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Clackamas County
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October 1, 2026

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

Public Hearing for Amendments to Clackamas County Code Appendix B.
No County General Funds are involved.

Previous Board Action/Review: Considered at 9/15/2026 Policy Session; moved to public hearing.
Performance Clackamas: Build Public trust through good government, and ensuring safe, healthy, and secure communities.

Counsel Review: Yes

Procurement Review: N/A

Contact Person: Paul Matthias-Bennetch

Contact Phone: (503) 742-5398

EXECUTIVE SUMMARY: Staff of the Building Codes and Code Enforcement programs, with the assistance of Counsel, have identified various Code provisions that would benefit from clarifying or supplemental amendments to enhance those programs' operations consistent with current County policy. This amendment to Appendix B is part of that package of proposed amendments. (Other proposed amendments to Chapters 2.07, 9.01, 9.02, and 9.03 considered concurrently.)

Appendix B: Fines – Code Enforcement: The most recent amendments to Appendix B mistakenly omitted language specifying that daily fines for continuing violations of the Building Code are subject to a \$1,000/day statutory cap (ORS 455.895(2)). This clarifying amendment does not alter the amounts of civil penalties currently authorized in Appendix B for discrete Code violations assessed by Code Enforcement (\$3,601 max. for Classification 1). Rather, it clarifies that the lower, \$1,000 max. penalty for Building Code violations only applies to *daily* penalties for *ongoing* violations.

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RECOMMENDATION: Staff recommends that the Board read the attached resolution to amend Appendix B of the Code at a public hearing (Business Meeting) by title only.

Respectfully submitted,

/s/ Paul Matthias-Bennetch

Paul W. Matthias-Bennetch
Assistant County Counsel

Attachments:

Draft Resolution; Amendments to Appendix B: Fines, DTD - Code Enforcement (**Exhibit A**).

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF CLACKAMAS COUNTY, STATE OF OREGON

A RESOLUTION OF THE CLACKAMAS
COUNTY BOARD OF COUNTY
COMMISSIONERS ADOPTING
CHANGED COUNTY FINES FOR
VIOLATIONS OF CHAPTER 9.02 OF THE
COUNTY CODE



Resolution No.

Page 1 of 2

This matter comes before the Board of County Commissioners of Clackamas County, Oregon, (the “Board”).

WHEREAS, the Board as part of the annual budget creation process reviews fines and adjusts them to achieve cost recovery. The fees for the period of July 1, 2026, through June 30, 2027, inclusive, were approved on June 17, 2026; and

WHEREAS, the fines for violation of Chapter 9.02 Application and Enforcement of the Clackamas County Building Code were not listed correctly in Appendix B when it was approved on June 17, 2026—the correct amounts and description of the fines for these violations are included in the attached revised Appendix B to the County Code as shown in Exhibit A; and

WHEREAS, in accordance with the Clackamas County Code section 1.01.090 fines are updated by Resolution for all County departments;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THAT:

Section 1: Pursuant to Section 1.01.090 of the Clackamas County Code, the Board adopts the fines shown on Exhibit A which are incorporated by this reference.

Section 2: The Board hereby directs that the changes to fines shown on attached Exhibit A shall be included in Appendix B of the Clackamas County Code.

Section 3: The County shall charge all fees and fines set by state or federal law. If such a fee or fine is changed the County shall charge the new amount when it becomes effective.

Section 4: Pursuant to ORS 310.145, the Board classifies the fines adopted by this resolution as fines are not subject to the limits of section 11b, Article XI of the Oregon Constitution.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF CLACKAMAS COUNTY, STATE OF OREGON

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Resolution No.

Page 2 of 2

Section 5: Effective Date. The changes to fees and fines authorized by Section 1 of this resolution and shown on Exhibit A shall become effective on October 1, 2026.

DATED this 1st day of October, 2026.

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Chair

Recording Secretary

APPENDIX B - FINES

EXHIBIT A

DTD - CODE ENFORCEMENT	Authorizing Legislation	Fine set by ORS	ORS auth. fine	Code auth. fine	Exempt from CPI	Fine Amount
Civil Penalties - DTD/Community Environment Compliance Hearings Officer - Covering the Zoning & Development Ordinance, and the following chapters; 6.08, Chronic Nuisance; 6.11, Graffiti; 7.03, Road Use; 9.01, Abatement of Dangerous Buildings and Structures; 9.02 Application and Enforcement of the Clackamas County Building Code; 9.03, Excavation & Grading; 10.03, Solid Waste & Waste Management; and 10.04, Recycling License	Code §2.07.120			x		
Violation Classification 1						\$ 1,029.00 Min. - \$ 3,601.00 Max.
Violation Classification 2						\$ 771.00 Min. - \$ 2,572.00 Max.
Violation Classification 3						\$ 514.00 Min. - \$ 1,543.00 Max.
Violation Classification 4						\$ 257.00 Min. - \$ 1,029.00 Max.
Civil Penalties - 9.02, Building Code (daily penalty for continuing violation)	ORS Chapter 455.895(2)		x			
Violation Classification 1 - continuing violation					X	\$ 750.00 Min. - \$ 1,000.00 Max. <i>Daily</i>
Forfeitures - Standard Citation Policy	Code §2.07.030.D			x		
Violation Classification 1						\$ 528.00
Violation Classification 2						\$ 422.00
Violation Classification 3						\$ 316.00
Violation Classification 4						\$ 210.00