



OFFICE OF THE COUNTY ADMINISTRATOR
PUBLIC SERVICES BUILDING
2051 KAEN ROAD | OREGON CITY, OR 97045

July 17, 2025

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

**Approval of a Board Order for Limited Delegation to Hear and Decide a Noise Variance Appeal.
No fiscal impact. No County General Funds are involved.**

Previous Board Action/Review	Briefed at Issues – July 15, 2025		
Performance Clackamas	1. Which indicator of success does this item affect? Ensure safe, healthy and secure communities		
Counsel Review	Yes	Procurement Review	No
Contact Person	Tony Mayernik	Contact Phone	503-742-5920

EXECUTIVE SUMMARY: Clackamas County Code Chapter 6.05, Noise Control, regulates noise levels in the unincorporated areas of the county. The code generally prohibits unreasonable noise with exceptions for certain activities and provides a process to request a variance. If the variance is denied, applicants have the right to appeal to the Board of County Commissioners.

An applicant has appealed the denial of a noise variance. Per Chapter 6.05, the Board of County Commissioners shall review the noise variance application de novo and render a decision within 15 days. Staff believe it is in the best interests of Clackamas County that authority to review and consider the noise variance appeal be delegated to the County Administrator in this limited instance. The Board on July 15, 2025 delegated this to the Administrator. The enclosed Board Order memorializes that decision.

RECOMMENDATION: Staff recommends the Board of County Commissioners approve the Board Order.

Respectfully submitted,

Gary Schmidt
County Administrator

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**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of a Limited
Delegation to Hear and Decide a
Noise Variance Appeal



Board Order No. _____

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Whereas, County Code Chapter 6.05 sets forth rules and restrictions to reduce, control, and prevent loud and raucous noises that unreasonably disturb, injure, or endanger the comfort, repose, health, peace or safety, or causes public inconvenience, annoyance, or alarm, to reasonable persons of ordinary sensitivity;

Whereas, County Code Section 6.05.070 provides that any person who is planning the operation of a sound source which may otherwise violate the restrictions set forth in Chapter 6.05 may apply for a variance from such prohibitions;

Whereas, the Clackamas County Board of Commissioners (the "Board") has authority to hear and decide appeals of noise variance decisions under Section 6.05.070;

Whereas, the Board may delegate its quasi-judicial authority under Section 2.09.060(C);

Whereas, on July 3, 2025, Amy Burns timely filed a noise variance appeal with the Board; and

Whereas, the Board has determined that it is in the best interests of Clackamas County that authority to review and consider the noise variance appeal be delegated to the Clackamas County Administrator;

NOW, THEREFORE, the Clackamas County Board of Commissioners orders as follows:

1. The Clackamas County Administrator is hereby delegated this one-time authority to consider, review, issue, modify, or deny this noise variance appeal in accordance with Section 6.05.070 of the Clackamas County Code, and to take such actions as are reasonably related to the same. This delegation of authority expressly includes, but is not limited to, the authority to approve variance requests, approve variance requests subject to conditions, or deny variance requests. Any exercise of authority delegated hereunder shall be in accordance with Chapter 6.05 of the Clackamas County Code.

DATED this ____ day of July., 2025.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary