

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Study Session Worksheet

Presentation Date: March 12, 2013 **Approximate Start Time:** 10:30 AM

Approximate Length: 1 hour

Presentation Title: Code Enforcement Follow-up Study Session – Complaints

Department: DTD – Code Enforcement

Presenters: Cam Gilmour, Director DTD

Other Invitees: Scott Caufield, Building Codes Administrator
Rhett Tatum, Assistant County Counsel

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

A decision as to if and how the county should amend its policy regarding when it will investigate complaints made to the county's Code Enforcement Section.

EXECUTIVE SUMMARY (why and why now):

On January 23rd, the Board held a planning session on the county's code enforcement program. Staff provided the Board with an overview of the program and asked the Board to identify elements on which it would like further discussion. The first in that series of discussions is on complaints, in other words, what is required before code enforcement will initiate an investigation or continue an enforcement action.

FINANCIAL IMPLICATIONS (current year and ongoing):

None in the current year. How the policy changes would affect long-term workloads and associated staffing levels are too speculative to predict.

LEGAL/POLICY REQUIREMENTS:

All the identified policy changes are within the county's legal authority.

PUBLIC/GOVERNMENTAL PARTICIPATION:

Two years ago the county sought public input on its code enforcement program. The general public consensus was for increased enforcement. Specifically, the public favored the opportunity to make confidential and anonymous complaints. The public was not asked about whether the county should require multiple complaints before it investigated an initiated an enforcement action. The current policies resulted from a combination of that outreach and an internal review of the program.

OPTIONS:

- The attached presentation provides the current policy as well as potential reforms, specifically:
- Change in the current policy allowing staff to report violations observed in the normal course of their work;
 - Change from the county's current policy of *allowing and protecting confidential complaints*;
 - A requirement that the county receive multiple complaints before initiating an enforcement action.

For each option, staff has listed a menu of proposed changes ranging from a complete policy change (e.g. do not accept confidential complaints in any instance) to a more measured approach (e.g. only accept confidential complaints for Priority 1 and 2 violations or where there is an *imminent threat* to health, life, or safety, or of irreparable environmental damage).

RECOMMENDATION:

The current policies were last amended almost two years ago following a comprehensive review of the program and public outreach. Generally, the public supported increased enforcement. Based on that review and outreach, and staff's determination that current workloads are manageable, staff is not recommending changes to these policies.

However, staff recognizes that the Board has also received feedback from the public and is interested in changes. Accordingly, for each element described above, staff has listed a menu of proposed changes ranging from a complete policy change (e.g. do not accept confidential complaints in any instance) to a more measured approach (e.g. only accept confidential complaints for Priority 1 and 2 violations or where there is an *imminent threat* to health, life, or safety, or of irreparable environmental damage).

Staff surveyed other counties and found a variety of policies related to confidentiality, see slide 7. No county responded that it had a formal policy of requiring multiple complaints. Given the county's own inexperience with the proposed changes and a lack of comparative data from other counties, any predictions as to how policy changes would affect the workload or how the public will respond would be highly speculative. Staff suggests that any proposed policy changes be first tested through a carefully monitored trial period before being made permanent.

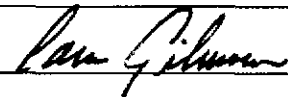
ATTACHMENTS:

1. Power Point Presentation with Policy Choices
2. Code Enforcement Violation Priorities

SUBMITTED BY:

Division Director/Head Approval _____

Department Director/Head Approval _____



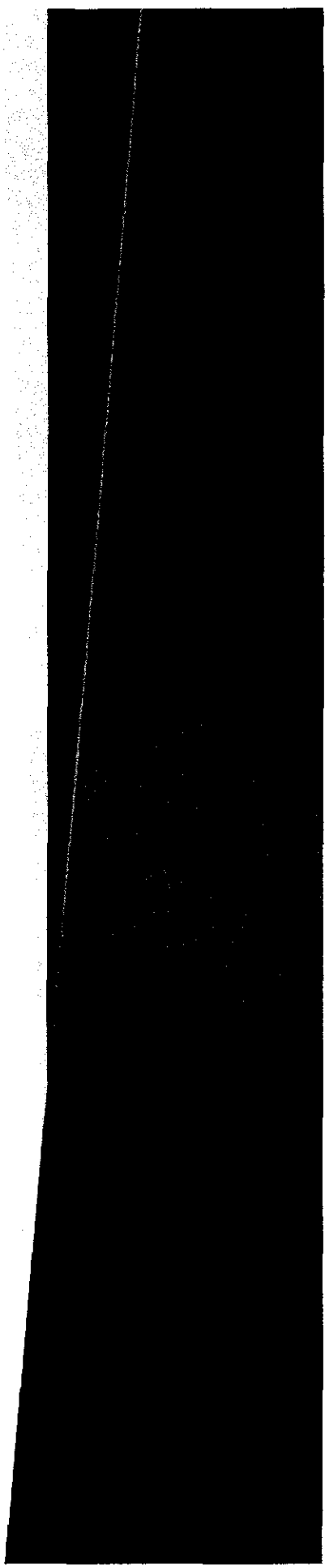
County Administrator Approval _____

For information on this issue or copies of attachments, please contact Rhett Tatum @ 503-655-8364

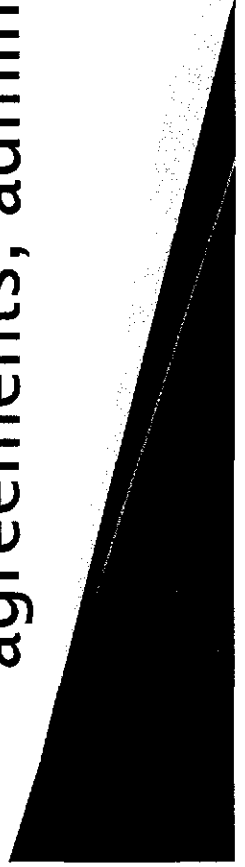
CLACKAMAS COUNTY

Code Enforcement Division

March 12, 2013 Study Session




Introduction

- ▶ Overview planning session on January 23rd
 - ▶ BCC identified areas for follow-up with proposed alternatives
 - ▶ Today: Complaints
 - ▶ Future Sessions: (1) Fees, fines, collection and (2) 10-year policy, non-enforcement agreements, administrative warrant, BCC role
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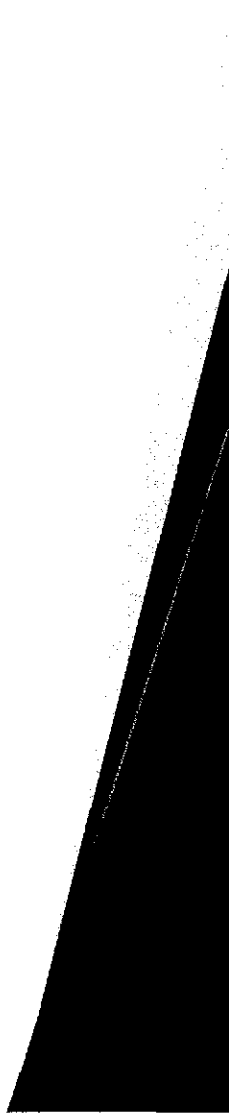
Current Policy – Public

Following a named or confidential complaint, Code Enforcement will investigate and, if substantiated, enforce:

- ▶ All Building Code violations;
 - ▶ All Solid Waste Code violations in the urban area;
 - ▶ Priority 1 through 4 Solid Waste Code violations in the rural area;
 - ▶ All other priority 1 through 4 violations;
 - ▶ Three or more priority 5 through 7 violations.
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Current Policy – Staff

Staff may report a violation they observe in the normal course of their work.

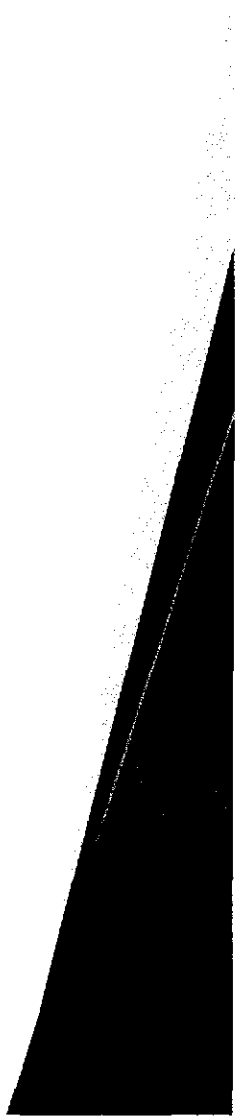


Complaint Driven

- ▶ All other counties are primarily complaint driven.
- ▶ No viable alternative for a county of this size at current staffing levels. It would take roughly 17 years to inspect all developed lots in the County.
- ▶ Staff Recommendation: Remain complaint driven, retain staff reporting policy based on public input.

Priority System

- ▶ Priorities 1 through 4 involve some level of a threat to health, life, safety of people or a threat to the environment.
- ▶ Actual health, life, safety determination made by the Building Codes Administrator or his designees.
- ▶ No imminence requirement.



Confidentiality – Background

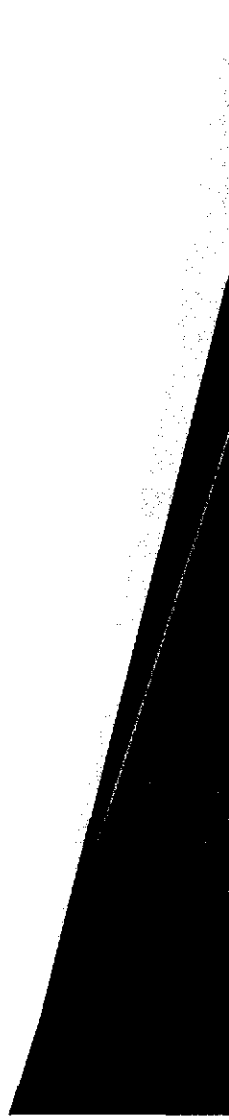
- ▶ More than 90% of complainants request confidentiality
- ▶ Other counties:
 - Six preserve confidentiality (CR, CL, WS, ML, BE, PK);
 - Two preserve confidentiality while the matter is open, then disclose (DC, MN);
 - Three disclose unless there is a specific threat (WA, YM, JC);
 - Two disclose (LN, CU).

Confidentiality – Alternatives

1. No longer accept confidential complaints;
 2. Accept confidential complaints only upon certification of a specific threat;
 3. Accept confidential complaints for alleged priority 1 and 2 violations only, or imminent HLS threat;
 4. Continue to accept and protect confidential complaints.
- ▶ Staff Recommendation: 4, based on public input

Multiple Complaints - Background

- ▶ In fewer than 10% of matters we receive multiple complaints.
- ▶ No county responded that they required multiple complaints, only one county responded that they considered whether they had received multiple complaints.



Multiple Complaints – Issues

- ▶ Administratively more complicated but feasible;
- ▶ Easily gamed;
- ▶ Unfair to isolated complainants.

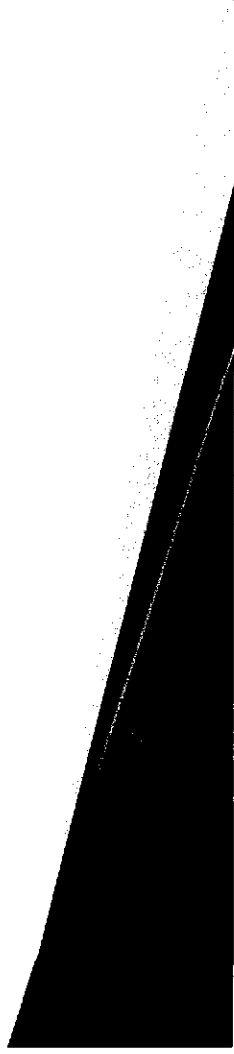


Multiple Complaints - Alternatives

1. Require multiple complaints;
 2. Require multiple complaints if allegations do not rise to Priority 1 or 2, or are not imminent threats to HLS;
 3. Require multiple complaints unless complainant demonstrates that he or she only person affected by violation;
 4. Do not require multiple complaints.
- ▶ Staff Recommendation: 4, based on public input

Discussion and Direction

- ▶ Complaint driven
- ▶ Staff complaints
- ▶ Confidentiality
- ▶ Multiple Complaints



CLACKAMAS COUNTY COMMUNITY ENVIRONMENT

**CODE ENFORCEMENT
VIOLATION PRIORITIES**

Effective January 1, 2012

GENERAL CATEGORIES

¥ BUILDING ¥ PLANNING ¥ ROADS & ENGINEERING ¥
¥ SOLID WASTE - COMMUNITY ENVIRONMENT ¥ WATER
ENVIRONMENT SERVICES ¥

Building

All building code violations will be pursued.

Priority 1 Violations

Violations which fall in this category are those which have an adverse effect on the public, or pose a serious threat to individuals or the environment. Items listed deal primarily with commercial uses and additions to single family-residences. In the event of a building failure (structural, life safety, plumbing and electrical), harm to individuals and expensive structural damage could result.

Commercial:

1. Life safety systems including inadequate exits, dangerous stairs, handrails, lack of smoke/fire detection systems in commercial/industrial and public assembly buildings. (excluding multi-family dwellings)
2. Construction of commercial /industrial buildings.
3. Structural modifications to commercial/industrial buildings. This applies to additions/remodels.
4. Electrical/plumbing installations in commercial/industrial uses.
5. Plumbing cross connections in commercial/industrial buildings. This applies to retail uses/apartments/restaurants.
6. Agricultural buildings (other than equine facilities) converted to commercial/industrial uses, which have employees.
7. Commercial/industrial buildings with outstanding structural or fire and

- life safety issues occupied without approved final inspections.
8. Equine facilities converted to commercial/industrial/assembly uses.
 9. Commercial accessory structures greater than 120 square feet or 10 feet in height located within the Urban Growth Boundary.

Residential:

1. Additions to one and two family residences, or manufactured homes. Modifications or additions to one-and two-family dwellings or manufactured dwellings that create habitable rooms. Habitable rooms are defined as those rooms or spaces which are used for sleeping, living, cooking, or dining purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms and similar places.
2. Modifications to one and two family residences, or manufactured homes which create new sleeping rooms.
3. Single-family residences built without permits.
4. Conversion of accessory building to create new sleeping rooms.
5. Reported residential dwellings that are for rent, lease, or sale that do not have approved final inspections for electrical and plumbing permits.

Electrical:

1. Life threatening wiring, exposed wires, service connections, etc. other than those associated with maintenance on apartments and one-and two single-family residences.
2. Electrical installations on docks or floating structures.
3. Electrical installations for swimming pools and hot tubs.
4. Wall-mounted neon and individual letter illuminated signs that require electrical permits.
5. Supply of electricity through extension cords or generators in situations other than temporary, emergencies, or during construction or renovation projects.
6. New electrical system installations.

General:

1. Swimming pools/hot tubs containing water over 24" deep without adequate barriers on a case by case basis.
2. Dangerous buildings on a case by case basis.

Priority 2 Violations

This category affects fewer people and has less of an impact on housing and

jobs.

1. Commercial towers over 10 ft. in height. (i.e., cell, water towers)
2. Plumbing cross connections on single-family uses.
3. Installation of manufactured dwellings, park trailers and mobile homes.
4. Construction of private bridges.

Priority 3 Violations

This category has even less effect on the public. Most violations in this category affect individuals or individual residences/accessory structures.

1. Commercial change of use to a less hazardous use.
2. New tenant improvements greater than 1,500 sq. ft.
3. Retaining wall greater than 6 ft. in height, which affect adjoining properties or public spaces.
4. New apartment decks constructed without permits. (dangerous building code)

Priority 4 Violations

The effect would be primarily to occupants of a single-family residence.

Commercial:

1. Hazardous home occupations. (potential for fire, explosions, etc.)
2. Accessory structures greater than 1000 sq. ft. located in rural, timber or agriculturally designated areas used for a business.
3. New tenant spaces less than 1500 sq. ft.
4. Commercial appliances (devices which are designed to use energy for which the codes have specific requirements) changed without a permit.

Residential:

1. Newly constructed residential decks equal to or greater than 6 ft. above adjacent grade.
2. Single-family accessory structures greater than 500 sq. ft. in the urban area.
3. Accessory structures 3000 sq. ft. or greater (not used as a business) located in the rural, timber, or agriculturally designated areas.

General:

1. New installations of HVAC systems, wood stoves and conversions from electrical to gas.
2. Commercial appliances (devices which are designed to use energy for

- which the codes have specific requirements) changed without a permit.
3. Billboards and free standing sign structures greater than 10 ft. in height.
 4. Installation of new showers or bathtubs. (Replacement of existing fixtures is exempt.)
 5. New installations and alterations of heating, ventilation and air conditioning (HVAC) systems that involve the installation of gas-fired equipment, related venting and gas piping or that involve new electrical services, circuits and / or electrical wiring. Placement of HVAC equipment in areas that pose high hazard / risk to life or property, such as HVAC installations in sleeping rooms or in areas where flammable liquids are stored or used. Plumbing systems that pose a health or life-safety hazard such as the installation or replacement of a water service and installations where cross-contamination may occur. (Ordinary repairs, minor work and portable equipment are not subject to permit requirements and therefore exempt).
 6. Fences/combination retaining wall fences greater than 10 feet in height.

Priority 5 Violations

These category lists, uses, which have little potential of damage to the public, basically affect individual residences or are less frequent in occurrence.

Commercial:

1. Commercial/Industrial buildings with no outstanding structural or fire and life safety building code issues, occupied without a final inspection or certificate of occupancy.
2. Agricultural buildings used for non-agricultural residential uses (see priority one for commercial and industrial uses).
3. Non-hazardous home occupations. (little or no potential for fire, explosions, etc.)
4. Repair/maintenance of apartment decks or stairs.
5. Accessory structures less than or equal to 1000-sq. ft. used in conjunction with a business, without employees, located in rural, timber or agriculturally designated areas.
6. Greenhouses/membrane structures less than 1000 sq. ft., with a minimum 3ft. setback, used for the sale/or display of agricultural products to the public.
7. Billboards, wall mounted signs and freestanding sign structures less than or equal to 10 ft. in height.
8. Equine facilities used for stabling or training equines, for riding lessons and training clinics in which more than 10 persons are consistently present at any time.

Residential:

1. Modifications or additions to one-and two-family dwellings or manufactured dwellings that do not create habitable rooms. Habitable rooms are defined as those rooms or spaces which are used for sleeping, living, cooking or dining purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms and similar places.
2. Minor structural repairs to one-and two-family dwellings, and accessory buildings (e.g. post and beam, foundation, header, etc). Manufactured dwelling cabana.
3. Finish basement, convert garage or accessory building into habitable space. , which does not create bedrooms.
4. Minor structural modifications of single-family residences.
5. Accessory structures less than 3000 sq. ft. when not used as a business located in rural, timber or agriculturally designated areas.
6. Accessory structures greater than 200 sq. ft. or 10 ft. in height, but less than or equal to 500 sq. ft. when not used as a business, located in urban designated areas.
7. Minor structural repairs to single-family residences and accessory buildings.
8. Residential appliances changed without a permit. (i.e., dishwasher, range.)

Electrical:

1. Electronically operated wall mounted signs other than neon signs and individually illuminated letter signs.
2. Minor electrical work. (i.e., extension of branch circuit, moving light switch or outlet).

General:

1. Minor electrical and plumbing associated with accessory structures/agricultural/equine buildings and facilities, which does not include the installation of new showers or bathtubs.

Priority 6 Violations

Violations in this category have limited life safety issues or as in the case of final inspections are incumbent on the applicant to pursue.

Commercial:

1. Re-roof of a commercial building.

Residential:

2. Final inspections on single family residences, non-commercial/industrial storage buildings, manufactured homes, and accessory structures to single family and manufactured homes.
3. Single-family residential patio covers.
4. Single-family residential carports.
5. Residential re-roofs including minor truss replacement or new sheeting.
6. Newly constructed residential decks less than 6 ft. in height above adjacent grade.

General:

1. Surface water run-off/rain drains/storm drains.

Priority 7 Violations

This category is basically non-people problems.

1. Retaining walls less than 6' in height.
2. Fences/combination retaining wall fences greater than 6' but less than 10 feet in height.
3. Flag poles.

Grading:

1. Grading without permits, which:
 - Affects stream flow or results in changes to drainage patterns which may increase the risk of flooding, or places public roads or utilities in danger
 - Creates steep slopes which are hazardous to life safety or could have a negative affect on other properties
 - Allows material to leave the site by erosion into intermittent or perennial water ways
 - Allows material to leave the site by tracking from vehicles entering onto or leaving the property

Priority 2 Violations**Grading:**

1. Grading in the urban area without permits which is less than that described in priority one.

Planning

Local governments are required by state law to "prepare, adopt, amend and revise comprehensive plans... " and "enact land use regulations to implement their comprehensive plans... " (ORS 197.175(2), also see ORS 215.050). Similarly, local governments are required to adopt standards and procedures governing approval of subdivisions and partitions (ORS 92.044). Local government plans and ordinances must be consistent with the LCDC goals, certain Oregon Administrative Rules and regional (Metro) standards.

ORS 197.013 states that "implementation and enforcement of acknowledged comprehensive plans and land use regulations are matters of statewide concern... " ORS 215.190 prohibits use of structures or land in violation of local planning and zoning requirements. ORS 215.185 provides that a local government or "a person whose interest in real property... , is or may be affected by the violation... " may institute proceedings to enforce the local government's regulations. There are no other specific state provisions relating to the type of local government enforcement program

Priority 1 Violations

These violations involve land use activities that impact environmental/natural resources (irreparable harm has taken place that cannot be corrected, creating a permanent situation).

1. Cutting trees within river corridor in violation of the ordinance.
2. Grading river/stream bank or in river/stream.
3. Surface mining.
4. Filling or other development within floodplain or riparian corridor.
5. Bridges
6. HCAD
- 7.

Priority 2 Violations

These violations involve Land Uses that disturb the livability of the community. The greater the impact to the community, the higher the violation should be in priority, for code enforcement within this category.

1. Commercial or industrial activity in residential or resource zones.
2. Livestock in the urban area.
3. Conditions of land use permit approval. (i.e., conditional use, home occupation, design review, temporary dwellings.)
4. Conditional Uses

Priority 3 Violations

These violations involve land uses that impact densities on properties. They would include: development of a residence without land use approval (recreational vehicle, mobile home, addition to an existing structure or any of several other residential uses of property).

These violations can usually be fixed without irreparable harm to the property. Occasional health and safety issues (i.e., lack of proper sanitation) would cause the violation to be designated a higher priority among violations in this category.

1. Second Dwellings (i.e., RVs, manufactured dwellings, accessory dwelling.)
2. Retail commercial uses in an Industrial zone.
3. Failure to obtain Design Review approval.
4. Signs within the UGB (i.e., freestanding signs, A-Board signs, banners, balloons.)

Priority 4 Violations

None cited.

Priority 5 Violations

These violations do not cause irreparable harm, and the resolution is often applying for a land use application.

1. Building within setbacks or over property lines. (causes no irreparable harm) - can be resolved through a process available to the citizen as simple as a property line adjustment or as substantial as moving the building.
2. Building height, square footage and lot coverage requirements.
3. Commercial horse boarding or equine facilities used for stabling, boarding, or training equines, for riding lessons and training clinics.

Priority 6 Violations

None cited.

Priority 7 Violations

These types of violations happen fairly infrequently, and if they do occur, there is no irreparable harm or life safety issues involved. Many times these violations are ultimately civil issues between the parties.

1. Unlawful land divisions.
2. Storage or the use of manufactured dwellings, residential trailers or job site trailers which are not occupied or subject of conditions of a land use approval.
3. Exceeding the number of allowed occupants in a single-family dwelling.

Roads & Engineering

Local governments are required by State law to maintain safe roadways in order to ensure the movements of goods, services and people. There are laws that specifically address road hazards, driveway approaches to County roads, development conditions of approval for road improvements and traffic signing and markings. ORS Chapter 197 addresses comprehensive land use planning coordination. ORS Chapter 368 describes County roads and addressing roadways standards, road hazards and County road official duties. ORS Section 374 describes control of access to public highways, while ORS Chapter 377 addresses traffic signs. ORS Chapter 811 addresses rules of the road for drivers. The County implements these laws through its Roadway Standards, the Zoning and Development Ordinance, and County Comprehensive Plan.

Priority 1 Violations

1. Signs attached to County sign posts (e.g. stop & yield).
2. Sight obstructions blocking stop signs or yield signs on all roads.
3. Obstructions in Right of Way causing a hazard (signs, vegetation and structures) on roads with centerline stripes.
4. Vegetation encroaching in Right of Way obstructing roads with centerline stripes.
5. Drainage onto County roads with centerline stripes.
6. Driveway entrance permits - damage or hazard (rock, mud, debris, water or other damage impacting the traveling public) occurring on County maintained, local access or public roads with centerline stripes.
7. Mud on roads with centerline stripes.

8. Basketball hoops and skateboard ramps in Right of Way on non-dead-end roads with centerline stripes.
9. Non-permitted gates on County-maintained Right of Way's on all County roads.

Priority 2 Violations

1. Conditions of approval for road improvements as part of a land use action on all roads.
2. Drainage onto County roads without centerline stripes.
3. Driveway entrance permits - damage or hazard (rock, mud, debris, water or other damage impacting the traveling public) occurring on County maintained, local access or public roads without centerline stripes.
4. Mud on roads without centerline stripes.
5. Vegetation obstructing traffic control device such as warning signs, regulatory signs on all roads (excluding stop signs and yield signs).
6. Basketball hoops and skateboard ramps in right of way on non-dead-end roads without centerline stripes.
7. Gates on county roads and public roads under County administrative jurisdiction (gates could be considered by the Board pursuant to a public hearing).

Priority 3 Violations

1. Obstructions in right of way causing a hazard (signs, vegetation and structures) on roads without centerline stripes.
2. Vegetation encroaching in County right of way obstructing roads without centerline stripes.
3. Driveway entrance permits, inadequate sight distance, inadequate slope, transition or apron on roads with centerline stripes.
4. Driveway entrance permits, inadequate sight distance, inadequate slope, transition or apron on roads without centerline stripes.
5. Non-permitted Commercial driveway entrance on all roads.
6. Commercial driveway entrance permits on local access roads and public roads.
7. Delivery trucks blocking all roads.

Priority 4 Violations

1. Vegetation obstructing street name signs on all roads.
2. Non-commercial driveway entrance permits on local access roads and public roads.

Priority 5 Violations

1. Sight restrictions (excluding stop or yield signs) on unimproved, non-County maintained local access or public roads.
2. Vegetation encroaching into unimproved, non-County maintained local access or public roads.
3. Signs placed within Right of Way outside the UGB but away from traveled portion (Priority 3 if it looks like traffic control device).

Priority 6 Violations

None cited.

Priority 7 Violations

1. Basketball hoops and skateboard ramps in Right of Way on cul-de-sac and dead-end streets.

Solid Waste -

The Solid Waste and Waste Management Chapter of the Clackamas County Code is a discretionary ordinance originally adopted by the Board of County Commissioners in 1970, and re-adopted as Chapter 10.03 of the Clackamas County Code when that Code was enacted as Ordinance #05-200, effective July 13, 2000. The Solid Waste Chapter addresses two primary administrative elements, solid waste nuisance abatement and oversight of the franchised solid waste and recycling collection program. The power granted the County to adopt a nuisance abatement program is found in ORS 203, which contains statutes that grant the County authority to adopt ordinances over matters of County concern. ORS 203 and 459 grant the County authority to establish a franchised garbage and recycling system for the orderly collection of garbage and recyclable materials. ORS 459 and 459A require the County to provide the "opportunity to recycle...". This is accomplished through the franchised garbage and recycling collection system. The Solid Waste Chapter governs how this should be done. Although there is some code enforcement associated with the franchised garbage and recycling system, the primary emphasis is on the solid waste nuisance priorities. This includes accumulations of solid waste that cause a condition of unsightliness or create a health or safety hazard.

All matters involving illegal dumping, under the Dump Stopper Program and in any other County context, are exempt from all Code Enforcement Policy and Protocol requirements. "Illegal dumping" is the act of abandoning unwanted items on the land of another without that land owner's permission. This exemption from Policy and Protocol requirements allows authorized staff

to immediately issue a citation to any person shown by a preponderance of evidence to be responsible for illegal dumping. The exemption reflects a corollary Policy of the Board of County Commissioner's that illegal dumpers form a special category of code violators who generally attempt to conceal their identities, and whose violations cause significant harm to innocent property owners as well as the general public. The only pragmatic approach in dealing with such violators is swift and emphatic action.

For purpose of the solid waste priorities a pickup truck load is the equivalent of 2 cubic yards.

Priority 1 Violations

These are health and safety violations, adversely affecting the public or posing a serious threat to individuals, the general public or the environment, including attractions for rodents or health threatening bacterium or pathogens. Items listed are of equal importance.

1. Violations of the franchised garbage collection system
2. Illegal recycling
3. Illegally dumped medical wastes.
4. Accumulations of putrescible wastes in the Urban Growth Boundary (UGB) and rural areas (for example: meat and meat scraps; fat; grease; food containers or products contaminated with food wastes).
5. Garbage containers overflowing with putrescible wastes (residential, commercial and multi-family).
6. Illegal dumping on public or private property
7. Dead animals.
8. Accumulation of domestic animal feces/manure in the UGB.

Priority 2 Violations

These violations are not health and safety related; however, these items generally affect a larger number of citizens, both within the (UGB) and rural areas of the County.

1. Accumulations of large volumes of non-putrescible solid waste greater than 6 pickup loads within the UGB. (i.e., discarded equipment and furniture, building demolition or construction wastes, plastic, glass, paper products, scrap metal or similar non-putrescible wastes.)
2. Accumulations of large volumes of non-putrescible solid waste greater than 10 pickup loads in the rural area.
3. More than 100 junk tires.

Priority 3 Violations

These violations affect fewer people but apply to both the UGB and rural areas. Due to higher densities in the UGB, issues with inoperable vehicles are more restrictive than in the rural area.

1. 3-6 pickup loads of non-putrescible solid waste within the UGB.
2. 6-10 pickup loads of non-putrescible solid waste in the rural area.
3. 3 or more inoperable and/or non-currently licensed vehicles within the UGB.
4. 5 or more inoperable and/or non-currently licensed vehicles in the rural area
5. 20 - 100 junk tires.

Priority 4 Violations

These violations have a moderate visual impact but do not represent a major degradation of neighborhood livability.

1. 4 or more inoperable and/or not-currently licensed vehicles in the rural area.
2. 20 or more junk tires.
3. Dilapidated mobile homes or trailer houses within the UGB.
4. All solid waste in the UGB.

Priority 5 Violations

1. 3 or less inoperable and/or non-currently licensed vehicle in the rural area.
2. Dilapidated mobile homes or trailer houses in the rural area.
3. Less than 20 junk tires.

Priority 6 Violations

These violations have minimal impact on the general public or neighborhood livability, and are often a neighbor-to-neighbor issue over the unsightliness of minor accumulations of solid waste. It is suggested that items in this category be referred to mediation as the only resort for public assistance. If the mediation process is not successful, or the parties choose not to mediate, the County will not pursue enforcement action.

1. Improperly maintained compost piles.
2. One to five pickup loads of non-putrescible solid waste in rural area.

Priority 7 Violations

These violations have little or no impact on neighborhood livability. It is

suggested that code enforcement or mediation not be pursued regarding these violations.

1. Accumulations of yard debris.

Water Environment Services

The On-Site Sewage Disposal Program in Clackamas County was created by the State of Oregon's Department of Environmental Quality (DEQ). By agreement Clackamas County is the DEQ Agent for the application and of ORS 454.605 through 454.780 and OAR 340 Divisions 71 and 73, and therefore its application is not discretionary. The Excavation and Grading Code was adopted by the Board as an ordinance in 1994 and therefore application and is discretionary.

Priority 1 Violations

On-Site Sewage Disposal:

1. Discharge of untreated or partially treated sewage to the surface of the ground that result in exposure of employees or the public to health risks on commercial/industrial property.

Priority 2 Violations

None cited

Priority 3 Violations

None cited

On-Site Sewage Disposal:

1. Discharge of untreated or partially treated sewage to the surface of the ground from residential uses.

Priority 4 Violations

On-Site Sewage Disposal

1. Non-permitted septic repairs or the installation of new systems without effluent on the surface of the ground provided that the sewage disposal area (drain field) is at least 100' from any well or public