



## NOTICE OF HEARING

December 29, 2022

Christopher and Michelle Hartenstein  
19490 S Ferguson Ter  
Oregon City, OR 97045

**RE::** County of Clackamas v. Christopher and Michelle Hartenstein  
**File:** V0021920

**Hearing Date:** January 24, 2023

**Time:** This item will not begin before 12:00 pm however it may begin later depending on the length of preceding items.

**Location:** Hearing will be held by virtual Zoom meeting. Please see attached information regarding the process for the Zoom meeting.

Enclosed you will find the following:

1. Notice of Rights;
2. Copy of Exhibits which have been submitted by the County

You **must** appear at the time set forth in this Notice of Hearing or the relief requested in the **Complaint** may be **granted against you by default**.

**You can access the complete hearing packet at <https://www.clackamas.us/codeenforcement/hearings>**

You may contact Diane Bautista, Code Compliance Specialist for Clackamas County at (503) 742-4459, should you have any questions about the violation(s) in the **Complaint**. Do not call the Compliance Hearings Officer.

Enclosures

CC: Carl Cox -Compliance Hearings Officer

## STATEMENT OF RIGHTS

1. **Prior to the Hearing.** You have the right to make the following requests:
  - (A) You can request the opportunity to review public records and to talk to County staff about the violations or request a subpoena for that purpose if the County does not allow you to do so.
  - (B) You can request that the Hearings Officer postpone the hearing for good cause by writing the Hearings Officer at least 7 calendar days prior to the scheduled hearing date.
  - (C) You can request that the Hearings Officer decide the matter based exclusively on written materials from the parties or conduct the hearing by phone.
2. **Procedure.** The hearing will be governed by general rules of procedure designed to allow you to hear and confront the evidence against you, and for you to present evidence favorable to you. You are not required to present any evidence, the burden is on the County to establish by a preponderance of the evidence that a violation exists, or existed. Either party may, at their own expense, obtain an attorney to represent them at the hearing. If you wish to be represented by an attorney they need only notify the County and the Hearings Officer in writing of their intent to appear on your behalf. The County will present evidence first, and then you may question that evidence. You may then present your own evidence, if you wish, and the County may question your evidence. Testimony by witnesses is evidence. The Hearings Officer may inquire into any facts that are relevant to the hearing and may question the parties or witnesses about the case. Evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their serious affairs shall be admissible.
3. **Record of Proceedings.** An audio record will be made of the proceedings when a hearing is conducted. The audio record is available through the Clackamas County Code Enforcement Section and is available to you upon request.
4. **Hearings Officer.** The Hearings Officer is an independent contractor paid by the County to conduct hearings and render decisions. He/she is not a County employee. His/her function is to preside over the hearing, make a record of proceedings, consider admissible evidence, and interpret and apply the law. After the hearing is closed the Hearings Officer will enter written findings of fact, conclusions of law, and any Order deemed proper. If a violation is proven, then the Order may include civil penalties, fines, administrative fees, or may require the respondent to take certain actions, or refrain from certain actions. An Order issued by the Hearings Officer may be a Final Order or Continuing Order. The Hearings Officers Order is the final decision of the County, and may be appealed pursuant to Oregon law. The Hearings Officer for Clackamas County is:

**Carl Cox**  
**Attorney at Law**  
**14725 NE 20<sup>th</sup> Street, #D-5**  
**Bellevue, WA 98007**
5. **Right to Recess.** If, during the course of the hearing, Respondent or the County requests a recess or postponement, or additional time to present crucial evidence, the Hearings Officer may allow a continuance of the hearing for good cause. The Respondent may also request that the proceeding be continued after the end of the hearing if the Respondent determines that additional evidence should be brought to the attention of the Hearings Officer.
6. **Right to Appeal.** The Final Order of the Hearings Officer shall set forth the right of the respondent to appeal any adverse Order. Appeal may be taken pursuant to Section 2.07.130 of the Clackamas County Hearings Officer Code, and Oregon Revised Statute 34.010-34.100. If appeal is taken, appellant is responsible for all costs of appeal including preparation of transcript.



**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

You must have access to the internet or to a telephone line to use the Zoom platform. We have sent you the Zoom invite to chrishartenstein@gmail.com. Please contact Diane Bautista if you are unable to find the email.

If you would like to present evidence at the Hearing please email or mail your evidence to DianeBau@clackamas.us or 150 Beavercreek Rd, Oregon City, Oregon 97045, no later than 4 work days prior to the hearing. Staff will number your evidence for the hearing and provide the numbered documents to the Hearings Officer and send them back to you for reference.

If you are unable to participate in a hearing through the Zoom platform please contact Diane Bautista at 503-742-4459 **within 3 calendar days of receipt of the notice of hearing packet.**

If you do not know how to use Zoom, please Google "how to use Zoom" and there are many interactive guides on the internet.

If you experience difficulties connecting to the Zoom hearing **before** your scheduled start time, **please call 503-348-4692** for assistance.

*\*Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that a \$75.00 monthly Administrative Compliance Fee will be assessed if a violation has been determined and has not been abated. When a property owner works cooperatively with the County to resolve a confirmed code violation, the County may waive all or part of that fee.*

## Department of Transportation and Development

### **Nondiscrimination Policy:**

The Department of Transportation and Development is committed to non-discrimination. For more information go to: [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination), email [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) or call (503) 742-4452.

**¡LE DAMOS LA BIENVENIDA!** Spanish

El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination), envíe un correo electrónico a [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) o llame al 503-742-4452.

**ДОБРО ПОЖАЛОВАТЬ!** Russian

Департамент транспорта и развития инфраструктуры стремится к соблюдению политики недопущения дискриминации. Для получения дополнительной информации посетите веб-сайт: [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination), отправьте письмо на адрес эл. почты [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) или позвоните по телефону 503-742-4452.

**欢迎!** Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问 [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination)，发送电子邮件至 [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) 或致电 503-742-4452。

**CHÀO MỪNG!** Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng: [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination), gửi email đến [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) hoặc gọi điện thoại theo số 503-742-4452.

**환영합니다.** Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination)을 참조하거나 이메일 [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us), 또는 전화 503-742-4452번으로 연락 주십시오.

BEFORE THE COMPLIANCE HEARINGS OFFICER  
for the  
CLACKAMAS COUNTY BOARD OF COMMISSIONERS

COUNTY OF CLACKAMAS,

Petitioner,

v.

CHRISTOPHER HARTENSTEIN, and  
MICHELLE HARTENSTEIN, and  
DEAN HARTENSTEIN, and  
SHARON HARTENSTEIN, and  
GRETCHEN GARCIA,

Respondents.

File No: V0021920

COMPLAINT AND REQUEST FOR HEARING

I, Diane Bautista, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondent Christopher Hartenstein's place of residence is: 26600 S. Hwy 213,  
Mulino, OR 97042.

Respondent Michelle Hartenstein's place of residence is: 19490 S. Ferguson Terrace,  
Oregon City, OR 97045.

Respondents Dean and Sharon Hartenstein's place of residence is: 18921 Highland  
Dr., Oregon City, OR 97045.

Respondent Gretchen Garcia's mailing address is: P.O. Box 1142, Mulino, OR  
97042.

2.

The location of the violation(s) of law alleged in this Complaint is: 26600 S. Hwy 213, Mulino, OR 97042, also known as T4S, R2E, Section 17DA, Tax Lot 02100, and is located in Clackamas County, Oregon.

3.

On or about the 27th day of December, 2021 Respondents Christopher and Michelle Hartenstein violated the following laws, in the following ways:

- a. Respondents violated the Clackamas County Building Code, Title 9.02 by failing to obtain required permits for an awning on a commercial building. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

On or about the 5th day of December, 2022 Respondents Dean and Sharon Hartenstein and Gretchen Garcia violated the following laws, in the following ways:

- a. Respondents violated the Clackamas County Building Code, Title 9.02 by failing to obtain required permits for an awning on a commercial building. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

4.

The Department initiating this procedure is the Code Enforcement Section of the Department of Transportation and Development.

5.

Notice of the violations was given to Respondents in the following manner: Citation and Complaint #2000219-1 in the amount of \$100.00 was mailed via first class mail on December 27, 2021. A copy of the notice document is attached to this Complaint as Exhibit C, and incorporated by this reference.

Notice of the violations was given to Respondents in the following manner: Citation and Complaint #2000219-3 in the amount of \$100.00 was mailed via first class mail on December 5, 2022. A copy of the notice document is attached to this Complaint as Exhibit D, and incorporated by this reference.

Notice of the violations was given to Respondents in the following manner: Citation and Complaint #2000219-4 in the amount of \$100.00 was mailed via first class mail on December 5, 2022. A copy of the notice document is attached to this Complaint as Exhibit D, and incorporated by this reference.

6.

Based on these allegations, petitioner requests that a hearing be set in this matter.

Petitioner seeks an Order from the Hearings Officer granting the following relief:

1. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondents to immediately abate the violations and bring the property at issue into compliance with all laws, and permanently enjoining Respondents from violating these laws in the future;

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondents for each violation, within the range established by the Board of County Commissioners. Said range for a Building Code Title 9.02 Priority 1 violation being \$750.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code,

3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to pay an administrative compliance fee as provided by Appendix A to the Clackamas County Code;

4. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to reimburse the County for any expense the County may incur in collection of any penalties, fines or fees that may be imposed:

and

5. Ordering any other relief deemed reasonably necessary to correct the violations.

DATED THIS 29th day of December, 2022.



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**Diane Bautista**  
**Code Enforcement Specialist**  
**FOR CLACKAMAS COUNTY**



COUNTY OF CLACKAMAS,

Petitioner,

v.

CHRISTOPHER HARTENSTEIN, and  
MICHELLE HARTENSTEIN, and  
DEAN HARTENSTEIN, and  
SHARON HARTENSTEIN, and  
GRETCHEN GARCIA,

Respondents.

File No.: V0021920

STATEMENT OF PROOF

History of Events and Exhibits:

- |                                |   |
|--------------------------------|---|
| June 25, 2020                  | Clackamas County received a complaint regarding an awning built on a commercial business without permits.   |
| June 29, 2020<br>Exhibit A     | Correspondence was sent to the contract buyers regarding the alleged violation.   |
| July 2, 2020                   | I received a phone call from Respondent Christopher Hartenstein who said he put the awning up in October of 2019 and did not know he needed a permit but will get it taken care of.   |
| July 6, 2020<br>Exhibit B      | Correspondence was sent to the Respondents with a deadline of August 6, 2020 to abate the building code violation.  |
| December 27, 2021<br>Exhibit C | Based on email correspondence sent to Respondent Christopher Hartenstein by Plans examiner Robert Morris on September 17, 2021 the submitted building application B0559620 for the awning required additional information to continue Plan Review, that information was not provided and citation 2000219-1 was issued to Christopher and Michelle Hartenstein for \$100.00 and sent via first class mail. This citation was not returned to the County. This citation has not been paid. |
| December 5, 2022<br>Exhibit D  | A review of County permits showed no permits had been issued. Citation 2000219-3 was issued to Dean and Sharon Hartenstein for \$100.00 and Citation 2000219-4 was issued to Gretchen Garcia for \$100.00 and sent via first class mail. These citations were not returned to the County. These citations have not been paid.   |
| December 30, 2022              | The County referred this matter to the Code Enforcement Hearings Officer.   |

If the Compliance Hearings Officer affirms the County's position by a preponderance of the evidence, the County may request a Continuing Order in this matter recommending the following:

- The Respondents be ordered to bring the property into compliance with the Clackamas County Building Code by submitting the required Plan Review information within 15 days of the date of the Continuing Order and all additional requests from the County be responded to within 10 days and receive final approved inspections within 30 days of the permits being issued.
- Code Enforcement to confirm compliance of the above items and the County will submit a Post Hearing Status Report. The Report will be sent to the Compliance Hearings Officer and to the Respondents.
- The report may include the following recommendations:
- The imposition of civil penalties for Christopher and Michelle Hartenstein for the Building Code violation of up to \$1,000.00 for date cited December 27, 2021.
- The imposition of civil penalties for Dean and Sharon Hartenstein for the Building Code violation of up to \$1,000.00 for date cited December 5, 2022.
- The imposition of civil penalties for Gretchan Garcia for the Building Code violation of up to \$1,000.00 for date cited December 5, 2022.
- Payment for Citation No. 2000219-1 issued to Christopher and Michelle Hartenstein on December 27, 2021 for \$100.00.
- Payment for Citation No. 2000219-3 issued to Dean and Sharon Hartenstein on December 5, 2022 for \$100.00.
- Payment for Citation No. 2000219-4 issued to Gretchen Garcia on December 5, 2022 for \$100.00.
- The administrative compliance fee to be imposed from August 2020 until the violation is abated. As of this report the total is \$2,175.00.
- The County requests the Hearings Officer to permanently prohibit the Respondents from violating this law in the future.
- If the Respondents fail to comply with the Hearings Officer's Continuing Order the County will request the Hearings Officer to issue a Final Order and will also request the Hearings Officer to authorize the County further enforcement action including to proceed to Circuit Court.



June 29, 2020

Christopher & Michelle Hartenstein  
19490 S Ferguson Terrace  
Oregon City, OR 97045

Dean & Sharon Hartenstein  
18921 Highland Dr  
Oregon City, OR 97045

**Subject: Alleged Violation of the Building Code, Chapter 9.02.040 of the Clackamas County Code**

Site Address: 26600 S Hwy 213, Mulino OR 97042  
Legal Description: T4S, R2E, Section 17DA, Tax Lot 02100

It has come to the attention of Clackamas County Code Enforcement that construction of an awning at Hart's Produce may have been done without the benefit of permits.

This may constitute a violation of the Building Code, Chapter 9.02.040 Clackamas County Code.

Please contact Diane Bautista, Code Enforcement Specialist, within ten (10) days of the date of this letter in order to discuss this matter.

E-mail address is [DianeBau@clackamas.us](mailto:DianeBau@clackamas.us)

Telephone number is 503-742-4459

*\*Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that a \$75.00 monthly Administrative Compliance Fee will be assessed if a violation has been determined and has not been abated. When a property owner works cooperatively with the County to resolve a confirmed code violation, the County may waive all or part of that fee.*

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### **ДОБРО ПОЖАЛОВАТЬ!** Russian

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### **欢迎!** Chinese (Mandarin)

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### **CHÀO MỪNG!** Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng: [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination), gửi email đến [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) hoặc gọi điện thoại theo số 503-742-4452.

### **환영합니다.** Korean

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오.



150 Beavercreek Rd  
Oregon City, OR 97045  
503-655-8671

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## Property Account Summary

6/29/2020

Account Number	01031458	Property Address	26600 S HWY 213 , MULINO, OR 97042
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### General Information

Alternate Property #	42E17DA02100
Property Description	Section 17 Township 4S Range 2E Quarter DA TAX LOT 02100
Last Sale Price	\$450,000.00
Last Sale Date	10/14/2019
Last Sale Excise Number	360022
Property Category	Land &/or Buildings
Status	Active, Host Other Property, <u>Locally Assessed</u>
Tax Code Area	035-029
Remarks	

### Property Characteristics

Neighborhood	20020: Area 02 commercial
Land Class Category	201: Commercial land improved
Acreage	0.66
Change property ratio	CIC

### Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths

### Parties

Role	Percent	Name	Address
Taxpayer	100	HARTENSTEIN CHRISTOPHER	19490 S FERGUSON TER, OREGON CITY, OR 97045
Owner	100	GARCIA GRETCHEN LYNN	PO BOX 1142, MULINO, OR 97042
Contract Buyer	100	HARTENSTEIN CHRISTOPHER	19490 S FERGUSON TER, OREGON CITY, OR 97045
Contract Buyer	100	HARTENSTEIN MICHELLE	19490 S FERGUSON TER, OREGON CITY, OR 97045
Contract Buyer	100	HARTENSTEIN DEAN	18921 HIGHLAND DR, OREGON CITY, OR 97045
Contract Buyer	100	HARTENSTEIN SHARON	18921 HIGHLAND DR, OREGON CITY, OR 97045

### Property Values

EXHIBIT A - PAGE 3 OF 3



**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

July 6, 2020

Christopher & Michelle Hartenstein  
19490 S. Ferguson Terrace  
Oregon City, OR 97045

Dean & Sharon Hartenstein  
18921 Highland Drive  
Oregon City, OR 97045

Gretchen Garcia  
P.O. Box 1142  
Mulino, OR 97042

**SUBJECT: Violation of the Clackamas County Building Code, Title 9.02.040 (A)**

**SITE ADDRESS:** 26600 S. Hwy 213, Mulino, OR 97042

**LEGAL DESCRIPTION:** T4S, R2E, Section 17DA, Tax Lot 02100

This letter serves as notice of violation of the Clackamas County Code. The violation includes:

- Awning constructed on commercial building without permits

The construction of an awning on a commercial structure without permits constitutes a violation of Clackamas County Code Title 9.02.40 (A). In order to abate the violation, please complete the following **no later than August 6, 2020**:

- Obtain permits for all work done.
  - Submit appropriate building applications, and technically complete plans and pay the appropriate fee(s).
    - The permit must be picked up within ten days of being notified.
    - Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of the permit being issued.

**CONTACT INFORMATION**

**Building** – If you have questions concerning permitting requirements please contact the building department at 503-742-4240 or on-line at [bldservice@clackamas.us](mailto:bldservice@clackamas.us).

If you have any questions my direct telephone number is 503-742-4459 and my email is [dianebau@clackamas.us](mailto:dianebau@clackamas.us).

**ITEMS INCLUDED IN THIS PACKET**

1. Violation Letter
2. Required Notice of Fines and Penalties

A handwritten signature in blue ink that reads "Diane Bautista". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Diane Bautista  
Code Enforcement Specialist  
Clackamas County Code Enforcement

## **REQUIRED NOTICE OF FINES AND PENALTIES**

It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. Failure to resolve those violations may result in one or more of the following: (1) a citation and fine, (2) assessment of a \$75 per month administrative compliance fee, and (3) referral of this matter to the County Code Enforcement Hearings Officer.

Clackamas County Code provides for fine amounts of up to \$500 and additional civil penalties of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Code Enforcement Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.

Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.

Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered the County may file and record the order for payment in the County Clerk Lien Road.

Also, be advised that non-compliance with a Hearing Officer's Order may result in the matter being referred to County Counsel; for legal action in Circuit Court which may result in additional penalties or other sanctions.

Finally, recurrence of abated violations may result in the issuance of a citation without prior notice.



## Bautista, Diane

---

**From:** Morris, Robert  
**Sent:** Friday, September 17, 2021 10:19 AM  
**To:** chris hartenstein  
**Cc:** Bautista, Diane  
**Subject:** RE: New Awning Project @ 26600 S. Hwy. 213 (Permit #B0559620; V0021920)  
**Attachments:** 11-30 Email Re Special Inspection Form.pdf; 12-1 Email Re Permit Issuance.pdf

Hello Chris,

Yes, I had sent you the required Special Inspections Agreement form by email on 11/30, which you were to complete/sign and return prior to permit approval and issuance. Another email was sent to you the next day on 12/1, reiterating that information was needed before the permit could be issued (see attached files for copies of both email messages). As of now, the required building permit for this project has still not been issued.

In order to obtain the required building permit for this project, the following items are needed:

- A revised design (plans and calculations) from the project engineer regarding the concrete anchors used (according to the special inspections report, the anchors which were installed do not match the specifications provided by the project engineer).
- After this has been received and approved, the final fee amounts may then be calculated and paid, then the permit may then be issued.

After the permit has been issued, a framing inspection and a final building inspection will be required.

Sincerely,

Robert Morris, Plans Examiner  
(Pronouns: him/he/his) [Why pronouns matter](#)  
Clackamas County Building Codes Division  
150 Beaver Creek Rd., Oregon City, OR 97045  
503-742-4779 | [RMorris@clackamas.us](mailto:RMorris@clackamas.us)  
My regular work schedule is Monday through Friday, from 7:30 AM to 4:00 PM

Follow Clackamas County: [Facebook](#) | [Twitter](#) | [YouTube](#) | [Nextdoor](#)

The Clackamas County Department of Transportation and Development is dedicated to providing excellent customer service. Please help us to serve you better by giving us your [feedback](#). We appreciate your comments and will use them to evaluate and improve the quality of our public service.

-----Original Message-----

**From:** chris hartenstein <[chrishartenstein@gmail.com](mailto:chrishartenstein@gmail.com)>  
**Sent:** Friday, September 17, 2021 9:52 AM  
**To:** Morris, Robert <[RMorris@clackamas.us](mailto:RMorris@clackamas.us)>  
**Subject:** Re: New Awning Project @ 26600 S. Hwy. 213 (Permit #B0559620)

Warning: External email. Be cautious opening attachments and links.

Good Morning Robert,

This producer we are working on getting permitted was built already, I did not know I would need a permit to build the amending so we have been working backwards to correct what we have done. The engineered plans have already been submitted, the county came back to us wanting the anchor bolts inspected which is why you received the report form Carlson Testing.

Thank you  
Chris Hartenstein

Sent from my iPad

> On Sep 16, 2021, at 12:04 PM, Morris, Robert <RMorris@clackamas.us> wrote:

>

> Dear Chris Hartenstein,

>

> The attached special inspection reports were received by our office regarding the new awning project located at 26600 S. Hwy. 213 (Permit #B0559620), however a building permit has not yet been issued for this project and the work is therefore in violation of the Title 9.02 of the Clackamas County Code. Additionally, the installed concrete anchors deviate from the project engineer's design specifications... therefore this item must be addressed by the project engineer with revised plans and calculations.

>

> Please cease work until the required permit has been issued for this project. In order to obtain the required permit, please first submit the required plan and calculations revisions provided and stamped by the project engineer for review and approval. After the plans and calculations have been approved, the applicable fees may then be paid, and the permit may then be issued.

>

> Sincerely,

>

> Robert Morris, Plans Examiner

> (Pronouns: him/he/his) Why pronouns matter Clackamas County Building

> Codes Division

> 150 Beaver Creek Rd., Oregon City, OR 97045

> 503-742-4779 | RMorris@clackamas.us

> My regular work schedule is Monday through Friday, from 7:30 AM to

> 4:00 PM

>

> Follow Clackamas County: Facebook | Twitter | YouTube | Nextdoor

>

> The Clackamas County Department of Transportation and Development is dedicated to providing excellent customer service. Please help us to serve you better by giving us your feedback. We appreciate your comments and will use them to evaluate and improve the quality of our public service.

>

> -----Original Message-----

> From: tsuess@carlsonstesting.com <tsuess@carlsonstesting.com>

> Sent: Thursday, September 16, 2021 1:47 AM

> To: CHRISHARTENSTEIN@GMAIL.COM; Building Public Service

> <BldService@clackamas.us>; WILLIAM@EMERIODSIGN.COM

> Subject: T2104554 HARTS PRODUCE PDF File(s)

>

> Warning: External email. Be cautious opening attachments and links.

>

> If you have received this report in error, want to change your distribution or have any problems opening the attachment please contact Jasmine Gehring at [jgehring@carlsonesting.com](mailto:jgehring@carlsonesting.com) or by phone 503-684-3460. Please direct project specific questions and information to the project manager. This is an automatically generated email.

>

> --

> The information contained in this email is intended for the individual or entity which it is addressed. Its contents (including any attachments) are confidential and may contain privileged information. If you are not an intended recipient you must not use, disclose, disseminate, copy or print its contents. If you receive this email in error, please notify the sender by reply email and delete/destroy the message.

>

> <NCLOut T2104554.PDF>

> <Prop Anchors T2104554 09142021 98117.PDF> <NCLPROPANCHORS T2104554

> 09142021 98117.PDF>



Citation No. 2000219-1

Case No. V0021920

# ADMINISTRATIVE CITATION

Date Issued: December 27, 2021

**Name and Address of Person(s) Cited:**

Name: Christopher and Michelle Hartenstein  
Mailing Address: 19490 S. Ferguson Ter.  
City, State, Zip: Oregon City, OR 97045

Date Violation(s) Confirmed: On the 27th day of December, 2021, the person(s) cited committed or allowed to be committed, the violation(s) of law described below, at the following address:

Address of Violation(s): 26600 S. Hwy 213, Mulino, OR 97042

Legal Description: T4S, R2E, Section 17DA, Tax Lot(s) 02100

**Law(s) Violated**

Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (A)

**Description of the violation(s):**

- 1) Failure to obtain required building permit for awning on commercial business

Maximum Civil Penalty \$1,000.00

Fine \$100.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$100.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

I hereby certify under penalties provided by ORS 153.990 that I have reasonable grounds to and do believe that the above person(s) committed or allowed to be committed the violation(s) described on this form.

Citation issued by: Diane Bautista  
Telephone No.: 503-742-4459

Date: December 27, 2021  
Department Initiating Enforcement Action: Code Enforcement

**PLEASE READ CAREFULLY!**

You have been cited for the violation(s) of law stated on the front of this form. You MUST exercise ONE of the following options within fifteen calendar days of the date of this citation.

If you fail to exercise one of these options within fifteen calendar days of the citation date, the County may request a hearing before the Code Enforcement Hearings Officer following which you may be ordered to pay the maximum civil penalty and abate the violation.

Options:

- 1. Abate the violation and pay the fine. Sign the statement of Understanding below and deliver or mail this form, together with a check or money order payable to Clackamas County in the amount of the fine to:  
 Clackamas County Code Enforcement Section  
 150 Beaver Creek Rd.  
 Oregon City, OR 97045
- 2. Request a hearing in writing. You may request a hearing to contest the violation(s) alleged. A written request for a hearing must be mailed to Clackamas County at the address listed above or sent to [codeenforcement@clackamas.us](mailto:codeenforcement@clackamas.us).

A request for hearing must contain all of the following information:

- a. Your name and address;
- b. A copy of the citation or the Citation No. and Case No.; and,
- c. The description of the relief you are requesting.

At the hearing, an administrative fee may be assessed by the Hearings Officer in addition to civil penalty(ies) if the Hearings Officer concludes you are responsible for the violation. If a civil penalty is imposed the amount will likely exceed the fine amount on this citation.

STATEMENT OF UNDERSTANDING

I, the undersigned, do hereby acknowledge that I understand the following:

- 1. By paying the fine I admit the existence of the violation(s) alleged on this citation and my responsibility for it.
- 2. Paying the fine does not relieve me of my responsibility to correct the violation and to comply with all applicable laws.
- 3. Additional citations may be issued to me if I fail to correct the violation or violate other applicable laws.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
City, State, Zip

Contact Number: \_\_\_\_\_ Email: \_\_\_\_\_



Citation No. 2000219-3

Case No. V0021920

# ADMINISTRATIVE CITATION

Date Issued: December 5, 2022

**Name and Address of Person(s) Cited:**

Name: Dean and Sharon Hartenstein  
Mailing Address: 18921 Highland Drive  
City, State, Zip: Oregon City, OR 97045

Date Violation(s) Confirmed: On the 5th day of December, 2022, the person(s) cited committed or allowed to be committed, the violation(s) of law described below, at the following address:

Address of Violation(s): 26600 S. Hwy 213, Mulino, OR 97042

Legal Description: T4S, R2E, Section 17DA, Tax Lot(s) 02100

**Law(s) Violated**

Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (A)

**Description of the violation(s):**

- 1) Failure to obtain required building permit for awning on commercial business

Maximum Civil Penalty \$1,000.00

Fine \$100.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$100.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

I hereby certify under penalties provided by ORS 153.990 that I have reasonable grounds to and do believe that the above person(s) committed or allowed to be committed the violation(s) described on this form.

Citation issued by: Diane Bautista  
Telephone No.: 503-742-4459

Date: December 5, 2022  
Department Initiating Enforcement Action: Code Enforcement

**PLEASE READ CAREFULLY!**

You have been cited for the violation(s) of law stated on the front of this form. You MUST exercise ONE of the following options within fifteen calendar days of the date of this citation.

If you fail to exercise one of these options within fifteen calendar days of the citation date, the County may request a hearing before the Code Enforcement Hearings Officer following which you may be ordered to pay the maximum civil penalty and abate the violation.

Options:

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 150 Beaver Creek Rd.  
 Oregon City, OR 97045
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- 3. Additional citations may be issued to me if I fail to correct the violation or violate other applicable laws.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
City, State, Zip

Contact Number: \_\_\_\_\_ Email: \_\_\_\_\_



Citation No. 2000219-4

Case No. V0021920

# ADMINISTRATIVE CITATION

Date Issued: December 5, 2022

**Name and Address of Person(s) Cited:**

Name: Gretchen Garcia  
Mailing Address: P.O. Box 1142  
City, State, Zip: Mulino, OR 97042

Date Violation(s) Confirmed: On the 5th day of December, 2022, the person(s) cited committed or allowed to be committed, the violation(s) of law described below, at the following address:

Address of Violation(s): 26600 S. Hwy 213, Mulino, OR 97042

Legal Description: T4S, R2E, Section 17DA, Tax Lot(s) 02100

**Law(s) Violated**

Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (A)

**Description of the violation(s):**

- 1) Failure to obtain required building permit for awning on commercial business

Maximum Civil Penalty \$1,000.00

Fine \$100.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$100.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

I hereby certify under penalties provided by ORS 153.990 that I have reasonable grounds to and do believe that the above person(s) committed or allowed to be committed the violation(s) described on this form.

Citation issued by: Diane Bautista  
Telephone No.: 503-742-4459

Date: December 5, 2022  
Department Initiating Enforcement Action: Code Enforcement



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- 3. Additional citations may be issued to me if I fail to correct the violation or violate other applicable laws.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
City, State, Zip

Contact Number: \_\_\_\_\_ Email: \_\_\_\_\_