



## NOTICE OF HEARING

May 22, 2023

William Ray Jr.  
8931 SE Foster Rd. #100  
Portland, OR 97266

**RE::** County of Clackamas v. William Ray Jr.  
**File:** V0058417

**Hearing Date:** June 8, 2023

**Time:** This item will not begin before 11:30am 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 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. Please contact Jennifer Kauppi within **3 calendar days** of receipt of the notice of hearing to receive either the link or the phone number for the hearing.

If you would like to present evidence at the Hearing please email or mail your evidence to [jkauppi@clackamas.us](mailto:jkauppi@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.

Contact Jennifer Kauppi at 503-742-4759 within 3 calendar days of receipt of the notice of hearing packet to receive your Zoom link and phone number for the hearing. If you are unable to participate in a hearing through the Zoom platform, contact Shane Potter and the hearing will be scheduled to take place in person.

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 503-830-9960 for assistance.

## 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.

WILLIAM A. RAY JR,

Respondent.

File No: V0058417

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 8931 SE Foster Rd Suite 100, Portland, OR 97266

2.

The address or location of the violation(s) of law alleged in this Complaint is:

34963 SE Gunderson Rd., Sandy, OR 97055 also known as T2S, R4E, Section 22, Tax Lot 00602,  
and is located in Clackamas County, Oregon.

3.

On or about the 5th day of October, 2021 the Respondent violated the following  
law, in the following way:

- a. Respondent violated the Clackamas County Solid Waste and Waste Management Code, Chapter 10.03 by accumulating inoperable and/or non-currently licensed vehicles on the subject property. This violation is a Priority 3 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 Respondent in the following manner: Administrative Citation #1700584-1 in the amount of \$50.00 was mailed via first class mail on October 7, 2021. A copy of the notice document is attached to this Complaint as Exhibit 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 Solid Waste and Waste Management Code Priority 3 violation being \$250.00 to \$1,500.00 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 22 day of May, 2023.

*Jennifer Kauppi*

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Jennifer Kauppi  
Code Enforcement Specialist  
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

WILLIAM A. RAY JR.

Respondent.

File No.: V0058417

STATEMENT OF PROOF

History of Events and Exhibits:

- September 12, 2017 Clackamas County received a complaint regarding an occupied recreational vehicle and inoperable or non-currently licensed vehicles on the subject property.
- September 13, 2017  
Exhibit A Correspondence was sent to the Respondent regarding the alleged violations.
- September 20, 2017 The Respondent contacted Code Enforcement Specialist Shane Potter regarding the correspondence he received in the mail. William confirmed there was someone that had been living in a trailer onsite but they had moved. William stated that he should be able to have the property cleaned up within 30 days.
- June 19, 2018  
Exhibit B Code Enforcement Specialist Shane Potter conducted a site inspection and confirmed numerous inoperable and non-currently licensed vehicles onsite.
- August 9, 2018  
Exhibit C Correspondence was sent to the Respondent with a deadline date of September 9, 2018 to abate the violation. This correspondence was returned to the County as undeliverable.
- July 15, 2019  
Exhibit D Code Enforcement Staff conducted a site inspection and confirmed the solid waste violation remained on the subject property.
- October 30, 2019  
Exhibit E Correspondence was sent to the Respondent with a deadline date of November 30, 2019 to abate the violation. This correspondence was returned to the County as undeliverable. The correspondence was then forwarded to the site address. The correspondence sent to the site address was not returned.
- November 25, 2019 The Respondent met with Shane Potter at the County office. William stated that he had around 50-60 vehicles currently on the property. Shane communicated with William that he would have to be down to 35 vehicles in order to allow for more time.

June 3, 2020 Exhibit F	Shane Potter conducted a site inspection. The property remained in violation.
September 30, 2020 Exhibit G	Correspondence was sent to the Respondent with a deadline of October 30, 2020 to abate the violation. One of the options that was given to the Respondent was that 35 vehicles would be removed from the property by December 2020 with the remainder to be removed by January 31, 2021. The correspondence was sent to the mailing address on file, the site address and an address given to Shane Potter by the Respondent. That address was 12707 NE Halsey Rd, Portland, OR 97266. The correspondence sent to the mailing address was returned to the County as undeliverable.
October 7, 2020	William contacted Shane Potter after receiving the correspondence that was sent on September 30, 2020. William agreed to removing 35 vehicles by December, 2020 and the remainder to be removed by January 21, 2021. William agreed to provide documentation that the cars had been removed.
August, 2021	The file was reassigned to myself.
October 5, 2021 Exhibit H	I conducted a site inspection and confirmed the violation remained onsite.
October 7, 2021 Exhibit I	Citation 1700584-1 was issued for \$50.00 for the Priority 3 Solid Waste and Waste Management Code violation. This citation was sent first class mail to the mailing address on file. A copy of the citation was sent to the site address and to the Halsey Rd address. The citation sent to the mailing address was returned to the County as undeliverable. The copies sent to the site address and the Halsey Rd address were not returned. This citation remains unpaid.
October 25, 2021	William contacted me after receiving the citation in the mail. William stated that he was down to about 90 vehicles on the property. William also stated that the DMV will only allow someone to sell no more than 5 vehicles a year without having to obtain a dismantler's license.
December 16, 2022	I contacted William by phone and set up a meeting onsite with William and a representative with the DMV to discuss William's options for removing more than 5 cars a year.



February 7, 2023  
Exhibit J

I met with William onsite and Dennis Keena with the Oregon DMV joined us on speaker phone. Dennis Keena confirmed that William could sell no more than 5 cars per year without having to obtain a dealer's license. Dennis did state that William could utilize a consignment company to sell the vehicles and there would be no limit to how many they could sell on his behalf. William and I agreed onsite that he would match up all the titles he currently has for the vehicles onsite within 45 days. If William could complete that task by the deadline, a new requirement would be agreed upon and date given for completion.

March 6, 2023  
Exhibit K

Correspondence was sent to the Respondent with a deadline of April 20, 2023 to have the titles matched with the vehicles onsite. The correspondence sent to the mailing address was returned to the County.

May 1, 2023

I called William to let him know I would be conducting the site inspection to confirm the titles had been matched with the vehicles. William stated that he had not matched up the titles. He also stated that he got rid of 6 or 7 more cars. I did not receive any proof that vehicles had been removed.

May 2, 2023  
Exhibit L

I conducted a site inspection and confirmed the violation remains on the subject property.

May 22, 2023

I referred this matter to the Hearings Officer.

If the Compliance Hearings Officer affirms the County's position that a violation of the Solid Waste and Waste Management Code, Chapter 10.03.060(A)(B) exists, the County may request a Continuing Order in this matter recommending the following:

- The Respondent be ordered to bring the property into compliance with the Solid Waste and Waste Management Code within 120 days of the date of the Order. The Respondent can keep no more than 2 inoperable or non-currently licensed vehicles on the subject property but they must be screened from view of the road or surrounding properties using a County approved screening method. All remaining vehicles can be stored inside a permitted structure on the property, they can be currently licensed to someone living onsite and operable, or they will need to be removed to an authorized location. The Respondent to provide documentation to Code Enforcement that vehicles have been removed from the property.
- 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 Solid Waste and Waste Management Code violation of up to \$1,500.00 for date cited October 5, 2021.
- Payment for Citation No. 1700584-1 issued on October 7, 2021 for \$50.00.
- The administrative compliance fee to be imposed from October, 2019 until the violation is abated. As of this report the total is \$3,225.00
- 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.



September 13, 2017

William Ray Jr.  
8931 SE Foster Road, Ste 100  
Portland, OR 97266

**Subject: Alleged Violations of the Zoning and Development Ordinance, Title 12, Section 316 and the Solid Waste Code, Title 10, Section 10.03.060 of the Clackamas County Code**

Site Address: 34963 SE Gunderson Rd., Sandy, OR 97055  
Legal Description: T2S, R4E, Section 22, Tax Lot 00602

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 but not limited to inoperable and/or non-currently licensed vehicles and other miscellaneous debris.

This may constitute a violation of the Zoning and Development Ordinance, Title 12, Section 316 and the Solid Waste Code, Title 10, Section 10.03.060 of the Clackamas County Code.

Please contact me within ten (10) days of the date of this letter in order to discuss this matter. My e-mail address is [Spotter@clackamas.us](mailto:Spotter@clackamas.us) and my telephone number is 503-742-4465.

SHANE POTTER  
Clackamas County Code Enforcement

*\*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 in its discretion may waive all or part of the \$75 per month administrative fee.*

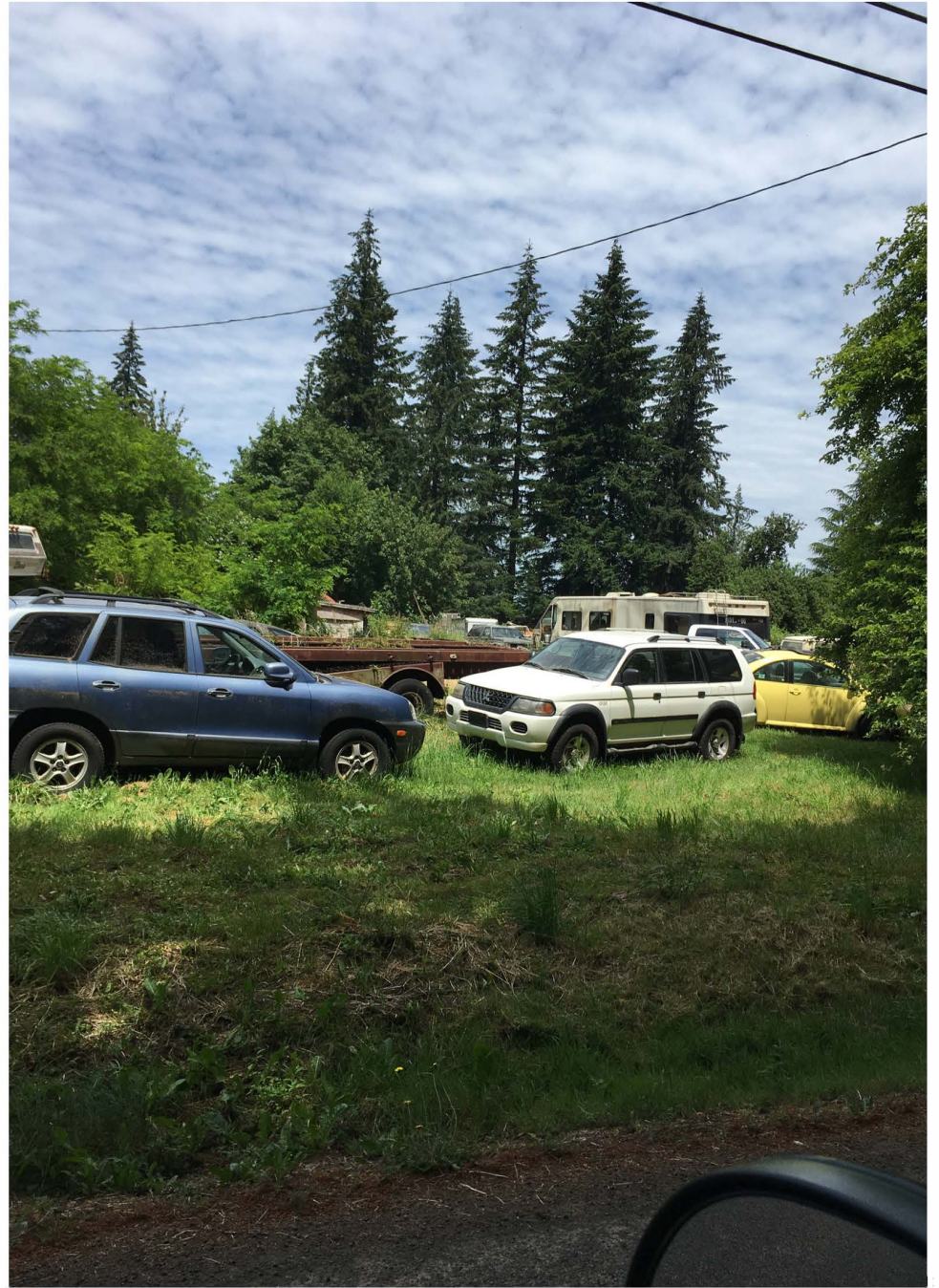


















August 9, 2018

William A Ray Jr.  
8931 SE Foster Rd Ste 100  
Portland, OR 97266

**SUBJECT: VIOLATION OF THE CLACKAMAS COUNTY SOLID WASTE AND WASTE MANAGEMENT CODE SECTION 10.03, AND VIOLATION OF CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE**

**SITE ADDRESS:** 34963 SE Gunderson Rd., Sandy, OR 97055

**LEGAL DESCRIPTION:** T2S, R4E, Section 22, Tax Lot 00602

This letter serves as notice of a violation of the Clackamas County Code. The violations include solid waste and inoperable and/or not currently licensed vehicle(s), and operating a junk yard without land use approval.

### **ACTIONS**

The following is a few activities associated with this file and is not intended to illustrate all actions that have been taken on this file.

On September 12, 2017 Clackamas County received complaint(s) regarding: inoperable and/or not currently licensed vehicles and operating a junk yard.

During our most recent site visit on June 18, 2018 the following were identified on the address listed above: more than 25 vehicles; 3 recreational vehicles; 2 semi-trucks; a large and a small school bus; and a couple of large commercial type trailers.

### **NEXT STEPS**

#### **Inoperable and/or Not Currently Licensed Vehicles**

In order to resolve the issues with the inoperable and/or not currently licensed vehicles that includes motorcycles, boats and/or boat trailers, and/or motor-homes, travel trailers, etc., **no later than September 9, 2018:**

1. Remove the inoperable and/or not currently licensed vehicles from the subject property, **and/or;**
2. Render the inoperable and/or currently licensed vehicles, operable and licensed to persons currently residing on the subject property, **and/or;**
3. Place the inoperable and/or not currently licensed vehicles that are owned by persons currently residing on the subject property inside a permitted structure, **and/or;**

4. Screen no more than two (2) vehicles from view of the road and surrounding properties, in accordance with the minimum screening requirements of the code (see Chapter 10.03.060 (c)). Please note: placing items under tarps or tarp structures does not remedy the violation.

### **Operating a Junk Yard**

The subject property is currently zoned RRFF-5 (Rural Residential Farm Forest – 5 Acre Minimum). After review of the State of Oregon DMV records we have found that no active Dismantle Certificate is currently active for this site. This is a violation of Clackamas County Code Section 316.030. It is requested that one (1) of the following alternatives be utilized **no later than September 9, 2018**:

1. Cease the unauthorized use and remove all vehicles associated with the use from the property, or;
2. Contact the Clackamas County Planning Department and submit all the required paperwork to allow the use to continue.
3. If the use is allowed to stay all required state permits must be obtained.

### **WHO TO CONTACT**

**Planning** – If you have questions concerning the solid waste complaint please feel free to contact the planning department at 503-742-4500.

**Code Enforcement** – If you have questions concerning the solid waste complaint please feel free to contact me at 503-742-4465.


Or you may 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. and 4:00 p.m. Monday through Thursday and 8:00 a.m. to 3:00 p.m. on Fridays.

In order to provide the highest level of customer service, please bring a copy of this correspondence when visiting the County.

If you have any questions my direct telephone number is 503-742-4465 and email [spotter@co.clackamas.or.us](mailto:spotter@co.clackamas.or.us).

### **Items Included in this Packet**

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



Shane Potter  
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.





**CLACKAMAS**  
COUNTY

**DEVELOPMENT SERVICES BUILDING**  
**DTD - CODE ENFORCEMENT**  
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

PORTLAND  
OR 972

09 AUG 2018  
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U.S. POSTAGE >> PITNEY BOWES

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William A Ray Jr.  
8931 SE Foster Rd Ste 100  
Portland, OR

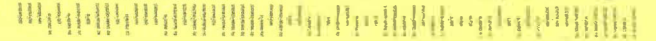
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August 9, 2018

William A Ray Jr.  
8931 SE Foster Rd Ste 100  
Portland, OR 97266

**SUBJECT: VIOLATION OF THE CLACKAMAS COUNTY SOLID WASTE AND WASTE MANAGEMENT CODE SECTION 10.03, AND VIOLATION OF CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE**

**SITE ADDRESS:** 34963 SE Gunderson Rd., Sandy, OR 97055

**LEGAL DESCRIPTION:** T2S, R4E, Section 22, Tax Lot 00602

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1. Remove the inoperable and/or not currently licensed vehicles from the subject property, **and/or;**
2. Render the inoperable and/or currently licensed vehicles, operable and licensed to persons currently residing on the subject property, **and/or;**
3. Place the inoperable and/or not currently licensed vehicles that are owned by persons currently residing on the subject property inside a permitted structure, **and/or;**

**STATUTORY WARRANTY DEED**

Grantor: Cal Champ Callaway

Grantee: William A Ray, Jr.

Until a change is requested, all tax statements shall be sent to the following address:  
William A Ray, Jr.  
18437 SE Division St.  
Gresham OR 97030

After Recording return to:  
William A Ray, Jr.  
18437 SE Division St.  
Gresham OR 97030

Escrow No. 872744 KJG  
Title No. 872744

Recorded By TICOR TITLE  
C 872744

Clackamas County Official Records 2006-072390  
Sherry Hall, County Clerk



\$26.00

08/07/2006 02:58:42 PM

D-D Cnt=1 Stn=5 BEV L.  
\$5.00 \$11.00 \$18.00

CAL CHAMP CALLAWAY, Grantor, conveys and warrants to WILLIAM A RAY, JR., Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Clackamas County, Oregon, to wit:

A tract in the Northeast one-quarter of the Northwest one-quarter of Section 22, Township 2 South, Range 4 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

24E 22 00602

Commencing at the Northeast corner of said legal subdivision; thence South 89° 54' 45" West along the North line of said legal subdivision, a distance of 328.57 feet to the Northeast corner of the West one-half of the East one-half of said legal subdivision; thence South 0° 12' 25" East along the East line thereof, 945.50 feet to the true point of beginning; thence South 89° 54' 45" West parallel with the North line of said legal subdivision 493.67 feet to a point in the West line of the East one-half of the West one-half of said legal subdivision; thence South 0° 09' 30" East along said West line, 355.11 feet to a point in the North line of Gunderson Road; thence North 89° 52' 40" East along said North line, 493.96 feet to a point that bears South 0° 12' 25" East 354.81 feet from the true point of beginning; thence North 0° 12' 25" West, 354.81 feet to the true point of beginning.

The said property is free from encumbrances except: COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, SET BACK LINES, POWERS OF SPECIAL DISTRICTS, AND EASEMENTS OF RECORD, IF ANY.  
2006/2007 taxes a lien due but not yet payable.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). 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 APPROVED USES, 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 CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

The true consideration for this conveyance is \$450,000.00. (Here comply with the requirements of ORS 93.030).

Dated this 28 day of July, 2006.

*Cal Champ Callaway*  
Cal Champ Callaway

State: OR  
County: Clackamas

The foregoing instrument was acknowledged before me this 28 day of July, 2006 by:

Cal Champ Callaway

*[Signature]*  
Notary Public  
My Commission Expires: 6/8/2008























**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

October 30, 2019

VIOLATION NO.: V0058417

William A Ray Jr.  
8931 SE Foster Rd. Ste 100  
Portland, OR 97266

**SUBJECT: VIOLATION OF CLACKAMAS COUNTY SOLID WASTE  
AND WASTE MANAGEMENT CODE TITLE 10.03.060 (A  
& B)**

**SITE ADDRESS:** 34963 SE Gunderson Rd., Sandy, OR 97055

**LEGAL DESCRIPTION:** T2S, R4E, SECTION 22, TAX LOT 00602

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

- Numerous inoperable and/or not currently licensed vehicles throughout the site

**ACTIONS**

The following is a few activities associated with this file and is not intended to illustrate all actions that have been taken on this file.

On September 12, 2017 Clackamas County Code Enforcement received a complaint.

A recent site inspection and research by a Clackamas County Code Enforcement staff member confirmed the violation as outlined in this letter.

**GENERAL SITE INFORMATION**

The property is zoned: RFFF-5 (Rural Residential Farm Forest 5 Acre)

There have been code violations over the past several years regarding the same violation as outlined in this letter

**VIOLATION AND HOW TO RESOLVE**

The following addresses each type of violation and how and when to resolve the violation.

**INOPERABLE AND/OR NOT CURRENTLY LICENSED VEHICLES**

There are numerous inoperable and/or not currently licensed vehicles throughout the site. This constitutes a violation of Clackamas County Code Title 10.03.06 (A & B). In order to abate the violations with the inoperable and/or not currently licensed vehicles that includes motorcycles, boats, and/or boat trailers, and/or motor-homes, and travel trailers, etc., you must complete the following **no later than November 30, 2019:**

1. Remove the inoperable and/or not currently licensed vehicles from the subject property, **and/or;**



2. Render the inoperable and/or currently licensed vehicles, operable and licensed to persons currently residing on the subject property, **and/or**;
3. Place the inoperable and/or not currently licensed vehicles that are owned by the person currently residing on the subject property inside a permitted structure, **and/or**;
4. Screen no more than two (2) vehicles from view of the road and surrounding properties, in accordance with the minimum screening requirements of the code (see Title 10.03.06 (c)). Please note: placing items under tarps or tarp like structures does not remedy the violation.
5. Contact the Clackamas County Code Enforcement Specialist for this file and schedule a site visit to ensure the violation has been abated.

### **WHO TO CONTACT**

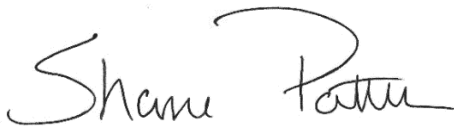
**Code Enforcement** – If you have any other questions please feel free to contact me at 503-742-4465 or email at [spotter@co.clackamas.us](mailto:spotter@co.clackamas.us)

You may 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. and 4:00 p.m. Monday through Thursday and 8:00 a.m. to 3:00 p.m. on Fridays.

*In order to provide the highest level of customer service, please bring a copy of this correspondence when visiting the County.*

### **ITEMS INCLUDED IN THIS PACKET**

- Violation Letter
- Required Notice of Fines and Penalties
- Solid Waste Code



Shane Potter  
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.

Clackamas County Code Chapter 10.03 Solid Waste and Waste Management (the entire code can be found on the Clackamas County Website)

Excerpts:

**10.03.06 Solid Waste or Waste 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 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, semi-trailer 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 in an authorized disposal facility 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 car 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 sight 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 of 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 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 County's Grading and Excavation Chapter.

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

### **10.03.030 Definitions**

(32). **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.

(47). **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 or 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.

(58). **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 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.



**CLACKAMAS COUNTY**  
 DEVELOPMENT SERVICES BUILDING  
 DTD - CODE ENFORCEMENT  
 150 BEAVERCREEK RD | OREGON CITY, OR 97045

**RETURN SERVICE  
 REQUESTED**

PRESORTED  
 FIRST CLASS



U.S. POSTAGE PITNEY BOWES



ZIP 97045 \$ 000.38<sup>3</sup>  
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William A Ray Jr.  
 8931 SE Foster Rd. Ste 100  
 Portland, OR 97266

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 VACANT  
 UNABLE TO FORWARD  
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September 30, 2020

Ray William A Jr.  
8931 SE Foster Rd. Ste 100  
Portland, OR 97266

**SUBJECT VIOLATION(S) OF:**

- 1. CLACKAMAS COUNTY SOLID WASTE AND WASTES MANAGEMENT ORDINANCE TITLE 10.03.060 – SOLID WASTE OR WASTES ACCUMULATION PROHIBITED**

**SITE ADDRESS:** 34963 SE Gunderson Rd., Sandy, OR 97055

**LEGAL DESCRIPTION:** T2S, R4E, SECTION 22, TAX LOT 00602

**ZONING:** RRFF-5 (Rural Residential Farm Forest 5 Acre)

**THIS LETTER SERVES AS NOTICE OF A VIOLATION OF THE CLACKAMAS COUNTY ORDINANCES. THE VIOLATIONS INCLUDE:**

1. Numerous inoperable and/or not currently licensed vehicles.

On September 12, 2017 a complaint was received by Clackamas County Code Enforcement. There has been removal of a few cars, however numerous inoperable vehicles remain on site. It has been difficult to track how many vehicles have actually been removed.

The following section provides details of the violation. This section also provides options on how to address the violation. Department contact information can be found towards the end of this letter under "CONTACT INFORMATION". You may contact that department to discuss the options outlined or ask questions for other possible solutions, if they may exist. This letter may not address all violations that exist on the site and instead is intended to address those violations identified during the review and/or inspections that have occurred.

**INOPERABLE AND/OR NOT CURRENTLY LICENSED VEHICLES**

As you are aware based on numerous conversations we have had there remains several inoperable and/or not licensed vehicles. This constitutes a violation of the Clackamas County Code Ordinance Title 10.03.060 in regards to maintaining an inoperable vehicle and Title 10.03.030 (A.33 – Definitions) for inoperable vehicles. In order to abate the violations with the inoperable and/or not currently licensed vehicles that includes, but may not be limited to, motorcycles, boats, and/or boat trailers, and/or motor-homes, and travel trailers, etc., you must complete the following **no later than October 30, 2020:**

1. Remove the inoperable and/or not currently licensed vehicles from the subject property, and/or;
2. Render the inoperable and/or currently licensed vehicles, operable and licensed to persons currently residing on the subject property, and/or;

3. Place the inoperable and/or not currently licensed vehicles that are owned by the person currently residing on the subject property, inside a permitted structure, and/or;
4. Screen no more than two (2) vehicles from view of the road and surrounding properties, in accordance with the minimum screening requirements of the code (see Title 10.03.060 (c)). Please note: placing items under tarps or tarp like structures does not remedy the violation.
5. Based on our conversations you were struggling financially to have the vehicles removed. I am willing to offer the following options that will require proof of removal each month by you to be accounted for.
  - a. September – Remove 5 vehicles and provide proof of removal.
  - b. October – Remove an additional 10 vehicles and provide proof of removal.
  - c. November – Remove an additional 10 vehicles and provide proof of removal.
  - d. December – Remove an additional 10 vehicles and provide proof of removal.
  - e. January 2021 – Remove all remaining vehicles from the property.Failure to meet each months may result in citations being issued. You will need to notify by email to confirm you agree with option 5 otherwise I will assume all vehicles will be removed by the October 30, 2020 deadline.

Whatever action the respondent chooses to take above requires them to contact their Clackamas County Code Enforcement Specialist for this file and schedule a site visit to confirm the abatement of this violation.

***For questions regarding the inoperable and/or not currently licensed vehicles listed above please contact your Clackamas County Code Enforcement Specialist Shane Potter at 503-742-4465 or by email at [spotter@clackamas.us](mailto:spotter@clackamas.us)***

### **CONTACT INFORMATION**

**Code Enforcement Specialist – Shane Potter** – If you have any other questions please feel free to contact me at 503-742-4465 or email at [spotter@clackamas.us](mailto:spotter@clackamas.us)

During the COVID event our offices are closed, however staff is working to assist you and may be reached online and by telephone. Inspections are also occurring during this time.

Once this event is over and our offices open you may also stop by the Planning, Permitting, and Code Enforcement Offices at the Development Services Building located at 150 Beavercreek Road, Oregon City. The lobby is open between the hours of 8 a.m. and 4 p.m. Monday through Thursday and 8 a.m. to 3 p.m. on Fridays.

***In order to provide the highest level of customer service, please bring a copy of this correspondence when visiting the County. You can also review the entire code by going to: <https://www.clackamas.us/code>***

### **ITEMS INCLUDED IN THIS PACKET**

- Violation Letter
- Required Notice of Fines and Penalties
- Section of Solid Waste Code



Shane Potter  
Code Enforcement Specialist

**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.



**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.

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.

(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.

(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.

C. Any sight 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 ¼ 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 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.



**CLACKAMAS**  
COUNTY

**DEVELOPMENT SERVICES BUILDING**  
**CODE ENFORCEMENT DIVISION**  
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

PORTLAND OR 972

30 SEP 2020 PM 5 15



U.S. POSTAGE  PITNEY BOWES



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Ray William A Jr  
8931 SE Foster Rd Ste 100  
Portland, OR 97266

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RETURN TO SENDER  
VACANT  
UNABLE TO FORWARD

BC: 97045430250 \*2304-10431-30-44

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97266-400120

EXHIBIT G - PAGE 6 OF 7





**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

**VIOLATION NO: V0058417**

September 30, 2020

Ray William A Jr.  
8931 SE Foster Rd. Ste 100  
Portland, OR 97266

**SUBJECT VIOLATION(S) OF:**

- 1. CLACKAMAS COUNTY SOLID WASTE AND WASTES MANAGEMENT ORDINANCE TITLE 10.03.060 – SOLID WASTE OR WASTES ACCUMULATION PROHIBITED**

**SITE ADDRESS:** 34963 SE Gunderson Rd., Sandy, OR 97055  
**LEGAL DESCRIPTION:** T2S, R4E, SECTION 22, TAX LOT 00602  
**ZONING:** RRFF-5 (Rural Residential Farm Forest 5 Acre)

**THIS LETTER SERVES AS NOTICE OF A VIOLATION OF THE CLACKAMAS COUNTY ORDINANCES. THE VIOLATIONS INCLUDE:**

1. Numerous inoperable and/or not currently licensed vehicles.

On September 12, 2017 a complaint was received by Clackamas County Code Enforcement. There has been removal of a few cars, however numerous inoperable vehicles remain on site. It has been difficult to track how many vehicles have actually been removed.

The following section provides details of the violation. This section also provides options on how to address the violation. Department contact information can be found towards the end of this letter under "CONTACT INFORMATION". You may contact that department to discuss the options outlined or ask questions for other possible solutions, if they may exist. This letter may not address all violations that exist on the site and instead is intended to address those violations identified during the review and/or inspections that have occurred.

**INOPERABLE AND/OR NOT CURRENTLY LICENSED VEHICLES**

As you are aware based on numerous conversations we have had there remains several inoperable and/or not licensed vehicles. This constitutes a violation of the Clackamas County Code Ordinance Title 10.03.060 in regards to maintaining an inoperable vehicle and Title 10.03.030 (A.33 – Definitions) for inoperable vehicles. In order to abate the violations with the inoperable and/or not currently licensed vehicles that includes, but may not be limited to, motorcycles, boats, and/or boat trailers, and/or motor-homes, and travel trailers, etc., you must complete the following **no later than October 30, 2020:**

1. Remove the inoperable and/or not currently licensed vehicles from the subject property, and/or;
2. Render the inoperable and/or currently licensed vehicles, operable and licensed to persons currently residing on the subject property, and/or;





















Citation No. 1700584-1

Case No. V0058417

# ADMINISTRATIVE CITATION

Date Issued: October 7, 2021

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

Name: Ray William A Jr  
Mailing Address: 8931 SE Foster Rd, Ste 100  
City, State, Zip: Portland, OR 97266

Date Violation(s) Confirmed: On the 5th day of October, 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): 34963 SE Gunderson Rd, Sandy OR 97055

Legal Description: T2S, R4E, Section 22, Tax Lot(s) 00602

**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) Failure to remove or license currently inoperable/and or not licensed vehicles from the subject property.

Maximum Civil Penalty \$50.00                      Fine \$1500.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$50.00. 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.: 503-742-4452

Date: October 7, 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. 1700584-1

Case No. V0058417

# ADMINISTRATIVE CITATION

Date Issued: October 7, 2021

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

Name: Ray William A Jr  
Mailing Address: 8931 SE Foster Rd, Ste 100  
City, State, Zip: Portland, OR 97266

Date Violation(s) Confirmed: On the 5th day of October, 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): 34963 SE Gunderson Rd, Sandy OR 97055

Legal Description: T2S, R4E, Section 22, Tax Lot(s) 00602

**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) Failure to remove or license currently inoperable/and or not licensed vehicles from the subject property.

Maximum Civil Penalty \$50.00                      Fine \$1500.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$50.00. 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.: 503-742-4452

Date: October 7, 2021  
Department Initiating Enforcement Action: Code Enforcement



























## Kauppi, Jennifer

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**From:** KEENA Dennis A <Dennis.A.KEENA@odot.oregon.gov>  
**Sent:** Thursday, February 9, 2023 3:19 PM  
**To:** Kauppi, Jennifer  
**Subject:** RE: Gunderson Follow Up Questions

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

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Hi Jennifer,

There are at least tow lien services in the Portland area.

Oregon Lien Service [Oregon Lien Service](#)  
Auto Lien Source [Auto Liens](#) | [Lien Services](#) | [Oregon \(autoliensource.com\)](#)

As for consignments, any certified dealer can accept vehicles on consignment. Billy will simply need to shop for the best one's to work with.

I hope this helps,

**Dennis Keena**

***Investigator***

***ODOT/DMV/Business Regulation***

***Mail: 1905 Lana Ave NE, Salem, OR 97314***

***Phone: 503.945.5215***

***Email: [Dennis.A.Keena@ODOT.Oregon.Gov](mailto:Dennis.A.Keena@ODOT.Oregon.Gov)***

***CONFIDENTIALITY NOTICE:*** This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the content, context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system. Thank you.

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**From:** Kauppi, Jennifer <JKauppi@clackamas.us>  
**Sent:** Thursday, February 9, 2023 1:47 PM  
**To:** KEENA Dennis A <Dennis.A.KEENA@odot.oregon.gov>  
**Subject:** Gunderson Follow Up Questions

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Dennis,

Thanks again for speaking with Billy and I yesterday. I do have a couple of follow up questions.

1. Once a lien form is turned in on a vehicle to the possessory lien form place, do you know what that process is? How long it takes? Or, do you have the name of a company that handles that and I can always call them directly?
2. Do you have names of companies that sell the cars on consignment?

Thank you

Jennifer Kauppi  
Code Enforcement Specialist  
Clackamas County – Transportation & Development  
Code Enforcement  
[JKauppi@clackamas.us](mailto:JKauppi@clackamas.us)  
503-742-4759  
150 Beaver Creek Rd  
Oregon City, OR 97045  
Office hours are Monday, Tuesday and Thursday 8:00 am – 4:00 pm

\*\*PLEASE NOTE: Our **lobbies** are CLOSED on Wednesday and Fridays to **in-person** customer service. \*\* Staff is still available by phone from 8 am – 4 pm.

Were you happy with the service you received today?



CLICK A SMILEY





**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

March 6, 2023

William A Ray Jr  
8931 SE Foster Rd Ste 100  
Portland, OR 97055

William A Ray Jr  
12707 NE Halsey Rd  
Portland, OR 97230

**SUBJECT: Violation of the Clackamas County Solid Waste and Waste management Code, Title 10, Chapters 10.03.060 (A) and (B)**

**FILE: V0058417**

**SITE ADDRESS: 34963 SE Gunderson Rd, Sandy, OR 97055**

**LEGAL DESCRIPTION: T2S, R4E, Section 22, Tax Lot 00602**

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

- Solid waste being stored on the property including inoperable and/or non-currently licensed vehicles

**VIOLATIONS & HOW TO RESOLVE**

I met with you onsite February 7, 2023 to discuss the ongoing solid waste code violation on the subject property. At that time we had a phone conference with the DMV discussing your options for removing more than 5 cars a year off the property without having to obtain a dismantler license.

You and I agreed to set the first deadline 45 days from the day of our meeting to take copies of the titles you have and match them up with the vehicles onsite. I would be conducting a site inspection to see that you reached that deadline and would then set the next deadline to discuss your plan for removal of the vehicles. If you are unable to meet the deadline, a code enforcement hearing will be scheduled.

**The deadline for the above is April 20, 2023.** I have scheduled a site inspection for April 25, 2023 to confirm requirement has been met.

The following is the Solid Waste and Waste Management Code that you will have to reach in order to abate the violation.

### **Solid Waste**

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.

- Remove all solid waste, 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.

### **Inoperable and/or Non-Currently Licensed Vehicles**

- Remove the inoperable and/or not currently licensed vehicles from the subject property, **and/or**;
- Render the inoperable and/or currently licensed vehicles, operable and licensed **and/or**;
- Place the inoperable and/or not currently licensed vehicles inside a permitted structure, **and/or**;
- Screen no more than two (2) vehicles from view of the road and surrounding properties, in accordance with the minimum screening requirements of the code (see Title 10.03.060 (C)). Please note: placing vehicles under tarps or tarp structures does not remedy the violation.

### **You had a couple of questions that you requested an answer on.**

1. The confirmed stolen vehicle – per Clackamas County Sheriff’s office. Call the non-emergency number to report the vehicle. The Sheriff’s office will respond and complete an investigation including towing the vehicles off the property.
2. Consignment Dealers – Any certified dealer can accept vehicles on consignment. You will need to shop around to find the best one(s) to work with.
3. Tow lien services – Per the DMV are at least two in the Portland Area.
  - a. Oregon Lien Service
  - b. Auto Lien Source.

I would recommend you start looking into these now and have something set up for when we meet on April 28<sup>th</sup>.

You may also stop by the Planning Department 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 through Thursday and 8:00 a.m. Our office is closed to the public on Fridays, however, staff are available by both phone and email.



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



















