

ORDINANCE NO. 6475

AN ORDINANCE AMENDING SECTION 9.32.020 OF THE HILLSBORO MUNICIPAL CODE TO PERMIT EXCLUSIONS TO APPLY TO MORE THAN ONE PUBLIC FACILITY AND FOR A PERIOD GREATER THAN 90 DAYS.

WHEREAS, the Hillsboro Municipal Code provides for the ability to exclude individuals who violate a provision of state or local law or rule from public land and public facilities for a period of up to 90 days; and

WHEREAS, the Code is ambiguous as to whether an exclusion notice may apply to more than one similar public facility, such as an exclusion from all library branches; and

WHEREAS, the City desires to have capability to immediately exclude individuals for conduct constituting theft or unwanted physical contact with another person; and

WHEREAS, the Library Board has recommended rules, which the Council approved in Resolution 2827, that would permit exclusion notices to apply to all library branches and for a period of more than 90 days due to continued behavior violations and repeat offenses; and

WHEREAS, the City desires to update the Code to clarify these issues and permit full enforcement of the adopted library rules.

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

Section 1. Subsections 9.32.020(A) and (B) of the Hillsboro Municipal Code are amended as follows (additions in underlined and deletions in ~~strike through~~ text):

- A. In addition to any other remedy or penalty provided by law, a peace officer or other person specifically authorized by the manager may exclude from public lands and public facilities any person who violates a provision of state or local law or rule or Tri-Met ordinance ~~from that public lands and public facilities.~~
1. A person excluded pursuant to this subsection may be excluded for a period of up to 90 days, provided that exclusions may be imposed for up to 180 days due to continued or repeat violations.
2. A person shall only be excluded from the public land or public facility where the person violated a provision of state or local law or rule or Tri-Met ordinance, provided that a person may be excluded from similarly situated public lands or public facilities such as multiple library branches or all areas of a sidewalk on a given block.
- B. A person excluded pursuant to HMC 9.32.020(A) may not enter or remain upon ~~the that public lands~~ or public facilities listed on the exclusion notice ~~facility~~ during the exclusion period except a person excluded from the Civic Center Complex may enter upon or remain at the Civic Center Complex to the extent

necessary to file documents required to be filed with a city official or appear in a municipal court proceeding.

C. A person will be given a warning and an opportunity to comply with the law or rule before an exclusion notice is issued unless the exclusion is based on:


1. Conduct punishable as a felony;
2. Controlled substances or alcoholic beverages;
3. Behavior prohibited by HMC 9.32.040(O);
4. Actions actually or likely to result in personal injury or property damage;
5. Theft;
6. Unwanted physical contact with another person; or
7. The person having been previously warned or excluded for the same conduct in a separate situation.

Section 2. This ordinance shall be effective from and after 30 days following its passage and approval by the Mayor.

First approval of the Council on 4th day of June 2024.

Second approval and adoption by the Council on this 18th day of June 2024.

Approved by the Mayor this 18th day of June 2024.



Steve Callaway, Mayor

ATTEST: 

Amber Ames, City Recorder