

November 3, 2025

Clackamas County Board of Commissioners

RE: Request for Immediate Implementation of Short-Term Rental Enforcement Mechanisms Under County Code Chapter 8.10

Dear Chair Roberts and Commissioners,

Executive Summary

The Mount Hood Livability Coalition and Hoodland CPO, respectfully requests immediate action to implement the enforcement mechanisms already established in Clackamas County Code Chapter 8.10. After nearly two years of operation, the Short-Term Rental (STR) program has failed to achieve its stated purpose under Section 8.10.010 to "enhance public safety and livability" due to complete absence of enforcement. We request the Board direct staff to implement the specific measures outlined below within 90 days, utilizing existing legal authority and funding the program through increased STR fees as authorized under Section 8.10.050(A).

Current Enforcement Failures Under Existing Law

Our review of active STRs reveals systematic non-compliance with mandatory requirements under Chapter 8.10, with no evidence of enforcement action despite clear legal authority:

Section 8.10.050(I) Posting Requirements - Zero Compliance Verification

County Code mandates that "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." Community monitoring indicates widespread non-compliance with this mandatory requirement, yet no enforcement actions have been documented.

Section 8.10.080 Progressive Enforcement - Never Implemented

The ordinance establishes a clear enforcement structure requiring written warnings followed by formal enforcement actions. Despite hundreds of registered rentals and ongoing community complaints regarding noise violations (County Code Chapter 6.05), parking violations (County Code Chapter 7.01), and occupancy violations, no warnings, suspensions, or revocations have been issued.

Section 8.10.060 Examination Authority - Unused

The County possesses explicit authority to "examine or cause to be examined by an agent or representative designated by the Administrator, at any reasonable time, the premises," yet this authority has never been exercised for compliance verification.

Specific Implementation Requests

1. Immediate Staffing and Budget Allocation

Request: Allocate 1.0 FTE Code Enforcement Officer position dedicated to STR compliance, funded through increased administration fees under Section 8.10.050(A).

Legal Authority: Section 8.10.080(A) grants the Department of Finance authority to "administer, supervise, and perform all acts necessary to enforce this chapter."

Precedent: The City of Santa Fe employs dedicated staff in the Land Use Department who actively monitor STR compliance, resulting in measurable enforcement outcomes including violation notices and permit revocations.

Budget Impact: Increase current 0.85% STR administration fee to a rate sufficient to generate budget support of one FTE annually, sufficient to fund a dedicated enforcement position, based on current STR volume.

2. Mandatory Proactive Compliance Monitoring

Request: Implement quarterly compliance verification program including:

- Physical verification of posting requirements under Section 8.10.050(I)
- Platform monitoring for proper registration display under Section 8.10.050(H)
- Annual safety equipment verification under Section 8.10.050(J)

Proposed Code Amendment - Section 8.10.050(K):

"Mandatory Annual Compliance Verification. All registered short-term rentals shall be subject to annual compliance verification conducted by County staff or authorized agents. Such verification may include physical inspection of posting requirements, occupancy calculations, safety equipment, and advertising compliance. Failure to allow such verification shall result in immediate suspension under Section 8.10.080."

3. Technology-Enhanced Enforcement

Request: Contract with third-party monitoring service to identify unregistered STRs and verify compliance with advertising requirements.

Legal Authority: Section 8.10.040(C) prohibits advertising without registration; Section 8.10.050(H) requires registration numbers in advertisements.

Oregon Precedent: Portland utilizes technology platforms to verify residency requirements and permit compliance. Santa Fe contracts with Host Compliance for platform monitoring and violation identification.

4. Emergency Authority Implementation

Request: Immediate activation of Section 8.10.070 emergency revocation authority for documented fire safety violations.

Current Gap: Despite existing authority for "immediate revocation" when violations "present an immediate serious fire or life safety risk," no emergency revocations have been documented despite community reports of fire pit usage during high-risk periods and overcrowding violations.

Performance Metrics and Accountability

Request: Establish mandatory quarterly reporting to include:

- Number of compliance inspections conducted
- Violations identified by type and resolution status
- Revenue collected from penalties under Section 8.10.090
- Average complaint response time against 24-hour standard in Section 8.10.080 • Number of registrations suspended or revoked

Proposed Implementation Timeline

60 Days:

- Hire dedicated STR enforcement officer
- Establish third-party monitoring contract
- Begin systematic review of existing registrations

90 Days:

- Launch proactive compliance monitoring program
- Implement quarterly platform verification
- Issue first round of compliance notices for posting violations

120 Days:

- Complete first cycle of mandatory annual compliance verification
- Establish violation tracking and resolution database
- Begin emergency authority implementation for safety violations

180 Days:

- Present first quarterly enforcement report to Board
- Evaluate program effectiveness under Section 8.10.100 review provision

Legal Compliance and Constitutional Considerations

These enforcement recommendations operate entirely within existing County authority under ORS 203.035 (county police powers) and Chapter 8.10. Oregon state law permits local jurisdictions to regulate STRs through zoning and safety ordinances, as evidenced by successful programs in Portland, Eugene, and Santa Fe. No constitutional issues arise from enforcing validly enacted regulations.

Community Impact and Economic Benefits

Public Safety: Enhanced enforcement will address documented fire safety risks, overcrowding hazards, and emergency access issues, fulfilling the ordinance's stated purpose under Section 8.10.010.

Revenue Generation: Proper enforcement will capture currently unpaid taxes and fees while creating sustainable funding for continued program operation.

Tourism Balance: Effective regulation preserves Mount Hood's appeal to responsible visitors while protecting residential livability, supporting long-term economic sustainability.

Conclusion and Request for Action

The Mount Hood Livability Coalition, and the Hoodland CPO representing over 200 community members, respectfully requests the Board exercise its legal authority to implement the enforcement mechanisms already established in Chapter 8.10. The regulatory framework exists; what is needed is the political will and resource allocation to make it functional.

We request the Board:

- 1. Direct staff to implement all enforcement mechanisms within 90 days**
- 2. Allocate dedicated staffing and budget for STR enforcement**
- 3. Establish quarterly performance reporting requirements**
- 4. Schedule public hearing within 60 days to discuss implementation plan**

The community supported STR regulation with the understanding that rules would be meaningfully enforced. Two years of non-enforcement has eroded public trust and rendered the program ineffective. We respectfully urge immediate action to fulfill the Board's stated commitment to enhance public safety and livability in unincorporated Clackamas County.

We welcome the opportunity to discuss these recommendations in detail and stand ready to support effective implementation of STR enforcement.

Respectfully submitted,

Mount Hood Livability Coalition Board of Directors
Hoodland CPO

