



Billy J. Williams
County Counsel

June 25, 2026

BCC Agenda Date/Item: _____

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Amanda Keller
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Jeffrey D. Munns
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Board of County Commissioners
Clackamas County

Angela Hajihashemi
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**Second Reading and Approval of Amendments to
Clackamas County Code Chapter 8.10, Short-Term Rentals
and Declaring an Emergency. Increased fees to generate approximately \$558,100
of revenue to support short-term rental code enforcement.
No County General Funds are involved.**

Previous Board Action/Review: This matter previously came before the Board at a Issues on April 21, 2026, and June 2, 2026, First Reading of Ordinance 07-2026, June 11, 2026.

Performance Clackamas: Build Public trust through good government, and ensuring safe, healthy, and secure communities.

Counsel Review: JM 6/3/2026

Procurement Review: N/A

Contact Person: Jeffrey D. Munns

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EXECUTIVE SUMMARY: The proposed amendments to Chapter 8.10, Short-Term Rentals includes a requirement that all applicants obtain a Land Use Compatibility Statement (“LUCS”) from County Planning prior to the approval of their short-term rental (“STR”) registration. For existing registrations will also be required to obtain a LUCS during the renewal process. The amendment also establishes a renewal process for all STR registrations every two years.

The current STR fee is .85% of the amount charged for occupancy of the STR. The amendment increases that amount to 1.5% of the amount charged and moves the fee to Appendix A – Fees in the County Code. The fees are adjusted by Resolution in County Code and are increased annually by the applicable Consumer Price Index. The increase fee is estimated to result in revenue to support program costs of approximately \$558,100. The STR enforcement program will consist of two positions, a Code Enforcement Specialist and a Management Analyst 1.

Chapter 8.10, Short-Term Rentals regulates STRs using existing portions of County Code such as:

- 1. Chapter 6.05, Noise Control.
- 2. Chapter 7.01, Vehicle Parking and Towing.
- 3. Chapter 8.02, Transient Room Tax.

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4. Chapter 9.01, Code for the Abatement of Dangerous Buildings and Structures.
5. Chapter 9.02, Application and Enforcement of the Clackamas County Building Code.
6. Chapter 10.03, Solid Waste and Wastes Management.
7. Title 12 Zoning and Development Ordinance.

Chapter 8.10 also creates new regulatory requirements such as:

1. Failure to register a STR.
2. Failure to pay the STR fee.
3. STR subletting.
4. Exceeding the maximum occupancy for the STR.
5. Failure to include an STR registration number in an advertisement.
6. Transfer of an STR registration.
7. Failure to post the STR registration and contact information in a location visible from the nearest public roadway when the STR is occupied.

In 2026 the average daily rate for rentals in Clackamas County is \$261. The average length of stay is 3-4 days. The average total rate paid for an STR rental totals \$783-\$1,044. Staff estimate that there are over 1,300 STRs operating in Clackamas County with under 300 of them registered.

This Ordinance includes an emergency declaration to allow the amendments to Chapter 8.10 to be effective upon adoption to allow for staffing the new positions and to begin code enforcement during the summer rental season.

RECOMMENDATION: Staff recommend the Board read Ordinance 07-2026 to amend Chapter 8.10 of the code by title only, declaring an emergency, and hold the second public hearing on June 25, 2026, to consider public comment. Staff recommend the Board approve Ordinance 07-2026.

Respectfully submitted,



Jeffrey D. Munns
Assistant County Counsel

Attachments:
Draft Ordinance
Amendments to Chapter 8.10, Short-Term Rentals
STR Program Proposed Budget

ORDINANCE NO. 07-2026

**An Ordinance Adopting Clackamas County Code
Chapter 8.10, Short-Term Rentals and Declaring an Emergency**

WHEREAS, the Board finds it necessary to amend Chapter 8.10, Short-Term Rentals, to enhance public safety and livability with the unincorporated areas of Clackamas County for residents; and

Now, therefore, the Board of Commissioners of Clackamas County ordains as follows:

Section 1: Chapter 8.10, Short-Term Rentals, of the Clackamas County Code is hereby amended as shown in Exhibit "A", attached hereto and incorporated herein by this reference.

Section 2: The Board of Commissioners hereby finds and declares that an emergency exists because the immediate effect of this ordinance is necessary to allow for the protection of the public.

Section 3: Effective date. The amendments of Chapter 8.10 authorized by this ordinance and shown on the attachments shall become effective following the second reading and adoption of this Ordinance on June 25, 2026.

ADOPTED this 25th day of June 2026.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

Chapter 8.10

8.10 SHORT-TERM RENTALS

[Adopted by Ord. 09-2020 (11/25/20 – effective date 7/1/21); Effective date continued to 7/1/22 by BO 2021-23 (4/29/21); Effective date continued to 7/1/23 by BO 2022-62 (6/30/22); Repealed by Ord. 02-2022 (9/8/22 – effective 12/7/22); Adopted by Ord. 04-2023 (9/7/23 – effective date 12/6/23)]

8.10.010 Purpose

The purpose of this chapter is to regulate short-term rentals in order to enhance public safety and livability within the unincorporated areas of Clackamas County. Specifically, this chapter addresses public safety concerns typically associated with short-term rentals, and clarifies the process for both property owners and staff related to registering short-term rentals and enforcing violations of these standards.

[Added by Ord. 04-2023, 9/7/23]

8.10.020 Definitions

Except where the context otherwise requires, the definitions given in this section govern the construction of this chapter.

- A. ADMINISTRATOR means the County Administrator of Clackamas County or his/her designee.
- B. DWELLING UNIT is a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. For the purposes of this chapter only, a guest house is considered to be part of the dwelling unit to which it is accessory, even though it is a separate structure. Guest house shall have the meaning given to that term in Section 202 of the Clackamas County Zoning and Development Ordinance.
- ~~B.C.~~ LUCS means Land Use Compatibility Statement.
- ~~C.D.~~ OCCUPANTS means persons who are authorized to stay within a short-term rental.
- ~~D.E.~~ OWNER is the owner or owners of a dwelling unit used as a short-term rental.
- ~~E.F.~~ OVERNIGHT means anytime between the hours of 10 p.m. and 7 a.m. on the following day.
- ~~F.G.~~ PREMISES means the short-term rental and the lot on which it is located.
- ~~G.H.~~ REGISTRANT means the owner, or agent of the owner, designated on the registration to act for the owner, who is responsible for ensuring the short-term rental adheres to all applicable requirements to maintain a short-term rental registration.
- ~~H.I.~~ REGISTRATION means a short-term rental registration with the County as required by this Chapter.
- ~~I.J.~~ SHORT-TERM RENTAL means a dwelling unit, or portion of a dwelling unit, that is rented to any person or entity for lodging or residential purposes, for a period of up to 30 consecutive nights.
- ~~J.K.~~ SLEEPING AREA means a room or other space within a dwelling unit designed and intended primarily for sleeping.

[Added by Ord. 04-2023, 9/7/23]

8.10.030 Applicability

This chapter shall apply within the unincorporated areas of Clackamas County including within urban growth boundaries, but shall not apply within the boundaries of any incorporated city. This chapter does not apply to hotels, motels, bed and breakfast facilities, hostels, lodging and resort accommodations in commercial zones, campgrounds, recreational vehicle (RV) camping facilities, or organizational camps.

[Added by Ord. 04-2023, 9/7/23]

8.10.040 Short-Term Rental Registration Requirements

A. All short-term rentals shall be registered, except that any short-term rental that qualifies for an exemption to the Transient Room Tax under Section 8.02.060(C), as “incidental” use of the property, shall be exempt from the registration requirements set forth herein.

B. Any new Short-Term Rental must obtain an approved Land Use Compatibility Statement (LUCS) from the Clackamas County Department of Transportation and Development – Planning Division prior to completing the application to register as a short-term rental.

A.C. Short-Term Rentals in existence as of June 30, 2026, shall be required to obtain an approved LUCS during the renewal process. Conditional renewals will be issued for properties that do not have an existing LUCS at the time of renewal, subject to approval of a LUCS.

B.D. Application forms for a registration for a short-term rental ~~will be~~ available online at Clackamas.us/str and at County offices. Applications for registrations for a short-term rental must be submitted to the County by a signed affidavit of compliance. The application documents must include at least the following:

1. The location of the premises.
2. The true names, telephone numbers, addresses, and email addresses of the property owners.
3. That the use complies with all building and fire standards and all other applicable requirements in Section 8.10.050.
4. That the applicant has submitted a Transient Room Tax registration form to the County.
5. The name, telephone number, address, and email address of a contact person who shall be responsible and authorized to respond to complaints concerning the use of the short-term rental.
6. Proof of liability insurance coverage on the short-term rental.
7. Owner must prohibit STR renters from subleasing the property or otherwise using it to generate income, must terminate rental agreement immediately upon learning of such activities, and must not rent to anyone who the owner has reason to believe intends to use the STR for such activities.
8. That the applicant has met and will continue to comply with the standards and requirements of this chapter.

C.E. No short-term rental may be publicly advertised for rent unless it has been registered with the County.

F. A short-term rental registration terminates automatically if the property is transferred, or if state statutes, regulations or guidelines are modified or changed to prohibit operation of the short-term rental under this chapter.

G. A short-term rental registration terminates automatically two years after the date of issuance, unless a renewal registration application is approved by the county.

H. Registrants wishing to continue uninterrupted operation of a short-term rental shall submit a renewal application to the County a minimum of 60 days prior to the expiration of the registration.

~~D.I.~~ At the time of submission of a new or renewal short-term rental application, the registrant must pay the short-term rental application fee. The fee amount shall be set by resolution by the Board of County Commissioners

[Added by Ord. 04-2023, 9/7/23]

8.10.050 Standards and Conditions

Any short-term rental must comply with the following standards at all times, in addition to any other state and local requirements:

- A. Remittance of all applicable fees and taxes, ~~namely a state lodging tax currently at 1.5%, Clackamas County Transient Lodging Tax, currently at 6%, and a Clackamas County STR administration fee, currently at .85% of the amount charged for occupancy of the STR, including state and county transient lodging taxes and the Clackamas County Short-Term Rental Administration fee, as defined in Appendix A of the Clackamas County Code.~~
- B. Dwelling Unit. The short-term rental must be operated within a legally-established, permanent dwelling unit.
 - 1. The dwelling unit associated with a short-term rental shall not have been established through a land use approval or other approval process that specifically limited the use of the dwelling unit, the occupancy of the dwelling unit, or the duration of the existence of the dwelling unit. Examples of non-qualifying dwellings include those approved as an accessory farmworker dwelling, a caretaker dwelling, or a temporary dwelling for care.
 - 2. Guest houses may only be used as a short-term rental if the guest house has been legally established.
 - 3. Temporary sleeping accommodations such as tents and recreational vehicles are not considered to be dwelling units under the county's zoning and development ordinance and may not be used as a short-term rental.
- C. Maximum Occupancy. The number of occupants in the short-term rental shall not exceed the number of occupants authorized in the registration. The maximum occupancy shall be clearly posted in the short-term rental, disclosed in any advertising of the availability of the short-term rental, and included in any rental agreement with tenants. The maximum occupancy authorized in the registration for the short-term rental shall be calculated as follows:
 - 1. Two occupants per sleeping area, plus four additional occupants.

2. Roll-out beds, fold-out couches, or other similar temporary beds shall not be considered a "sleeping areas" for the purposes of calculating maximum allowed occupancy, but could accommodate the four additional occupants.
 3. In no case shall more than 15 occupants be authorized by a short-term rental registration. If only a portion of a dwelling unit is used as a short-term rental, all occupants, including those occupying the portion of the dwelling unit not used as a short-term rental, shall be counted toward the 15-occupant maximum.
- D. Noise. Notice shall be clearly posted in the short-term rental that identifies and informs occupants of their obligation to abide by the County's current noise control ordinance standards (Clackamas County Code Chapter 6.05).
- E. Parking. One off-street motor vehicle parking space per sleeping areas is required. Garage space may be used to meet required parking standards if evidence is provided that there is sufficient cleared garage space to fit a vehicle(s). All required parking spaces must be available for occupants to use.
1. In no event shall vehicles block access for emergency vehicles, block access to the premise, block a parked motor vehicle, or otherwise park in a manner that violates the County's current parking and towing ordinance standards (Clackamas County Code Chapter 7.01). Violation of this section may subject the offending vehicle to immediate tow pursuant to ORS 98.853.
- F. Short-term rentals in dwellings approved under the "resort accommodations" category in the Rural Tourist Commercial district are not required to provide more off-street parking than was required and approved under Zoning and Development Ordinance provisions.
- G. Garbage. All garbage from a short-term rental shall be legally removed from the premises by the owner, occupant or franchised service provider at least once per week during any week, or portion thereof, in which the short-term rental is occupied. All outdoor garbage receptacles shall be covered and secured to prevent spillage. Recycling container(s) shall be available for use by renters.
- H. Registration Identification. The registration identification number assigned to the short-term rental by the Administrator shall be included on any advertisement or rental platform where the short-term rental is offered to the public for occupancy.
- I. Contact information for the responsible party as well as the County's registration identification number shall be posted, while paying guests are on the property, in an area and size to be readily visible from the nearest public roadway.
- J. Building and Fire Safety. A short-term rental shall comply with all ordinances that apply to a dwelling, and all structural components shall be kept in sound condition and good repair. In addition:
1. Working smoke detectors and carbon monoxide detectors shall be installed and maintained in locations as required by the Oregon Residential Specialty Code.
 2. Working fire extinguishers shall be placed in the kitchen and next to each wood burning appliance in an easily accessible location. A minimum of two (2) extinguishers are required in each Dwelling Unit.
 3. Code-compliant pool and hot tub barriers shall be present.

4. Every sleeping area shall have not less than one operable emergency escape and rescue opening, including basement sleeping areas.
5. The dwelling shall have no open building or zoning code violations.

[Added by Ord. 04-2023, 9/7/23]

8.10.060 Examination of Books, Records and Premises

To determine compliance with the requirements of this chapter, the Clackamas County Zoning and Development Ordinance, and any local tax measures, the Administrator may examine or cause to be examined by an agent or representative designated by the Administrator, at any reasonable time, the premises, and any and all financial, operational and facility information, including books, papers, and state and federal income tax returns. Every owner is directed and required to furnish to the Administrator the means, facilities and opportunity for making such examinations and investigations.

[Added by Ord. 04-2023, 9/7/23]

8.10.070 Emergency Revocation

A. In the sole determination of the County, when a violation of the building code or applicable county ordinance exists at a short-term rental that presents an immediate serious fire or life safety risk, the Clackamas County Building Official may immediately revoke the short-term rental registration as a fire or life safety risk if a dangerous building posting has been initiated pursuant to County Code Chapter 9.01. Any appeal of the revocation of the short-term rental registration shall be done in conjunction with an appeal of the dangerous building notice as provided in County Code section 9.01.150. ~~The Clackamas County Building Official shall provide written documentation of the violation, and notification of the owner's right to appeal, as provided in 8.10.100.~~

B. ~~Upon an emergency revocation, the short-term rental shall not be rented or used as a short-term rental unless the revocation is withdrawn or a new short-term rental registration has been obtained.~~

C. ~~At any time following the emergency revocation of a short-term rental registration pursuant to this subsection, the Clackamas County Building Official may reinstate the registration upon an inspection by the Clackamas County Building Official verifying that the subject building code or county ordinance violation has been corrected.~~

[Added by Ord. 04-2023, 9/7/23]

8.10.080 Administration and Enforcement

The County encourages owners, registrants, occupants, and affected residents and owners of nearby properties, to contact the Short-Term Rental Registration Program ~~cooperate~~ directly to report violations of this chapter. This report may be made and contact information will not be shared with the responsible party unless ordered by a court. ~~resolve conflicts arising from the occupancy of any short-term rental. Along those lines, the first attempt to remedy a violation of any of the standards in this chapter should be to contact the representative associated with the registration, as identified in the approval notice and the required short-term rental posting. In the event that the listed representative does not respond within 24 hours or does not adequately remedy the issue, the Clackamas County Department of Finance should be notified.~~

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- A. For acts of noncompliance, the ~~Department of Finance~~Short-Term Rental Registration Program shall administer, supervise, and perform all acts necessary to enforce this chapter or any other chapters of the Clackamas County Code applicable to short-term rentals, except as otherwise provided for in state law or in the Clackamas County Code such as, but not limited to, those regulations for which the Clackamas County Sheriff's Office, or an applicable fire district, has been vested with enforcement authority.
- B. When noncompliance is suspected but not yet confirmed, program staff shall issue an allege letter as described in Code Section 2.07.030(A)(1) ~~a warning~~ in writing, advising an owner and/or registrant, or an Occupant/renter of the property, of an alleged violation(s) of this chapter or the County's noise control ordinance standards (Clackamas County Code Chapter 6.05) or the County's parking and towing ordinance standards (Clackamas County Code Chapter 7.01) related to the same short-term rental. ~~Two is the maximum number of warnings a short-term rental is entitled to receive before formal enforcement actions are initiated.~~
- C. Except as otherwise provided in this chapter, Chapter 2.07 of the Clackamas County Code shall govern the process for enforcement of this chapter, including but not limited to the notice and procedures associated with any compliance hearing.
- D. An owner that operates a short-term rental, or an Occupant/renter, who violates any provision of this chapter without an approved registration or while suspended from the program for a violation(s) of this Chapter shall ~~may~~ be subject to immediate citation. A Violation Letter, as described in Code Section 2.07.030(A)(3) is not required to be sent prior to the issuance of a citation.
- E. A person who receives a citation for violation of this chapter shall respond within thirty (30) days of the issuance of the citation by demonstrating resolution of the violation and payment of any penalties established under this chapter, or by requesting a hearing as provided in ~~this section~~Chapter 2.07.
- F. The provisions in this section do not apply if the Administrator or Hearings Officer have reason to believe that the violation(s) pose an immediate threat to the health, life, and safety of occupants and may impose Emergency Revocation measures as identified in Section .070 of this Chapter.

[Added by Ord. 04-2023, 9/7/23]

8.10.090 Penalties

- A. Violation of this chapter shall be punishable by suspension or revocation of a short-term rental registration, and/or by a penalty or fine in an amount set by resolution of the Board of County Commissioners.
- B. The Code Enforcement Hearings Officer may, at their discretion, impose requirements for noise or occupancy monitoring systems for violations of this Chapter.

[Added by Ord. 04-2023, 9/7/23]

8.10.100 Transition Provisions and Applicability Dates

It is the intent of the Board of County Commissioners that this Chapter be revisited in 2 years after the effective date of the adoption of the ordinance establishing this Chapter. At that time,

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~~the Board of County Commissioners shall evaluate the cost and efficacy of the program and make a determination whether to continue, amend, or discontinue the regulation of short-term rentals.~~

[Added by Ord. 04-2023, 9/7/23]

Short-Term Rental Registration Program Proposal

	<u>FY26-27</u>	
Personnel Services	\$316,500	2 FTE
Materials & Services	\$139,000	Based on Code Enforcement
Capital Outlay	<u>\$43,000</u>	1 vehicle & upfitting
Operating Expenditures	\$498,500	
Contingency	<u>\$49,850</u>	Programmatic variables
Total Appropriated	\$548,350	
Reserve for Future Expenditures	<u>\$9,750</u>	Vehicle/equipment lifecycles
Total Expense	\$558,100	