 working day of its issue and returned to the judge by whom it was issued within 10 working days from its date of execution. After the expiration of the time prescribed by this Subsection, the warrant unless executed is void.
6. **F.** Disposal of nuisance items removed. The City Administrator may cause the nuisance items removed pursuant to the nuisance abatement warrant to be disposed of in an approved manner whenever the City Administrator, in their discretion, finds that the fair and reasonable value of the items at resale would be less than the cost of storing and selling the items. In making the above determination, the City Administrator may include in the costs of sale the reasonable cost of removing the items to a place of storage, of storing the items for resale, of holding the resale including reasonable staff allowances, and all other reasonable and necessary expenses of holding the sale.

29.60.070 Vacating Structures.

1. **A.** Any structure found to be in violation of Chapter 29.30 or 29.35 to such an extent as to be a hazard or declared a dangerous structure under Chapter 29.40 may be vacated, secured, and maintained against entry by order of the Code Hearings Officer.

2. **B.** If the City Administrator finds violations to the extent that an immediate danger is posed to the health, safety, or welfare of the occupants, or that of the general public, the City Administrator may order part of the structure, or all of the structure, to be vacated or demolished forthwith, if in the City Administrator's discretion, circumstances are found that do not allow time for prior application to the Hearings Officer.
 1. **1.** The owner or any tenant of the property, who has been affected by the City Administrator's determination to vacate may appeal that determination to the Code Hearings Officer by following the procedure contained in Portland City Code Section 22.20.030.
 2. **2.** Upon receipt of a request for hearing pursuant to Portland City Code Section 22.20.030, the Code Hearings Officer will schedule and hold an appeal hearing within 10 days after the receipt of the request.
3. **C.** Upon vacation of the structure a notice will be posted at or on each exit of the building. Whenever such notice is posted, the City Administrator will include in such notice a statement declaring the building unsafe to occupy and specifying the conditions that necessitate the posting.
4. **D.** Unless authorized by the City Administrator, it is unlawful for any person knowingly to enter or remain in any structure that the City Administrator has ordered vacated pursuant to this Section. In addition to any civil penalties imposed pursuant to Portland City Code Subsection 22.05.010 A.5. or Chapter 29.70, any person knowingly entering or remaining in such a structure will upon conviction be punished by a fine of not more than \$500, or by imprisonment not exceeding six months, or both.

29.60.080 Referral to the Hearings Officer for Repair or Demolition of Dangerous Structures.

At any time after the City Administrator identifies a property as containing a dangerous structure and has notified the owner as specified in Section 29.60.050, the City Administrator may cause an action to be instituted before the Code Hearings Officer as provided in Portland City Code Title 22. In the event the owner fails or neglects to comply with any order of the Hearings Officer to repair or demolish a structure, the Hearings Officer may authorize Portland Permitting & Development to carry out such repairs or demolish the structure.

29.60.085 Demolition; Warrants

1. **A. Abatement.** If, within the time limit set by the Hearings Officer's Order for Demolition, the dangerous structure described in the Order has not been removed and abated, or cause shown, as specified in Chapter 29.80 of this Title, why such dangerous structure should not be removed or abated, or where summary abatement is authorized, the City Administrator may cause the dangerous structure to be removed and abated, including disposal in an approved manner.
2. **B. Warrants.** The City Administrator may request any Circuit Court judge to issue a demolition warrant whenever entry onto private property is necessary to demolish a dangerous structure.
3. **C. Grounds for issuance of demolition warrants; affidavit.**
 1. **1. Affidavit.** A demolition warrant may be issued only upon cause, supported by affidavit, particularly describing the applicant's status in applying for the warrant, the statute, ordinance or regulation requiring or authorizing the demolition of the dangerous structure, the building or property to be entered, the basis upon which cause exists to demolish the dangerous structure and a general statement describing the structure to be demolished. In addition, the affidavit will contain a statement describing the conditions under which the demolition is to be completed, including completion of all work on the property within a 30-day period.
 2. **2. Cause.** Cause will be deemed to exist if reasonable legislative or administrative standards are satisfied with respect to the demolition of the dangerous structure.
4. **D. Procedure for issuance of a demolition warrant.**
 1. **1. Examination.** Before issuing a demolition warrant, the judge may examine the applicant and any other witness under oath and will be satisfied of the existence of grounds for granting such application.
 2. **2. Issuance.** If the judge is satisfied that cause for the demolition of any dangerous structure exists and that the other requirements for granting the application are satisfied, the judge will issue the demolition warrant, particularly describing the person or persons authorized to execute the warrant, the property to be entered, and a statement describing the structure to be demolished and the work to be performed. The warrant will contain a direction that it be executed on any day of the week between the hours of 8:00 a.m. and 6:00 p.m., or where the judge has specially determined upon a showing that it cannot be effectively executed between those hours, that it be executed at any additional or other time of the day or night.

3. **3.** Police assistance. In issuing a demolition warrant, the judge may authorize any peace officer, as defined in Oregon Revised Statutes, to enter the described property to remove any person or obstacle and to assist the representative of Portland Permitting & Development in any way necessary to enter the property and demolish the dangerous structure.
5. **E.** Execution of demolition warrants.
 1. **1.** Execution. In executing the demolition warrant, the person authorized to execute the warrant need not inform anyone of the person's authority or purpose but may promptly enter the designated property if it is or at the time reasonably appears to be a) unoccupied, or b) not in the possession of any person. A copy of the demolition warrant will be conspicuously posted on the property.
 2. **2.** Return. A demolition warrant must be executed within 10 working days of its issuance by the judge. The authority to enter into the property and perform the demolition work will continue for a period of up to 30 days after the date of execution, unless the judge extends this time before it has expired. The executed warrant must be returned to the judge upon the completion of the demolition or the expiration of the authorized time, whichever occurs first. If the warrant is not executed within 10 days after the issuance by the judge, the warrant will be void.
6. **F.** Disposal of demolition debris. The City Administrator may cause the debris to be removed pursuant to the demolition warrant and disposed of in an approved manner whenever the City Administrator, in their discretion, finds that the fair and reasonable value of the debris would be less than the cost of storing and selling the items. In making the above determination, the City Administrator may include in the costs of sale the reasonable cost of removing debris to a place of storage, of storing the items for resale, of holding the resale including reasonable allowances for costs of staff, and any other reasonable and necessary expenses of holding a sale.

29.60.100 Exceptions.

1. **A.** The City Administrator may grant an exception when the enforcement of the requirements of this Title would cause undue hardship to the owner or occupants of the affected property, or whenever the City Administrator deems it necessary in order to accomplish the purpose of this Title.

2. **B.** To carry out the intent of this Section the City Administrator will establish written policies in the form of waivers to explain the exceptions that are available to property owners. The waivers will include the following information:
 1. **1.** An explanation of the purpose of the waiver;
 2. **2.** A list of the requirements the owner must meet in order to qualify for the waiver;
 3. **3.** An explanation of the period of time during which the waiver will be in effect; and
 4. **4.** A list of the actions the owner must perform to fulfill their responsibilities to maintain the waiver and to prevent the waiver from being cancelled.
3. **C.** The owner must apply for a waiver in writing. This Section may not be construed so as to evade the provisions of Portland City Code Title 22.

Chapter 29.70 Costs and Penalties

29.70.005 Generally.

In order to defray the costs of enforcement of, and to encourage compliance with, this Title, the City Administrator may impose penalties on those properties that are found to be in violation of this Title.

29.70.010 Enforcement Fees or Penalties for Nuisance, Housing and Dangerous and Derelict Buildings.

1. **A.** The City may charge a penalty in the form of a monthly enforcement fee for each property found in violation of Chapters 29.20, 29.30, 29.35 or 29.40 of this Title that meets the following conditions:
 1. **1.** The property is a subject of a notice of violation of this Title as described in Section 29.60.050; and
 2. **2.** A response period of 30 days has passed since the effective date of the initial notice of violation; and
 3. **3.** The property remains out of compliance with the initial notice of violation or any subsequent notice of violation.
2. **B.** The amount of the monthly enforcement fee is charged as set forth in the Enforcement Fee and Penalty Schedule as approved by City Council. If all violations are not corrected within three months from the date of the initial notice of violation, subsequent enforcement fees or penalties are twice the

amount listed in the Enforcement Fee and Penalty Schedule as approved by City Council.

3. **C.** Whenever the property owner believes that all violations have been corrected, the property owner must so notify the City Administrator. Upon receipt of such notice, the City Administrator will promptly schedule an inspection of the property and will notify the property owner if any violations remain uncorrected.
4. **D.** Once monthly enforcement fees or penalties begin, they will continue until all violations have been corrected, inspected and approved.
5. **E.** When a property meets the conditions for charging an enforcement fee or penalty, the revenue service and program of the City Administrator will file a statement that identifies the property, the amount of the monthly fee or penalty, and the date from which the charges are to begin. The revenue service and program of the City Administrator will then:
 1. **1.** Notify the property owner(s) of the assessment of enforcement fees or penalties and the 10 percent revenue service and program of the City Administrator charge; and
 2. **2.** Record a property lien in the Docket of City Liens; and
 3. **3.** Bill the property owner(s) monthly for the full amount of enforcement fees or penalties owing, plus additional charges to cover administrative costs of the revenue service and program of the City Administrator; and
 4. **4.** Maintain lien records until:
 - i. **a.** The lien and all associated interest, penalties, charges and costs are paid in full; and
 - ii. **b.** The City Administrator certifies that all violations listed in the original or any subsequent notice of violation have been corrected.
6. **F.** When a property meets the conditions for assessment of fees or penalties as described in this Title, the City Administrator may also cause appropriate collection measures, including legal action in a court of competent jurisdiction, to be instituted against the property owner in order to collect the assessed fees or penalties.

29.70.020 Costs and Penalties for Abatement of Nuisances, Disable Vehicles, and Re-occupancy in Violation.

1. **A.** Nuisances.

1. **1.** Whenever a nuisance is abated by the City, the City Administrator will keep an accurate account of all expenses incurred for each nuisance abated including but not limited to abatement costs, civil penalties, fees, administrative costs, recorders fees and title report charges as set forth in the Enforcement Fee and Penalty Schedule as approved by City Council.
 2. **2.** When the City has abated a nuisance maintained by any owner of real property, for each subsequent nuisance that is abated by the City within two consecutive calendar years concerning real property, owned by the same person, an additional civil penalty as set forth in the Enforcement Fee and Penalty Schedule will be added to the costs, charges and civil penalties. The additional civil penalty will be imposed without regard to whether the nuisance abated by the City involved the same real property or are of the same character.
 3. **3.** Costs and penalties resulting from nuisance abatement may be assessed as a lien upon the real property as provided in Subsection D.
2. **B.** Disabled vehicles.
1. **1.** Whenever a vehicle is removed from real property by the City, the City Administrator will keep an accurate account of all expenses incurred for each disabled vehicle removed including but not limited to abatement costs, civil penalties, administrative costs, inspection fees, recording fees, and title report charges as set forth in the Enforcement Fee and Penalty Schedule as approved by City Council.
 2. **2.** Whenever a vehicle has been tagged by the City and removed from real property and placed on the public right-of-way, the owner of the real property is responsible for that vehicle. The City Administrator may remove the vehicle from the right-of-way and keep an accurate account of all expenses incurred for each disabled vehicle removed including but not limited to abatement costs, civil penalties, administrative costs, fees, recording fees and title report charges as set forth in the Enforcement Fee and Penalty Schedule as approved by City Council.
 3. **3.** Costs and penalties resulting from the abatement of disabled vehicles may be assessed as a lien upon the real property as provided in Subsection D.
3. **C.** Occupancy of property after notice of violation.
1. **1.** Whenever a property owner causes or permits a vacant structure or portion thereof to be occupied in violation of this Title, a penalty as set

forth in the Enforcement Fee and Penalty Schedule as approved by City Council may be imposed per structure or portion thereof.

2. **2.** Costs and penalties resulting from the occupancy of property after notice of violation may be assessed as a lien upon the real property as provided in Subsection D.
4. **D.** When a property meets the conditions for assessment of fees or penalties as described in Subsections A., B. or C. above, Portland Permitting & Development will file a statement of such fees or penalties with the revenue service and program of the City Administrator. Upon receipt of the statement, the revenue service and program of the City Administrator will mail an assessment notice to the property owner. The notice will include the amount due plus 10 percent charges to cover the administrative costs of the revenue service and program of the City Administrator. At the same time the notice is mailed by the revenue service and program of the City Administrator, the revenue service and program of the City Administrator will enter the amount due or the amount of the unpaid balance, plus charges to cover the administrative cost of the revenue service and program of the City Administrator, in the Docket of City Liens, which will thereafter constitute a lien against the property. The property owner is responsible for paying all liens assessed against the property.
5. **E.** When a property meets the conditions for assessment of fees or penalties as described in this Title, the City Administrator may also cause appropriate collection measures, including the legal action in a court of competent jurisdiction, to be instituted against the property owner in order to collect the assessed fees or penalties.

29.70.030 Building Demolition Costs and Penalties.

1. **A.** Whenever a building is demolished by the City, the City Administrator will keep an accurate account of all expenses incurred for each building demolished, including but not limited to abatement costs, civil penalties, administrative costs, recorders fees and title report charges as set forth in the Enforcement Fee and Penalty Schedule as approved by City Council.
2. **B.** Costs and penalties resulting from demolition by the City of any structure pursuant to this Title plus 10 percent charges to cover the administrative costs of the revenue service and program of the City Administrator may be assessed as a lien upon the real property on which the structure was located pursuant to the provisions of Portland City Code Chapter 22.06.

3. **C.** When a property meets the conditions for assessment of fees or penalties as described in this Title, the City Administrator may also cause appropriate collection measures, including legal action in a court of competent jurisdiction, to be instituted against the property owner in order to collect the assessed fees or penalties.

29.70.040 Chronic Offender.

1. **A.** A **chronic offender** is any person whose property has accumulated, within any 12-month period, multiple violations under this Title that have a negative impact on the public health or welfare and cause repeat inspections and enforcement efforts by the City Administrator.
2. **B.** The City Administrator may adopt policies and procedures setting forth the type and number of this Title violations that result in a Chronic Offender designation.
3. **C.** The City Administrator may pursue any or all of the following actions against a chronic offender:
 1. **1.** Refer the chronic offender to the Code Hearings Officer, as provided in Portland City Code Title 22, for additional penalties, sanctions, and the authority to abate unresolved nuisance violations on properties owned by the chronic offender; or
 2. **2.** Refer the chronic offender for criminal prosecution and criminal penalties of a fine of up to \$500 per violation or six months in jail as provided for in Portland City Code Chapter 1.01.

Chapter 29.80 Appeals

29.80.010 Administrative Review

1. **A.** Whenever an owner has been given a notice pursuant to this Title and has been directed to make any correction or to perform any act and the owner believes the finding of the notice was in error, the owner may have the notice reviewed by the City Administrator. If a review is sought, the owner must submit a written request to Portland Permitting & Development within 15 days of the date of the notice. Such review will be conducted by the City Administrator. The owner requesting such review will be given the opportunity to present evidence to the City Administrator. Following the review, the City Administrator will issue a written determination.

2. **B.** Nothing in this Section limits the authority of the City Administrator to initiate a proceeding under Portland City Code Title 22.

29.80.020 Appeals to the Code Hearings Officer.

A determination issued pursuant to Section 29.80.010 may be appealed to the Code Hearings Officer along with the payment of a fee as set forth in the Enforcement Fee and Penalty Schedule, as provided for in Portland City Code Chapter 22.10.

29.80.030 Further Appeals.

All appeals from the Code Hearings Officer's determination pursuant to 29.80.020 must be by writ of review as authorized by Portland City Code Section 22.04.010 and ORS 34.010 through 34.100.

Chapter 29.90 Housing Receivership

29.90.010 Purpose and Scope.

The purpose of this Chapter is to establish authority and procedures for the use of the Oregon Housing Receivership Act (ORS 105.420 to 105.455). This Chapter applies to all residential property.

29.90.020 Authority.

1. **A.** When the City Administrator finds that any residential property is in violation of Portland City Code Titles 24, 25, 26, 27, 28, 29, 31, or 33 and believes that violation is a threat to the public's health, safety or welfare, the City Administrator may apply to a court of competent jurisdiction for the appointment of a receiver to perform an abatement. As used in this Chapter, **abatement** means the removal or correction of any condition at a property that violates any provision of Portland City Code Titles 24, 25, 26, 27, 28, 29, 31, or 33 as well as the making of other improvements or corrections as are needed to rehabilitate the property or structure. Abatement may include demolition, but does not include securing a structure against entry.
2. **B.** In administering the provisions of this Chapter, the City Administrator's authority includes, but is not limited to:
 1. **1.** The selection of properties;
 2. **2.** The selection of appropriate receivers; and

3. **3.** The establishment of written rules and procedures as are deemed necessary for the administration of this Chapter.

29.90.030 Selection of Properties.

In selecting properties where the City may seek appointment of a receiver, the City Administrator will consider those properties that have, at a minimum, the following characteristics:

1. **A.** A violation of any provision of Titles 24, 25, 26, 27, 28, 29, 31 or 33 that threatens the public health, safety or welfare;
2. **B.** The owner has not acted in a timely manner to correct the violations; and
3. **C.** Abatement of the violations on this property would further the Housing Policy of the City as articulated in Goal 4 of the City's Comprehensive Plan.

29.90.040 Notice to Interested Parties and Application.

1. **A.** At least 60 days prior to the filing of an application for appointment of a receiver, the City Administrator will cause a notice to be sent by regular mail to all interested parties.
2. **B.** The notice will give the date upon which the City has the right to file with the court for the receiver, and in addition will:
 1. **1.** State the address and legal description of the property;
 2. **2.** List the Code violations that give rise to the proposed application; and
 3. **3.** Give the name, address and telephone number of a person who can provide additional information concerning the violations and their remedy.
3. **C.** If no interested party has taken any action to foreclose their security interest within 60 days of the date of the notice, the City Administrator may thereafter apply for the appointment of a receiver.

29.90.050 Selection of Receivers.

In selecting specific receivers, the City Administrator will choose either the Housing Authority of Portland, a City bureau, an urban renewal agency, or a private not-for-profit corporation, the primary purpose of which is the improvement of housing conditions within the City. In making the selection, the City Administrator will consider, at a minimum, the following:

1. **A.** The location of the property relative to other properties owned or managed by the receiver.
2. **B.** The receiver's experience in rehabilitating and managing this type of property.
3. **C.** The receiver's capacity to take on additional property management responsibilities.

29.90.060 Powers of a Receiver.

1. A receiver appointed by the court pursuant to the Oregon Housing Receivership Act will have the authority to do any or all of the following, unless specifically limited by the court:
2. **A.** Take possession and control of the property, including the right to enter, modify and terminate tenancies pursuant to ORS Chapters 90 and 105, and to charge and collect rents and apply rents collected to the costs incurred due to the receivership.
3. **B.** Negotiate contracts and pay all expenses associated with the operation and conservation of the property, including, but not limited to all utility, fuel, custodial, repair, and insurance costs.
4. **C.** Pay all accrued property taxes, penalties, assessments, and other charges imposed on the property by a unit of government, as well as any charge of like nature accruing during the pendency of the receivership.
5. **D.** Dispose of all abandoned personal property found on the property pursuant to ORS Chapter 90.
6. **E.** Enter into contracts and pay for the performance of any work necessary to complete the abatement.
7. **F.** Enter into financing agreements with public or private lenders and encumber the property so as to have moneys available to correct the conditions at the property giving rise to the abatement.
8. **G.** Charge an administrative fee at an hourly rate approved by the court or at a rate of 15 percent of the total cost of abatement, whichever the court deems more appropriate.

29.90.070 Plan and Estimate.

Within 30 days after appointment by the court, a receiver must submit to the City Administrator a written plan for the abatement. The City Administrator must approve the plan before the receiver commences work on the abatement.

29.90.080 Record Keeping.

The receiver must keep a record of all moneys received and expended and all costs and obligations incurred in performing the abatement and managing the property. Records must be kept in a form as agreed upon by the receiver and the City Administrator, and copies must be provided to the City Administrator upon request.

29.90.090 Purchasing.

All abatement work done under this Chapter is exempt from the purchasing and contracting provisions of Portland City Code Title 5.

29.90.100 Liens.

1. **A.** All moneys expended and all costs and obligations incurred by the receiver in performing the abatement may be reviewed by the court for reasonableness and their necessity in performing the abatement. To the extent that the court finds the moneys, costs, or obligations, to be reasonable and necessary, it may issue an order reciting this fact as well as the amount found to be reasonable and necessary.
2. **B.** If the costs and obligations incurred due to the abatement have not been paid, the order of the court will be filed with the county recorder within 60 days of its filing with the court and will thereafter constitute a lien on the property.

29.90.110 Foreclosure.

In the event that the lien created pursuant to the terms of this Chapter and the Oregon Housing Receivership Act is not paid in a timely fashion, the receiver or their assignee or other successor in interest may bring a suit or action in foreclosure as provided for by law.

29.90.120 Termination of Receivership.

The receivership authorized pursuant to the terms of this Chapter and the Oregon Housing Receivership Act will terminate only by an order of the court after a showing by an interested party or the receiver that:

1. **A.** The abatement has been completed;

2. **B.** The costs and obligations incurred due to the abatement have been paid by an interested party or a lien has been filed pursuant to Section 29.90.100 of this Chapter; and
3. **C.** The interested party will manage the property in conformance with the applicable provisions of Portland City Code Titles 24, 25, 26, 27, 28, 29, 31 and 33.
- 4.

Lincoln City Property Maintenance Code

Chapter 8.10

8.10.010 Purpose.

The provisions of this chapter establish the minimum conditions and the responsibilities of persons for maintenance of buildings, structures and property. (Ord. 2004-12 § 1)

8.10.020 Definitions.

Whenever the words “building,” “premises,” “property,” or “structure” are used in this chapter, they shall be construed as though they were followed by the words “or any part thereof.” Unless otherwise expressly stated, the following terms shall for the purposes of this chapter have the following meanings:

“Building” means any structure used or intended for supporting or sheltering any use or occupancy and having a fixed base on or a fixed connection to the ground.

“Deterioration” means a lowering in quality of the condition or appearance of a building or structure, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting, or other physical decay.

“Exterior property” means the space on a premises not occupied by buildings or structures.

“Exterminate” and “extermination” mean the act of control, elimination, and removal of pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, or trapping; or by any other method approved by the Lincoln County health department.

“Garbage” means animal, vegetable, or other waste from the handling, preparation, cooking, or consumption of food.

“Good repair” means substantially free of deterioration.

“Imminent hazard” means a condition that creates a substantial risk of injury, damage, or loss to a person, to a person’s health, or to property, when such injury, damage, or loss is occurring, impending shortly, or on the point of happening.

“Infestation” means the presence of pests on or within premises in numbers that are harmful, bothersome, or create an imminent hazard.

“Neatly kept” means stored, stacked, or otherwise arranged in a manner generally free of disorder or disarray.

“Noxious weeds” means plants that are quarantined under OAR [603-052-1200](#).

“Occupancy” means the purpose for which a premises is used or intended to be used.

“Occupant” means any person living or sleeping in a building, or having possession of a premises.

“Person” means an individual, corporation, partnership, or other legal entity, or any other group acting as a unit.

“Person responsible” means any person having a legal or equitable interest in a premises; or recorded in the official records of Lincoln County as holding title to the premises; or identified in the official records of the state of Oregon or Lincoln County as being responsible for the payment of property taxes on the premises; or otherwise having possession or control of the premises; including the guardian, executor, or administrator of the estate of any such person if ordered to take possession of the premises by a court.

“Pests” means animals commonly considered detrimental to humans or human concerns, including but not limited to insects and rodents.

“Premises” means a lot, plot, or parcel of land including any buildings and structures thereon.

“Rubbish” means combustible and noncombustible waste materials, except garbage, and including the residue from the burning of wood, coal, coke, and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, cardboard, plastic, glass, sweepings, tree branches, yard trimmings, cans, metals, mineral matter, crockery, dust, and similar waste materials.

“Safe” means secure from threats of danger to the life, health, property, or safety of the public, occupants, or visitors and not so damaged, decayed,

dilapidated, structurally unsound, of faulty construction, or unstable that there is a significant risk of partial or complete collapse.

“Sanitary” means free from agents injurious or with a significant potential to be injurious to health, including without limitation accumulations of debris, rubbish, manure, garbage, or other refuse, stagnant water, or polluted water.

“Secure” means protected against unauthorized entry, including without limitation having doors, windows, and other openings all firmly closed and locked or otherwise closed off such as by a grille or grating.

“Skilled manner” means executed in a workmanlike manner including, as appropriate, generally plumb, level, square, in line, undamaged, without marring adjacent work, and completed in conformance with generally accepted construction and maintenance practices.

“Structure” means that which is built or constructed. (Ord. 2004-12 § 1)

8.10.030 Responsibility.

A person responsible for a premises shall maintain the premises in compliance with the requirements of this chapter. A person responsible shall not occupy or permit another person to occupy premises that are not in a sanitary and safe condition and that do not comply with the provisions of this chapter. (Ord. 2004-12 § 1)

8.10.040 Vacant premises.

All vacant premises shall be maintained in a safe, secure, and sanitary condition. (Ord. 2004-12 § 1)

8.10.050 Noxious weeds.

All premises shall be maintained free of noxious weeds. (Ord. 2004-12 § 1)

8.10.060 Maintenance of exterior property – General.

All exterior property shall be maintained in a sanitary and safe condition. No owner or person in charge of property shall permit, allow, maintain or suffer graffiti to remain on private property within view from premises open to the public, such as public rights-of-way or other publicly owned property. (Ord. 2017-23 § 3; Ord. 2004-12 § 1)

8.10.070 Exterior property accumulations of rubbish and garbage.

All exterior property shall be free of any accumulation of rubbish or garbage. Composting of materials such as leaves, grass clippings, and food wastes

(other than meat, bones, and fatty wastes) generated on the premises, for personal use on the premises, is not subject to this prohibition. (Ord. 2004-12 § 1)

8.10.080 Exterior property storage.

Materials such as but not limited to firewood, building materials, and equipment, stored in or on exterior property, shall be neatly kept. (Ord. 2004-12 § 1)

8.10.090 Pest infestation.

All premises shall be kept free from pest infestation. Where pests are found, they shall be promptly exterminated. After extermination, proper precautions shall be taken to prevent reinfestation. (Ord. 2004-12 § 1)

8.10.100 Maintenance of building and structure exteriors – General.

The exterior of a building or structure shall be maintained in good repair, and in a safe and sanitary condition. (Ord. 2004-12 § 1)

8.10.110 Building and structure exterior surfaces.

All building and structure exterior surfaces, including but not limited to window frames, doors, door frames, cornices, porches, siding, and trim, shall be maintained in good repair. (Ord. 2004-12 § 1)

8.10.120 Building and structure foundation walls.

All building and structure foundation walls shall be maintained free from large open cracks and breaks and shall be kept in such condition so as to prevent the entry of pests. (Ord. 2004-12 § 1)

8.10.130 Building and structure exterior walls.

All building and structure exterior walls shall be maintained in good repair and weather proof and shall be properly surface coated where required to prevent deterioration. The use of tarps or similar material for emergency repair, or in place of a customary building component such as siding or a door, shall not exceed 90 days in total, whether such use is continuous or interrupted, except when a longer period is needed for the processing of an insurance claim that was filed within 14 days of the incident giving rise to the claim or when the city manager or his or her designee grants an extension for up to 30 additional days. (Ord. 2004-12 § 1)

8.10.140 Building and structure roofs and drainage.

All building and structure roofs and flashing shall be sound, tight, and not have defects that admit rain. Roof drains, gutters, and down spouts shall be

maintained in good repair and free from obstructions, and shall not direct drainage onto the property of another. The use of tarps or similar material for emergency repair shall not exceed 90 days in total, whether such use is continuous or interrupted, except when a longer period is needed for the processing of an insurance claim that was filed within 14 days of the incident giving rise to the claim or when the city manager or his or her designee grants an extension for up to 30 additional days. (Ord. 2004-12 § 1)

8.10.150 Building and structure decorative features.

All building and structure cornices, belt courses, corbels, terra cotta trim, wall facings, and similar decorative features shall be maintained in good repair, with proper anchorage and in a safe condition. (Ord. 2004-12 § 1)

8.10.160 Building and structure windows and doors.

Every building and structure window, door, and frame shall be kept in good repair and weather tight. No window or door may be covered with plywood, tarps, or similar materials for more than 90 days in total, whether such covering is continuous or interrupted, except when a longer period is needed for the processing of an insurance claim that was filed within 14 days of the incident giving rise to the claim or when the city manager or his or her designee grants an extension for up to 30 additional days. (Ord. 2004-12 § 1)

8.10.170 Building and structure glazing.

All building and structure glazing materials shall be maintained in good repair. Glazing with holes or cracks, or that is partially or wholly missing, shall be replaced with new glazing within 30 days after the defect becomes apparent. (Ord. 2004-12 § 1)

8.10.180 Accessory structures.

All accessory sheds, fences, walls, signs, sign structures, and other similar structures shall be erected in a skilled manner and maintained structurally sound and in good repair. (Ord. 2004-12 § 1)

8.10.190 Violations – Penalty and nuisance declaration.

Notwithstanding any other provision of this code, a violation of any provision of this chapter is a Class C violation. In addition, a violation of any provision of this chapter is a nuisance. (Ord. 2015-10 § 5; Ord. 2004-12 § 1)

8.10.200 Summary abatement.

The city manager or his or her designee may proceed summarily to abate a violation of this chapter that unmistakably exists and poses an imminent hazard. (Ord. 2004-12 § 1)

8.10.210 Other remedies.

The city, as a remedy in addition to violation and nuisance abatement proceedings, may institute injunctive or other appropriate proceedings to prevent, enjoin temporarily or permanently, or remove a violation of this chapter. (Ord. 2015-10 § 5; Ord. 2004-12 § 1)

[1](#)

Code reviser's note: Ordinance 2004-12 adds these provisions as Chapter [8.08](#). This chapter has been renumbered to avoid duplication of numbering.



CITY OF OREGON CITY

625 Center Street
Oregon City, OR
97045
503-657-0891

Staff Report

To: City Commission
From: Tony Konkol, City Manager

Agenda Date: November 12, 2025

SUBJECT:

Revenue Sources Discussion

STAFF RECOMMENDATION:

Discussion for future Commission Direction

EXECUTIVE SUMMARY:

There are various revenue tools available to Oregon municipalities to pay for the delivery of services to our communities. This discussion will begin with an overview of the various types and characteristics of these revenue tools. This introduction is intended to provide the framework for a Commission discussion as to how these revenue sources can be used in the City of Oregon City to provide for the various needs within the City. Staff anticipates hearing from the Commission for future action.

BACKGROUND:

The attachment included with this staff report reflects a study released by the League of Oregon Cities in December 2024 called "Oregon Local Revenue Tools Guidebook" ([Revenue Toolkit Webinar Scheduled for February 7 :: League of Oregon Cities](#)). The City of Oregon City utilizes several of the most common revenues sources available to Oregon Cities (as indicated on the summary). There are revenue tools that are not used by the City that may be beneficial in helping to cover gaps in funding for current needs as well as future needs. This discussion comes on the heels of the recent biennial budget adoption in Spring 2025.

Please note that the following assessed values and revenues are estimates and meant to demonstrate a range of options and allow for the general comparison of revenue sources and impacts.

The City's maximum tax rate is \$5.0571 per \$1000 and the current tax rate is \$4.4890 per \$1000. The 2025 assessed value for the City of Oregon City is \$4,180,000,000. A \$0.10 tax increase would generate an additional \$418,000 and would cost a home with an assessed value of \$400,000 an additional \$40 per year. If the maximum tax rate was implemented, the \$0.5681 tax increase would generate an additional \$2,375,000 and would cost a home with an assessed value of \$400,000 an additional \$227 per year.

The current Community Safety Advancement Fee (CSAF) is a flat \$6.50 per month (\$78 per year) per single family residence or multifamily unit and is charged monthly on the utility bill

and a flat \$78 per year for a business and is charged on the business license. For the 2024-25 fiscal year, CSAF generated approximately \$1,260,000 and these funds are used to pay the construction debt for the Robert Libke Public Safety Building, which was issued in 2018 and will be fully paid by 2038. Currently the debt payment is approximately \$135,000 less than the funds collected. These funds are accounted for separately and used to pay the debt service.

The following is an example of the approximate revenue generated based on a hypothetical fee:

Fee per year	Fee per month	Revenue (Approximately)
\$78 (CSAF)	\$6.50	\$1,260,000
\$12	\$1.00	\$194,000
\$40	\$3.34	\$648,000
\$60	\$5.00	\$970,000
\$120	\$10.00	\$1,940,000

The Pavement Maintenance Utility Fee (PMUF) is based on estimated or measured average daily trips. The fee is currently \$16.47 for single-family residential and varies for multifamily and commercial customers based on the number of trips assigned for the use of the property. PMUF is charged on the utility bill and, for the 2024-25 fiscal year, PMUF generated \$3,165,000. These funds are accounted for separately and used for pavement maintenance.

A gasoline tax may be implemented by a local jurisdiction. Oregon Revised Statute 319.950 - Election required for local tax on motor vehicle fuel requires that prior to implementing a motor vehicle fuel tax the proposed tax must be submitted to the electors of the local government for their approval.

Examples of other jurisdictions charging a parks and/or police fee include the following:
Happy Valley - Rather than a fee, Happy Valley has two separate operating levies that are assessed on the property tax statement.

West Linn - West Linn charges a flat rate parks maintenance fee.

Milwaukie - Milwaukie charges a public safety fee. Attached is a flyer that was utilized when the City was discussing and considering the implementation of a fee.

OPTIONS:

N/A



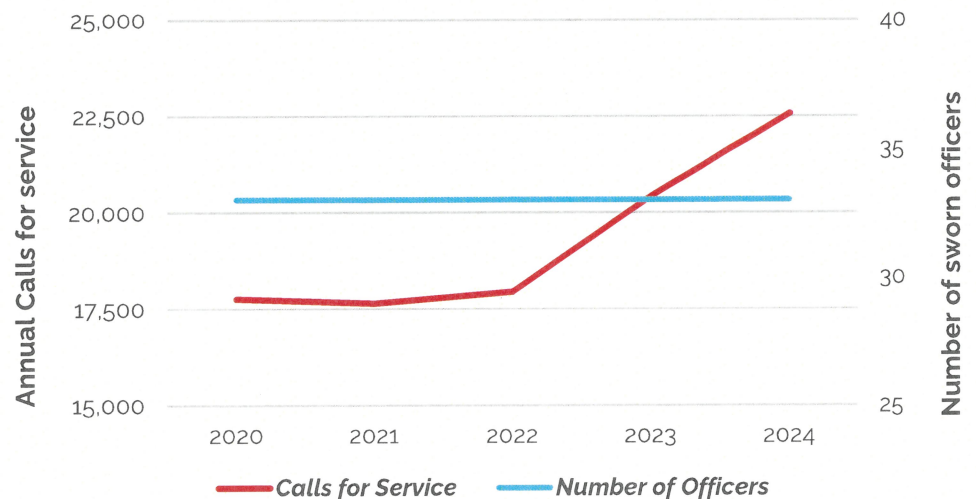
OUR PLAN TO INVEST IN PUBLIC SAFETY

Public safety services in Milwaukie are at risk

The City of Milwaukie is proud of our commitment to compassionate, responsive, and high-quality public safety services. From our Police Department to Municipal Court to the Ledding Library, we're experiencing greater pressure on our public safety "continuum of care" — more calls for service, more citations, more behavioral health crises.

While the needs have grown, our resources haven't. To maintain and improve our ability to support the community, respond to emergencies, and keep Milwaukie safe, we need to invest in additional staff and training.

Since 2020, police calls have gone up **21%**, while staffing hasn't changed



WHAT CAN WE DO? Invest in safety the same way we do other core services

When our water pipes or roads need upgrading, the city can adjust utility rates to ensure we can make these necessary investments. We haven't treated public safety the same way. This means while our public safety needs grow and change, we don't have a way to meet them.

City staff are proposing adding a public safety utility bill fee, which many other cities already have. This is a smart, strategic way to ensure we can keep up with our needs. Rates can be decreased or increased as part of the annual budget to ensure we have the resources necessary for the work.

OTHER CITIES WITH PUBLIC SAFETY UTILITY FEES:

City	Monthly rate
Gresham	\$15
North Bend	\$15
Keizer	\$11
Monmouth	\$10.25
St. Helens	\$10
Oregon City	\$6.50
Sandy	\$4.50



Needs are getting more complex. The city responded to **more than 520 behavioral health crises** last year alone

Investment is needed now

We want to add...

An additional behavioral health specialist

A dedicated training officer at MPD

More patrol officers

More support for the Ledding Library

More support for Municipal Court

Which would mean...

- Greater ability to provide compassionate response for those in crisis
- Support for behavioral health needs on the weekends
- More de-escalation, anti-bias, and skills trainings annually
- Better equipped and prepared officers
- Maintaining 3-5 min average response times
- Less use of overtime
- Coverage for 24/7 safety needs
- Greater safety for Library patrons and staff
- More outreach and support services
- More efficient processing of tickets, trials, and citations

What will that cost?
~\$900K - \$1M

How
we get
there:

Monthly residential bill: **\$7**
Monthly multifamily bill: **\$5**
Monthly commercial bill: **\$5 - \$50**

*Low-income accounts exempt
Council to vote on final rates Aug. 19*

Learn more and share your thoughts!

- **Aug. 5, 6:30 p.m.** | City Council discussion and public comment
- **Aug. 13, 6 p.m.** | Public Q&A at City Hall
- **Aug. 19, 6:30 p.m.** | City Council hearing and vote

Find locations and details on how to join at milwaukieoregon.gov

Taxes on Goods and Services (“what you buy”)				
Revenue Tool	Who Primarily Pays?	What Does It Pay For?	What is Taxed?	Top Considerations
General Sales Tax	Residents Visitors Businesses	Both: Services and capital improvements	Most goods and services (e.g., clothes, events, landscaping, repairs)	Large and stable revenue source for broad use. But little public support and concerns about disproportionate impacts on lower-income individuals.
Targeted Sales Tax	Residents Visitors Businesses	Both: Services and capital improvements	Specific goods and services (e.g., prepared food, rental car)	Requires coordination with retailers, can unintentionally drive away economic activity, and useful for targeting goods or services.
Fuel Tax	Residents Visitors Businesses	Both: Transportation infrastructure maintenance and investments	Gas consumption	Limited to transportation related improvements. Strong nexus between tax and benefit. Eroding tax base due to fuel-efficient and electric vehicles.
Transient Lodging Tax (TLT)*	Visitors	Services mostly: 70% related to tourism; 30% is discretionary	Lodging bookings based on cost of lodging	Limited tax base (lodging activities) and revenue use (promotion of tourism and tourism related facilities). Likely supported by the public.
Construction Excise Tax (CET)	Developers	Capital: Affordable housing or school facilities	Value of construction permits	Clear nexus between tax and benefit, though revenues can fluctuate with development activity.
Taxes on Income (“what you earn”)				
Revenue Tool	Who Primarily Pays?	What Does It Pay For?	What is Taxed?	Top Considerations
Personal Income Tax	Workers	Both: Services and capital improvements	Workers’ wages and salaries	A substantial and versatile revenue source. Strong administrative and political challenges.
Business Income Tax	Businesses	Both: Services and capital improvements	Businesses’ net incomes	Can generate substantial revenue, but risks to economic activity.
Payroll Tax	Workers and businesses	Both: Services and capital improvements	Workers’ wages and salaries	Can generate substantial revenue for a predefined funding objective but can have adverse effects on lower income workers.
Taxes on Property (“what you own”)				
Revenue Tool	Who Primarily Pays?	What Does It Pay For?	What is Taxed?	Top Considerations
Local Option Levies	Property owners	Both: Services and programs mostly but can fund capital expenses.	Assessed value of property	Generates moderate to high revenues in five-year timespans. Limited duration reassures voters but can be risky for some cities.

Revenue Tools

Based on work from the League of Oregon Cities and ECONorthwest

December 2024

Special Districts	Property owners	Services: Targeted or new municipal services	Assessed value of property	Can effectively fund singular or specialized service needs. Usually supported by the public.
Local Improvement District (LID)	Property owners	Capital: Infrastructure improvements	Assessed value of property	Clear nexus and sufficient revenue to fund identified projects. Costs shared among participating property owners.
Economic Improvement District (EID) / Enhanced Service District (ESD) / Business Improvement District (BID)	Business owners and/or property owners in a commercial district	Capital (EID): Commercial district capital improvements Services (ESD/ BID): Commercial district services	Assessed value of property, or business location in a commercial district	Versatile funding solutions to shared problems. Effective and well-managed districts have the potential for longterm stability and growth.
General Obligation (GO) Bonds	Property owners	Capital: Capital investments	Assessed value of property	Potential for substantial funding for capital investment. Passing a GO Bond requires careful campaigning.
Tax Increment Financing (TIF)*	Property owners	Capital: Improvements for economic development or housing	Increases to assessed value of property	Funds capital projects related to economic development and housing. Generates revenues without raising taxes.

Fees and Charges (“what you do”) – Unlike taxes, fees are typically tied to specific uses, like building permits, utility services, or park entry fees.

Revenue Tool	Who Primarily Pays?	What Does It Pay For?	What is Taxed?	Top Considerations
Franchise Fees and Utility License Fees (ULFs)*	Utility providers	Both: Services and capital improvements	Fees on utility service providers, who then pass on the costs to customers	Stable and broad revenue source with unrestricted uses, but there are uncertainties about future revenue growth with changing regulations.
Municipal Services Fees*	Utility customers	Both: Services and capital improvements	Municipal services (through utility bills)	Easy to generate revenue, but with political challenges and disproportionate impacts.
Fees for Specific Services*	Residents Visitors Businesses	Services mostly: services related to fee	Specific services (e.g., copies, permits, rentals)	Nexus between fee and benefit. Highly variable considerations city to city.
Fines and Penalties*	Residents Visitors Businesses	Services mostly: services related to the violation	Violations	Not a reliable funding source. But can promote compliance.
System Development Charges (SDCs)*	Developers	Capital: Infrastructure improvements	New development	Recovers a portion of costs associated with new development. Revenue is development-driven, likely fluctuating over time.

* Indicates used by City of Oregon City



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: City Manager Tony Konkol

Agenda Date: 11/12/2025

SUBJECT:

List of Future Work Session Agenda Items

BACKGROUND:

November 19, 2025 (Urban Renewal Commission)

Cove Water Quality Study Update

December 3, 2025

Jon Storm Dock update

December 9, 2025

Local Street Volume Analysis

Center Street Property discussion

Review of Trail News

January 13, 2026

System Development Charges – tiering rates and payment deferral options

City Flag and Seal discussion

January 21, 2026

Promenade discussion

February 10, 2026

Stormwater Monthly Fee Exemption Code Amendments

Review of Mural and Arts Commission Codes and Letter of Interest for Hwy 43

TBD

Tentative meeting with Confederated Tribes of Grand Ronde

Additional Upcoming Items (These items are in no particular order)

Beavercreek Road Concept Plan (Thimble Creek) Funding Discussion

Canemah Area - Encroachments in the Right-of-Way Policy Discussion

Clackamas County Water Environmental Services (WES) Rate Differential

Climate Action Plan Presentation (City of Milwaukie)

Frog Ferry Informational Update

Inclusionary Zoning options

South Fork Water Board - Mountain Line Easements Vacation

Urban Growth Management Agreement

CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

To: City Commission
From: City Manager Tony Konkol

Agenda Date: 11/12/2025

SUBJECT:

Update on City Projects

BACKGROUND:

The City Commission has requested that an update on the status of the following projects be provided at a work session monthly. The most current update for each project is in bold.

1. Public Works relocation from Center Street
A discussion about the future use of the Center Street properties is scheduled for the December work session.

Staff has started the permitting process for the relocation of the winter response material to Fir Street and started developing an IGA with WES for the long term use of their facility for sewage decanting.

Staff will be preparing the bid package for the Magnesium Chloride & Sanding Rock being relocated to Fir Street and continue working with WES staff to develop an IGA for long-term use of their facility for decanting raw sewage.

Design is underway for the relocation of the Magnesium Chloride (De-Icer) and Sanding Rock from Center Street to Fir Street. The scope and cost of this project is currently projected to require sealed bids to be submitted. Staff are working to confirm final locations on site and preparing the bid package. Winter weather work will continue out of the Old Center Street property this winter, with relocation of the facilities anticipated to be complete by Summer 2026.

City staff have met with Water Environment Services staff and WES has verbally agreed they can accept our raw sewage materials for decant. City staff have visited the WES decant site and been trained on using their facility.

Staff is finalizing design and location for the winter response tanks at Fir Street and has entered into discussions with Water Environmental Services to receive sewage materials at the treatment plant to be processed.

Staff is in the process of ordering new tanks for the winter response materials, which will be moved from Center Street to Fir Street. Locating the decant facility at the Mt. View yard has been challenging. Staff is investigating alternative locations and/or trucking the sewage materials to an off site location.

Staff continues to work with the consultant on the location and space planning for the relocation of the remaining assets at Center Street. Staff continues to work to final design for relocation of services from Center Street to other sites. The proposed 25-27 budget includes funding for the decant facility and magnesium chloride and sanding rock facility to be relocated.

Staff have hired a consultant that has prepared preliminary yard layouts and cost estimates to design and construct a decant facility at the Mountain View Reservoir site. The construction of the decant facility and relocation of existing winter response materials from the Center Street facility to the Mountain View and Fir Street facilities will allow for the Center Street facility to be vacated and a potential new use for the site to occur, which will be determined by the City Commission.

2. Quiet Zone

Mailers outlining the property acquisition process has been sent to the three impacted property owners and the right-of-way agent will work directly with the property owners to complete the property acquisition process.

The project team continues to refine design and right-of-way impacts. Once right-of-way impacts are finalized, staff will bring the list of questions to City Commission, requesting authorization to acquire property and property interested through Eminent Domain (if necessary) related to the Downtown Quiet Zone Project.

Staff continues to work with ODOT, the railroad and the consultant on revised cost estimates, design work and any necessary exceptions to standards.

Geotechnical explorations were completed on December 12. The consultant team is preparing to submit the Design Acceptance Phase (DAP) documents to the City and Oregon Department of Transportation. DAP is similar to 30% concept plans, where all parties buy into the concept and documentation of areas where the project will request exceptions to standards are identified. At the completion of DAP, the project team and move forward with Preparing Preliminary Plans and confirming impacts to private property. We've executed the IGA with ODOT for Right of Way Services. OC will still need to do a Resolution authorizing Eminent Domain if necessary, once we have a better understanding of the private property impacts.

The consultant team, in coordination with ODOT and the City, are preparing property acquisition documents that will be brought before the City Commission at the December 18, 2024 meeting. Survey crews have been performing field work and surveying the project area. Staff has been meeting with property owners, including Dutch Brothers to try and address the concerns they have about potential driveway closures and access to increase safety near the railroad crossing.

The ODOT consultant team is acquiring right of entry agreements from property owners to complete the survey work and will be preparing 30% plans for the project which will include an updated and more accurate cost estimate to complete the work. The selection committee identified a preferred consultant for the Quiet Zone project and ODOT is in the process of negotiating the consultant contract.

ODOT received 2 responses to the Quiet Zone request for proposals. The proposals are being reviewed and scored by staff and a team selection meeting is scheduled for March 8, 2024. ODOT has released the consultant solicitation request for proposals and a date has been set to review the proposals once they have been submitted.

The City has received ODOT's approximately 250-page scope of work and consultant procurement documents which will be reviewed and commented on. ODOT, which is the project manager for the project, has suggested approximately 6 months for the consultant procurement and up to 2 years for the design work, which will include coordination with the railroad, operation and maintenance agreements and review by the railroad. Staff is pushing to expedite the design work timeline.

On December 6, 2023 the City Commission received an update on the estimated cost of the Oregon City quiet zone project with updated inflationary construction escalations added to the original 2019 cost estimate, which was \$2.6 million. The new estimate increases the estimated construction cost by \$650,000. Based on the additional information, the City Commission approved an IGA with ODOT to begin the Oregon City quiet zone project.

3. Charter Parks

Staff is working to complete the on-street parking design alternatives as requested by the Commission.

The City Commission reviewed this item at the September 3, 2025 meeting and requested that staff review potential on-street parking options on the public rights-of-way on the street stubs adjacent to the Promenade.

The City Commission approved several letter to properties owners addressing the existing encroachments. There are 7 properties remaining to be addressed,

all of which including parking on the Promenade. It is anticipated that this item will be brought back to the City Commission for review at the September 3, 2025 meeting.

The City Commission has reviewed the properties and has directed staff to prepare letters to each property owner addressing the encroachments. Staff is preparing the letters and will be bringing them to the City Commission for review and approval at the August 6, 2025 meeting.

The City Commission completed a site visit of the McLoughlin Promenade to review the outstanding encroachments. Staff is anticipating bringing the topic back to the Commission discussion on June 4th.

Based on the January 15th meeting, this item will be brought back for a work session on March 11th. An update on the status of the properties encroaching into McLoughlin Promenade will be brought to the City Commission at the January 15, 2025 meeting for an update and direction on how to proceed.

Staff continues to contact and meet with property owners that have encroachments into the McLoughlin Promenade to review and explain the license agreement. Staff anticipate bringing an update to the Commission for direction in January/February of 2025. The City Commission reviewing the draft license agreement at the June 11, 2024 meeting.

Staff is working with the City Attorney to finalize draft license agreements to address encroachments that have been identified with the McLoughlin Promenade. A site tour of the McLoughlin Promenade is scheduled for January 8th. Staff is preparing additional options, such as temporary easements, to address existing structural encroachments onto the Promenade property.

Staff has categorized encroachments by type, with associated pictures of the encroachment, and is working to determine options to address the encroachments for the Commission to consider. The McLoughlin Promenade survey has been completed. The survey identified several potential existing encroachments into the Promenade property which will be discussed during a work session. Ermatinger House was approved as a Charter Park by the City Commission. The City Commission voted to not designate Dement Park as a Charter Park.

4. Cayuse 5 Memorial
There is no update related to this project.

Staff continues to work with representatives from the Confederated Tribes of the Umatilla Indian Reservation and allowing time for internal discussions to occur.

Staff continues to meet monthly with representatives from the Confederated Tribes of the Umatilla Indian Reservation. The city is awaiting feedback from CTUIR before any additional steps are taken.

Staff met with representatives from the Confederated Tribes of the Umatilla Indian Reservation and have continued discussions of phase 2 of the Cayuse 5 memorial. Additional discussions between CTUIR and the Confederated Tribes of Grand Ronde will be occurring to discuss the project.

There are no new updates on this project. A meeting is scheduled for the week of October 7th with representatives from the Confederated Tribes of the Umatilla Indian Reservation to discuss potential next steps.

The dedication of the Cayuse 5 Memorial took place on June 3, 2024. The first phase of this project is complete. A second phase has been discussed but there are no specifics related to the design at this time.

Construction of the Cayuse 5 Memorial has begun, and hand dug ground disturbing work is scheduled to begin the week of May 6th. This work will be completed in coordination with the Confederated Tribes of the Umatilla Indian Reservation and the Confederated Tribes of the Grand Ronde.

The Cayuse 5 Memorial construction contract has been approved by the City Commission and was awarded to Pioneer Waterproofing Company. Staff has scheduled a pre-construction meeting with Pioneer Waterproofing.

Staff is working with a potential contractor to review the scope of work and estimated costs to perform the work as identified in the bid notice. The City completed the bid advertisement for the project and did not receive any responses. Staff is currently contacting contractors to determine the concerns with the bid advertisement and/or project.

The final construction bid documents for the Cayuse Five Tribute have been completed. Below is the schedule for bidding, awarding, and (weather permitting) construction. The Confederated Tribes of the Umatilla Indian Reservation staff will be invited to the pre-construction meeting to coordinate all activities once the project has been awarded.

The land use application for the proposed memorial has been approved. There are no additional land use approvals necessary to move forward with the project. The memorial bid documents are being reviewed internally and staff is working with Confederated Tribes of the Umatilla Indian Reservation staff on the creation of an inadvertent discovery plan that will be included in the bid/contract information. The proposed memorial has been approved by the Historic Review Board and the information was presented to the Parks and Recreation Advisory Committee.

5. Courthouse

The developer of the Courthouse project will be providing an update to the City Commission at the November 19th meeting.

The County Commission received one proposal for the downtown courthouse redevelopment and will be moving forward with drafting an agreement for the sale and disposition of the property.

The County Commission is reviewing the proposal for the reuse of the courthouse and is currently accepting public comment. The County has provided the following information: *The Clackamas County Board of Commissioners will hear public testimony on Thursday, May 15 regarding a selection advisory committee's recommendation on a proposal to redevelop the old county courthouse in Oregon City.*

Level Development NW's proposal was the only one received during an extensive Request for Expressions of Interest process. The proposal to replace the 87-year-old courthouse with a mixed-use commercial building, which includes approximately 80 residential units, won the committee's approval.

The county expects the current courthouse on Main Street to be fully vacated by September 2025. The [replacement county courthouse](#) on the County's Red Soils Campus is set to open the public on May 19.

To learn about the submission and the advisory committee's recommendation, please visit [Main Street Courthouse RFEI | Clackamas County](#).

Public comment on the recommendation will begin shortly after the Board's Business Meeting begins on Thursday, May 15 at 10:00 a.m.

A joint Board of County Commissioner / City Commission meeting to discuss the courthouse is tentatively scheduled for the April 8th City Commission work session night. Oregon City will host the joint meeting. Staff will be contacting County staff to schedule a joint Board of County Commissioner / City Commission meeting and to discuss securing the courthouse once it is vacated.

The Courthouse committee has met multiple times to discuss the disposition of the Courthouse. The Mayor will provide an update on the committee meetings and next steps. A Courthouse committee has been created by the County and a site visit of the Courthouse has occurred. The first meeting of the committee is scheduled for October 15th.

The Mayor and City Manager met with the Assistant County Administrator to discuss the creation of a joint working group. It is anticipated that the working group will be comprised of 6 to 8 members, including the Mayor and County Chair, with the City and County selecting an equal number of members.

The Mayor and the City Manager met with the County Administrator to discuss the planning and future disposition of the County Courthouse and other buildings associated with the Courthouse on Main Street. The County Administrator proposed a working group led by County Chair Tootie Smith and Mayor McGriff, which would include a small group of interested parties to discuss the Courthouse and make a recommendation to the County Board of Commissioners for their consideration on how to proceed. City and County staff will be meeting to discuss the details of the working group as proposed.

City staff worked to support efforts by the Downtown Oregon City Association to apply for a Main Street grant to focus on the Courthouse located in downtown Oregon City. The grant required the property owner, which is Clackamas County, to sign the grant application, which unfortunately they did not agree to do. At this time there is no specific work being performed related to the future of the existing courthouse.

6. tumwata village

Staff met with Confederated Tribes of Grand Ronde staff to begin the process of formalizing an agreement to determine how to move forward with a project on the property.

The City Commission approved a grant agreement with the State of Oregon for the city to receive the \$12.5 million dollars. Staff is working to complete the transfer of the funds to the City and will begin discussions with the Confederated Tribes of the Grand Ronde on a potential project.

Staff is currently in discussion with the State to receive the \$12.5 million dollars that were allocated for public access/viewing along the Willamette River several years and has been returned to the State by Metro. It is anticipated that a formal agreement with the State will be brought to the Commission for consideration in August or September.

In discussions with the staff from the Confederated Tribe of the Grand Ronde, it was recommended that the joint meeting with the elected representatives from each organization occur in September/October to accommodate the elections that occur in September.

The Police Department worked with the Confederated Tribe of the Grand Ronde to remove the homeless camp located on the property. Demolition of the buildings damaged by the fire is on-going.

The Police Department has been in contact with the Confederated Tribes of the Grand Ronde to address a homeless camp that appears to be located on the property. Staff continues to work with staff from the Confederated Tribes of the Grand Ronde to address the impacts from the fire that occurred on the site and the demolition that is occurring.

The Planning Commission approved the Confederated Tribes of Grand Ronde land use application. The Confederated Tribes of Grand Ronde have submitted a land use application to amend the adopted framework plan for the property. The Planning Commission hearing of the application is scheduled for January 27, 2025.

The Confederated Tribes of Grand Ronde provided the City Commission an update at the May 7th work session and the demolition of the office building is nearly complete. A permit has been issued for the demolition of the office building located at the corner of 99E and Main Street. The Confederated Tribes of the Grand Ronde are scheduled to provide an update to the City Commission at the May 7th work session.

Staff continue to meet regularly with Staff from the Confederated Tribes of the Grand Ronde to discuss building demolition, site improvements, and land use planning requirements. The Confederated Tribes of the Grand Ronde are working on site remediation and the demolition of additional buildings on the property.

Willamette Falls Trust and Portland General Electric have signed a Feasibility and Cooperation Agreement enabling the Trust to assess a portion of PGE property on the island on the west side of the Willamette Falls for a project intended to return public access to the area.

In May staff completed a 4-hour site visit with the CTGR staff and consultant team to discuss the demolition that is occurring on the site and begin to discuss the proposed amendments proposed to implement the Tumwata Village Plan for the property. The site visit and discussion focused on infrastructure, design details, development phasing, and an introduction to the goals and objectives of CTGR for the redevelopment of the property. CTGR staff and their consultants have been meeting with City staff to understand specific technical infrastructure issues.

Staff have been meeting monthly with representatives from the Confederated Tribes of Grand Ronde (CTGR) to discuss on-going site work as well as future land use and development plans for the Tumwata Village Plan. CTGR staff has been working with the CTGR Tribal Council and Tribal members to finalize the Tumwata Village Plan. Once approved, the Tumwata Village Plan will be presented to the city and the public.

7. Canemah ROW issues

There has been no change in the project since the May 2023 update. The Canemah ROW issues will be brought before the City Commission at a future work session to discuss how to move forward with this project.

