

RESOLUTION NO. 2026-45

A Resolution approving the removal of a code compliance lien from a property.

RECITALS:

WHEREAS, On August 13, 2019, the McMinnville City Council adopted Ordinances No. 5078 and 5079, amending the McMinnville Municipal Code to restructure the code compliance program with an emphasis on efficiency, timeliness, voluntary compliance, and the ability to abate properties and issue civil penalties when voluntary compliance was not achieved; and

WHEREAS, per Section 2.50.250(F) of the McMinnville Municipal Code, if the city needs to obtain a correction action warrant to abate properties that were not voluntarily abated for public safety, health, and welfare, the city can bill the property owner for the full cost recovery of that abatement; and

WHEREAS, per Section 2.50.250(F)(2) of the McMinnville Municipal Code, if the property owner refuses to pay the full costs of the correction action within thirty (30) days, the City Council can lien the property by resolution; and

WHEREAS, Per Section 2.50.250(F)(2) of the McMinnville Municipal Code, assessment of delinquent correction action costs to be entered in the docket of city liens must be made by city council resolution.

WHEREAS, Per Section 2.50.310(A) of the McMinnville Municipal Code, if it is found that a code violation exists and has not been corrected within ten (10) days of the date of the notice of code violation or the final order issued upon appeal of the notice, the city manager or designee may impose a civil penalty; and

WHEREAS, Per Section 2.50.310(E)(6) of the McMinnville Municipal Code, the amount of the civil penalty may become a lien on the property if not paid within thirty (30) days of invoicing; and

WHEREAS, on April 14, 2026, the McMinnville City Council approved Resolution No. 2026-21, authorizing a lien of \$500 on the property of 696 NW Fenton Street for the nonpayment of a citation in 2025; and

WHEREAS, the property sold to a new property owner on February 11, 2026; and

WHEREAS, \$6,221.09 of outstanding code enforcement liens were paid on February 11, 2026 with the property transaction; and

WHEREAS, the City's property owner database did not register the change in ownership until after April 14, 2026;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF McMinnville, OREGON, as follows:

1. That the \$500 lien authorized via Resolution No. 2026-21 for the property located at 696 NW Fenton Street, is hereby removed.
2. Staff is directed to remove the lien from the city's lien database.
3. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until modified, revoked, or replaced.

Adopted by the Council of the City of McMinnville at a regular meeting held the 11th day of August, 2026 by the following votes:

Ayes: Benner, Geary, Cunningham, Tucholsky, Chenoweth, Peralta

Nays: _____

Approved this 11th day of August 2026.



MAYOR

Approved as to form:



City Attorney

Attest:



City Recorder