



MARION COUNTY BOARD OF COMMISSIONERS WORK SESSION

Code Enforcement Update Minutes

Thursday, January 22, 2026, 1:30 p.m. – 2:30 p.m.
Commissioners' Boardroom
Courthouse Square, 555 Court St. NE, Suite 5231
Salem, Oregon 97301

Attendance:

Commissioner's: Colm Willis, Danielle Bethell, and Kevin Cameron.

Board's Office: Toni Whitler, Heather Inyama, Trevor Lane, and Matt Lawyer.

Legal Counsel: Steve Elzinga, Jennifer Rogers, Andrew Mittendorf, and Cody Hawkins.

Sheriff's Office: Chad Goffin, and Jeremy Landers.

Commissioner Colm Willis called the meeting to order at 1:34 a.m.

1. Welcome & Introductions

-Commissioner Colm Willis

2. Discussion on Code Enforcement Update

-Cody Hawkins

- Compliance-focused, aiming for voluntary resolution before court.
 - Typical process:
 - Complaint.
 - Investigation.
 - Education/notice.
 - Citation.
 - Court.
 - Board approval sought before initiating Circuit Court actions.
- Complaints, investigations, and staffing:
 - Most cases community complaint-driven rather than self-initiated:
 - By email, phone, in-person, board referrals, and other agencies.
 - Investigations include site visits, documentation, and notices of violation.
 - Education letters used when visits are delayed to encourage compliance.
 - Third officer improved follow-up, closure rates and allowed proactive work.
- Working with property owners:
 - Staff focus on individualized compliance plans:
 - Permitting pathways for land-use issues.
 - Staged cleanups for solid waste when resources limited.
 - Many are resistant but often become appreciative once conditions improve.
- Justice Court vs. Circuit Court
 - Justice Court:
 - Used for most citations.
 - Faster timeline of roughly 90 days.
 - Tools are mainly fines;

- Serves as a leverage point to re-engage violators.
- Circuit Court:
 - Used less frequently and for more serious or persistent cases.
 - Injunctions, closure orders, receivership, and cost recovery via liens.
 - Slower and complex but address chronic nuisance/crime properties.
- Costs and incentives:
 - Estimated internal cost ranges for different stages:
 - Pre-citation, Justice Court, Circuit Court, and post-judgment.
 - Legal time tracked and in three-year average cost allocation to departments.
 - Concerned cost allocation discourages Sheriff's Office using Circuit Court.
 - Ensure enforcement decisions driven by community need, not budget impacts.
- Policy direction from the Board:
 - Current priority is compliance:
 - Avoid allowing long-term, harmful violations to persist.
 - Use Circuit Court and stronger tools for hard or high-impact cases.
 - Keep informed of significant cases and trends.

3. Other

-All

- Risk, vehicles, and cost responsibilities:
 - Risk and litigation costs are allocated across departments and risk fund.
 - Concern about incidents with broadly spread costs diluting accountability.
 - Interest in distinguishing between:
 - Necessary, justified incidents like public safety emergencies.
 - Avoidable losses that should have clearer budget impact.
- Public expectations and fairness:
 - Taxpayers pay for compliance and may resent subsidizing those who refuse.
 - Make explainable policies when absorbing unrecovered enforcement costs.
- Code language clarification:
 - Case dismissed because citation had tax lot number and no street address.
 - Some code sections use "tax lot number or street address", others say "and".
 - Standardize language to allow by tax lot number or street address:
 - Align across sections.

4. Next Steps

-All

- Compliance-first approach:
 - Education, notices, and reasonable timelines.
 - Court actions for non-compliant or serious cases.
- Open to more assertive action:
 - Violations are chronic,
 - There are public health/safety concerns,
 - Justice Court fines are not effective.
- Provide summary updates, twice a year, on:
 - Active caseload and trends,
 - Key successes and persistent problem properties,
 - Use and outcomes of Justice vs. Circuit Court.
- Bring borderline cases to the board earlier for guidance on escalation.
- Amend county code regarding location:
 - Describe by tax lot number or street address.

- Meet with finance/risk leadership to:
 - Review how code-enforcement-related legal costs are allocated.
 - Adjustments that avoid penalizing good use of legal tools like Circuit Court.

Adjourned – time: 2:21 p.m.

Minutes by: Mary Vityukova

Reviewed by: Gary L. White