



NOTICE OF HEARING

March 3, 2025

Andrew Gray
34180 SE Hwy 26
Boring, OR 97009

RE:: County of Clackamas v. Andrew Gray
File: V0003723

Hearing Date: March 25, 2025

Time: This item will not begin before 11:00am 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 Complaint and Request for Hearing

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 Jennifer Kauppi, Code Compliance Specialist for Clackamas County at (503) 742-4759, 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 Officer's 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 20th 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

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You must have access to the internet or to a telephone line to use the Zoom platform. A Zoom invite has been sent to mamabug01@gmail.com a copy of the link is provided below. Once you have joined the meeting, please allow the moderator to promote you to a panelist.

If you would like to present evidence at the Hearing please email or mail your evidence to Jennifer Kauppi at 150 Beaver Creek Rd, Oregon City, Oregon 97045, **no later than 4 working 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 Jennifer Kauppi at 503-742-4759 **within 3 calendar days of receipt of the Notice of Hearing.**

If you do not know how to use Zoom, please Google "how to use Zoom" and there are many interactive guides on the internet. **When joining the webinar please accept the request to join as a panelist.**

If you experience difficulties connecting to the Zoom hearing **before** your scheduled start time, please call 503-830-9960 for assistance.

Zoom invite

Join from PC, Mac, iPad, or Android:

<https://clackamascounty.zoom.us/j/86556085236?pwd=GDBMI40N3NJ9lt7DaVtImLRvCagahI.1>

Passcode:012987

Phone one-tap:

+13462487799,,86556085236# US (Houston)

+14086380968,,86556085236# US (San Jose)

Join via audio:

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 719 359 4580 US

+1 253 205 0468 US

+1 564 217 2000 US

+1 646 931 3860 US

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

+1 386 347 5053 US

+1 646 876 9923 US (New York)

Webinar ID: 865 5608 5236

Department of Transportation and Development

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

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

ДОБРО ПОЖАЛОВАТЬ! Russian

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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，发送电子邮件至 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, gửi email đến 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/nondiscrimination을 참조하거나 이메일 JKauppi@clackamas.us, 또는 전화 503-742-4452번으로 연락 주십시오.

BEFORE THE COMPLIANCE HEARINGS OFFICER
for
COUNTY OF CLACKAMAS

COUNTY OF CLACKAMAS,

Petitioner,

v.

ANDREW A. GRAY,

Respondent.

File No: V0003723

COMPLAINT AND REQUEST FOR HEARING

I, Jennifer Kauppi, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondent's mailing address is: 34180 SE Hwy 26, Boring, OR 97009.

2.

The Respondent(s) own/owns or occupies the address or location of the violation(s) of law alleged in this Complaint is 34180 SE Hwy 26, Boring, OR 97009 also known as T2S, R4E, Section 09A, Tax Lot 02701, and is located in Clackamas County, Oregon. The property is zoned FF10 and is the location of violation(s) asserted by the County.

3.

On or about the 15th day of February, 2023 and the 6th day of November, 2024 the Respondent violated the following law, in the following way:

- a. Respondent violated the Clackamas County Building Code, Chapter 9.02.040 by failing to obtain approved final inspections for an addition to a single-family residence. 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 violation was given to Respondents in the following manner: Violation Notice and Citation and Complaint 2300037-B was mailed via first class mail on November 6, 2024. A copy of the notice document is attached to this Complaint as Exhibit C and I, 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 Respondent to immediately abate the violation and bring the property at issue into compliance with all laws, and permanently enjoining Respondent from violating these laws in the future;

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondent for each violation, within the range established by the Board of County Commissioners. Said range for a Building Code 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 21st day of February, 2025.



Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

File No.: V0003723

ANDREW GRAY,

Respondent.

STATEMENT OF PROOF

History of Events and Exhibits:

February 1, 2023	Clackamas County received a complaint regarding an occupied recreational vehicle and accumulation of solid waste on the subject property.
February 1, 2023 Exhibit A	Correspondence was sent to the Respondent regarding the alleged violations.
February 15, 2023 Exhibit B	Code Enforcement Specialist Diane Bautista conducted a site inspection. Diane observed an accumulation of solid waste on the property and an occupied recreational vehicle.
February 15, 2023 Exhibit C	A Notice of Violation was mailed to the Respondent for the solid waste, zoning and building code violations. The Respondent was required to removal the household garbage and renew the building permits no later than March 6 th . A deadline date of March 15 th was given to remove or screen the miscellaneous debris and either obtain land use approval for the recreational vehicle or cease the use. Final approved inspections were to be obtained no later than April 15, 2023.
March 7, 2023 Exhibit D	I conducted a site inspection and found the putrescible waste remained on the subject property. The RV onsite was in stored condition. In addition, a review of County records indicated that the permits had not been renewed.
March 8, 2023 Exhibit E	Citation 2300037 was issued for the Priority 1 solid waste violation in the amount of \$500.00 and building code violation in the amount of \$700.00. The citation was sent first class mail and was not returned to the County.
March 23, 2023	I spoke with Building Inspector Robert Fix. Robert informed me that he had allowed the Respondent to schedule an inspection every 6 months in order to keep the permit active but without having to have the project complete. Since this was allowed, I voided the building fines on the citation issued on March 8, 2023.
March 27, 2023 Exhibit F	On March 27, 2023 Amended Citation 2300037 for the Priority 1 Solid Waste violation was sent first class mail to the Respondent and was not returned to the County. The citation remains unpaid.

March 28, 2023 Exhibit G	I met with Amber onsite. All of the putrescible waste had been removed. There was still some recycling and cans that need to be screened or removed.
May 17, 2023	I obtained photos from Amber that reflected that the remaining waste onsite had been either removed or screened. The solid waste violation was abated on this date. I also confirmed the building, electrical and plumbing permits had been renewed.
May 30, 2023 Exhibit H	A revised Notice of Violation was mailed providing the Respondent a deadline of November 30, 2023 to obtain approved final inspections on the building, electrical and plumbing permits.
November 6, 2024 Exhibit I	Citation 2300037-B was issued for the Priority 1 Building Code violation. The citation was sent first class mail and was not returned to the County. The citation was not subject to a fine amount as the County is seeking civil penalties in this matter.
February 21, 2025	This matter was referred to the Hearings Officer.

If the Compliance Hearings Officer affirms the County's position that a violation of the Building Code, Title 9.02.040 exists, the County is requesting a Continuing Order in this matter recommending the following:

- The Respondent be ordered to bring the property into compliance with the Building Code within 60 days of the date of the Order by obtaining approved final inspections for permits B0303916, E0378716 and P0159316.
- Code Enforcement to confirm compliance of the above item and the County will submit a Post Hearing Status Report. The report will be sent to the Compliance Hearings Officer and to the Respondent.
- The report may include the following recommendations:
- The imposition of civil penalties for the Building Code violation of up to \$1,000.00 for date cited November 6, 2024.
- Payment for Citation No. 2300037 issued on March 27, 2023 for \$500.00.
- The administrative compliance fee to be imposed from February, 2023 until the violation is abated. As of this report the total is \$1,800.00.
- The County requests the Hearings Officer to permanently prohibit the Respondent from violating this law in the future.
- If the Respondent fails 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.



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

February 01, 2023

Andrew Gray
34180-SE Hwy 26
Boring, OR 97009

**Subject: Alleged Violations of the Zoning and Development Ordinance,
Title 12, Section 316 and the Solid Waste Code, Title
10.030.060 of the Clackamas County Code**

Site Address: 34180 SE Hwy 26 Boring, OR 97009
Legal Description: T2S, R4E, Section 09A, Tax Lot 02701

It has come to the attention of Clackamas County Code Enforcement that an unauthorized occupied recreational vehicle may exist on the above referenced property.

Additionally, there may be an accumulation of solid waste including putrescible (household) waste on the above referenced property.

This may constitute a violation of the Zoning and Development Ordinance, Title 12, Section 316 and the Solid Waste Code, Title 10.03.060 of the Clackamas County Code.

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

E-mail address is JKauppi@clackamas.us

Telephone number is 503-742-4759

**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

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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, gửi email đến JKauppi@clackamas.us hoặc gọi điện thoại theo số 503-742-4452.

환영합니다. Korean

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DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

February 15, 2023

Andrew Gray
34180 SE Hwy 26
Boring, OR 97009

SUBJECT: Violations of the Zoning and Development Ordinance, Title 12, Section 316.03(A) and Solid Waste Code and Waste Management Code, Title 10.030.060(A)(B) and Building Code, Chapter 9.02.040 (B)(C)(D)(E) of the Clackamas County Code

VIOLATION: V0003723

SITE ADDRESS: 34180 SE Hwy 26, Boring, OR 97009

LEGAL DESCRIPTION: T2S, R4E, Section 09A, Tax Lot 02701

This letter serves as notice of a violation of the Clackamas County Code. The violations include:

- Accumulation of putrescible and non-putrescible waste
- Occupied recreational vehicle without land use approval
- Addition to single family residence with approved final inspections

VIOLATIONS & HOW TO RESOLVE

On February 15, 2023 a site inspection was conducted at the above reference property. County staff found household garbage and miscellaneous debris onsite. In addition, there appears to be an occupied recreational on the subject property. A review of County records indicate land use has not been approved for an occupied recreational vehicle and the building permits associated with the addition to the single family residence expired in January, 2021. The accumulation of solid waste, occupied recreational vehicle without land use approval and the addition to the single family residence without approved inspections constitutes a violation of Clackamas County Zoning and Development Ordinance, Section 316.03(A), Solid Waste and Waste Management Code, Title 10.03.060(A)(B) and Building Code, Chapter 9.02.040 (B)(C)(D)(E). In order to abate the violation(s), you must complete the following by the deadline dates outline below:

Accumulation of household garbage and miscellaneous debris

The accumulation of solid waste causes a condition of unsightliness and is a safety and health hazard and constitutes a violation of Clackamas County Code Title 10.03.060 (A) and (B). In order to abate the violations, you must complete the following:

All household garbage must be removed from the subject property to an authorized location **no later than March 6, 2023**. County staff to conduct a site inspection to confirm the household garbage has been removed from the subject property.

Additionally all putrescible (household) waste must be stored in a rodent proof container with a tight-fitting lid and removed to an authorized disposal facility a minimum of **once every seven (7) days**. Covering solid waste with a tarp or tarp like structure does not remove the items from violation.

Removal of the remainder of the miscellaneous debris including but not limited to appliances, equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded material, or other similar non-putrescible solid waste or wastes that is visible from the road or surrounding properties to an authorized disposal facility and store out of sight all articles and solid waste that you wish to keep must be complete **no later than March 15, 2023**.

Occupied Recreational Vehicle

Occupied recreational vehicles without land use approval constitute a violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 316.03(A). In order to abate the violation, you must complete one of the following **no later than March 15, 2023**.

- You must remove the recreational vehicle from your property until such time you obtain proper land use approval and permits, this use will not be allowed, **or**;
- If the recreational vehicle is operable and currently licensed and registered it may remain in stored condition. If you wish to store it on site please provide evidence it meets these conditions and schedule a site inspection with County staff to confirm compliance.

Addition to a single family residence without approved inspections

Permit B0303916, E0378716 and P0159316 were issued in August, 2016 for the addition to the single family residence. A review of County records indicate that the most recent inspection for the addition was a partial approval for insulation completed on July 10, 2020. Three additional inspections on the building permit were scheduled, however, those inspections could not be completed because either the work was not ready for inspection or the inspector did not have access to the property to complete the inspection. These permits have been expired since January 10, 2021. An addition to a single family residence without approved inspections constitutes a violation of Building Code, Chapter 9.02.040 (B)(C)(D)(E). In order to abate the violation, please complete the following:

- Please contact the building department no later than March 6, 2023 to renew permits B0303916, E0378716 and P0159316.
- Please respond to all additional information for processing your renewals within 10 days of being notified.
- Payment for the renewal of the permits must be received within 10 days of being notified that permits are ready to be reissued.
- Please complete all required inspections including approved final inspections for permits B0303916, E0378716 and P0159316 no later than April 15, 2023.

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.

You may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 Beaver Creek Road, Oregon City. The lobby is open between the hours of 8:00 a.m. to 4:00 p.m. Monday, Tuesday and Thursday. Our office is closed to the public on Wednesday and Fridays, however, all staff are available by phone or email 8:00 am to 4:00 p.m.

If you have any questions my direct telephone number is 503-742-4759 and my email is jkauppi@clackamas.us.

Jennifer Kauppi

Code Enforcement Specialist
Clackamas County Code Enforcement

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beaver Creek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer 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 Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** 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.
6. **Non-Compliance may result in a lien upon your property:** 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 Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings 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.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.

**CLACKAMAS COUNTY CODE ORDINANCE TITLE 10.03 SOLID WASTE AND
WASTE MANAGEMENT CODE (This is a portion of the code the remainder of the
code can be found on the Clackamas County Website)**

10.03.030 Definitions

(33). INOPERABLE VEHICLE: For the purpose of the Nuisance Abatement provisions of this chapter, shall mean a vehicle designed for use on a public highway which has been left on public or private property thirty (30) days or more and is not currently licensed, or not in operating condition, or which has been extensively damaged, vandalized or stripped, including, but not limited to, missing wheels, tires, motor or transmission. An inoperable vehicle shall not mean an unlicensed operable vehicle or vehicles, which are used on private property for the production, propagation or harvesting of agricultural products grown or raised on such lands.

(48). PUTRESCIBLE MATERIAL means solid waste or wastes, including: bones; meat and meat scraps; fat; grease; fish and fish scraps; food containers or products contaminated with food wastes, particles or residues; prepared vegetable and fruit food wastes or scraps; manure; feces; sewer sludge; dead animals or similar wastes which cause offensive odor to create a health hazard, or which are capable of attracting or providing food for potential disease carriers, such as birds, rodents, flies and other vectors.

(59). SOLID WASTE OR WASTES shall include all putrescible and non-putrescible waste, including but not limited to, garbage; compost; organic waste; yard debris; brush and branches; land-clearing debris; sewer sludge; residential, commercial and industrial building demolition or construction waste; discarded residential, commercial and industrial appliances, equipment and furniture; discarded, inoperable or abandoned vehicles or vehicle parts and vehicle tires; special vehicles and equipment that are immobile and/or inoperable, mobile homes or trailer houses which are dilapidated, partially dismantled or fire damaged; manure; feces; vegetable or animal solid and semi-solid waste and dead animals; and infectious waste. Waste shall mean useless, unwanted or discarded materials. The fact that materials which would otherwise come within the definition of solid waste, may from time to time, have value and thus be utilized shall not remove them from the definition. There is a series of items identified in this section that are not included in this definition such as fertilizer for agricultural purposes. Please see the code for additional items.

10.03.060 Solid Waste or Wastes Accumulation Prohibited

A. Except as provided in subsection D of this Section, no person shall store, collect, maintain, or display on private property, solid waste or wastes or recyclable material that is offensive or hazardous to the health and safety of the public, or which creates offensive odors, or a condition of unsightliness. Storage, collection, maintenance, or display of solid waste or wastes in violation of this section shall be considered to be a public nuisance, which may be abated as provided in 10.03.070 of this chapter.

B. In addition to the provisions of subsection A, the following conditions or actions are also specifically identified as creating a public nuisance under this chapter.

(1) Placing a tarp, plastic, cloth, or similar screening apparatus over or around solid waste or wastes for purposes of keeping it out of sight from the road or surrounding properties.

(2) Placing a tarp, plastic, cloth, or similar screening apparatus over or around solid waste or wastes that is stored in a utility trailer, pickup truck, semitrailer or similar device for purposes of keeping it out of sight from the road or surrounding properties.

(3) Constructing a tire fence for any purpose.

(4) Storing waste tires except as permitted pursuant to OAR Chapter 340.

(5) Storing putrescible waste, whether it is visible or not visible from the road or adjacent properties, that is not kept in a rodent proof container with a tight-fitting lid, and not removed from the property to an authorized disposal facilities within seven (7) days.

(6) Composting which causes offensive odors, or creates a health hazard, or which is capable of attracting or providing food for potential disease carriers such as birds, rodents, flies and other vectors.

(7) Storing, collecting, maintaining, or displaying any licensed or unlicensed special vehicle or equipment that is immobile, inoperable, partially dismantled or dismantled, dilapidated, or fire damaged and is visible from the road or surrounding properties.

(8) Storing, collecting, maintaining, or displaying a mobile home or trailer house, which is dilapidated or partially dismantled, or fire damaged, and is visible from the road or surrounding properties.

(9) Storing, collecting, maintaining or displaying: residential, commercial and industrial appliances, equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded

material, or other similar non-putrescible solid waste or wastes, that is visible from the road or surrounding properties.

(10) Storing, collecting, maintaining or displaying any antique, classic, race care or collectible vehicle that is inoperable and is visible from the road or surrounding properties.

(11) Storing any inoperable vehicles unless said vehicle or vehicles are housed within a permitted structure or development, except up to two vehicles per premise may be stored behind a sight obscuring screen, in accordance with 10.03.060 C, and shall not be visible from the road or surrounding properties. For purposes of Subsection 11, two or more contiguous tax lots that are under common ownership shall be considered one premise.

(12) When commercial, industrial, multi-family or residential developments that use a compactor or compactors for on-site waste management, do not keep the areas around the compactor free of solid waste and debris, and washed down on a regular basis.

C. Any sigh obscuring screen used to abate a solid waste nuisance shall consist of one of the following options:

(1) Construct a wood fence unpainted or painted with neutral or earth tone colors of which the upright posts shall consist of a decay resistive material a minimum of four (4) inches in diameter and anchored a minimum of eight (8) feet. The railings shall be a minimum of 2 inch by 4 inch lumber with the 4 inch side attached vertically to the posts. The attached vertical or horizontal fence boards shall be set with a maximum separation $\frac{1}{4}$ inch.

(2) Construct a metal fence consisting of chain link or woven fabric with metal upright posts anchored a minimum of two (2) feet below ground level with metal railings and connectors. Water and insect resistive wood or plastic slats shall be inserted in the chain link or woven fabric, with a maximum separation of $\frac{3}{8}$ inch between slats.

(3) Construct a combination fence consisting of a metal sheeting attached to wood framing as defined in Section C-1 above, or durable metal framing, which is painted a neutral or earth tone color.

(4) Construct a wall consisting of solid material, built of concrete, masonry, brick, stone, or other similar materials or combination thereof.

(5) Construct an earthen berm consisting of dirt, soil, sand, clay or any combination thereof and shall be planted with grass and/or ornamental plantings and shall be maintained at all times.

(6) Plant a hedge consisting of evergreen plantings or other ornamental plantings a minimum of six (6) feet in height, planted not more than two (2) feet on center and which is maintained at all times.

In addition to the minimum fencing requirements, wood, metal, masonry fences or combination thereof greater than six (6) feet in height are subject to County review pursuant to the Oregon State Uniform Building Code, and all earthen berms are subject to County review pursuant to the County's Grading and Excavation Chapter.

For the purposes of this chapter, no sight obscuring screen shall be located, placed, constructed or installed contrary to the Clackamas County Zoning Development Ordinance

RECORDING COVER SHEET

(Per ORS 205.234 or ORS 205.244)

This cover sheet has been prepared by the person presenting the attached instrument for recording.

Any errors in this cover sheet do not effect the Transaction(s) contained in the instrument itself

Clackamas County Official Records
Sherry Hall, County Clerk

2012-051733

08/13/2012 12:11:26 PM

D-D Cnt=1 Stn=6 KARLYNWUN
\$25.00 \$16.00 \$10.00 \$17.00

\$68.00

After recording return to:

Andrew A. Gray
34180 SE Hwy 26
Boring, OR 97009

1) Title(s) of Transaction(s) ORS 205.234(a)
Statutory Warranty Deed

2) Direct Party/Grantor(s) and address ORS 205.125(1)(b) and ORS 205.160
Aaron Smith and Trent Westover and AT Properties, LLC

3) Indirect Party/Grantee(s) and address ORS 205.125(1)(a) and ORS 205.160
Andrew A. Gray

3a) Trustee and address, if any

4) True and Actual Consideration ORS 93.030
\$179,000.00

5) Send Tax Statements to:
Andrew A. Gray 34180 SE Hwy 26 Boring, OR 97009



: If this box is checked, the below applies:

If this instrument is being Re-Recorded, complete the following statement, in accordance with ORS 205.244: "Rerecorded at the request of First American Title to correct Legal Description previously recorded in Book and Page , or as Fee Number 2012-023461."

(Legal description if corrected is attached to included certified document of the original.)

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

PARCEL 2, PARTITION PLAT NO. 2011-067, CLACKAMAS COUNTY, STATE OF OREGON.

2 4E 09A 02701 05023945

***Name Change folks:**

Please correct owner/taxpayer on 24E09A 02700 00652396 to be:

O: AT Properties LLC no mailing address available

T: Aaron Smith

34200 SE Highway 26

Boring OR 97009

As by deed 2011-009043



After recording return to Grantee and until a change is requested all tax statements shall be sent to the Grantee at the following address:
Andrew A. Gray
34180 SE Highway 26
Boring, OR 97009

Grantor Address:
AT Properties, LLC
PO Box 1873
Sandy, OR 97055

File No.: 7012-1835680 (BB)
Date: February 13, 2012

Clackamas County Official Records
Sherry Hall, County Clerk

2012-023461

04/17/2012 02:12:06 PM

D-D Cnt=1 Str=6 KARLYNWUN
\$10.00 \$16.00 \$10.00 \$16.00

\$52.00

STATUTORY WARRANTY DEED

Aaron Smith and Trent Westover and AT Properties, LLC, Grantor, conveys and warrants to **Andrew A. Gray**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

PARCEL 1, PARTITION PLAT NO. 2011-067, CLACKAMAS COUNTY, STATE OF OREGON.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$179,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 23rd day of March, 20 12.

Aaron Smith

Trent Westover

Trent Westover, manager

Aaron Smith, manager

STATE OF Oregon)
Clackamas) ss.
County of Multnomah)

This instrument was acknowledged before me on this 23rd day of March, 20 12 by Aaron Smith and Trent Westover as individuals and as Managers of AT Properties LLC on behalf of the LLC.

Notary Public for Oregon

My commission expires: 5/13/13



STATE OF OREGON }
COUNTY OF CLACKAMAS } ss.

I, SHERRY HALL, County Clerk of the State of Oregon for the County of Clackamas, do hereby certify that the foregoing copy of

Deed Record
2012-23461 2pgs

has been by me compared with the original, and that it is a correct transcript therefrom, and the whole of such original, as the name appears on file and of record in my office and in my care and custody.

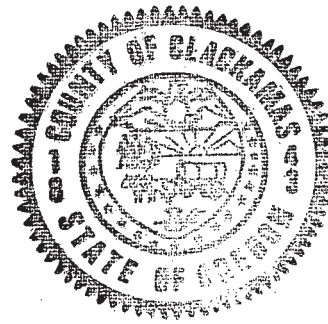
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this 25th day of

JULY, 2012.

SHERRY HALL, Clerk

By: Malynda Under

Deputy











Citation No. 2300037

Case No. V0003723

ADMINISTRATIVE CITATION

Date Issued: March 8, 2023

Voided

Name and Address of Person(s) Cited:

Name: Andrew Gray
Mailing Address: 34180 SE Hwy 26
City, State, Zip: Boring, OR 97009

Date Violation(s) Confirmed: On the 7th day of March, 2023, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 34180 SE Hwy 26, Boring, OR 97009

Legal Description: T2S, R4E Section 09A, Tax Lot(s) 02701

Law(s) Violated:

- ☒ Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (B)(C)(D)(E)
- ☒ Chapter 10.03 of CCC Solid Waste and Waste Management, Section 10.03.060 (A), (B)

Description of the violation(s):

- 1) Accumulation of solid waste including household garbage and miscellaneous debris.
Maximum Civil Penalty \$3,500.00 Fine \$500.00
- 2) Failure to renew permits B0303916, E0378716 for the addition of a single family residence and receive final approved inspections.
Maximum Civil Penalty \$1,000.00 Fine \$500.00
- 3) Failure to renew permit P0159316 for the addition of a single family residence and receive final approved inspections.
Maximum Civil Penalty \$1,000.00 Fine \$200.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$1,200.00. 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: Jennifer Kauppi
Telephone No.: 503-742-4759

Date: March 8, 2023
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

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. 2300037

Case No. V0003723

ADMINISTRATIVE CITATION REVISED

Date Issued: March 27, 2023

Name and Address of Person(s) Cited:

Name: Andrew Gray
Mailing Address: 34180 SE Hwy 26
City, State, Zip: Boring, OR 97009

Date Violation(s) Confirmed: On the 7th day of March, 2023, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 34180 SE Hwy 26, Boring, OR 97009

Legal Description: T2S, R4E Section 09A, Tax Lot(s) 02701

Law(s) Violated:

☒ Chapter 10.03 of CCC Solid Waste and Waste Management, Section 10.03.060 (A), (B)

Description of the violation(s):

- 1) Accumulation of solid waste including household garbage and miscellaneous debris.
Maximum Civil Penalty \$3,500.00 Fine \$500.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$500.00. 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: Jennifer Kauppi
Telephone No.: 503-742-4759

Date: March 27, 2023
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 Beavercreek 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

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: _____













DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

REVISED VIOLATION NOTICE

May 30, 2023

Andrew Gray
34180 SE Hwy 26
Boring, OR 97009

**SUBJECT: Violations of the Building Code, Chapter 9.02.040 (B)(C)(D)(E)
of the Clackamas County Code**

VIOLATION: V0003723

SITE ADDRESS: 34180 SE Hwy 26, Boring, OR 97009
LEGAL DESCRIPTION: T2S, R4E, Section 09A, Tax Lot 02701

This letter serves as notice of a violation of the Clackamas County Code. The violations include:

- Addition to single family residence with approved final inspections

VIOLATIONS & HOW TO RESOLVE

I confirmed on May 30, 2023 that permits B0303916, E0378716 and P0159316 have all been renewed. Based on the agreement between Amber Gray and myself please complete all inspections including approved final inspections **no later than November 30, 2023**.

I am aware that in order to receive an approved final inspection on the building permit, the siding will need to be completed. We will address the issue concerning the siding once E0378716 and P0159316 receive approved final inspections and B0303916 receives an approval on all required inspections leaving only the siding to be done.

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.

You may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 Beavercreek Road, Oregon City. The lobby is open between the hours of 8:00 a.m. to 4:00 p.m. Monday - Thursday. Our office is closed to the public on Fridays.

If you have any questions my direct telephone number is 503-742-4759 and my email is jkauppi@clackamas.us.

Jennifer Kauppi

Code Enforcement Specialist
Clackamas County Code Enforcement

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beaver Creek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer 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 Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** 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.
6. **Non-Compliance may result in a lien upon your property:** 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 Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings 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.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.



Citation No. 2300037-B

Case No. V0003723

ADMINISTRATIVE CITATION

Date Issued: November 6, 2024

Name and Address of Person(s) Cited:

Name: Andrew Gray
Mailing Address: 34180 SE Hwy 26
City, State, Zip: Boring, OR 97009

Date Violation(s) Confirmed: On the 6th day of November, 2024 the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 34180 SE Hwy 26, Boring OR 97009

Legal Description: T2S, R4E Section09A, Tax Lot(s) 02701

Law(s) Violated:

☒ Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (C)(D)(E)

Description of the violation(s):

- 1) Failure to obtain final approved building, electrical and plumbing inspections for an addition to a single-family residence.

Maximum Civil Penalty \$1,000.00

Fine Not subject to fine amount

You may avoid paying the civil penalty by abating the violation(s). 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: Jennifer Kauppi
Telephone No.: 503-742-4759

Date: November 6, 2024
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 Beavercreek 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.

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: _____