



TUALATIN CITY COUNCIL MEETING

Monday, March 09, 2026

TUALATIN CITY SERVICES
10699 SW HERMAN ROAD
TUALATIN, OR 97062

Mayor Frank Bubenik
Council President Valerie Pratt
Councilor Maria Reyes Councilor Bridget Brooks
Councilor Christen Sacco Councilor Cyndy Hillier
Councilor Octavio Gonzalez

To the extent possible, the public is encouraged to watch the meeting live on local cable channel 28, or on the City's website.

For those wishing to provide comment during the meeting, there is one opportunity on the agenda: Public Comment. Written statements may be sent in advance of the meeting to Deputy City Recorder Nicole Morris up until 4:30 pm on Monday, March 9. These statements will be included in the official meeting record, but not read during the meeting.

For those who would prefer to make verbal comment, there are two ways to do so: either by speaking in person or entering the meeting using the zoom link and writing your name in chat. As always, public comment is limited to three minutes per person.

Phone: +1 669 900 6833

Meeting ID: 861 2129 3664

Password: 18880

Link: <https://us02web.zoom.us/j/86121293664?pwd=SS9XZUZyT3FnMk5rbDVKN2pWbnZ6UT09>

7:00 P.M. CITY COUNCIL MEETING

Call to Order

Pledge of Allegiance

Announcements

1. Proclamation Declaring April 6-10, 2026 National Community Development Week in the City of Tualatin
2. New Employee Introduction- Volunteer Program Manager Kate Griffin

Public Comment

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

Consent Agenda

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda.

1. Consideration of Approval of the Work Session and Regular Meeting Minutes of February 23, 2026
2. Consideration of **Resolution No. 5943-26** Increasing Nyberg Creek Trail Construction Project Change Order Authorization Amount with Nutter Corporation
3. Consideration of **Resolution No. 5946-26** Authorizing the City Manager to Execute an Intergovernmental Agreement with Washington County for Recycling Contamination Reduction Education

Special Reports

1. Outside Agency Grant Awardee- Ride Connection

Public Hearings - Legislative or Other

1. Consideration of **Ordinance No. 1454-26** Adopting a City-Initiated Code Amendment to the Tualatin Development Code to Include the Keeping of Domestic Fowl as a Permitted Use in the Low Density Residential District

General Business

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

1. Consideration of **Ordinance No. 1455-26** Amending the Tualatin Municipal Code Title 6-15 Regulations Related to the Keeping of Backyard Chickens to include Domestic Fowl
2. Presentation on the Tualatin-Sherwood Road Rail Crossing Study.

Items Removed from Consent Agenda

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

Council Communications

1. Proclamation and Pledge Request- Older Americans Month

2. Proclamation Request- Month of the Military Child

Adjournment

Meeting materials, including agendas, packets, public hearing and public comment guidelines, and Mayor and Councilor bios are available at www.tualatinoregon.gov/citycouncil.

Tualatin City Council meets are broadcast live, and recorded, by Tualatin Valley Community Television (TVCTV) Government Access Programming. For more information, contact TVCTV at 503.629.8534 or visit www.tvctv.org/tualatin.

In compliance with the Americans with Disabilities Act, this meeting location is accessible to persons with disabilities. To request accommodations, please contact the City Manager's Office at 503.691.3011 36 hours in advance of the meeting.



Proclamation

WHEREAS, the week of April 6-10, 2026 has been designated as National Community Development Week by the National Community Development Association to celebrate the Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships (HOME) Program; and

WHEREAS, the CDBG Program provides annual funding and flexibility to local communities to provide decent, safe and sanitary housing, a suitable living environment and economic opportunities to low-and moderate-income people; and

WHEREAS, the HOME Investment Partnerships (HOME) Program provides funding to local communities to create decent, safe, affordable housing opportunities for low-income persons. Nationally, over one million units of affordable housing have been completed using HOME funds; and

WHEREAS, over the programs' history, our community has received a total of \$1,810,617 in CDBG funds;

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, Oregon that the week of April 6-10, 2026 is National Community Development Week in support of these two valuable programs that have made tremendous contributions to the viability of the housing stock, infrastructure, public services, and economic vitality of our community. The Council urges Congress and the Administration to recognize the outstanding work being done locally and nationally by the Community Development Block Grant Program and the HOME Investment Partnerships Program by supporting increased funding for both programs in FY2026.

INTRODUCED AND ADOPTED this 9th day of March, 2026.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder





CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: March 9, 2026

SUBJECT:
Consideration of Approval of the Work Session and Regular Meeting Minutes of February 23, 2026

RECOMMENDATION:
Staff respectfully recommends the Council adopt the attached minutes.

ATTACHMENTS:

- City Council Work Session Meeting Minutes of February 23, 2026
- City Council Regular Meeting Minutes of February 23, 2026



TUALATIN CITY COUNCIL

OFFICIAL WORK SESSION MEETING MINUTES FOR FEBRUARY 23, 2026

PRESENT: Mayor Frank Bubenik (via zoom), Council President Valerie Pratt, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Cyndy Hillier, Councilor Christen Sacco, Councilor Octavio Gonzalez

Council President Pratt called the meeting to order at 5:30 p.m.

1. Website Redesign Update.

Deputy City Manager Megan George and Creative Communications and Marketing Program Manager Heidi Stanley presented an update on the City's website redesign project. Deputy City Manager George stated the project is currently in the content migration phase and remains on budget. She stated staff are finalizing content migration, completing third party integrations, and conducting internal testing and quality assurance. The next phase will include a structured beta test involving staff, members of the City Council, and members of the public.

Manager Stanley provided a preview of the redesigned website and demonstrated key features.

Councilor Brooks asked about search functionality for meeting agendas and minutes. Deputy City Manager George stated staff is working through the integration with Municode Meetings and evaluating how that integration will function within the new website. She stated the goal is for the meeting materials to be integrated into the site.

Councilor Brooks asked whether regional committees would be listed on the website. Deputy City Manager George stated the website lists only City advisory committees. She noted that regional committee participation could be reflected within individual Councilor biographies.

Councilor Gonzalez asked about language accessibility options. Manager Stanley demonstrated the language translation feature, stating the website uses Google Translate to provide multilingual access.

Council President Pratt stated she would like the ability to search specifically by agenda items. She also asked how users would locate building permit information and building code references. Deputy City Manager George stated the search function will return results based on keywords appearing throughout the website and related pages.

Council President Pratt asked where CERT information is located on the website. Deputy City Manager George stated the Community Emergency Response Team information is listed under the emergency preparedness section.

2. Discussion and Consideration of Next Steps for the Business Honey Bucket.

Community Development Director Aquilla Hurd-Ravich and City Attorney Kevin McConnell presented information regarding a request from Honey Bucket for a Plan Text Amendment to allow solid waste treatment and recycling facilities in the Light Manufacturing (ML) Planning

District. Director Hurd-Ravich provided background on the request. She stated a code enforcement investigation was initiated in October 2024. In June 2025, a formal request for interpretation was submitted to the City regarding the use classification. The interpretation determined the use met the definition of a Solid Waste and Recycling Facility. A request for review of that interpretation was submitted in July 2025, and the City Council subsequently held a public hearing and upheld the staff determination.

Director Hurd-Ravich stated staff has continued working with Honey Bucket and has developed a Voluntary Compliance Agreement. City Attorney McConnell explained the agreement holds the matter in abeyance while the applicant works to satisfy the terms of the agreement and while staff seeks direction from the Council regarding potential legislative action.

Director Hurd-Ravich reviewed the purpose of the Light Manufacturing Planning District, stating the ML zone is intended to provide suitable areas for light industrial uses and limited supportive commercial activities while buffering residential and commercial areas from heavy manufacturing and prohibiting hazardous or environmentally adverse operations. She provided examples of permitted uses in the ML zone, including food and beverage processing and packaging and research and development laboratories. She also provided examples of conditional uses, including manufacturing of bicycles, small electric generators, small electric motors, motorized boats, sashes and doors, vending machines, and production or fabrication of metals or metal products, including enameling and galvanizing.

Director Hurd-Ravich stated the requested modification would add solid waste treatment and recycling facilities and wholesale sales as conditional uses in the ML zone. She explained that allowing the use through a Conditional Use Permit process would establish clear procedures and standards and noted that similar permitted uses function effectively in other zones. Director Hurd-Ravich stated legislative amendments to the Development Code may only be initiated by the City Council. She asked whether the Council wishes to allow Honey Bucket to pursue a Plan Text Amendment to permit Solid Waste and Recycling Facilities as a Conditional Use in the Light Manufacturing zone.

Councilor Gonzalez stated the proposed amendment feels appropriate given the location and proximity to residential areas.

Councilor Brooks asked whether approving the amendment would affect other applicants or open the conditional use process more broadly within the Light Manufacturing zone. Director Hurd-Ravich stated adding the use as a Conditional Use would apply throughout the entire ML zone. Councilor Brooks stated she is not interested in moving the amendment forward if it would open the area to similar uses.

Councilor Hillier stated other buffer areas should be considered and expressed interest in ensuring any proposal be tailored specifically to the subject property. Director Hurd-Ravich explained conditional use permits are subject to specific standards and spacing requirements, which could provide limitations. Councilor Hillier asked what additional protective measures could be included. Director Hurd-Ravich stated staff could evaluate spacing requirements and other standards to determine whether restrictions could be crafted to limit impacts. Councilor Hillier stated she would like to see a path forward but acknowledged staff workload considerations and is hesitant to move forward with a text amendment.

Council President Pratt asked whether the waste tank had been removed from the site and whether Light Manufacturing zones are typically used as buffer areas. Director Hurd-Ravich stated the ML zone is generally intended to function as a buffer between residential areas and heavier industrial uses.

Councilor Reyes requested further explanation of the Conditional Use Permit process. Director Hurd-Ravich explained that a Conditional Use Permit provides a discretionary review process with specific approval criteria and conditions.

Councilor Reyes asked whether Honey Bucket had applied for a Conditional Use Permit. Director Hurd-Ravich stated that option is not currently available under the code, which is why staff is seeking Council direction regarding a potential legislative amendment.

Mayor Bubenik expressed agreement with Councilor Hillier's concept of adding restrictions if a Conditional Use approach were considered and asked whether such limitations could be crafted. Director Hurd-Ravich stated it may be possible, depending on the objectives, such as limiting proximity to residential areas.

Mayor Bubenik asked about the duration of the Voluntary Compliance Agreement and whether a time limit is attached. City Attorney McConnell stated there is no specific expiration date and the agreement remains in effect while the City evaluates options.

Mayor Bubenik asked about extending the General Manufacturing zone to include the property and inquired about the impacts of that approach. Director Hurd-Ravich stated a property owner may initiate a zone change request, but additional research would be required to evaluate process requirements and impacts.

Mayor Bubenik asked whether a zone change or a Conditional Use amendment would be preferable. Director Hurd-Ravich stated further analysis would be needed to determine the appropriate path.

Councilor Gonzalez shared satellite images of the property and discussed drainage patterns observed on the site. Representatives from Honey Bucket stated water shown in the images reflected fresh water drainage and clarified operational practices at the site.

Council President Pratt again asked whether the waste tank had been removed. Honey Bucket stated the tank had been removed and wastewater is now transported directly to Clean Water Services. They stated there is no solid waste stored on site.

Councilor Brooks stated the community places high value on environmental quality and quality of life. She expressed concern regarding past code compliance issues and stated she was uncomfortable with the situation.

Council President Pratt asked about fencing sales occurring on the site and whether that use conforms with zoning. Director Hurd-Ravich stated wholesale fencing sales do not fit within the current ML zone use category and would require amendment.

Council President Pratt stated she is opposed to amending the Light Manufacturing zone to allow the use but expressed openness to considering a zone change.

Councilor Sacco expressed concern that changing the zoning could allow future uses inconsistent with the City's intent and that she prefers maintaining consistency within established zones.

Councilor Reyes stated she would be interested in receiving additional information regarding a potential rezone.

Councilor Hillier asked whether a zone change could be temporary or limited to the current property owner. She stated she did not want to broadly modify the ML zone and asked about staff workload implications. Director Hurd-Ravich spoke to the workload associated with a zone change. City Manager Lombos clarified that a zone change application would be initiated by the property owner, whereas a Conditional Use amendment would require staff to initiate a legislative code change.

Councilor Gonzalez stated he would support identifying a viable solution.

Council consensus was reached to have the applicant pursue a zone change from Light Manufacturing to General Manufacturing.

City Attorney McConnell stated staff would continue working with Honey Bucket and that the Voluntary Compliance Agreement would remain in effect during the process.

Adjournment

Council President Pratt adjourned the meeting at 7:00 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor



TUALATIN CITY COUNCIL

OFFICIAL MEETING MINUTES
FOR FEBRUARY 23, 2026

PRESENT: Mayor Frank Bubenik (via zoom), Council President Valerie Pratt, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Cyndy Hillier, Councilor Christen Sacco, Councilor Octavio Gonzalez

Call to Order

Council President Pratt called the meeting to order at 7:05 p.m.

Pledge of Allegiance

Public Comment

None.

Consent Agenda

Motion to adopt the consent agenda made by Councilor Sacco, Seconded by Councilor Hillier.
Voting Yea: Mayor Bubenik, Council President Pratt, Councilor Brooks, Councilor Reyes, Councilor Hillier, Councilor Sacco, Councilor Gonzalez

MOTION PASSED

1. Consideration of Approval of the Regular Meeting Minutes of February 9, 2026
2. Consideration of **Resolution No 5944-26** Exempting Specific Affordable Housing Developments From Property Taxes
3. Consideration of **Resolution No 5945-26** Authorizing the City Manager to Execute a Grant Agreement for Metro Area Communications Commission Grant Awards; Appropriating Special Purpose Revenues in the City's General Fund During the FY 2025-26 Budget; and Rescinding Resolution 5942-26

Special Reports

1. Outside Agency Grant Presentation- Community Partners for Affordable Housing

Community Partners for Affordable Housing Fundraising and Programs Director Katherine Moore and Plambeck Gardens Resident Services Coordinator Julian Luna Dominguez presented information regarding the organization. Director Moore provided an overview of Community Partners for Affordable Housing and shared information regarding the opening of Plambeck Gardens. She stated the organization provides onsite resident services at the development and noted City funds support youth services at Plambeck Gardens. Coordinator Dominguez shared examples of community building activities hosted at Plambeck Gardens, including a Halloween party and a Play Fit Fun event, which were designed to foster connection among residents.

Councilor Reyes asked whether the organization is coordinating with other local nonprofit partners, including the Borland Free Clinic, and encouraged sharing information about available resources with residents. She also asked whether Plambeck Gardens offers opportunities for residents to give back to the community. Coordinator Dominguez stated residents have expressed interest in volunteering and assisting with onsite activities and community events.

Councilor Brooks thanked the organization for its investment in the Plambeck Gardens community and asked about transportation access for residents. Coordinator Dominguez stated staff are working to reduce transportation barriers and are exploring partnerships with rideshare providers and other transportation services.

Councilor Hillier asked what types of resources are brought into the Plambeck community. Coordinator Dominguez stated the organization is cohosting a community services networking event with Just Compassion. Director Moore added that the organization has hosted multiple community resource fairs to connect residents with supportive services.

2. Clackamas County Supportive Housing Services Update

Clackamas County Supportive Housing Services Deputy Director Vahid Brown presented an update on the Supportive Housing Services program. He stated the data presented reflects Fiscal Year 2024–25. Director Brown reported that since 2021, 2,871 individuals have been housed in Clackamas County and 3,335 evictions have been prevented, allowing approximately 7,000 individuals to remain in their homes.

Director Brown reviewed the Fiscal Year 2024–25 budget, stating the majority of funds are allocated to Regional Long Term Rent Assistance and housing retention programs. He reported that 1,829 individuals received Regional Long Term Rent Assistance, with a 95% housing retention rate. Director Brown stated system investments support coordinated entry, the Homeless Management Information System, and infrastructure development. He reported that 248 shelter beds served 1,426 individuals during the fiscal year. He stated 423 individuals were rapidly rehoused. Director Brown stated 1,821 evictions were prevented during the fiscal year, stabilizing 3,793 individuals in permanent housing through eviction prevention and rapid rehousing efforts.

Director Brown highlighted several program initiatives, including the NAYA Shelter, the Coordinated Housing Access Program, and the Clackamas Pod Village. He also described local innovations such as the Health Housing Alignment Team, which conducts case conferencing and coordinates care across systems. He noted city led initiatives supported by SHS funding, including funding provided to the Tualatin food pantry to replace its HVAC system.

Director Brown stated there are two Supportive Housing Services performance mandates. He stated the program is required to place 1,065 households into permanent supportive housing and reported that 1,111 households were placed, exceeding the goal. He stated the second mandate requires stabilizing 2,130 households in permanent housing and reported that 3,741 households were stabilized through eviction prevention and rapid rehousing efforts.

Director Brown stated the County continues to improve the system by enhancing resource navigation, establishing a crisis stabilization center, engaging in inclusive outreach efforts, and implementing the Housing 4 Success program to support economic stabilization.

Councilor Brooks asked whether Supportive Housing Services interfaces with universities for research or practicum opportunities. Director Brown stated the County works with Portland State University to conduct Point in Time counts and collaborates with Clackamas Community College on curriculum development and workforce training related to nonprofit services.

Councilor Brooks asked about the differentiation between funding sources and whether there is an opportunity to support stronger infrastructure statewide for these services. Director Brown stated funding sources have historically been volatile and stated the Supportive Housing Services program has helped stabilize the local system.

Councilor Reyes asked what factors contribute to preventing individuals from returning to homelessness and how Clackamas County maintains a high retention rate compared to other counties. Director Brown stated the County's level of coordination among service providers is strong and noted that case conferencing and coordinated service delivery significantly improve housing stability outcomes.

Councilor Hillier asked about the Housing 4 Success program and whether it was community informed. Director Brown stated the program was developed with community input and launched within the past year.

Councilor Hillier asked about the impact of Supportive Housing Services funding on Tualatin residents. Director Brown stated Tualatin residents are served across the County's programs and spoke to the importance of delivering services where residents are located.

Council President Pratt asked how an individual in need of services should seek assistance. Director Brown stated individuals should contact Coordinated Housing Access directly to begin the intake process.

General Business

1. Consideration of Recommendations from the Council Committee on Advisory Appointments

Councilor Reyes and Sacco read the names of recommended applicants.

Motion to approve the recommendations as presented made by Councilor Sacco, Seconded by Councilor Reyes.

Voting Yea: Mayor Bubenik, Council President Pratt, Councilor Brooks, Councilor Reyes, Councilor Hillier, Councilor Sacco, Councilor Gonzalez

MOTION PASSED

Council Communications

City Manager Lombos presented the Manager's Report. She stated the new wrap for the Parks and Recreation van has been completed. She reported the Linear Park project at Plambeck Gardens has been advertised for bid, with construction anticipated to begin in the spring. She noted Tigard Sand and Gravel has been sold to Knife River and stated the property is located within the Southwest Concept Plan area and the City is engaging with the new ownership regarding future plans. She stated the city held a supervisors meeting which included discussion of a new purchase card policy and trauma informed care training. She stated the Tualatin Public Library is participating in the One

Book, One Coast program. She announced the hiring of Volunteer Coordinator Kate Griffin. She stated the City received a Bronze designation through the Solar Smart Program administered by Energy Ready.

Councilor Sacco stated she attended the Willamette River Water Coalition meeting and participated in the Inclusion, Diversity, Equity, and Access Committee training.

Councilor Hillier stated she attended the Washington County Consolidated Communications Agency meeting and met with TriMet representatives. She spoke to concerns raised by residents regarding stop sign placement at 103rd Avenue and Ibach Street and requested staff consider forward thinking solutions to improve safety in that area.

Councilor Brooks stated she will be attending the National League of Cities Conference next month and has been participating in webinars leading up to it. She stated she attended the Chamber of Commerce Titanium meeting, the REAL Council kickoff event, the Secretary of State speech, the PAB meeting, the Arts Advisory Committee meeting, and the National League of Cities Women's Caucus meeting.

Councilor Brooks expressed interest in forming a Transportation Advisory Committee and asked whether the Council would support exploring that concept. Council consensus was reached to explore the formation of a Transportation Advisory Committee.

Mayor Bubenik stated he attended the Joint Policy Advisory Committee on Transportation meeting and the Washington County Mayors meeting.

Council President Pratt stated she participated in the TriMet Line 96 test ride, the Clackamas County Metro Subcommittee meeting, and the League of Oregon Cities legislative updates.

Councilor Hillier stated the City received a request from the Oregon Department of Transportation to support funding related to the Interstate project and asked the Council to sign onto a letter of support. She stated she added language requesting inclusion of auxiliary lanes. Council consensus was reached to support signing the letter.

Adjournment

Council President Pratt adjourned the meeting at 8:39 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Dustin Schull, Parks and Recreation Director
Kira Hein, Project Manager

DATE: March 9, 2026

SUBJECT:

Consideration of **Resolution No. 5943-26** Increasing Nyberg Creek Trail Construction Project Change Order Authorization Amount with Nutter Corporation

RECOMMENDATION:

Staff recommends approval of Resolution No. 5943-26

EXECUTIVE SUMMARY:

The City advertised the trail project on June 23rd, 2025, in the *Daily Journal of Commerce* and the City requested competitive sealed bids. Seven bids were received prior to the closing of the bid period on July 15th, 2025. On August 11, 2025, Council Resolution 5898-25 authorized the City Manager to execute a contract with Nutter Corporation in the amount of \$1,643,531, and to execute change orders in the amount of up to 15% of the total contract price.

During construction, significantly different subsurface soil conditions were encountered along portions of the trail. The material encountered is unsuitable for supporting the trail structure and does not meet compaction or drainage requirements.

While potholing and geotechnical review were conducted during design to proactively identify such risks, site conditions have changed since the initial investigation. As a result, additional unsuitable soil must be removed and replaced with clean infill to ensure long-term structural integrity and avoid premature settlement or surface failure.

To validate the scope and cost implications of the additional soil removal, the City's asked the hired construction management consultant to:

- Confirm the revised quantity calculations
- Verify that removal depths are consistent with field conditions
- Review of contractor unit pricing against contract rates

- Ensure the additional work aligns with contractual provisions for differing site conditions
- The additional work is necessary to meet design and safety standards.

This additional work exceeds the original change order authority, so staff is asking Council to authorize an increase to cover the additional scope of work caused by the unknown soil conditions.

OUTCOMES OF DECISION:

Adopting the resolution authorizing the change order authorization amount would allow construction of this work to be completed on schedule as part of the existing contract.

FINANCIAL IMPLICATIONS:

Funds for this project are available in the Parks Project Fund.

ATTACHMENTS:

Resolution No. 5943-26

RESOLUTION NO. 5943-26

A RESOLUTION INCREASING NYBERG CREEK TRAIL CONSTRUCTION PROJECT CHANGE ORDER AUTHORIZATION AMOUNT WITH NUTTER CORPORATION

WHEREAS, on August 11, 2025 Council Resolution 5898-25 authorized the City Manager to execute a contract with Nutter Corporation after a competitive bid process in the amount of \$1,643,531 for the renovation of Nyberg Creek Trail;

WHEREAS, Section 3 of Resolution 5898-25 authorized the City Manager to execute additional change orders totaling up to \$246,529.65

WHEREAS, the City and Nutter Corporation executed an agreement to construct the renovation of Nyberg Creek Trail on August 11, 2025;

WHEREAS, both the City with design consultants and Nutter Corporation reasonably assumed upon execution of agreement the subsurface conditions were suitable for park construction; however, upon further investigation design consultants determined additional work was required due to unexpected soil conditions;

WHEREAS, additional rock, soil removal, and grading is required to ensure stability and sustainability for safe and accessible community use;

WHEREAS, Nutter Corporation determined that it will cost an additional amount for added subgrade rock and soil to resolve subsurface and underground utility conditions, and submitted Change Order Request information reflecting this;

WHEREAS, there are funds budgeted for this work in the current budget; and

WHEREAS, Nutter Corporation is scheduled to begin this work immediately to comply with code requirements, and provide safe and accessible community facilities.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Manager or designee is authorized to execute Change Orders an additional \$110,000 totaling up to \$356,529.65 of the original contract amount authorized August 11, 2025. This is funded by the parks & trails bond.

Section 2. The City Manager or designee is authorized to execute any and all documents necessary to effectuate change orders.

Section 3. This resolution is effective upon adoption.

Adopted by the City Council this 9 day of March, 2026

CITY OF TUALATIN, OREGON

APPROVED AS TO FORM

BY _____
City Attorney

BY _____
Mayor

ATTEST:

BY _____
City Recorder



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Lindsay Marshall, Management Analyst, Public Works

DATE: March 9, 2026

SUBJECT:

Consideration of **Resolution 5946-26** Authorizing the City Manager to Execute an Intergovernmental Agreement with Washington County for Recycling Contamination Reduction Education

RECOMMENDATION:

Staff recommends approval of Resolution 5946-26

EXECUTIVE SUMMARY:

The Oregon Department of Environmental Quality (DEQ) has established contamination reduction requirements for local governments as part of the Pollution Prevention and Recycling Modernization Act (RMA). Local governments in communities with over 4,000 people must establish and implement programs to reduce contamination in the recycling system and set a contamination reduction goal consistent with statewide goals.

The DEQ is required to establish and maintain a list of approved contamination reduction program elements for local governments to use in these programs. Local governments may select elements from DEQ's list to implement in their programs or local governments may submit alternative program plans to implement program elements not included in the DEQ's list of approved program elements. Local governments are required to report on contamination reduction programs in the annual Opportunity to Recycle (OTR) reports. As a member of the Washington County Solid Waste Cooperative, the County currently prepares and submits OTR reports on the City's behalf.

The RMA requires producer responsibility organizations (PRO) to compensate local governments up to \$3 per capita for contamination reduction programming work. DEQ establishes minimum requirements for local government programs and provides that cities and counties may work cooperatively with neighboring cities and counties to complete this work.

This intergovernmental agreement (IGA) establishes the County's duties as co-administrator of the contamination reduction program on behalf of the City of Tualatin for each fiscal year covered under this IGA. The PRO \$3 per capita funding for Tualatin is being passed through to Washington County to support the work done on the City's behalf. Other participating local governments who will enter into an agreement with Washington County for this work, at the time of signature, includes the Cities of Cornelius, Durham, Forest Grove, Hillsboro, King City, Sherwood, and Tigard.

OUTCOMES OF DECISION:

Entering into this IGA would allow Washington County to utilize the City's per capita compensation to provide

contamination reduction education programming for the City of Tualatin, in alignment with education provided to the rest of the County. Performing these responsibilities in a collaborative and cooperative manner promotes the cost-effective and efficient use of public resources and ensures that the City of Tualatin meets all DEQ programming and reporting requirements.

ALTERNATIVES TO RECOMMENDATION:

Not participating with Washington County and Tualatin's neighboring local governments will require City staff to independently devise and implement a plan to meet all DEQ programming and reporting requirements related to contamination reduction education.

FINANCIAL IMPLICATIONS:

The City will pass through the PRO per capita compensation to Washington County, who will perform the work and meet DEQ requirements on the City's behalf.

ATTACHMENTS:

- Resolution 5946-26 Authorizing the City Manager to Execute an Intergovernmental Agreement with Washington County for Recycling Contamination Reduction Education
- Intergovernmental Agreement (IGA) with Washington County for Recycling Modernization Act - Contamination Reduction Programming

RESOLUTION NO. 5946-26

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH WASHINGTON COUNTY FOR RECYCLING CONTAMINATION REDUCTION EDUCATION

WHEREAS, the City of Tualatin is a public body engaged in providing municipal services, including solid waste and recycling services, to its residents; and

WHEREAS, ORS 190.010 authorizes the City of Tualatin to enter into an intergovernmental agreement with Washington County; and

WHEREAS, the City of Tualatin wishes to enter into an intergovernmental agreement with Washington County for recycling contamination reduction education as it relates to requirements of the Recycling Modernization Act; and

WHEREAS, the associated work will be performed by County staff as outlined in the annual workplan; and

WHEREAS, the City is able and prepared to provide the specific duties outlined in the terms and conditions set forth in the Agreement; and

WHEREAS, Washington County, is able and prepared to provide the services required under the terms and conditions set forth in this Agreement; therefore,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Manager is authorized to execute the intergovernmental agreement with Washington County, which is set forth in Exhibit A and is incorporated by reference, and further authorized to make administrative modifications thereto.

Section 2. This resolution is effective upon adoption.

INTRODUCED and ADOPTED by the City Council this 9 day of March 2026.

CITY OF TUALATIN OREGON

ATTEST

BY _____

BY _____

Mayor

City Recorder

****DRAFT****

**INTERGOVERNMENTAL AGREEMENT
RECYCLING MODERNIZATION ACT - CONTAMINATION REDUCTION PROGRAM**

THIS AGREEMENT, entered into consistent with ORS Chapter 190 and ORS 459.065(1)(b), is between Washington County, hereinafter referred to as “County,” whose address is 155 N First, Hillsboro, OR 97124, and the individual signatory city of Tualatin hereinafter referred to as “City” or “Cities.” Similar agreements will also be entered into between the County and other Washington County cities. Any reference hereinafter to “Participating Local Governments” includes both County and all individual signatory cities to an agreement identical to this Agreement including City. The Participating Local Governments are Washington County and, at the time of signature, includes the Cities of Cornelius, Durham, Forest Grove, Hillsboro, King City, Sherwood, Tigard and Tualatin. This list of cities is not exclusive and additional cities may join this Agreement independently without requiring consent from any of the other cities.

WHEREAS, Participating Local Governments have responsibilities related to the recycling contamination reduction under the provisions of (Oregon Revised Statute 459A.929) and related administrative rules; and

WHEREAS, the Participating Local Governments agree that performing these responsibilities in a collaborative and cooperative manner promotes the cost-effective and efficient use of public resources; and

WHEREAS, the Participating Local Governments including County and City desire to enter into an Agreement to establish procedures for mutually performing these responsibilities and related services and defining legal relationships and responsibilities; now, therefore,

In consideration of the mutual covenants herein, and in exchange for the promises and other valuable consideration set forth below, County and City agree as follows:

I. Purpose

Pursuant to Oregon Revised Statute 459A.929 and related administrative rules, the Oregon Department of Environmental Quality (hereinafter referred to as “DEQ”) has established contamination reduction requirements for local governments as part of the Pollution Prevention and Recycling Modernization Act (hereinafter referred to as “RMA”). Local governments in communities with over 4,000 people must establish and implement programs to reduce contamination in the recycling system and set a contamination reduction goal consistent with

statewide goals. The RMA requires producer responsibility organization(s) to compensate local governments up to \$3 per capita for contamination reduction programming work (Oregon Revised Statute 459A.890(4)). The DEQ is required to establish and maintain a list of approved contamination reduction program elements for local governments to use in these programs (Oregon Revised Statute 459A.929). Per ORS 459A.929(2)(c)(B). Local governments may select elements from DEQ's list to implement in their programs or local governments may submit alternative program plans to implement program elements not included in the DEQ's list of approved program elements. Local governments are required to report on contamination reduction programs in the annual Opportunity to Recycle (hereinafter referred to as "OTR") reports. DEQ establishes minimum requirements for local government programs and provides that cities and counties may work cooperatively with neighboring cities and counties to complete this work. This Agreement documents the arrangements among the Participating Local Governments, establishes the County's duties as co-administrator of the contamination reduction program on behalf of the Participating Local Government(s) for each fiscal year covered under this Agreement.

II. Term of Agreement

Participation shall be accomplished by adoption of the contamination reduction program work plan by the Participating Local Governments and by entering into this Agreement. The term of this Agreement commences upon execution and continues in effect through June 30, 2030, unless terminated by either party as provided for in Section III "Termination and Opt-Out." Thereafter, this Agreement automatically renews for successive five-year terms (July 1 – June 30) provided funding from the producer responsibility organization(s) continues to be available, as per Oregon Revised Statute 459A.890(4). Cities maintain the ability to implement their own contamination reduction program plan after executing this agreement.

III. Termination and Opt Out

County or City may opt out of this Agreement upon giving 120 days written notice of its intent to do so. County or City may be terminated from participation in this Agreement if either is in default of the terms hereof. In the event of a default, the party alleging the default shall give the defaulting party (and all Participating Local Governments) written notice of the alleged default and defaulting party shall have 30 days after receipt of notice to cure the default. When County or City opts out of this Agreement or it is terminated, the effective date shall be deemed to be July 1 of the next ensuing fiscal year or a date agreed upon by the parties. Further, that party's assigned funding for the current year's work program as

provided in Section VII, "Funding," shall remain under the authority of the Agreement for the remainder of the current fiscal year.

The County may immediately terminate this Agreement by written notice to City in the event the County does not receive adequate funding from the producer responsibility organization(s).

Any withdrawal from this Agreement under this section by a party shall not require of consent of any of the other Cities. Washington County reserves the right to add additional signatories to this Agreement without the consent of the Cities and the Cities expressly agree that any additional party may be added without requiring an amendment to this Agreement.

V. Duties of Parties

A. Duties of County

1. The County shall establish an annual work plan for contamination reduction and identify specific steps to implement the plan.
2. The County shall perform work requiring technical expertise, including plan development, data collection/compilation, report writing, program coordination, technical advice to Cities, and general information delivery to the public.
3. The County shall perform fieldwork including providing customer facing contamination reduction education and resources, technical assistance, and feedback to generators for which the producer responsibility organization(s) funding has been allocated as provided for in Section VII herein. Where funding for specific cities is curtailed by the producer responsibility organization(s), then adjustments shall be made by the County to the types of fieldwork conducted.
4. The County shall perform work requiring coordination with garbage and recycling collection companies, the DEQ, and other agencies and represent the Participating Local Governments before such agencies.
5. The County shall act as agent for all Participating Local Government(s) in establishing program criteria and seeking reimbursement in applying for contamination reduction funds. This does not preclude any City from individually receiving or allocating funding to other entities (as defined by DEQ) for contamination reduction programming consistent with the process set out in Section VII, "Funding."

5. The County shall perform specific duties assigned in the contamination reduction work plan for a given year.

B. Duties of City

1. City shall perform the specific duties assigned as outlined in the contamination reduction work plan, as reviewed and approved by the City prior to each respective fiscal year, for a given year and annually provide the DEQ and producer responsibility organization(s) with information required for funding distribution.
2. City shall ensure that any entity other than the County that receives contamination reduction funding provides data to the County that is required, as determined by the DEQ, to include in the annual Opportunity to Recycle reports completed on behalf of the City. Data must be provided to the County by January 15th of each year.
3. City shall be responsible for amending administrative rules or codes based on contamination reduction work plan developed by the County, provided any such work plan does not materially conflict with pre-existing City administrative rules or codes, or otherwise introduce stipulations that may be disallowed under City administrative or contracting rules. However this does not absolve the City of its obligations under ORS 459A.929.

VI. Indemnification

- A. Subject to the limitations of liability for public bodies set forth in the Oregon Tort Claims Act, ORS 30.260 to 30.300, and the Oregon Constitution, the County shall hold harmless, defend, and indemnify City, its directors, officers, agents, and employees, against all claims, demands, actions and suits (including all attorney fees and costs) arising from the County's performance of this Agreement where the loss or claim is attributable to the negligent acts or omissions of the County.
- B. Subject to the limitations of liability for public bodies set forth in the Oregon Tort Claims Act, ORS 30.260 to 30.300, and the Oregon Constitution, City shall hold harmless, defend and indemnify the County, its Commissioners, employees and agents against all claims, demands,

actions, and suits (including all attorney fees and costs) arising from City's performance of this Agreement where the loss or claim is attributable to the negligent acts or omissions of City.

VII. Funding

A. Contamination Reduction Programs

1. The County shall develop, propose and present a contamination reduction work plan to the Cities each year, including projected annual expenses and funding. The annual contamination reduction work plan will be developed in a timely manner so as to meet all deadlines set by the DEQ, the producer responsibility organization(s) and Cities. The contamination reduction work plan shall provide Participating Local Governments with contamination reduction program standards that meet OTR requirements and DEQ guidance.
2. Upon review of the annual contamination reduction work plan, the Cities will work with the County to determine the funding percentage to be allocated to the County for purposes of funding the activities described in Section V(A) above.
3. Producer responsibility organization(s) shall act as the administrator of contamination reduction program funding. The County shall request reimbursement of the funds on behalf of the Participating Local Government(s).
4. Each City has the right, for up to three years, to audit County records relating to producer responsibility organization(s) funding received through this Agreement.
5. Each City's participation in this Agreement is dependent on the execution of the Primary Funding Agreement and contamination reduction addendum between the County and the producer responsibility organization(s). If the County does not have an executed contamination reduction addendum which includes the City listed in Schedule A it is not considered a signatory to this Agreement. This IGA shall be considered to be operative for any local government upon the date of signing this Agreement.

B. Programs Funded through the Producer Responsibility Organization

1. For all sources of funding provided by the producer responsibility organization(s) related to compliance activities under the RMA, each City shall determine whether to receive those funds directly or allocate those funds to the County or other entity as provided for within this Agreement.
2. City maintains the ability to implement their own contamination reduction program, separate from the program coordinated by the County for Participating Local Governments. City may retain funding or allocate funding to another entity that is responsible for implementing the City's contamination reduction program. Any City choosing to retain contamination reduction funding or allocate to another entity shall notify in writing the County of its intent to retain those funds or allocate to another entity no later than January 31 of each year.

IX. Exclusivity

This writing is intended both as the final expression of the Agreement between County and City with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement. The addition or removal of any additional unit of local government shall not affect the rights or obligations of the other signatories, and any such Agreement with an individual unit of local government shall be considered effective upon the signing of this Agreement (contingent upon the requirements of Section VII section A of this IGA).

WASHINGTON COUNTY (County)

CITY of (City)

By: _____

By: _____

Print name and title

Print name and title

Date

Date



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Teresa Montalvo, Planning Manager

FROM: Erin Engman, AICP, Senior Planner

DATE: March 9, 2026

SUBJECT:

Consideration of Ordinance 1454-26, adoption of a city-initiated code amendment to the Tualatin Development Code (TDC) to include the keeping of domestic fowl as a permitted use in the Low Density Residential District (RL). The proposed amendment and action on this item is limited to Chapters 39 and 40 of the TDC. Amendments to the Tualatin Municipal Code (TMC) and related regulations for the keeping of domestic fowl will be considered separately as a General Business item.

BACKGROUND:

On November 12, 2013, the Council approved Plan Text Amendment (PTA) 13-02, amending the Tualatin Development Code (TDC) to allow chicken keeping as a permitted use in the single-family residential area— Low Density Residential Zone (RL). At that same meeting, the Council adopted Ordinance 1362-13, which set forth minimum standards applicable for the keeping of backyard chickens in the RL zone (codified at TMC Chapter 6-15). The adoption of PTA 13-02 and Ordinance 1362-13 did not work to permit the keeping of any other types of fowl within the City.

Before the adoption of PTA 13-02, the TDC prohibited the keeping of any animal within the RL zone except for the ones specified at TDC 31.060 (defined as “[A] domestic animal, such as a dog, cat, rabbit, or guinea pig, accepted by the American Veterinary Medical Association as a household pet.”). The Council’s clear intent in adopting PTA 13-02 was to provide for chicken keeping- and chicken keeping only- as an additional exception to the prohibition.

On June 26, 2025, a City code compliance officer received a complaint regarding “strange animals” being kept at a single-family residence in the RL zone. On June 30, the officer met with the property owner, who explained that his family was keeping ducks at the residence. After being informed that the keeping of ducks was prohibited in the City, the property owner requested (both at the Public Comment portion of July 14, 2025 meeting and via email) that the Council review the matter and amend City law to allow for the keeping of ducks in single family residential areas.

The TDC generally identifies what uses are allowed or permitted, conditionally permitted or limited. In the residential chapters, there are not typically sections of prohibited uses (which is by design), as the City cannot anticipate every situation. As such, if a use is not explicitly stated, it is generally not allowed. This is why the property owner did not see a specific prohibition of certain animals.

At a work session held on August 11, 2025, Council directed staff to proceed with legislative amendments to existing code regulations for backyard chickens to include domestic fowl in the RL zone under a limited scope.

EXECUTIVE SUMMARY:

This is a legislative matter for Council consideration of a Plan Text Amendment to TDC Chapters 39 and 40. Staff researched a variety of domestic fowl ordinances from the area to inform the proposed amendments. This research was further supplemented by a formal recommendation from the Planning Commission on the overall suite of amendments proposed in both the TMC and TDC. A formatted version of the code amendments proposed for the TDC have been included as Exhibit 2 and a clean version has been included as Exhibit 3. A companion Ordinance will amend Tualatin Municipal Code 6-15 to regulate the various aspects of keeping backyard domestic fowl. This is because ordinances related to development and planning shall be codified under the Tualatin Development Code, and codification of the general ordinances of the city fall under the Tualatin Municipal Code. Therefore, definitions and minimum standards for the keeping of domestic fowls are included in the TMC, while the TDC includes provisions for where uses may be permitted.

Comprehensively, the purpose of the amendments is to provide minimum standards for keeping domestic fowl humanely in urban backyards while safeguarding the health, safety, and welfare of the citizens of Tualatin. Under the proposal, the definition of domestic fowl includes chickens, ducks, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use. Roosters, geese, guinea fowl, peacocks, turkeys, emus, and ostriches are prohibited due to their loud and aggressive nature. The proposal also maintains existing licensing requirements to permit domestic fowl in the RL zone. These requirements ensure adequate confinement, buffering, and sanitation.

The project Findings and Analysis are included as Exhibit 1 and found the project will comply with applicable development code criteria. Public noticing requirements for the legislative process have been satisfied under Exhibit 4. Additionally, Commissioner Hledik submitted supplemental materials into the record at the Planning Commission Hearing for Council consideration as Exhibit 5.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a public meeting on February 18th and unanimously recommended adoption of the overall amendment package including PTA 26-0001. The Commission also identified the following clarifications to regulations found in the companion Municipal Code amendments included as a General Business item tonight:

1. TMC 6-15-030(2): Specify that a combined maximum of four domestic fowl of any type are permitted on any one lot;
2. TMC 6-15-030(3): Add emus and ostriches to the type of domestic fowl that are prohibited;
3. TMC 6-15-030(4): Remove the prohibition on "harvesting" and clarify that on site slaughtering or butchering of domestic fowl is prohibited;
4. TMC 6-15-030(6): Clarify that the domestic fowl facility must be located at least 25 feet from all abutting residences.

The Planning Commission further recommended that staff:

1. Consult with the code enforcement officer to determine if additional enforcement tools or training are needed to address vermin (rat) complaints related to domestic fowl, in order to provide more effective means to address such complaints; and
2. Research best practices and guidelines for minimum coop and run standards for various domestic fowl from accredited sources like USDA or OSU to inform future domestic fowl licensee.

OUTCOMES OF DECISION:

Adoption of PTA 26-0001 would:

- Update agricultural uses characteristics found in Development Code 39.300 to include domestic fowl; and

- Update permitted uses found in Development Code 40.210 to include domestic fowl.

ATTACHMENTS:

Ordinance 1454 - 26

Exhibit 1 – PTA 26-0001 Findings and Analysis

Exhibit 2 – PTA 26-0001 Text Amendment (Clean)

Exhibit 3 – PTA 26-0001 Text Amendment (Formatted)

Exhibit 4 – Public Notice

Exhibit 5 – Supplemental Items submitted by Commissioner Hledik
Presentation



PTA 26-0001

Domestic Fowl Regulations

March 8, 2025 – City Council



Agenda



- Project purpose
- Overview of code amendments
- Approval criteria
- Next steps
- Discussion and recommendation



CITY of
TUALATIN

Project Purpose

Background

- November 12, 2013: Council approves PTA 13-02 to allow chicken keeping in the RL zone through adoption of Ordinance 1362-13. Ordinance does not include ducks or domestic fowl.
- June 2025: Code complaint regarding “strange animals” being kept in the RL zone. Officer met with the property owner, who explained that his family was keeping ducks.
- July 14, 2025: Property owner requests that Council review the matter and amend City law to allow for the keeping of ducks in RL zone.
- August 11, 2025: Council directs staff to amend chicken regulations to include “domestic fowl”.



Image: Lisa Steele

Project Purpose



Domestic Fowl Regulations

The purpose of this code is to provide minimum standards for keeping domestic fowl humanely in urban backyards while safeguarding the health, safety, and welfare of the citizens of Tualatin.

- Expands regulations for the keeping of backyard chickens to include domestic fowl
- Public engagement limited to legislative process requirements
- Limited scope:
 - PTA 26-0001 amends TDC Chapters 39 and 40
 - Companion Ordinance to amend TMC Title 6-15 - Keeping of Domestic Fowl

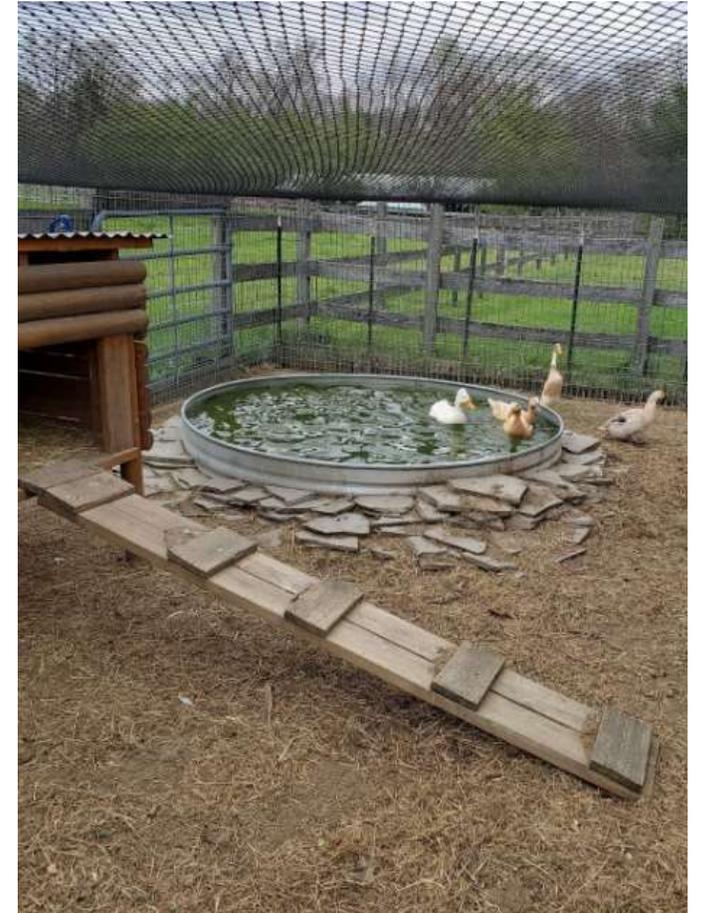


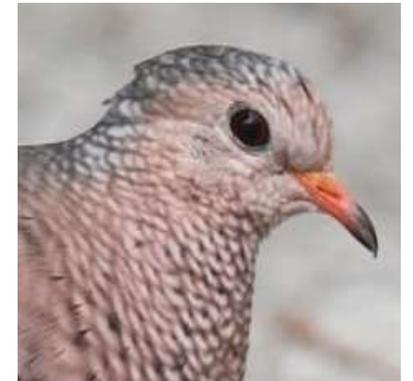
Image: Field and Flock Lavender Farm

Overview



How is Domestic Fowl defined in TMC proposal?

- Includes chickens, ducks, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use
- Shared character traits include:
 - Sustainable source of eggs;
 - Natural pest control;
 - Minimal space needs; and
 - Able to adapt to human activity/ environments.

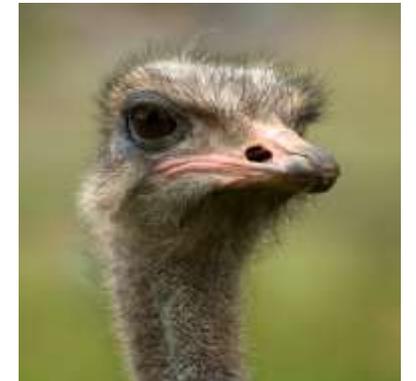


Overview



What fowl are prohibited in TMC proposal?

- Roosters, geese, guinea fowl, peacocks, turkeys, emus, and ostriches.
- Shared character traits include:
 - Loud;
 - Cause property damage; and
 - Are aggressive toward people and pets.



Overview

What do other cities permit?

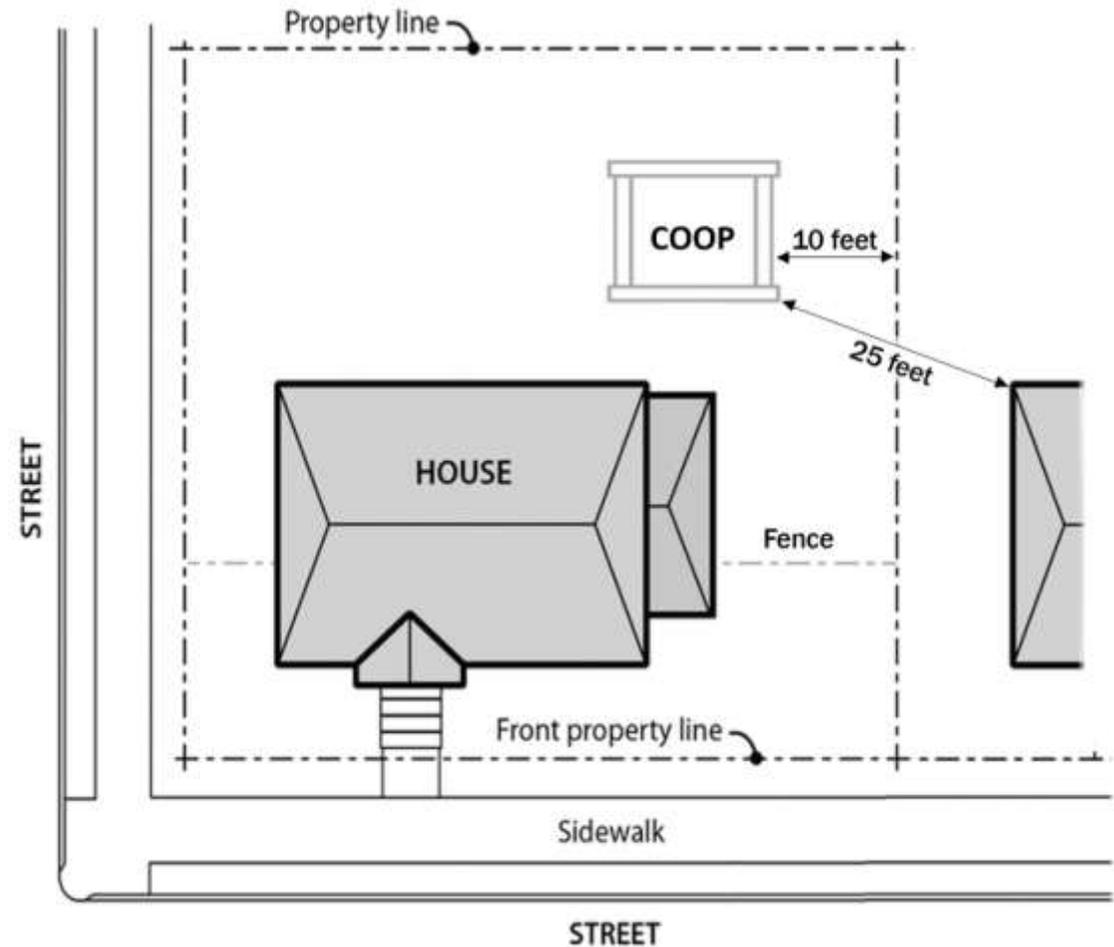
	Chickens	Ducks	Guinea Fowl	Pheasants	Pigeons	Quails	Partridges	Doves	Rooster	Geese	Peacocks	Turkeys	Emus/ Ostriches
Tualatin	●	●	●	●	●	●	●	●	●	●	●	●	●
Newberg	●	●	◆	◆	◆	◆	◆	◆	◆	●	◆	●	-
Forest Grove	●	●	-	●	-	●	-	-	●	-	-	-	-
Portland	●	●	◆	◆	●	◆	◆	◆	●	●	●	●	●
Salem	●	●	●	●	●	●	●	●	●	●	-	●	●
Eugene	●	●	-	●	●	●	-	●	●	●	●	●	-

- Permitted
- ◆ Code silent on type, but could be considered “fowl raised for meat or eggs” or “similarly sized domestic fowl”
- Not listed in code
- Permitted on lots greater than 20,000 sf that allow agricultural uses
- Not permitted

Overview

Maintains licensing requirements in TMC

- Valid for five years
- A combined maximum of four domestic fowl of any type per lot
- Fowl must be confined to a coop in a fenced backyard or run
- Coop must be:
 - Less than 200 sq ft and 8 ft in height
 - Enclosed on at least three sides
 - Located at least 10 ft from property lines and 25 ft from abutting residences
 - Maintained in good repair and sanitary condition



Engagement Summary

Public engagement activities kept our community informed. Notice was provided to the following:

- DLCD;
- Government agencies partners;
- CIOs;
- Newspaper; and
- City website.

PTA 26-0001 Domestic Fowl Regulations

Project ID: PTA 25-0002

Reviewing Staff:
planning@tualatin.gov

Project Staff Contact:
planning@tualatin.gov

Project Type:
Land Use
Plan Text Amendment (PTA)
Planning

Project Status: Under Review

Hearing Date:
Monday, March 9, 2026

Reviewing Body:
City Council

Location:
10699 SW Herman Road
Tualatin, OR 97062
See map: [Google Maps](#)

The City of Tualatin is proposing a Plan Text Amendment that would amend the Tualatin Municipal Code (TMC) and Tualatin Development Code (TDC) to expand "backyard chicken" regulations to include "domestic fowl".

Files:

[Exhibit 1 - PTA 26-0001 Findings and Analysis \(290 KB\)](#)

[Exhibit 2 - PTA 26-0001 Text Amendment \(Clean\) \(140 KB\)](#)

[Exhibit 3 - PTA 26-0001 Text Amendment \(Formatted\) \(179 KB\)](#)



[Return to Projects](#)

Proposed Amendments



CHAPTER	TITLE	PROPOSED AMENDMENT
TDC 39.300	Agriculture Use Category	<ul style="list-style-type: none">• Updates agricultural uses characteristics to include domestic fowl
TDC 40	Low Density Residential (RL)	<ul style="list-style-type: none">• Updates permitted uses to include domestic fowl

*** Companion Ordinance will expand TMC regulations for the keeping of backyard chickens to include domestic fowl ***

Approval Criteria



- Tualatin Development Code:
 - Chapter 33.250 Type IV-B
 - Chapter 33.070 Plan Amendments
- Findings and Analysis included as Exhibit 1



Planning Commission



February 18 - Planning Commission review of the proposal

- Robust discussion on potential mitigative measures to address noise, odor, and vermin complaints that sometimes arise with domestic fowl use.
- Commission requested clarifications to companion regulations included under TMC 6-15-030
- Commission directed staff to:
 - Consult with the code enforcement officer to determine if additional enforcement tools or training are needed to address vermin (rat) complaints related to domestic fowl, to provide more effective means to address such complaints; and
 - Research best practices and guidelines for minimum coop and run standards for various domestic fowl from accredited sources like USDA or OSU to inform future domestic fowl licensee.
- One member of the public testified in support of the amendments

Planning Commission

TMC 6-15-030 Conditions of License.

Every licensee must comply with the following conditions at all times:

- (1) The place where the domestic fowl chickens are to be kept must be within a planning district that allows the keeping of domestic fowl chickens as a use;
- (2) A combined maximum of four domestic fowl of any type hens are permitted on any one lot;
- (3) Roosters, geese, guinea fowl, peacocks, turkeys, emus, and ostriches are prohibited;
- (4) Harvesting On site slaughtering or butchering of a domestic fowl chicken is prohibited;
- (5) Domestic fowl Chickens must be confined at all times within a domestic fowl chicken facility; unless, the domestic fowl are roaming under the direct supervision of the licensee and within a fenced yard ~~and under the direct supervision of the licensee;~~
- (6) The domestic fowl chicken facility must be located in the rear yard of a lot and be at least ten feet from all property lines and 25 feet from all abutting residences;
- (7) The domestic fowl chicken facility must not exceed 200 square feet in floor space;
- (8) The domestic fowl chicken facility must not exceed a height of eight feet measured from the tallest part of the roof surface to the ground;
- (9) The coop must have at least three enclosed sides. The fourth side may be open with the open side facing away from all neighboring property lines;
- (10) The domestic fowl chicken facility ~~and the place where the chickens are located~~ must be maintained in good repair, in a clean and sanitary condition, and free of vermin, and obnoxious smells and substances that create a nuisance for adjoining property; and
- (11) Domestic fowl chicken feed must be properly stored in a metal or other vermin-proof containers ~~or receptacle.~~

Recommendation



The Planning Commission forwards a unanimous recommendation for City Council to adopt amendments proposed under PTA 26-0001.

Proposed Motion for Council Consideration:

I motion to adopt Ordinance 1454-26 amending the Tualatin Development Code Chapters 39 and 40 related to Domestic Fowl Regulations; PTA 26-0001.



Image: Marilyn Barbone

Conclusion



Any other questions or discussion?





CITY *of*
TUALATIN

ORDINANCE NO. 1454-26

AN ORDINANCE RELATED TO LAND USE; AMENDING THE TUALATIN DEVELOPMENT CODE CHAPTERS 39 AND 40 RELATED TO DOMESTIC FOWL REGULATIONS; PTA 26-0001.

WHEREAS, the City initiated Plan Text Amendment (PTA 26-0001) known as Domestic Fowl Regulations;

WHEREAS, the City provided notice of the proposed amendments to the Oregon Department of Land Conservation and Development, as provided in ORS 197.610;

WHEREAS, the City provided notice to government agencies and other interested parties, as required by TDC 32.250 and TDC 33.070;

WHEREAS, the Tualatin Planning Commission held a public hearing on February 18, 2026 and recommended by unanimous vote that Council adopt the proposed amendments;

WHEREAS, the Tualatin City Council held a public hearing on March 9, 2026, to consider adopting the proposed amendments;

WHEREAS, the Tualatin City Council has considered the recommendation of the Planning Commission; and

WHEREAS, the Tualatin City Council has determined that the proposed amendments are consistent with the applicable review criteria as demonstrated in the City's findings.

NOW, THEREFORE, THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. The Tualatin Development Code (TDC) is hereby amended as set forth in Exhibit 2 and 3, attached hereto.

Section 2. All other provisions and subsections of the Tualatin Development Code (TDC) shall remain unchanged and in full force and effect.

Section 3. Findings. The Council adopts the Findings and Analysis as set forth in Exhibit 1, which is attached and incorporated by reference.

Section 4. Severability. Each section of this ordinance, and any part thereof, is severable. If any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

Section 5. Effective Date. As provided in the Tualatin Charter, this ordinance is effective 30 days from the date of adoption.

ADOPTED by the City Council this 9th day of March, 2026.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



FINDINGS AND ANALYSIS

Domestic Fowl Regulations

February 20, 2026

Case #:	PTA 26-0001
Project:	Domestic Fowl Regulations
Procedure:	Type IV-B, Legislative

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I. INTRODUCTION

A. Applicable Criteria

Tualatin Development Code Chapters 32 and 33.

B. Project Description

The City of Tualatin proposes legislative amendments to the Tualatin Development Code (TDC) to expand the agricultural use category to include domestic fowl, as well as update permitted uses to include domestic fowl in the Low Density Residential Planning Zone (RL). A companion Ordinance with amend Tualatin Municipal Code 6-15 to regulate the various aspects of keeping backyard domestic fowl.

Background

On November 12, 2013, the Council approved Plan Text Amendment (PTA) 13-02, amending the TDC to allow chicken keeping as a permitted use in the single-family residential area Low Density Residential Planning Zone (RL). At that same meeting, the Council adopted Ordinance 1362-13, which set forth minimum standards applicable for the keeping of backyard chickens in the RL zone (codified at TMC Chapter 6-15). The adoption of PTA 13-02 and Ordinance 1362-13 did not include the keeping of any other types of fowl within the City.

On June 26, 2025, a City code compliance officer received a complaint regarding “strange animals” being kept at a single-family residence in the RL zone. On June 30, the officer met with the property owner, who explained that his family was keeping ducks at the residence. After being informed that the keeping of ducks was prohibited in the City, the property owner requested (both at the Public Comment portion of July 14, 2025 meeting and via email) that the Council review the matter and amend City law to allow for the keeping of ducks in single family residential areas.

At the August 11, 2025 work session, staff sought direction on whether to commence a Plan Text Amendment to allow for duck keeping as a permitted use in the RL zone. Staff was then directed to expand the existing backyard chicken regulations to include domestic fowl.

Table 1—Summary of proposed code amendments

CHAPTER	TITLE	PROPOSED AMENDMENT
TDC 39.300	Agriculture Use Category	<ul style="list-style-type: none"> Updates agricultural uses characteristics to include domestic fowl.
TDC 40.210	Low Density Residential Zone (RL)	<ul style="list-style-type: none"> Updates permitted uses to include domestic fowl.

Table 2 – Summary of companion code amendments

CHAPTER	TITLE	PROPOSED AMENDMENT
TMC 6-15	Keeping of Domestic Fowl	<ul style="list-style-type: none"> Expands regulations for the keeping of backyard chickens to include domestic fowl.

C. Attachments

- Exhibit 2. PTA 26-0001 Domestic Fowl Regulation Text Amendments (Clean)
- Exhibit 3. PTA 26-0001 Domestic Fowl Regulation Text Amendments (Formatted)
- Exhibit 4. Public Notice

Exhibit 1 - PTA 26-0001 Findings and Analysis
Findings and Analysis
February 20, 2026

Exhibit 5 – Supplemental Items submitted by Commissioner Hledik

II. PLANNING FINDINGS

A. Tualatin Development Code

Chapter 32: Procedures

TDC 32.010. - Purpose and Applicability.

(2) **Applicability of Review Procedures.** All land use and development permit applications and decisions, will be made by using the procedures contained in this Chapter. The procedure "type" assigned to each application governs the decision-making process for that permit or application. There are five types of permit/application procedures as described in subsections (a) through (e) below. Table 32-1 lists the City's land use and development applications and corresponding review procedure(s).

(e) **Type IV-B Procedure (Legislative Review).** The Type IV-B procedure is used to review proposals to amend the Tualatin Comprehensive Plan, the City's land use regulations, and large-scale changes to the Comprehensive Plan or Plan Maps, and involve the creation, revision, or implementation of broad public policy. Type IV-B reviews are first considered by the Planning Commission, which makes a recommendation to City Council. City Council makes the final decision on a legislative proposal through the enactment of an ordinance. Appeals of Type IV-B decisions are heard by the Land Use Board of Appeals (LUBA).

(3) **Determination of Review Type.** Unless specified in Table 32-1, the City Manager will determine whether a permit or application is processed as Type I, II, III, IV-A or IV-B based on the descriptions above. Questions regarding the appropriate procedure will be resolved in favor of the review type providing the widest notice and opportunity to participate. An applicant may choose to elevate a Type I or II application to a higher numbered review type, provided the applicant pays the appropriate fee for the selected review type.

Table 32-1—Applications Types and Review Procedures

Application/Action	Procedure Type	Decision Body*	Appeal Body*	Pre-Application Conference Required	Neighborhood/ Developer Mtg Required	Applicable Code Chapter
Plan Amendments						
• Legislative Map or Text Amendments	IV-B	CC	LUBA	No	No	TDC 33.070

* City Council (CC); Planning Commission (PC); Architectural Review Board (ARB); City Manager or designee (CM); Land Use Board of Appeals (LUBA).

Finding:

The proposed application is a text amendment to the Tualatin Development Code. The proposed amendments are legislative in nature as they apply to broad areas of the City, as opposed to specific properties. The proposed application is being processed in accordance with the Type IV-B procedures. These criteria are met.

TDC 32.250. - Type IV-B (Legislative Decisions).

Type IV-B decisions are legislative land use decisions made by the City Council. Legislative land use proceedings include proposals to amend the Tualatin Comprehensive Plan and zoning maps, and involve the creation, revision, or implementation of broad public policy generally impacting more than one property owner or a large number of individual properties. The City Council may initiate its own legislative proposals at any time. Legislative requests are not subject to the 120-day review period under ORS 227.178. In most cases a public hearing is required. However, no public hearing is required in a legislative land use proceeding if the purpose of the amendment is to conform to new requirements in state land use statutes, Statewide Land Use Planning Goals, or administrative rules of the Oregon Land Conservation and Development Commission implementing state land use statutes or Statewide Land Use Planning Goals, if the Oregon Department of Land Conservation and Development confirms in writing that the only effect of the proposed change is to conform the City's Comprehensive Plan or land use regulations to the new state requirements. The Council may, in its discretion, hold a public hearing although one is not required.

(1) *Submittal Requirements—Type IV-B.* Legislative land use proceedings may be initiated by the City Council or City staff.

(2) *Notice of Public Hearing—Type IV-B.* Hearings on Legislative Land Use requests must conform to state land use laws (ORS 227.175), as follows:

(a) *DLCD Pre-Adoption Notice.* The City Manager will notify in writing the Oregon Department of Land Conservation and Development (DLCD) of legislative amendments (zone change, rezoning with annexation, or comprehensive plan amendment) in accordance with the minimum number of days required by ORS Chapter 197.

[...]

(c) *Other Public Notice.* In addition to any other notice required, at least 14 calendar days before the scheduled City Council public hearing date, the City must mail by regular first class mail Notice of a Public Hearing to the following individuals and agencies.

(i) Any affected governmental agency;

(ii) Any person who requests notice in writing;

(iii) For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175;

(iv) Designated representatives of recognized Citizen Involvement Organizations;

(v) For an amendment which affects the transportation system, ODOT and Metro; and

(vi) For a plan amendment or land use regulation amendment that significantly impacts school capacity, the Tigard-Tualatin School District.

(d) At least 14 calendar days before the scheduled City Council public hearing date, public notice must be provided by publication in a newspaper of general circulation in the city.

(e) At least 14 calendar days before the scheduled City Council public hearing date, public notice must be posted in two public and conspicuous places within the City.

[...]

Finding:

As discussed in response to the previous criterion, the proposed amendments are legislative in nature and have been processed consistent with the Type IV-B requirements. The amendments will satisfy Council direction to expand the existing backyard chicken regulations to include domestic fowl. These criteria are met.

(4) Conduct of the Hearing—Type IV-B. A Type IV-B land use hearing will follow the City's legislative hearing procedures. There can be pre-hearing contact between citizens and the decision makers on legislative matters. "Ex parte contact" is not a concern.

(5) Notice of Adoption and Effective Date of a Type IV-B Decision.

(a) Notice of Adoption must be mailed to the applicant, all participants of record, and the Department of Land Conservation and Development within 20 business days after the City Council decision is filed with the City Manager. The City must also provide notice to all persons as required by other applicable laws.

(b) A Legislative Land Use decision, if approved, takes effect and becomes final as specified in the enacting ordinance or, if not approved, upon mailing of the Notice of Adoption to the applicant.

Finding:

The City Council public hearing is scheduled for March 9, 2026 and will be conducted following legislative hearing procedures. If adopted, a notice of adoption will be mailed and effective consistent with the above provisions. These criteria can be met.

Chapter 33: Applications and Approval Criteria

Section 33.070 Plan Amendments

[...]

(2) Applicability. [...] Legislative amendments may only be initiated by the City Council.

(3) Procedure Type.

(b) Map or text amendment applications which are legislative in nature are subject to Type IV-B Review in accordance with TDC Chapter 32.

Finding:

The proposed amendments are legislative in nature, in that they apply broadly across the city. The application will be processed consistent with the Type IV-B Review requirements in accordance with Chapter 32, which include publishing a newspaper notice at least 14 days prior to the City Council hearing, sending notice to the state DLCD. These criteria will be satisfied.

(5) Approval Criteria.

(a) Granting the amendment is in the public interest.

Finding:

The amendment will satisfy a citizen request that the Council consider expanding the backyard chicken regulations to include ducks. Council then directed staff to commence a Plan Text Amendment that would broadly allow domestic fowl keeping as a permitted use in the Low-Density Residential Zone. As part of this project, staff reviewed similar domestic fowl ordinances in the state to understand the various regulatory methods that allow for domestic fowl keeping in urban residential areas, while also including limitations or restrictions that protect the public interest.

This criterion is met.

(b) The public interest is best protected by granting the amendment at this time.

Finding:

The amendment protects the public interest by including regulatory methods that allow for domestic fowl keeping in urban residential areas, while also including limitations or restrictions that protect the public interest. For example, the keeping of chickens has been expanded to include domestic fowl. Domestic fowl means chickens, ducks, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use. These birds are known to provide a sustainable source of eggs, natural pest control, are relatively low maintenance, and are adaptive to human environments. The amendments also prohibit the raising of roosters, geese, guinea fowl, peacocks, turkeys, emus, and ostriches. These birds can be problematic in that they produce noise, cause property damage, and can be aggressive.

This criterion is met.

(c) The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.

Finding:

The proposed amendments are in conformity with the following applicable objectives of the Tualatin Comprehensive Plan:

- *POLICY 3.1.3. [...] Provide for compatible agricultural uses in areas where significant development barriers are present, or where compatible with permitted residential uses.*

The amendment will help implement Policies 3.1.3 by expanding the variety of domestic fowl that are permitted in the low-density residential area. This criterion is met.

(d) The following factors were consciously considered:

(i) The various characteristics of the areas in the City;

(ii) The suitability of the areas for particular land uses and improvements in the areas;

Finding:

The characteristics of single-family residential areas in Tualatin's jurisdiction were considered under the amendments. The keeping of chickens has been expanded to include domestic fowl. Domestic fowl means chickens, ducks, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use. These birds are known to provide a sustainable source of eggs, natural pest control, are relatively low maintenance, and are adaptive to human environments. Existing regulations are in place that require a roofed shelter to protect domestic fowl from the elements and predators. These criteria are met.

(iii) Trends in land improvement and development;

Finding:

The keeping of domestic fowl has become more common in urban areas both locally and nationally. Domestic fowl are known to provide a sustainable source of eggs, natural pest control, are relatively low maintenance, and are adaptive to human environments. This criterion is met.

(iv) Property values;

Finding:

There have been no definitive studies showing that domestic fowl keeping in single-family residential areas in an urban setting either negatively or positively affect the property value of locations where the fowl are kept or that of the surrounding area. This criterion does not apply.

(v) The needs of economic enterprises and the future development of the area; needed right- of-way and access for and to particular sites in the area;

Finding:

The proposal to expand the existing backyard chicken regulations to include domestic fowl as a permitted use that is secondary to residential use and will have no effect on the economic enterprise or future development of the area, including needed right-of-way or access to a particular site. This criterion does not apply.

(vi) Natural resources of the City and the protection and conservation of said resources;

(vii) Prospective requirements for the development of natural resources in the City;

Finding:

The proposed amendments do not impact natural resource protection nor application of requirements to future development. These criteria do not apply.

(viii) The public need for healthful, safe, esthetic surroundings and conditions;

Finding:

The proposal relates to existing regulations in the Tualatin Municipal Code that require a roofed shelter that is maintained in a clean and sanitary condition to protect domestic fowl from the elements and predators. The regulations also require that a combined maximum of four domestic fowl of any type are permitted on any one lot, and that feed must be properly stored in vermin-proof containers. This criterion is met.

(ix) Proof of change in a neighborhood or area, or a mistake in the Plan Text or Plan Map for the property under consideration are additional relevant factors to consider.

Finding:

The proposed amendments do not apply to a specific property or neighborhood. Therefore, this criterion is not applicable.

(e) If the amendment involves residential uses, then the appropriate school district or districts must be able to reasonably accommodate additional residential capacity by means determined by any affected school district.

Finding:

The proposed amendments do not create a direct impact to residential capacity for school districts, and therefore this criterion is not applicable.

(f) Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules, including compliance with the Transportation Planning Rule

TPR (OAR 660-012-0060).

Finding:

The proposal does not relate to nor affect transportation planning. This criterion is not applicable.

(g) Granting the amendment is consistent with the Metropolitan Service District's Urban Growth Management Functional Plan.

Finding:

The Metro Urban Growth Management Functional Plan (MUGMFP) does not address keeping domestic fowl in residential areas. Therefore, this criterion does not apply.

(h) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 10-4), and E/E for the rest of the 2040 Design Types in the City's planning area.

Finding:

The proposed amendments do not relate to vehicle trip generation. This criterion is not applicable.

(i) Granting the amendment is consistent with the objectives and policies regarding potable water, sanitary sewer, and surface water management pursuant to TDC 12.020, water management issues are adequately addressed during development or redevelopment anticipated to follow the granting of a plan amendment.

[...]

Finding:

The proposed changes do not impact objectives and policies regarding the above referenced utilities. This criterion is not applicable.

TUALATIN DEVELOPMENT CODE

CHAPTER 39 - USE CATEGORIES

[...]

TDC 39.300. Agriculture.

- (1) *Characteristics.* Agricultural uses are activities that raise, produce or keep plants or animals. The raising of animals in the City of Tualatin is limited to normal household pets and domestic fowl, as otherwise allowed by the Tualatin Municipal Code.
- (2) *Examples of Uses.*
 - Production of agricultural crops.
 - Horticulture.
 - Forest harvesting.
 - Orchards.
- (3) *Exceptions.*
 - Processing of animal or plant products are classified as either Light Manufacturing or Heavy Manufacturing, depending on the nature of the use.
 - Plant nurseries that are oriented to retail sales are classified as Durable Goods Sales.

[...]

CHAPTER 40 - LOW DENSITY RESIDENTIAL ZONE (RL)

[...]

TDC 40.210. Additional Limitations on Uses.

- (1) *Agricultural Uses.* Agricultural uses may be permitted uses or conditional uses depending on the nature of the use.
 - (a) *Permitted Uses.* The following uses are permitted outright:
 - (i) Agricultural uses of land such as gardening and horticulture.
 - (ii) Raising of domestic fowl as allowed by the Tualatin Municipal Code.
 - (b) *Conditional Uses.* The following uses are conditional uses within areas designated on Comprehensive Plan Map 10-6:
 - (i) *Conditional Use of Agricultural Animals.* Raising of agricultural animals, limited to cattle, horses and sheep. The City Council may limit the number of animals to be allowed on a specific parcel of property.
 - (ii) *Agricultural structures such as barns, stables, sheds, but excluding feed lots.* Feed lots are prohibited.

[...]

TUALATIN DEVELOPMENT CODE

CHAPTER 39 - USE CATEGORIES

[...]

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 - Production of agricultural crops.
 - Horticulture.
 - Forest harvesting.
 - Orchards.
- (3) *Exceptions.*
 - Processing of animal or plant products are classified as either Light Manufacturing or Heavy Manufacturing, depending on the nature of the use.
 - Plant nurseries that are oriented to retail sales are classified as Durable Goods Sales.

[...]

EXHIBIT 3 - PTA 26-0001 Text Amendment (Formatted)

Formatted version of proposed amendments:

~~Red strike through~~ words are proposed to be removed and **bolded underlined** words are proposed to be added.

CHAPTER 40 - LOW DENSITY RESIDENTIAL ZONE (RL)

[...]

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 - (ii) *Agricultural structures such as barns, stables, sheds, but excluding feed lots.* Feed lots are prohibited.

[...]

From: [DLCD Plan Amendments](#)
To: [Erin Engman](#)
Subject: Confirmation of PAPA Online submittal to DLCD
Date: Thursday, January 29, 2026 4:14:44 PM



Tualatin

Your notice of a proposed change to a comprehensive plan or land use regulation has been received by the Oregon Department of Land Conservation and Development.

Local File #: PTA 26-0001

DLCD File #: [001-26](#)

Proposal Received: 1/29/2026

First Evidentiary Hearing: 3/9/2026

Submitted by: eengman

If you have any questions about this notice, please reply or send an email to plan.amendments@dlcd.oregon.gov.

From: [Erin Engman](#)
To: [Sherilyn Lombos](#); [Don Hudson](#); [Kevin McConnell](#); [Heather Heidel](#); [Aquila Hurd-Ravich](#); [Teresa M Montalvo](#); [Mike McCarthy](#); [Tony Doran](#); [Hayden Ausland](#); [Keith Leonard](#); [Lindsey Hagerman](#); [Sidaro Sin](#); [Rich Mueller](#); [Tom Steiger](#); [Terrance Leahy](#); [Ernie Castro](#); [Tom Scott](#); [Martin Loring](#); [Lauren Gonzalez](#); [Paul Garcia](#); [Brooke Baxter](#)
Cc: [cityofdurham@comcast.net](#); ["planningteam@ci.king-city.or.us"](#); ["planning@lakeoswego.city"](#); ["manager@cityofrivergrove.com"](#); ["planning@sherwoodoregon.gov"](#); ["schuylerw@tigard-or.gov"](#); [bateschell@wilsonvilleoregon.gov](#); ["planning@wilsonvilleoregon.gov"](#); ["kenken@clackamas.us"](#); [Dyami Valentine](#); ["theresa_chniak@co.washington.or.us"](#); ["deqinfo@deq.state.or.us"](#); ["landusenotifications@oregonmetro.gov"](#); ["info@theintertwine.org"](#); ["Anneleah@tualatinchamber.com"](#)
Subject: Notice of Hearing - PTA 26-0001 Domestic Fowl Regulations
Date: Thursday, February 19, 2026 9:44:00 AM
Attachments: [PTA 26-0001 Notice.pdf](#)
[image001.png](#)
[image002.png](#)



NOTICE OF HEARING - CITY OF TUALATIN, OREGON

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Tualatin City Council at 7:00 p.m., Monday, March 9, 2026, at the Tualatin Service Center.

You are invited to attend and participate in the public hearing.

The City of Tualatin is proposing a Plan Text Amendment that would amend the Tualatin Municipal Code (TMC) and Tualatin Development Code (TDC) to expand “backyard chicken” regulations to include “domestic fowl”. Local File No. PTA 26-0001.

The public is invited to comment by e-mail, writing or by testifying at the hearing.

Written comments can be made by email to planning@tualatin.gov or submitted at the hearing. Failure to raise an issue at the hearing or in writing or to provide sufficient specificity to afford the City Council an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA). Legislative hearings begin with the Mayor opening the hearing, presentation of the staff report, public testimony, questions of staff or anyone who testified by Council, after which the Mayor closes the public hearing, and Council may then deliberate to a decision and a motion would be made to either *approve*, *deny*, or *continue* the public hearing. The time of individual testimony may be limited.

For those who would prefer to make verbal comment at the hearing, there are two options:

- **Zoom teleconference.** Instructions on how to provide comment will be provided

during the meeting itself.

- Full instructions and a current link are available at:

<https://www.tualatinoregon.gov/citycouncil/council-meetings>

- **Attend in person at the Tualatin Service Center** at 10699 SW Herman Road in Tualatin

To view application materials visit: <https://www.tualatinoregon.gov/planning/pta-26-0001-domestic-fowl-regulations>

A staff report will be available seven days prior to the public hearing. This meeting and any materials being considered can be made accessible upon request.

To grant the amendment, Council must find the proposal meets the applicable criteria Tualatin Development Code Chapters 32 and 33.

CITY OF TUALATIN, OREGON



Erin Engman, AICP

Senior Planner

Phone: 503.691.3024

[tualatinoregon.gov](https://www.tualatinoregon.gov)

From: [Erin Engman](#)
To: [Riverparkcio@gmail.com](#); [katopinamonti@hotmail.com](#); [christine@newmountaingroup.com](#); [rockybixby@hotmail.com](#); [maronde@msn.com](#); [jasuwi7@gmail.com](#); [cio.East.west@gmail.com](#); [doug_ulmer@comcast.net](#); [keenanwoods7@gmail.com](#); [keenanwoods7@gmail.com](#); [jvanetten59@gmail.com](#); [tualatinmidwestcio@gmail.com](#); [tmpgarden@comcast.net](#); [sixgill@comcast.net](#); [jdrs80@gmail.com](#); [snoelluwcle@yahoo.com](#); [theawood48@gmail.com](#); [MartinazziWoodsCIO@gmail.com](#); [lisacat831@frontier.com](#); [abuenzli_pdx@hotmail.com](#); [shuggins6@gmail.com](#); [ClaudiaSterling68@gmail.com](#); [kimberlypoole1@aol.com](#); [solson.1827@gmail.com](#); [TualatinIbachcio@gmail.com](#); [Parsons.Patricia@outlook.com](#); [afbohn@gmail.com](#); [edkcnw@comcast.net](#); [clinefelters@outlook.com](#); [Byromcio@gmail.com](#); [timneary@gmail.com](#); [jujuheir@aol.com](#); [drcme99@comcast.net](#); [katzmari22@gmail.com](#); [tualatincommercialcio@gmail.com](#); [tualatincommercialcio@gmail.com](#); [scottm@capacitycommercial.com](#); [scottm@capacitycommercial.com](#); [ksdrangsholt@yahoo.com](#); [christine@newmountaingroup.com](#); [robertekellogg@yahoo.com](#); [sonyanybergrygh@gmail.com](#); [gotothetownwellness@gmail.com](#)
Cc: [Aquila Hurd-Ravich](#); [Betsy Ruef](#); [Megan George](#); [Ext - Planning](#)
Subject: Notice of Hearing - PTA 26-0001 Domestic Fowl Regulations
Date: Thursday, February 19, 2026 10:14:00 AM
Attachments: [PTA 26-0001 Notice.pdf](#)
[image001.png](#)
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CITY OF TUALATIN, OREGON



Erin Engman, AICP

Senior Planner

Phone: 503.691.3024

[tualatinoregon.gov](https://www.tualatinoregon.gov)



AFFIDAVIT OF MAILING

STATE OF OREGON)

) ss

COUNTY OF WASHINGTON)

I, Lindsey Hagerman being first duly sworn, depose and say:

That on the February day of 20, I served upon the persons shown on Exhibit A, attached hereto and by this reference incorporated herein, a copy of a Notice of Hearing/Application/Decision marked Exhibit B, attached hereto and by this reference incorporated herein, by mailing to them a true and correct copy of the original hereof. I further certify that the addresses reflect information received from the relevant party or agency, and that said envelopes were placed in the United States Mail at Tualatin, Oregon, prepared to receive postage administered by city staff.

Dated this February 20 of, 2026

Lindsey Hagerman
Signature

SUBSCRIBED AND SWORN to before me this February 20, 2026



Paige Frances Singer
Notary Public for Oregon

My commission expires: July 7, 2029

RE: PTA26-0001 Notice of Hearing

Kevin Mulvaney



Tualatin, OR 97062



NOTICE OF HEARING - CITY OF TUALATIN, OREGON

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To grant the amendment, Council must find the proposal meets the applicable criteria Tualatin Development Code Chapters 32 and 33.

CITY OF TUALATIN, OREGON



PO Box 310 Gresham, OR 97030
Phone: 503-684-0360 Fax: 503-620-3433
E-mail: legals@commnewspapers.com

AFFIDAVIT OF PUBLICATION

State of Oregon, County of Washington, ss
I, Deseri Cerruti, being first duly sworn, de-
pose and say that I am the Principal Clerk
of the **The Times**, a newspaper of general
circulation, published in Washington Coun-
ty, Oregon, as defined by ORS 193.010 and
193.020, that

Owner: City of Tualatin
Description: Public Hearing - Tualatin City
Council at 7:00 p.m., Monday, March 9,
2026
Ad#: 379620

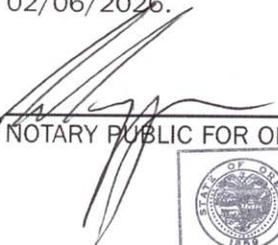
A copy of which is hereto annexed, was
published in the entire issue of said
newspaper for 1 week(s) in the
following issue(s):

02/06/2026

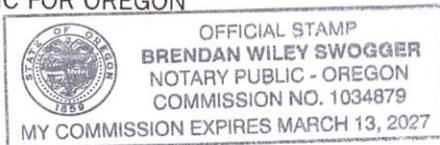


Deseri Cerruti (Principal Clerk)

Subscribed and sworn to before me this
02/06/2026.



NOTARY PUBLIC FOR OREGON



Acct #: 146536
Attn: Lindsey Hagerman
TUALATIN, CITY OF
18880 SW MARTINAZZI AVE
TUALATIN, OR 97062

EXHIBIT A



NOTICE OF HEARING - CITY OF TUALATIN, OREGON

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- **Attend in person at the Tualatin Service Center** at 10699 SW Herman Road in Tualatin

To view application materials visit:
<https://www.tualatinoregon.gov/planning/pta-26-0001-domestic-fowl-regulations>

A staff report will be available seven days prior to the public hearing. This meeting and any materials being considered can be made accessible upon request.

To grant the amendment, Council must find the proposal meets the applicable criteria Tualatin Development Code Chapters 32 and 33.

CITY OF TUALATIN, OREGON

Publish February 20, 2026

TT379620

From: Randall Hledik beaver73@comcast.net
Subject: Domestic Fowl Code Amendments
Date: February 12, 2026 at 5:24 PM
To: Mark and Janelle Thompson markthomps@msn.com
Cc: Erin Engman eengman@tualatin.gov, Teresa M Montalvo tmontalvo@tualatin.gov

Janelle -

I was glad to see that the staff looked at how other jurisdictions have addressed this issue. I'd be curious as to whether Salem and Eugene in particular are thinking of making any changes since they've had time to see how well their regulations work.

Way back on December 11, 2017 The Oregonian ran an Associated Press story about a rat problem in Eugene that was attributable to "relaxed regulations for urban farming". All across the city, including the neighborhood I lived in at the time, experienced an influx of rats. The local rat exterminators blamed the increased population on the "prevalence of chicken coops, compost piles and backyard gardens".

With this in mind, I'd like us to consider the following modifications to the proposed amendments to TMC 6-15:

Section 030(2) allows a "maximum of four domestic fowl". We may want to change this to a "combined maximum of four" just to clarify that someone cannot have four each of two or more different birds. (I'm thinking about the guys on the "Friends" TV show who keep both a chicken and a duck in their apartment!)

Section 010 defines domestic fowl by naming several specific birds, but also adds the words "and similar birds". This provides some discretion for addressing unforeseen future types of birds that someone might want to raise, thereby avoiding the need for another potential amendment. We may want to include this wording in 030(3) to give that same sort of leeway to birds that should be prohibited. And also, to follow Salem's code, we might consider adding "ostriches and emus" to the list just to be specific.

Section 030(4) prohibits "harvesting or butchering". We may want to consider being silent on "harvesting" so as not to preclude egg gathering, and instead prohibit "slaughtering" along with "butchering" for clarity. Also, to follow Salem's code again, we might add the words "on site", i.e., "On site slaughtering or butchering of a domestic fowl is prohibited".

Section 030(6) requires domestic fowl facilities to be "25 feet from all residences". The Salem code differentiates in this regard, i.e., "25 feet from a residence on an adjacent property", but only "3 feet from any building on the property" where the birds are. Lot sizes and configurations could make it difficult to satisfy our one-size-fits-all proposed distance.

Section 030(7) specifies that a domestic fowl facility, i.e., coop and/or run, "must not exceed 200 square feet". For the sake of the birds we may want to also specify some minimum size. Salem requires at least one square foot of coop space per bird for small birds, and three square feet of coop space plus six square feet of run space per bird for larger birds.

Section 030(10) lists "obnoxious smells and substances" whereas Salem addresses "odors and noise that create a nuisance", and Eugene goes further by describing a noise disturbance as "any animal which makes sounds frequently or for a long duration". Looking for some "clear and objective standard" here.

Sections 030(11) addresses the rat problem. While (11) specifies how feed is to be stored, Eugene goes further: "Animal manure cannot be allowed to accumulate and should be disposed of so as not to create an odor issue that is detectable beyond property lines. Compost piles that contain manure and bedding must be located at least 5 feet from all property lines and be confined within a container or bin enclosed on all sides and covered to deter vermin". **I think this deserves close attention in our code.**

Some additional regulations from the other jurisdictions that I think are worth discussing include:

Forest Grove includes age in its definition of "allowed domestic fowl", i.e., "three months of age or older". I suppose someone asked if baby birds could exceed the maximum number ... and the answer was "yes, but only for a while".

Salem requires that ducks must have "a clean supply of water in a pond, wading pool, tub or other container large enough for the duck to fit its entire body and deep enough for it to submerge its head". I googled this, and apparently ducks need water to keep themselves clean and healthy.

Eugene requires that fencing "must be designed and constructed to confine animals on the site". I encountered a chicken on the sidewalk in my neighborhood recently. I think it wandered off of an unincorporated parcel. I don't know if it was planning to cross the road.

Eugene also requires that "no person shall subject any animal to cruel mistreatment or neglect". Maybe our code addresses animal cruelty in some other section, but if not, perhaps it should be added here in order to give our compliance official needed authority.

I realize this is a lot to digest, and maybe Erin could send it to the other PC members to review before our meeting. I look forward to our discussion.

Thanks

Randy

Explosion of rats in Eugene linked to chickens, compost

- Updated: Dec. 11, 2017, 3:10 p.m.
- |Published: Dec. 11, 2017, 2:10 p.m.

Eugene's rat population is exploding, thanks to an abundance of chickens and compost.(Courtesy of AP)

By The Associated Press Oregon Live/The Oregonian

EUGENE — In late 2016, Eugene resident Jim Kocher and his wife, Sally, began hearing strange knocking and pitter-patter sounds in the ceiling and walls of their home.

An exterminator quickly identified the culprits as rats and, over the course of six months, trapped about 10 of them. But after a year of lost sleep and increased anxiety, rodents still are running free somewhere inside their Friendly-area neighborhood home.

Kocher, who has owned his house for 30 years, said he'd never seen a rat inside his home before last year.

"We're traumatized," said Kocher, who estimated the couple have spent well more than a \$1,000 on pest control. "If we hear a sound in the middle of the night now . it's just a horrible feeling."

The Kochers are hardly alone.

About 100 people in the neighborhood in south-central Eugene have reported seeing or hearing rats in their homes or around the neighborhood within the past few months.

In response, the neighborhood association has formed a group, known as the Rodent Action Team, or RAT, to coordinate efforts to best the pests.

"Rats have been present all along," said Jason Blazar, a landscape ecologist who lives in the neighborhood and leads the group. "We hit this tipping point, and it's kind of added up."

Blazar and other neighbors say the problem is bigger than they can handle and are seeking help from City Hall. Eugene city councilors, at the request of Councilor Emily Semple, who represents the neighborhood, have agreed to have a discussion Monday night.

Residents "have been doing a good job with responding, but it's too big," Semple said.

The Friendly area isn't unique. There are reports all over the city of an increased rat population, including along River Road, downtown and the northern and western neighborhoods of the city.

Rodents are well-known as carriers of infectious diseases.

Dr. Patrick Luedtke, Lane County's health officer, said there has been no increase in reports of infectious diseases that can be traced to rats. They include bubonic plague, hantavirus, leptosporosis and rat-bite fever. Humans can get these diseases if they are bitten by an infected rat or inhale or ingest microorganisms in the rat's feces or urine.

"We're not seeing that, which is good," Luedtke said.

He added the risk of bubonic plague spreading in the community is theoretical.

"It certainly would be possible here, but it would be unlikely to happen."

Lane County Public Health does not have a rodent eradication program.

Representatives of four local pest control companies told The Register-Guard last week that they've seen a marked increase in calls about rats over at least the past year. City officials also have noted a similar increase in public complaints about rodents.

"We're seeing an explosion in the rat population," said Ed Byerly, the owner of Oregon Pest Control.

The pest control representatives said that typically there is a spike in calls about rats with the onset of cold weather as rodents seek warm shelter. But Byerly said he received two calls a week about rats last summer, compared with one a month in a normal year.

Grant Williams, who owns Ultimate Pest Control, said he's receiving three times more calls about rats than normal, and his supply ordering is barely keeping pace.

The representatives all identify as a primary culprit the prevalence of chicken coops, compost piles and backyard gardens around Eugene. They noted that weather and increased development also can be factors.

In 2013, city councilors relaxed regulations for urban farming. The change increased the number of chickens that a resident within city limits can have from two to six. In addition, a resident now can have up to six chicks.

Robin Morrison, branch manager for Bug Zapper Pest Control, said the chicken coops, compost piles and fallen, rotting fruit are a magnet for rodents.

"That's like a free buffet for rats," he said.

Kocher, who has an enclosed compost bin, said there are open compost piles near his home.

Rats are prolific breeders, and they will spread out as the competition for food among a burgeoning rodent population grows. They also are adept at finding "chinks in the armor" of nearby houses, including a crack in the foundation or a hole in a crawl space vent, Williams said.

Byerly noted that a rat can fit through an opening the size of a quarter.

And once inside, rodents can create havoc, chewing on walls and wiring and urinating and defecating widely.

Steve Barron, who lives in the Gilham neighborhood in north Eugene, said he spotted his first rat in his garage in October. He has owned the house for 14 years, and the encounter was his first there.

He trapped one but kept seeing and hearing more of them, including one rodent that he observed scaling down the bicycle he hung from his ceiling like it was a jungle gym.

"I'm lying in bed, and I could hear them chewing" at 3 a.m., he said.

He said the rats likely were attracted to the dog food he kept in the garage, the door of which he regularly cracked open for ventilation. He now keeps the door shut.

The rats are now gone. Barron said he trapped six of them. But they might have damaged the home's heat ducts. A contractor will come out Monday to evaluate.

"It's been a bit of a headache," he said. "The big concern is, what kind of damage are they doing?"

The formation of the Friendly RAT group began with Blazar commiserating with his neighbors about the rodents in early 2017.

Blazar and his neighbors all have chicken coops, so they discussed taking steps to keep rats out of them. Rats are attracted to chicken feed and also are known to steal the eggs for a later meal.

Not wanting to simply drive the rodents elsewhere, Blazar approached the neighborhood association's board last summer to get their go-ahead on examining the breadth of the issue. Two other neighbors soon joined to form the team.

At the neighborhood's summer picnic, about 100 people told Blazar they'd seen or heard rats in their homes or around the neighborhood in the last few months. About 40 people placed dots on an aerial map of Friendly identifying where they'd seen rats, showing the wide sweep of the problem.

The RAT group mulled applying for a city neighborhood grant to buy enclosed compost bins as a first step to address the rat problem.

But more than that needed to be done, the team soon realized.

The group arrived for a Nov. 8 RAT meeting it had advertised in the neighborhood newsletter.

Blazar expected a few neighbors to show up for the meeting, in the upstairs dining area of the Market of Choice grocery store on Willamette Street. Nearly 30 people attended.

There, according to an email Kocher later sent to Eugene councilors, neighbors who had lived in Friendly a decade or longer said they'd never had rat problems until the past year.

One man said he'd seen a rat in his child's bedroom. Another speaker claimed to have caught 100 rats. Other speakers were nearly in tears relating their stories, Kocher said.

Blazar said the meeting was cathartic in that it brought into the open the seriousness of the problem.

Blazar said people may have been reluctant to talk about rats because of shame and embarrassment.

"It's a sign you're living in turmoil or some sort of conditions that aren't healthy," he said, referring to common perception about rat-infested homes and properties.

Blazar said his team is pressing ahead with an informational website, a brochure and a data-gathering app that allows residents to report details about their encounters with rodents. The group has shared information with the River Road Community Organization, whose residents also have noted an uptick in rats.

What can Eugene officials do about rats?

The city generally leaves it up to individual property owners to deal with rats — with some exceptions.

City code specifically prohibits conditions that attract rats. It requires "rodent-proof" chicken coops and other outbuildings where food is present. It prohibits owners from storing garbage and other items. It also gives city employees the authority to make inspections and issue notices of violation.

Rachelle Nicholas, the city's code compliance supervisor, said the number of rat-related complaints have increased in recent years with a spike last summer. The exact number of complaints wasn't available last week.

Inspectors who respond to these complaints seek to identify the source of the problem and then educate homeowners, she said.

The city also baits its sanitary sewer lines with rat poison if a resident makes a request and an employee finds evidence of rats. The city does not bait its stormwater pipes.

Rats can get into homes through cracks and holes in aging sewer lines.

The number of baiting requests by residents has exploded in the past two years. Brian Richardson, spokesman for the city's public works department said there were 15 requests in 2015, 24 in 2016 and 84 so far this year.

Blazar said the city could take some steps to improve the situation.

First, it could make its pilot food waste collection program in certain neighborhoods permanent and citywide, giving residents the option of throwing food waste that can draw rats into a covered bin rather than onto an open compost pile.

Second, it could organize workshops to teach residents about how to keep chicken coops and compost piles rodent-free.

"Education is key here," he said.

Third, it could prioritize the replacement of older sewer lines that rats can get into through cracks and holes.

He said the city needs to be cautious about the use of code enforcement as it could lead to disputes between neighbors.

"I hope that's a last resort where we have to go to code enforcement," he said.

Kocher said the city could subsidize the cost of enclosed compost bins. But he also offered more far-reaching ideas, including banning chicken coops and outdoor compost piles and even declaring a public health emergency due to the potential for rats to spread infectious disease.

Semple said the city could require enclosed bins for compost but noted that tightening regulations for chickens would be controversial.

"But if that's where the rats are, that's something we have to look at," she said. "We can't have a rat infestation."

-- The Associated Press

The standards in [Eugene Code \(EC\) 9.5250](#) allow for increased opportunities for residential urban animal keeping and farming within the city limits, while encouraging compatibility within the urban environment. Animal keeping is the practice of raising domesticated animals that are used primarily as food or product sources. These standards are intended to improve the way animals are cared for, while increasing the likelihood that neighbors will accept your property uses and food choices.

Where are farm animals allowed?

Farm animals are allowed in the following zones:

- Agricultural (AG)
- Public Land (PL)
- Residential (R-1, R-2, R-3, R-4)
- Chase Node (S-C/HDR/MU & S-C/HDR)
- Downtown Westside (S-DW)
- Elmira Road (S-E)
- Royal Node (S-RN/LDR & S-RN/MDR)
- Whiteaker (S-W)

To determine the zone of your property go to <http://www.eugene-or.gov/zoningmap>.

You may have Covenants, Conditions, and Restrictions (CC&R's) that may be more restrictive than these standards. You can obtain a copy of the CC&R's from Lane County Deeds and Records, your active homeowners association, or your landlord.

What animals am I allowed to have?

If the property is less than 20,000 square feet in area, any two of the following four categories of animals are allowed:

1. **Chickens and Domestic Fowl** (quails, pheasants, ducks, pigeons, and doves). Up to 6 over six months of age and 6 under six months of age. No roosters, geese, peacocks, or turkeys allowed.
2. **Rabbits**. Up to 6 over six months of age and 6 under six months of age.
3. **Miniature Goats** (pygmy, dwarf, and miniature goats). Up to 3 provided that males are neutered.
4. **Miniature Pig**. One up to 150 pounds.

If the property is 20,000 square feet or greater in area, please contact Land Use staff at 541-682-8336 or landuseinfo@eugene-or.gov for additional animal allowances, honey beehive allowances, and setback requirements.

Can I have honey beehives?

Yes, if the development site is less than 20,000 square feet in area, you can have up to three hives as long as they are located at least 5 feet from all property lines, pointed toward the center of the property, and a water source must be provided on site within 15 feet of each hive.

Do I have to live on site?

The person responsible for keeping an animal must reside on or adjacent to the property the animal is kept. There is an exception for school and religious uses.

What are the sanitation requirements?

Animal manure cannot be allowed to accumulate and should be disposed of so as not to create an odor issue that is detectable beyond property lines. Compost piles that contain manure and bedding must be located at least 5 feet from all property lines and be confined within a container or bin enclosed on all sides and covered to deter flies, rodents, and other pests. ✓

Composting raw manure from backyard animals should be done with caution. Manures contain pathogens that can make people sick and should be composted with care. Most backyard methods are not sufficient to kill all pathogens. Any dumping, leaching, or disposal of pet waste in any open waterway or the Stormwater system is strictly prohibited.

How do I prevent a rodent problem?

The person responsible for keeping animals must not allow conditions to exist that are likely to attract, feed, or harbor rats or mice per EC 6.015. Food must be stored in metal or other rodent-proof containers. Good practice is to feed amounts that can be consumed in a 15 minute period morning and evening. ✓

www.eugene-or.gov/farmanimals

Am I required to provide fencing?

Yes, fencing is required and must be designed and constructed to confine all animals on the site. The fence location and height are those required by the zone that the property is located in. Animals are free to roam or graze up to the property line as long as fences keep animals on the owner's property.

What about animal enclosures?

An enclosure is required to provide shelter from the weather for all animals kept outdoors and must be roofed and have at least two solid sides. The height of the enclosure must comply with the requirements for accessory structures in the applicable zone. Structures used to provide shelter for all animals must be located at least 10 feet from all property lines, including any covered animal runs (unless an adjacent property owner authorizes in writing that the enclosure can be located closer to their property).

Do I need a permit for the enclosure?

A building permit is not required for an enclosure 200 square feet or less in area and that is no more than 10 feet high. Other permits (electrical, plumbing) may be required depending on the scope of the work.

Please contact a residential plan reviewer at residentialpermitinfo@eugene-or.gov or 541-682-5611 for any building code related questions.

Are there noise regulations?

Yes, any animal which makes sounds frequently or for a long duration creating a noise disturbance is prohibited per EC 4.083, 4.084, and 4.430. Animals make noises through the course of their day and some noise is to be expected. However, chickens squawking or the crying of a goat for longer than 15 minutes might qualify as unreasonable noises in a residential neighborhood. A good neighbor will not let these vocalizations continue for long durations of time.

Is animal care regulated?

Yes, no person shall subject any animal to cruel mistreatment or neglect per EC 4.335 and 4.340. This includes, but not limited to; depriving any

Note: This document should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this document.

animal of necessary food, drink, shelter, sanitation, space, exercise, and veterinary treatment; abandonment of any animal; and willfully torturing and inflicting inhumane injury or pain on any animal.

Is my yard big enough?

Not every property is big enough to house the maximum number of animals and meet the required standards. It is important to confine animals to the owner's property, provide shelter to protect animals from predators and harm, and to provide enough room for animals to move freely as intended. Additional covered area may be necessary to store animal bedding, animal feed, tools, and, if desired, a compost area.

Can I harvest animals on site?

Only chickens, domestic fowl, and rabbits can be harvested on the same development site in which they live. Harvesting must be done out of view of any public area or any adjacent property, in a humane and sanitary manner, and not for commercial purposes.

How does the City regulate these requirements?

If you are not meeting these standards your neighbor has the right to submit a complaint to City staff. At this time there is no licensing requirement. It is recommended that some form of identification be on your animals in the event they get loose and need to be returned.

How to be a good neighbor?

It is best to inform neighbors in advance and be proactive about your urban animal keeping intentions. Letting neighbors know that you are aware of the regulations regarding the keeping of urban animals is recommended. Let neighbors know that you intend to be a good neighbor and that concerns will be addressed in a timely manner.

Please contact Land Use staff at 541-682-8336 or landuseinfo@eugene-or.gov for information related to these standards. See the City of Eugene web page for community resources.

CONTACT



Poultry Keeping Rules

Keeping Poultry in Salem

In Salem, you can keep domesticated birds for eggs or meat, including chickens, ducks, guinea fowl, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use, as long as you follow city guidelines. However, geese, turkeys, emus, ostriches, and similarly sized birds are prohibited. No permit or license is needed to keep poultry, but you must maintain your poultry facility to prevent noise or odors that could disturb your neighbors.

Property Types

You can keep poultry in the following locations:

- Your home
- A community garden
- School-owned property
- Property owned by a religious organization

How Many Poultry You Can Have

- You may have a maximum of twelve poultry total per property.
- Roosters are not allowed.

Poultry Facilities

A "poultry facility" includes both a coop and a runway:

- **Coop:** A roofed shelter that cannot exceed 120 square feet.
- **Runway:** A fully enclosed fenced area connected to the coop, providing an indoor and outdoor environment for the birds.



Special Requirements for Ducks

If you keep ducks, your facility must include a water source. This can be a clean supply of water in a pond, wading pool, tub, or other container large enough for the duck to fit its entire body and deep enough for it to submerge its head.

Confinement and Space Requirements

- Poultry must remain confined within the facility at all times, except when under the control of an owner or custodian.
- The facility must not produce noise or odors that create a nuisance for neighbors. ✓
- Facilities for quails and similar-sized small poultry must provide one square foot of coop space per bird. ✓
- Facilities for all other poultry, including chickens and ducks, must provide at least six square feet of runway space and at least three square feet of coop space per bird. ✓

Location of Your Poultry Facility

Your poultry facility must be located:

- In the rear yard. ✓
- At least three feet away from any other building on the property. ✓
- At least 25 feet away from a residence on an adjacent property. ✓
- Chicken and duck coops must comply with these distance requirements and zoning standards.

Guideline Exemptions

You do not have to follow these guidelines if your property meets one of the following criteria:

- Zoned Residential Agriculture (RA) with a lot size of at least 10,000 square feet.
- Zoned Exclusive Farm Use (EFU) of any size.

To check your property zone, [you can look it up online](#) or call the Planning Information Desk at 503-588-6213.

By following these guidelines, you can responsibly keep poultry while ensuring the comfort of your neighbors and the well-being of your birds.

Additional Information

- [Salem Revised Code 50.710](#) - Property maintenance law for the City of Salem
- [Adopting and caring for backyard chickens](#) - Humane Society of the United States

- (A) As used in this section, **“ALLOWED” DOMESTICATED FOWL** means chickens, ducks, pheasants and quails **three months of age or older.** ✓
- (B) Fowl shall be permitted in single-family residential zoning districts only and in compliance with the following regulations and limitations and all other applicable provisions of this code.
- (C) Any keeping of fowl shall be **for personal use, and any related commercial production is prohibited.** ✓
- (D) Roosters are prohibited.
- (E) Up to four adult fowl shall be allowed on any lot with a minimum area of 5,000 square feet. One additional adult fowl is allowed for each 2,000 square feet of additional lot area, up to a maximum of 12 fowl.
- (F) The owner or person in charge of real property shall not allow animal waste to accumulate.
- (G) All animal food shall be stored in metal or other rodent-proof containers.
- (H) Fencing shall be designed and constructed to confine all allowed fowl to the owner's property at all times.
- (I) **Structures that house fowl shall be located at least 20 feet from all abutting residences.** ✓
- (J) **Structures that house fowl shall be located at least five feet from any side or rear property line.** ✓



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Teresa Montalvo, Planning Manager

FROM: Erin Engman, AICP, Senior Planner

DATE: March 9, 2026

SUBJECT:

Consideration of Ordinance 1455-26, amending the Tualatin Municipal Code (TMC) Title 6-15 regulations related to the Keeping of Backyard Chickens to include Domestic Fowl.

RECOMMENDATION:

Staff recommends Council approve Ordinance 1455-26 as amended.

EXECUTIVE SUMMARY:

At a work session held on August 11, 2025, Council directed staff to proceed with amendments to existing code regulations for backyard chickens to include domestic fowl under a limited scope.

OUTCOMES OF DECISION:

If adopted, Ordinance 1455-26 will be effective 30 days after adoption.

ATTACHMENTS:

Ordinance 1455 - 26

Exhibit 1 - TMC Amendment (Clean)

Exhibit 2 - TMC Amendment (Formatted)

ORDINANCE NO. 1455-26

AN ORDINANCE RELATED TO KEEPING OF DOMESTIC FOWL; AMENDING
TITLE 6-15 OF THE TUALATIN MUNICIPAL CODE.

WHEREAS, providing appropriate guidelines the keeping of domestic fowl in urban backyards is important to safeguard the health, safety, and welfare of the citizens of Tualatin;

NOW, THEREFORE, THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. The Tualatin Municipal Code (TMC) is hereby amended as set forth in Exhibit 1 and 2, attached hereto.

Section 2. Severability. Each section of this ordinance, and any part thereof, is severable. If any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

Section 3. Effective Date. As provided in the Tualatin Charter, this ordinance is effective 30 days from the date of adoption.

ADOPTED by the City Council this 9th day of March, 2026.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

TUALATIN MUNICIPAL CODE

CHAPTER 6-15 - KEEPING OF DOMESTIC FOWL

TMC 6-15-005 Purpose.

The purpose of this code is to provide minimum standards for keeping domestic fowl humanely in urban backyards while safeguarding the health, safety, and welfare of the citizens of Tualatin.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-010 Definitions.

As used in this chapter, the following definitions apply:

City Manager means the City Manager or the City Manager's designee.

Coop means a structure that provides roofed shelter that protects domestic fowl from the elements and predators.

Domestic Fowl means chickens, ducks, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use.

Domestic Fowl Facility means a coop, a run, or a combination of a coop and a run.

Licensee means the person granted a license to keep domestic fowl.

Run means an enclosed or fenced area either surrounding or separate from the coop in which domestic fowl are kept and allowed to walk, run about, and otherwise move freely.

Rodent means a mouse or rat.

Vector means any insect organism; including, but not limited to: flies, fleas, lice, ticks, fly maggots and mosquito larvae capable of bearing or carrying a disease transmittable to human beings.

Vermin means any rodent or vector.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-020 License to Keep Domestic Fowl Required.

- (1) A person must not keep domestic fowl within the City of Tualatin, unless the person has a valid license issued by the City of Tualatin for such purpose.
- (2) The license to keep domestic fowl is valid for a period of five years, and may be renewed for additional five-year terms. The process for renewal shall be the same as for acquiring a license.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-030 Conditions of License.

Every licensee must comply with the following conditions at all times:

- (1) The place where the domestic fowl are to be kept must be within a planning district that allows the keeping of domestic fowl as a use;
- (2) A combined maximum of four domestic fowl of any type are permitted on any one lot;
- (3) Roosters, geese, guinea fowl, peacocks, turkeys, emus, and ostriches are prohibited;

EXHIBIT 1 - TMC Amendment (Clean)

- (4) On site slaughtering or butchering of a domestic fowl is prohibited;
- (5) Domestic fowl must be confined at all times within a domestic fowl facility; unless the domestic fowl are roaming under the direct supervision of the licensee and within a fenced yard;
- (6) The domestic fowl facility must be located in the rear yard of a lot and be at least ten feet from all property lines and 25 feet from all abutting residences;
- (7) The domestic fowl facility must not exceed 200 square feet in floor space;
- (8) The domestic fowl facility must not exceed a height of eight feet measured from the tallest part of the roof surface to the ground;
- (9) The coop must have at least three enclosed sides. The fourth side may be open with the open side facing away from all neighboring property lines;
- (10) The domestic fowl facility must be maintained in good repair, in a clean and sanitary condition, free of vermin, and obnoxious smells and substances that create a nuisance for adjoining property; and
- (11) Domestic fowl feed must be properly stored in metal or other vermin-proof containers.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-040 License Application.

- (1) An application for a license to keep domestic fowl must include the following:
 - (a) The name and mailing address of the person seeking the license;
 - (b) The address where the domestic fowl will be kept;
 - (c) A description of the domestic fowl facility to be utilized, its dimensions, a description of the site, including notation of setbacks;
 - (d) The names and addresses of all owners of property adjoining the location where the domestic fowl are proposed to be kept;
 - (e) A certification by the person seeking a license that the person agrees to abide by the license provisions of this Chapter for the duration of the license term; and
 - (f) The payment of the licensing fee, as established by resolution of the City Council.
- (2) The City must grant a license within 30 days of receipt of a complete and valid application.
- (3) An application for a license to keep domestic fowl, or a renewal of a license, may be denied for any of the following reasons:
 - (a) The application materials contain any inaccurate, misleading, or incomplete statements;
 - (b) The applicant previously failed to comply with the conditions of the license issued; or
 - (c) Other activity by the person seeking the license that presents reasonable doubt about the person's ability to comply with the license conditions or otherwise endanger the health, safety, or welfare of the public.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-050 Notice of License to Neighboring Properties.

Within ten business days following approval of a license application, the City shall provide written notice by first class mail to all property owners immediately adjacent to the licensee's property. The notice must list the name and address of the licensee and the City's contact information for persons to seek information or file complaints.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-060 Complaint Processes.

- (1) Any person may file a complaint alleging a violation of this Chapter by submitting a written complaint to the City of Tualatin. The complaint must contain the following information:
 - (a) The name of the person filing the complaint;
 - (b) The address of the alleged violation; and
 - (c) A complete description of the alleged violation.
- (2) Upon receipt of the complaint, the City Manager must determine if the complaint alleges a violation of this Chapter, and if so, conduct an investigation of the complaint. If the City Manager determines that the complaint is not valid, the case will be closed and all parties will be notified of the closure.
 - (a) If after investigating the complaint, the City Manager determines a violation has occurred, the City Manager may issue a warning or citation.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-070 Inspection of Premises; Administrative Warrant.

When it is necessary to inspect the premises to investigate or enforce the provisions of this Chapter, the City Manager may, with the owner's permission, enter the premises at reasonable times to inspect or perform the duties imposed by this Chapter, or must otherwise seek an administrative warrant. The process for seeking inspection of a premise is as follows:

- (1) If the premises are occupied, the City Manager must present credentials to the occupant and request permission to enter.
- (2) If the premises are unoccupied, the City Manager must make a reasonable effort to locate the owner/keeper or other person having charge or control of the single-family dwelling or premises and request permission to enter.
- (3) If entry is refused or the dwelling unit or premises are unoccupied, the City Manager must obtain an administrative warrant before entry or inspection of the premises.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-080 Abatement of Violations.

In addition to any other remedy provided by law, the City may cause any violation of this Chapter to be abated as provided by the abatement proceedings in TMC 6-04-170 through 6-04-240.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-090 Violation is Civil Infraction.

- (1) A person who violates or refuses to comply with this Chapter commits a civil infraction and shall be subject to a fine of up to \$500.00. Each violation, and each day that a violation continues, constitutes a separate civil infraction.
 - (2) In addition to any other remedy provided by law, a person that commits more than two violations of this Chapter within any six-month period may have their license revoked for up to one year.
 - (3) The civil infraction procedures in TMC 7-01 apply to the prosecution of any violation of this Chapter.
- (Ord. 1362-13 §1, 11-25-13)

EXHIBIT 2 - TMC Amendment (Formatted)

Formatted version of proposed amendments:

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TUALATIN MUNICIPAL CODE

CHAPTER 6-15 - KEEPING OF DOMESTIC FOWL ~~BACKYARD CHICKENS~~

TMC 6-15-005 Purpose.

The purpose of this code is to provide minimum standards for keeping **domestic fowl humanely in urban backyards** ~~backyard chickens for domestic purposes and to~~ **while** safeguarding the health, safety, and welfare of the citizens of Tualatin.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-010 Definitions.

As used in this chapter, the following definitions apply:

~~Chicken means Gallus gallus domesticus, a domestic fowl believed to be descended from the red jungle fowl of southeastern Asia and developed in a number of breeds.~~

City Manager means the City Manager or the City Manager's designee.

~~Chicken Facility means a coop, a run, or a combination of a coop and a run.~~

Coop means a structure that provides roofed shelter **that protects domestic fowl from the elements and predators** ~~for chickens.~~

Domestic Fowl means chickens, ducks, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use.

Domestic Fowl Facility means a coop, a run, or a combination of a coop and a run.

~~Hen means an adult female chicken.~~

Licensee means the person granted a license to keep **domestic fowl** ~~chickens.~~

Run means an enclosed or fenced area either surrounding or separate from the coop in which **domestic fowl** ~~poultry~~ are kept and allowed to walk, run about, ~~peck~~ and otherwise move freely.

Rodent means a mouse or rat.

~~Rooster means a male chicken over four months of age.~~

Vector means any insect organism; including, but not limited to: flies, fleas, lice, ticks, fly maggots and mosquito larvae capable of bearing or carrying a disease transmittable to human beings.

Vermin means any rodent or vector.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-020 License to Keep Domestic Fowl ~~Chickens~~ Required.

- (1) A person must not keep **domestic fowl** ~~chickens~~ within the City of Tualatin, unless the person has a valid license issued by the City of Tualatin for such purpose.
- (2) The license to keep **domestic fowl** ~~chickens~~ is valid for a period of five years, and may be renewed for additional five-year terms. The process for renewal shall be the same as for acquiring a license.

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(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-030 Conditions of License.

Every licensee must comply with the following conditions at all times:

- (1) The place where the **domestic fowl** ~~chickens~~ are to be kept must be within a planning district that allows the keeping of **domestic fowl** ~~chickens~~ as a use;
- (2) A **combined** maximum of four **domestic fowl of any type** ~~hens~~ are permitted on any one lot;
- (3) Roosters, **geese, guinea fowl, peacocks, turkeys, emus, and ostriches** are prohibited;
- (4) ~~Harvesting~~ **On site slaughtering** or butchering of a **domestic fowl** ~~chicken~~ is prohibited;
- (5) **Domestic fowl** ~~Chickens~~ must be confined at all times within a **domestic fowl** ~~chicken~~ facility; unless, ~~the domestic fowl are roaming under the direct supervision of the licensee and~~ **the domestic fowl are roaming under the direct supervision of the licensee and** within a fenced yard ~~and under the direct supervision of the licensee;~~
- (6) The **domestic fowl** ~~chicken~~ facility must be located in the rear yard of a lot and be at least ten feet from all property lines and 25 feet from all **abutting** residences;
- (7) The **domestic fowl** ~~chicken~~ facility must not exceed 200 square feet in floor space;
- (8) The **domestic fowl** ~~chicken~~ facility must not exceed a height of eight feet measured from the tallest part of the roof surface to the ground;
- (9) The coop must have at least three enclosed sides. The fourth side may be open with the open side facing away from all neighboring property lines;
- (10) The **domestic fowl** ~~chicken~~ facility ~~and the place where the chickens are located~~ must be maintained in good repair, in a clean and sanitary condition, ~~and~~ free of vermin, and obnoxious smells and substances that create a nuisance for adjoining property; and
- (11) **Domestic fowl** ~~chicken~~ feed must be properly stored in ~~a~~ **metal or other** vermin-proof containers ~~or receptacle~~.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-040 License Application.

- (1) An application for a license to keep **domestic fowl** ~~chickens~~ must include the following:
 - (a) The name and mailing address of the person seeking the license;
 - (b) The address where the **domestic fowl** ~~chickens~~ will be kept;
 - (c) A description of the **domestic fowl** ~~chicken~~ facility to be utilized, its dimensions, a description of the site, including notation of setbacks;
 - (d) The names and addresses of all owners of property adjoining the location where the **domestic fowl** ~~chickens~~ are proposed to be kept;
 - (e) A certification by the person seeking a license that the person agrees to abide by the license provisions of this Chapter for the duration of the license term; and
 - (f) The payment of the licensing fee, as established by resolution of the City Council.
 - (2) The City must grant a license within 30 days of receipt of a complete and valid application.
-

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- (2) If the ~~single family dwelling or~~ premises are unoccupied, the City Manager must make a reasonable effort to locate the owner/keeper or other person having charge or control of the single-family dwelling or premises and request permission to enter.
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(Ord. 1362-13 §1, 11-25-13)



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Mike McCarthy, City Engineer
Abby McFetridge, Engineering Associate

DATE: March 9, 2026

SUBJECT:
Presentation on the Tualatin-Sherwood Road Rail Crossing Study.

EXECUTIVE SUMMARY:

The intersection of Tualatin-Sherwood Rd & Boones Ferry Rd is centrally located in the City of Tualatin, with a Portland & Western railway line running directly adjacent to Boones Ferry Rd. The intersection is a common spot for major congestion, accidents, and delays due to traffic volumes and passenger and freight rail. The intersection was also identified in the Transportation System Plan process as a top-ranking candidate for improvements.

The City is now working with a consultant team on the concept evaluation for grade-separated, surface-level, and no build alternatives. In this first phase of the work the consultant has analyzed the feasibility of various options for improving this intersection area.

This presentation (attached) provides renderings, high-level cost estimates, viability considerations, and general timelines for the various options. The basic simplified alternatives are:

- Lower Rail under Tualatin-Sherwood Rd
- Raise Rail over Tualatin-Sherwood Rd
- Lower Tualatin-Sherwood Rd under Rail (and Boones Ferry Rd)
- Raise Tualatin-Sherwood Rd over Rail (and Boones Ferry Rd)

The purpose of this presentation is to provide information about each alternative. At the end of the presentation staff will ask Council whether or not the City should continue to analyze grade-separated improvements for the Tualatin-Sherwood Rd & Boones Ferry Rd intersection.

ATTACHMENTS:
- PowerPoint presentation

Tualatin–Sherwood Road Rail Crossing Study

City Council Work Session
March 9, 2026



Agenda

- Purpose of work session
- Potential alternative solution scenarios
- Viability considerations for the grade-separated and at-grade alternatives
- Area of potential impact for viable grade-separated alternatives
- Potential construction staging strategies for viable grade-separated alternative
- Initial conceptual cost opinion ranges for viable alternatives
- Overview of grade-separated project schedule
- Timeline considerations (planning through construction)

Why Consider Potential Grade-Separated Crossing Alternative Scenarios?

- Increased multimodal circulation and safety
- Reduced local and regional congestion for freight and commuters
- Opportunities for creating new economic redevelopment options within the downtown core
- Minimizes north-south and east-west connectivity barrier

Alternative Solution Scenarios

- **Grade Separated Alternatives**

- Rail under Tualatin-Sherwood
- Rail over Tualatin-Sherwood
- Tualatin-Sherwood Road under Rail
 - Lower Boones Ferry & Intersection
 - Boones Ferry at grade; create new northly connection via Nyberg St
 - Boones Ferry at grade; create new southerly connection via Warm Springs St
 - Boones Ferry at grade; ramps to/from east
- Tualatin-Sherwood Road over Rail
 - Raise Boones Ferry & Intersection
 - Boones Ferry at grade; create new northly connection via Nyberg St
 - Boones Ferry at grade; create new southerly connection via Warm Springs St
 - Boones Ferry at grade; ramps to/from east

- **At-Grade Alternatives**

- Road Widening & Intelligent Transportation Systems (e.g., Upstream Train Warning)

- **No Build Alternative**

Grade Separated Alternatives

Rail
Under
Road



Grade Separated Alternatives

Rail
Over
Road



Grade Separated Alternatives

Road Under Rail

- Lower Boones Ferry & Intersection
- Boones Ferry at grade; create new northly connection via Nyberg St
- Boones Ferry at grade; create new southerly connection via Warm Springs St



Grade Separated Alternatives

Road Over Rail

- Raise Boones Ferry & Intersection
- Boones Ferry at grade; create new northly connection via Nyberg St
- Boones Ferry at grade; create new southerly connection via Warm Springs St



Grade Separated Alternatives

Road Over Rail

- Raise Boones Ferry & Intersection
- Boones Ferry at grade; create new northly connection via Nyberg St
- Boones Ferry at grade; Tualatin-Sherwood Road ramps to/from east



At-Grade Alternatives

- Roadway Widening
- Intelligent Transportation Systems (e.g., Upstream Train Warning)



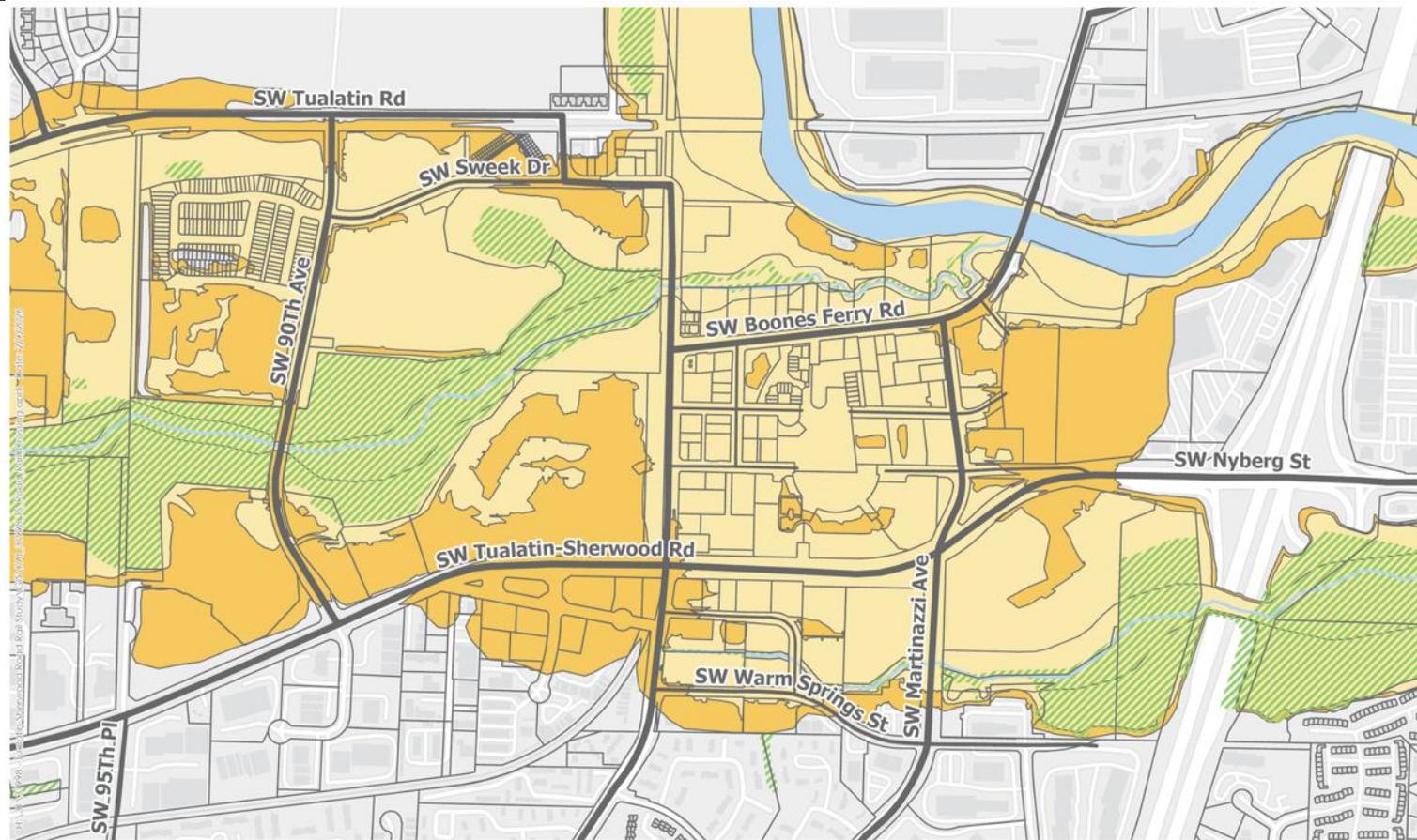
Grade Separated Alternative Solution Set Opportunities

- Improves traffic operations and safety at the rail crossing and SW Tualatin-Sherwood Road/SW Boones Ferry Road intersection
- Reduces conflicts between rail, freight, local and regional traffic, pedestrians, and bicyclists
- Enhances local traffic, pedestrian and bicycle connectivity
- Provides economic redevelopment and a pathway to fulfilling the vision of the Core Opportunities and Reinvestment Area Plan

Grade Separated Alternative Solution Set Viability Considerations

- Floodplain limits the potential for lowering rail line or roadways without requiring additional design elements (e.g., pumping system)
- Limited rail right-of-way precludes ability to raise or lower the tracks and keep train operations viable during construction
- Construction staging and detouring of traffic will have sizeable impacts to adjacent properties and businesses
- One or more full property takes will be necessary to facilitate grade separation between the rail and roadway
- See memorandum for listing of viability considerations by alternative

Floodplain Considerations



*Zone AE: there is at least a 1% chance of flooding annually, and wave heights do not exceed 3 feet

Figure 1

Scenarios and Alternatives Considered Viable

- Grade Separated Alternatives

- ~~Rail under Road~~

- ~~Rail over Road~~

- Road under Rail

- ~~Lower Boones Ferry & Intersection~~

- Boones Ferry at grade; create new northly connection via Nyberg St

- Boones Ferry at grade; create new southerly connection via Warm Springs St

- Boones Ferry at grade; ramps to/from east

- Other

- Road over Rail

- ~~Raise Boones Ferry & Intersection~~

- Boones Ferry at grade; create new northly connection via Nyberg St

- Boones Ferry at grade; create new southerly connection via Warm Springs St

- Boones Ferry at grade; ramps to/from east

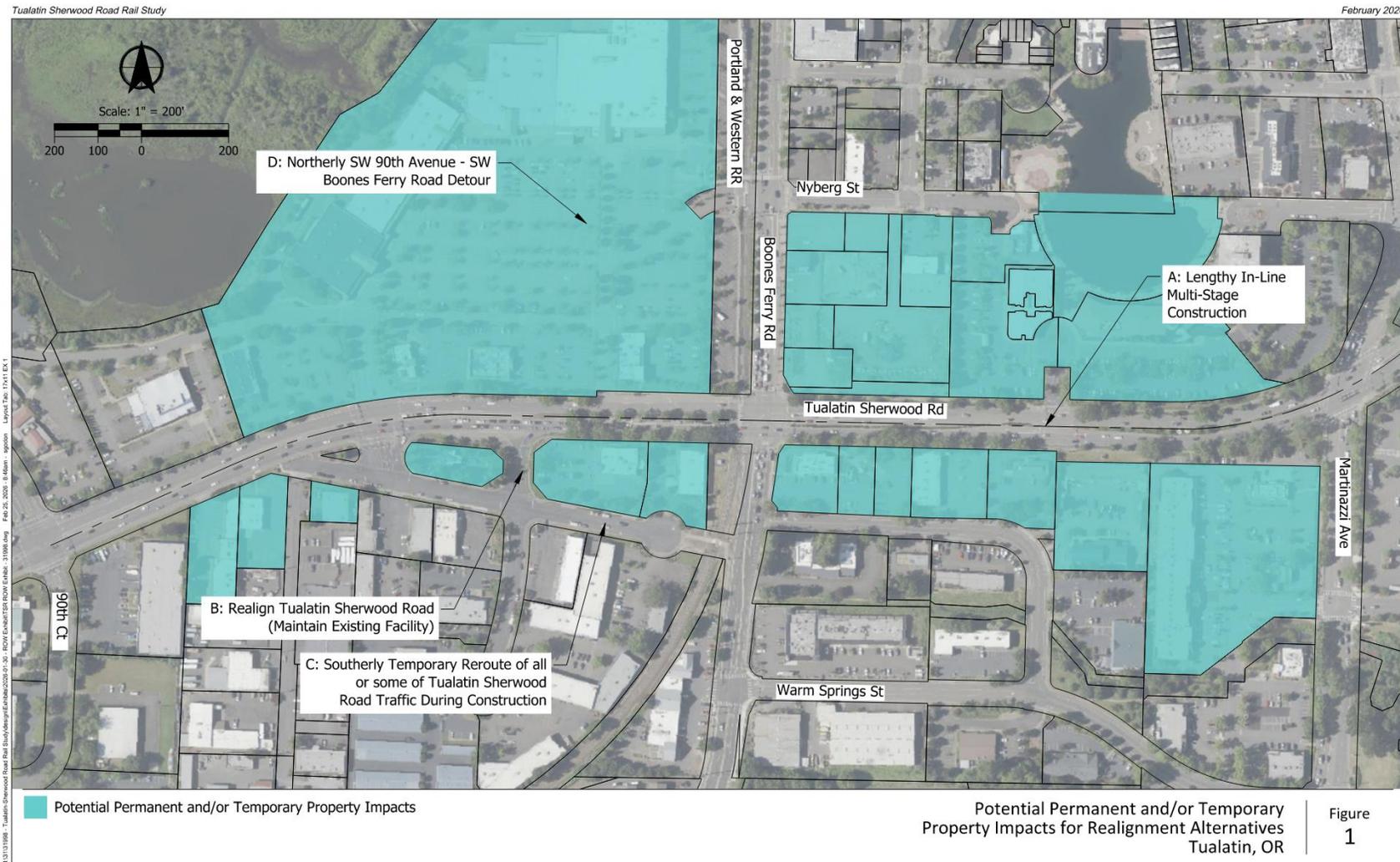
- Other

- At-Grade Alternatives

- Road Widening & Intelligent Transportation Systems (Upstream Train Warning)

- No Build Alternative

Area of Potential Impact and Construction Staging Options with Grade Separation



Preliminary Cost Considerations

- Grade Separated Alternatives
 - \$100M to \$200M (2035 dollars)
- At-Grade Alternatives
 - \$10M to \$20M (2030 dollars)

How could this Funding be Generated?

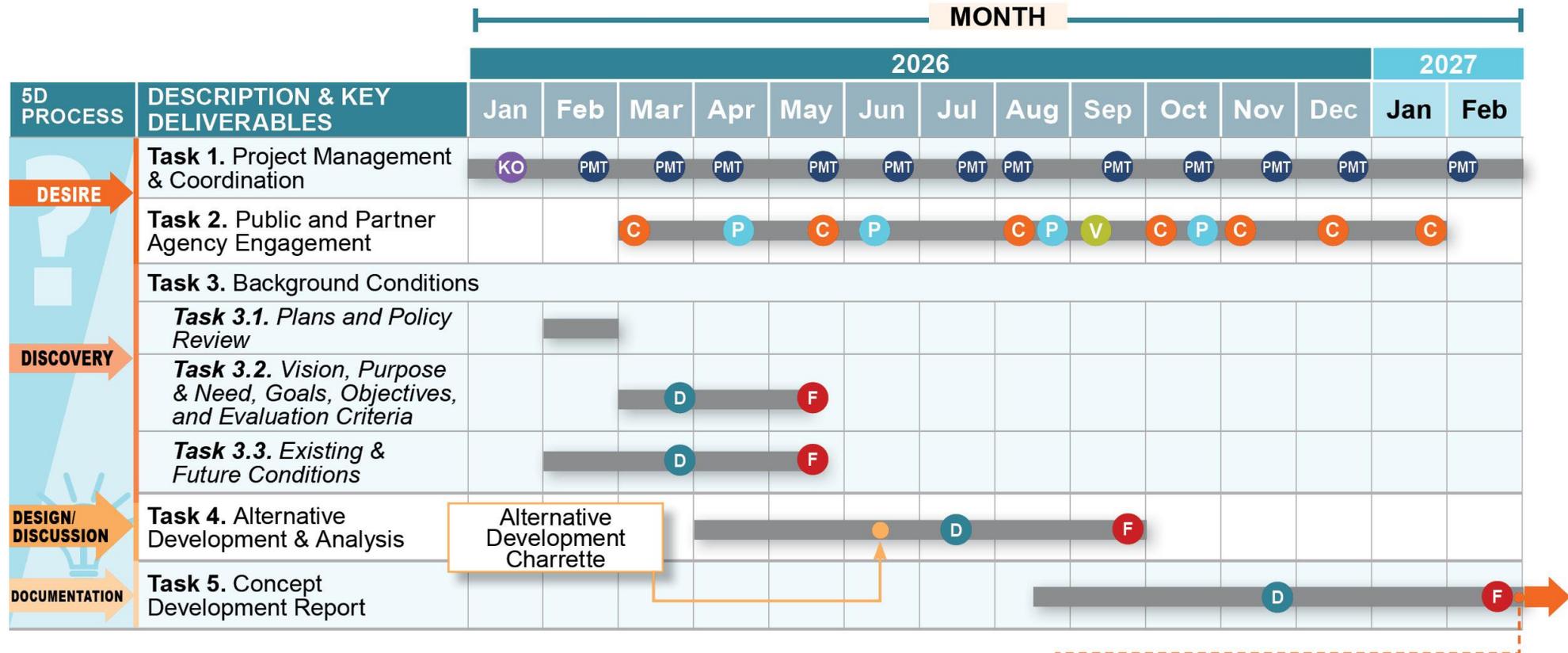
Local/Regional Funding Sources

- **Transportation Development Tax**
- **Major Streets Transportation Improvement Program (MSTIP) Fund**

Federal Funding Sources

- **Railroad Crossing Elimination Grant Program**
 - Funding Available for Award Under FY 2024 NOFO: \$1.1 Billion
 - Awards for FY23-24 were as high as \$204M
- **Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program**
 - Funding Available for Award Under FY23-24 NOFO: \$2.5 Billion
 - Awards for FY23-24 were as high as \$157M
- **Better Utilizing Investments to Leverage Development (BUILD) Grant Program**
 - \$1.8 Billion Awarded in FY25
 - Awards for FY25 were as high as \$25M

Grade-Separated Schedule



Schedule Legend:

- Task Duration
- KO Kick-off Meeting & Site Visit
- PMT PMT Meeting
- C Planning Commission and City Council Engagement
- D Draft Memo
- F Final Alternative Development Memo
- V Virtual Open House
- P Advisory Committee Meeting

Potential TSP Amendment of Phase 1 Preferred Alternative
Initiate Phase 2 - Feasibility Study

Grade-Separated Solution Considerations

- Alternative Solution Outcomes
 - Rail alignment changes are highly unlikely to occur due to constraints
 - Tualatin-Sherwood Road will likely go over/under the rail line
 - Several properties will have temporary and permanent right-of-way impacts
 - Grade Separated Alternative Scenario costs will likely range from \$100M to \$200M (2035 dollars)

Grade-Separated Solution Considerations

- Potential Opportunity Benefits
 - Increased multimodal circulation and safety
 - Reduced local and regional congestion for freight and commuters
 - Opportunities for creating new economic redevelopment options within the downtown core
 - Minimizes north-south and east-west connectivity barrier

Q&A and Potential Next Steps

- Questions & Answers
- Potential Next Steps
 - Move forward with the Concept Evaluation of Grade-Separate Alternatives to gain further understanding and community feedback
 - Next meeting sharing more information on existing conditions and developing a more detailed range of alternatives would occur in late May
 - Identify additional issues to address within the Concept Evaluation
 - Opt not to move forward with the Concept Evaluation

TECHNICAL MEMORANDUM

February 24, 2026

Project# 31998

To: City of Tualatin City Council
From: Marc Butorac, PE, PTOE, PMP; Amy Griffiths, PE
CC: Mike McCarthy, PE; Abby McFetridge, EI; City of Tualatin
RE: Tualatin-Sherwood Road Rail Crossing Study – Summary of Alternatives

The purpose of this memorandum is to provide the City Council with an initial high-level understanding of the potential alternative scenarios, solution sets, and alternatives within each solution set that will likely be explored during the Tualatin-Sherwood Road Rail Crossing Study. It should be noted that the technical analyses and public engagement process may identify other alternative opportunities and constraints as the project moves forward over the next 12 months. *Thus, this memorandum is intended to provide an initial 10,000-foot view of the potential solutions to address the operational and safety concerns at the existing rail crossing and signalized intersection and to provide opportunities to support further redevelopment as envisioned in the City's Core Opportunity and Reinvestment Area Plan.*

Table 1 and Table 2 below identify the potential grade-separated and at-grade alternative scenarios and solution sets likely to be studied, respectively. These tables also document some of the key viability considerations to be assessed under alternatives within each set. Appendix A through Appendix E provide visual representations of each solution set. *It should be noted that these are conceptual renderings intended only to provide a contextual understanding of potential alternative solution sets. The renderings have not been fully engineered, evaluated, nor prioritized by the project team, and are subject to change throughout the course of the project.*

Table 1. Potential Grade-Separated Alternative Solutions Sets Likely to be Studied and Key Viability Considerations

Alternative Solution Sets	Sub Alternatives	Key Viability Considerations
Rail Under Tualatin-Sherwood Road <i>Shown in Appendix A</i>	N/A	<ul style="list-style-type: none"> - Requires significant excavation and dewatering (much deeper and higher volume excavation required than Road Under Rail) - High construction complexity - Rail operations likely to be disrupted - Long term maintenance costs related to drainage - Increased utility conflicts and risk - Business and property access significantly impacted during construction - Increased schedule and cost risk due to extensive railroad coordination - Existing railroad grade descends from the south and west at 1.1% grade, prohibiting any depression of track at current grade crossing, existing grade crossings would limit ability to extend grades outward along track alignment - Lowering the rail line in trench below flood elevation is risky and costly to provide for dewatering - Limited rail right of way width and closely located building outside of the right-of-way does not provide for space for shoo-fly arrangement of tracks during construction - Accommodation of below grade Tri-Met WES passenger station is complicated - Long-term maintenance cost of tracks is increased due to limited access in trench
Rail Over Tualatin-Sherwood Road <i>Shown in Appendix B</i>	N/A	<ul style="list-style-type: none"> - Requires elevated rail structure with long approach grades - Difficult to comply with standards for roadway grades without significant impacts to other nearby streets (Nyberg Street and Tualatin Road) and rail crossings (Portland & Western grade-separated crossing north of Tualatin Road) - Increased visual impacts to surrounding area - Limited opportunities to maintain rail operations - Increased schedule and cost risk due to extensive railroad coordination - Limited rail right-of-way width and closely located building outside of the right-of-way does not provide for space for shoefly arrangement of tracks during construction - Accommodation of an elevated Tri-Met WES passenger station is costly - Long term maintenance cost of tracks is increased due to limited access on structure - Railroads do not prefer to assume the added maintenance and inspection of elevated rail structures, particularly of such length - Structural capacity required for railroad loading increases cost of elevated rail structures - Sound propagation from train operations on elevated structure may require additional remediation actions

Alternative Solution Sets	Sub Alternatives	Key Viability Considerations
Tualatin-Sherwood Road Under Rail <i>Shown in Appendix C</i>	Lower Boones Ferry Road; Intersection Lowered Under Rail	<ul style="list-style-type: none"> - Deep roadway excavation likely triggers pump station and long-term drainage needs - High risk of utility conflicts and relocations - Longer construction durations; including a lengthy closure when both Lower Boones Ferry and Tualatin Sherwood Road would need to be closed - Temporary walls required to stage construction within the right-of-way may not be practical from a cost and business operation impact - Railroad may require a shoefly to maintain operations during construction of permanent railroad bridge
	Keep Boones Ferry Road at Existing Grade; Create New Northerly Connection via Nyberg Street	<ul style="list-style-type: none"> - A temporary bridge may be required across Tualatin Lake - Increased right-of-way impacts during construction - Short-term closure on Boones Ferry Road is necessary to construct new bridge over Tualatin-Sherwood Road - High likelihood of utility conflicts and risk - Railroad may require a shoefly to maintain operations during construction of permanent railroad bridge - Improved north-south and east-west connectivity needed during construction
	Keep Boones Ferry Road at Existing Grade; Create New Southerly Connection via Warm Springs Street	<ul style="list-style-type: none"> - Increased right-of-way impacts during construction - Short-term closure on Boones Ferry is necessary to construct new bridge over roadway and rail line. - High likelihood of utility conflicts and risk - Railroad may require a shoefly to maintain operations during construction of permanent railroad bridge - Improved north-south and east-west connectivity
Tualatin-Sherwood Road Over Rail <i>Shown in Appendix D</i>	Raise Boones Ferry Road; Intersection Raised Over Rail	<ul style="list-style-type: none"> - Decreased impacts to railroad - Permanent visual impact to surrounding area: roadway will need to be raised by approximately 30 feet - Difficult to stage construction in public right-of-way due to tall temporary walls - Opportunity to keep Boones Ferry Road or Tualatin-Sherwood Road (one at a time) open for most of construction
	Keep Boones Ferry Road at Existing Grade; Create New Northerly Connection via Nyberg Street	<ul style="list-style-type: none"> - Decreased impacts to railroad - Temporary bridge may be required across Tualatin Lake - Increased right-of-way impacts during construction and permanently - Longer and taller multi-span bridge required to clear both Boones Ferry Road and railroad - Improved north-south and east-west connectivity
	Keep Boones Ferry Road at Existing Grade; Create New Southerly Connection via Warm Springs Street	<ul style="list-style-type: none"> - Decreased impacts to railroad - Increased right-of-way impacts during construction and permanently - Longer and taller multi-span bridge required to clear both Boones Ferry Road and railroad - Improved north-south and east-west connectivity

Table 2. Potential At-Grade Alternative Solutions Sets Likely to be Studied and Key Viability Considerations

Alternative Solution Sets	Key Viability Considerations
Tualatin-Sherwood Road Widening & Intelligent Transportation Systems (ITS) <i>Shown in Appendix E</i>	<ul style="list-style-type: none"> - Minimal right-of-way impacts - Does not address the operational and safety concerns at the existing rail crossing - Potential to enhance intersection operations and multimodal safety - Increased coordination and approvals from the railroad and ODOT rail
No Build	<ul style="list-style-type: none"> - Does not address the operational and safety concerns at the existing rail crossing or Boones Ferry/Tualatin-Sherwood Road intersection

Appendix A - Grade Separated Alternatives

Rail
Under
Road



Appendix B - Grade Separated Alternatives

Rail
Over
Road



Appendix C - Grade Separated Alternatives

Road Under Rail

- Lower Boones Ferry & Intersection
- Boones Ferry at grade; create new northly connection via Nyberg St
- Boones Ferry at grade; create new southerly connection via Warm Springs St



Appendix D - Grade Separated Alternatives

Road Over Rail

- Raise Boones Ferry & Intersection
- Boones Ferry at grade; create new northly connection via Nyberg St
- Boones Ferry at grade; create new southerly connection via Warm Springs St



Appendix D - Grade Separated Alternatives

Road Over Rail

- Raise Boones Ferry & Intersection
- Boones Ferry at grade; create new northly connection via Nyberg St
- Boones Ferry at grade; Tualatin-Sherwood Road ramps to/from east



Appendix E - At-Grade Alternatives

- Roadway Widening
- Intelligent Transportation Systems (e.g., Upstream Train Warning)



Tualatin Aging Task Force

March 1, 2026

Tualatin City Council
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062

Dear Mayor Bubenik and Members of the Tualatin City Council:

On behalf of the Tualatin Aging Task Force, we respectfully request that the City Council issue a proclamation recognizing May 2026 as Older Americans Month in the City of Tualatin.

This national observance honors the valuable contributions of older adults and promotes the importance of creating communities that support people of all ages and abilities. Recognizing Older Americans Month affirms our shared commitment to celebrating the experience, wisdom, and ongoing civic engagement of older residents in our community.

In addition to issuing the proclamation, the Aging Task Force would encourage the City Council to sign a Tualatin Senior-Friendly Town Pledge to be posted at the Juanita Pohl Center.

For your consideration, we have attached:

1. A draft proclamation for City review and adoption
2. A Tualatin Senior-Friendly Town Pledge for City review and adoption

We appreciate the Council's continued leadership in making Tualatin a community where residents of all generations can thrive. Thank you for your time and thoughtful consideration of this request.

Respectfully submitted,
On behalf of the Tualatin Aging Task Force
Susan Noack
Chair, Tualatin Aging Task Force



Proclamation

WHEREAS, the month of May is nationally recognized as Older Americans Month, a time to recognize the contributions of older adults and to reaffirm our commitment to serving older residents in our communities; and

WHEREAS, the City of Tualatin values the wisdom, experience, and lifelong contributions of older adults who have strengthened our neighborhoods, enriched our civic life, and helped shape our community's character; and

WHEREAS, older Americans play vital roles as mentors, volunteers, caregivers, community leaders, and active participants in the workforce, sharing their knowledge and talents across generations; and

WHEREAS, Tualatin is committed to fostering an age-friendly community that promotes health, independence, inclusion, and opportunities for meaningful engagement for residents of all ages; and

WHEREAS, during Older Americans Month, we celebrate the resilience and diversity of older adults and recognize the importance of accessible services, social connection, and community support to ensure that all residents can age with dignity and purpose;

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, Oregon that Tualatin recognizes the month of May as **Older Americans Month**. We encourage community members to honor older adults, recognize their ongoing contributions, and support efforts that promote positive aging and community engagement.

INTRODUCED AND ADOPTED this XX day of April, 2025.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder



Tualatin Senior-Friendly Town Pledge

In Tualatin, we believe that growing older is a gift — a season filled with wisdom, stories, and new adventures. We honor the seniors who have built our community, and we are committed to making sure they continue to feel seen, heard, valued, and supported.

As a Senior-Friendly Town, We Pledge To:

- ✓ Actively work to reduce isolation and remove barriers to independence.
- ✓ Build bridges between generations, strengthening our entire community.
- ✓ Create accessible, safe, and welcoming spaces where seniors can thrive.
- ✓ Continuously seek feedback, adapt, and grow as a truly age-inclusive town.
- ✓ Ensure that every city financial decision — from bonds to ballot measures — is carefully reviewed to protect, support, and benefit our senior community.
- ✓ Foster free/inexpensive lifelong learning, and social engagement opportunities.
- ✓ Listen to the voices of our seniors in all matters that affect community life.
- ✓ Partner with community organizations and businesses to continually improve age-friendly initiatives.
- ✓ Promote safe, walkable neighborhoods with accessible sidewalks and crossings.
- ✓ Provide clear communication in formats that meet seniors' needs.
- ✓ Support reliable, affordable, and senior-accessible transportation options.

In every plan we make, in every service we offer, and in every path we pave—we will carry this promise forward. A town that honors its seniors is a town that honors its future.

Signed,
Mayor
Town Leaders, etc.



Application To Request A City Proclamation
18880 SW Martinazzi Ave, Tualatin, OR 97062
503-691-3011



The City of Tualatin offers two types of proclamations:

City Council Proclamation – A formal recognition read during a City Council meeting. These proclamations are included in the Council agenda and may be presented to representatives in attendance.

Mayoral Proclamation – A proclamation issued by the Mayor that does not require a formal reading at a Council meeting. This type of proclamation is ideal for recognizing events, individuals, or organizations without the need for a public presentation.

Topic & Purpose of Proclamation: Month of the Military Child

Individual, Agency, or Organization Sponsoring the Proclamation: Oregon NG Child and Youth Program

Request by: Name Lorene Moore **Phone** 971-355-3079

Return the completed form and a draft copy of your one-page proclamation to this application to:

City of Tualatin, Attn: Deputy City Recorder, 18880 SW Martinazzi Ave, Tualatin OR, 97062 or via email to nmorris@tualatin.gov.

Request for City Council Proclamation

Request for City Council proclamations should be submitted four weeks prior to the requested Council Meeting date. The City Council meets the 2nd and 4th Monday of each month unless otherwise noted. For specific meeting dates, please visit the City of Tualatin website at www.tualatinoregon.gov.

Note: There is a limit of three proclamations per City Council meeting and selection is made in the order requests are received. While the City does its best to recognize community needs, we retain the right to decide if the proclamation will be issued or not.

Preferred City Council Meeting Date: March 30th

Alternate City Council Meeting Date: April 6th

Local Resident Attending Council Meeting to Receive Proclamation:

Name Lorene Moore/OR Mitlitary Teen Panel Phone 971-355-3079

Requests for Mayoral Proclamation

Requests for Mayoral proclamations will be considered by the Mayor and will not be formally read at a Council meeting. Approval is subject to the discretion of the Mayor. Please allow two weeks for processing.

Preferred Date of Issuance By: _____

Delivery Method (circle one): Mailed E-Mailed In-Person Pick-Up



Proclamation

WHEREAS, Thousands of brave Oregonians are demonstrating their courage and commitment to freedom by serving in the Armed Forces of the United States of America here at home and abroad and

WHEREAS, Oregon has more than 6,700 children connected to the military through a parent currently serving in the military, with hundreds more connected through the military service of a sibling, an aunt, an uncle or a grandparent; and

WHEREAS, These children are a source of pride and honor for us all, and it is only fitting that we take time to recognize their contributions, celebrate their spirit, and let our men and women in uniform know that while they are taking care of us, we are taking care of their children; and

WHEREAS, Oregonians are encouraged to pay tribute to our military children for their commitment, their sacrifice and their unconditional support of our service members because when parents serve in the military, their kids serve too.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, Oregon that Tualatin recognizes April 2025 as Month of the Military Child.

INTRODUCED AND ADOPTED this XX day of April, 2025.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder

