



NOTICE OF HEARING

February 28, 2022

Alexey & Fetinia Tipikin
6001 S Schneider Rd
Woodburn, OR 97071

RE:: County of Clackamas v. Alexey & Fetinia Tipikin
File: V0012021

Hearing Date: March 22, 2022

Time: This item will not begin before 12:30 pm however it may begin later depending on the length of preceding items.

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

Enclosed you will find the following:

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

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

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

You may contact Andrea Hall, Code Compliance Specialist for Clackamas County at (503) 742-4467, should you have any questions about the violation(s) in the **Complaint**. Do not call the Compliance Hearings Officer.

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

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

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



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

Clackamas County is abiding by social distancing requirements during the coronavirus pandemic, so your hearing will be conducted virtually using the Zoom platform.

You must have access to the internet or to a telephone line to use the Zoom platform. We have sent you the Zoom invite to aaektipikin@hotmail.com. Please contact Andrea Hall if you are unable to find the email.

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

If you are unable to participate in a hearing through the Zoom platform please contact Andrea Hall at 503-742-4467 **within 3 calendar days of receipt of the notice of hearing packet.**

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

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

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

Department of Transportation and Development

Nondiscrimination Policy:

The Department of Transportation and Development is committed to non-discrimination. For more information go to:

www.clackamas.us/transportation/nondiscrimination, email 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, envíe un correo electrónico a 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, отправьте письмо на адрес эл. почты 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，发送电子邮件至 JKauppi@clackamas.us 或致电 503-742-4452。

CHÀO MỪNG! Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng:

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

환영합니다. Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 www.clackamas.us/transportation/nondiscrimination을 참조하거나 이메일 JKauppi@clackamas.us, 또는 전화 503-742-4452번으로 연락 주십시오.

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

COUNTY OF CLACKAMAS,

Petitioner,

v.

ALEXEY TIPIKIN,

and

FETINIA TIPIKIN,

Respondents.

File No: V0012021

COMPLAINT AND REQUEST FOR HEARING

I, Andrea Hall, Senior Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondents Alexey & Fetinia Tipikin's mailing address is: 6001 S Schneider Rd.,
Woodburn, OR 97071

2.

The address or location of the violation(s) of law alleged in this Complaint is:
6001 S Schneider Rd., Woodburn, OR 97071, also known as T5S, R1W, Section 13 , Tax Lot 300,
and is located in Clackamas County, Oregon.

On or about the 10th day of August, 2021 the Respondents violated the following laws, in
the following ways:

- a. Chapter 9.02.040 of the Clackamas County Code Building Code for failing to permit or
agriculturally exempt numerous accessory buildings on the subject property. This
violation is a Priority 4 violation pursuant to the Clackamas County Violation Priorities.

On or about the 5th day of October, 2021 the Respondents violated the following laws, in the following ways:

- b. Chapter 9.02.040 of the Clackamas County Code Building Code for failing to permit or agriculturally exempt numerous accessory buildings on the subject property. This violation is a Priority 4 violation pursuant to the Clackamas County Violation Priorities.

3.

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

4.

Notice of the violation was given to Respondents in the following manner: Citation and Complaint numbers 2100120 and 2100120-2. A copy of the notice document is attached to this Complaint as Exhibits D & E, and incorporated by this reference.

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

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

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

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondents for each violation, within the range established by the Board of County Commissioners. Said range for the Building Code Priority 4 violation being \$100.00 to \$1000.00 per occurrence as provided by Appendix B to the Clackamas County Code;

3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondents to pay an administrative compliance fee as provided by Appendix A to the Clackamas County Code; and
4. Ordering any other relief deemed reasonably necessary to correct the violations.

DATED THIS 25th day of February, 2022.



Andrea Hall
Senior Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

ALEXEY TIPIKIN,

and

FETINIA TIPIKIN,

Respondents.

File No.: V0012021

STATEMENT OF PROOF

History of Events and Exhibits:

April 7, 2021
Exhibit A

In response to a complaint, the County mailed an alleged letter regarding a possible building code violation for the construction of accessory buildings without permits and unauthorized occupied recreational vehicles.

April 12, 2021

I spoke with Victor Ovchinnikov who is a tenant on the property. He indicated that he intends to grow hemp plants in the greenhouses and he would like to explore agricultural exemptions for the buildings he had constructed.

April 12, 2021
Exhibit B

A violation notice was mailed to the Respondents with a deadline of May 17, 2021 to submit building permit application or agricultural exemptions for the greenhouses on the property. The notice also requested that the owners contact me to discuss the allegation of occupied recreational vehicles.

April 20, 2021

I spoke with Victor who stated that he submitted agricultural exemption paperwork to the County and that the occupied recreational vehicles are gone.

May 24, 2021
Exhibit C

I received an email from the Building Department indicating that the tenant's applications for agricultural exemptions were not accepted as the buildings were not numbered and the site plan was incomplete.

August 12, 2021
Exhibit D

Citation number 2100120 was issued to the Respondents in the amount of \$25.00 for the Building Code violation. The citation was mailed first class mail and not returned to the County, the citation remains unpaid.

October 6, 2021
Exhibit E

Citation number 2100120-2 was issued to the Respondents in the amount of \$200.00 for the Building Code violation. The citation was mailed first class mail and not returned to the County, the citation remains unpaid.

February 25, 2021

The matter was referred to the Code Enforcement Hearings Officer.

If the Hearings Officer affirms the County's position that a violation of the Clackamas County Building Code exists on the subject property, the County would request a Continuing Order be issued requiring the Respondents to obtain agricultural exemptions for each of the more than forty greenhouses on the subject property within thirty days of the date of the Order. Any plumbing, electrical or mechanical installation must be permitted within ten days of the date the agricultural exemptions are issued and have approved final inspections within thirty days of the date permits are issued.

If the Respondents are not successful in obtaining agricultural exemptions, the structures must be demolished within thirty days of the date the exemptions are denied.

The County will submit a timely Post Hearing Status Report. The report will be sent to the Compliance Hearings Officer and to the Respondents. The report may include the following recommendations:

- Payment of Citation #2100120 for \$25.00 and Citation #2100120-2 for \$200.00.
 - The imposition of civil penalties of \$1000.00 for the priority 4 violation for the dates cited on August 10, 2021 and October 5, 2021.
 - The administrative compliance fee to be imposed from May 2020, until the violation is abated. As of the date of this report the total is \$750.00.
 - The total of fines, fees and penalties would be \$2975.00.
-
- If the violations are not abated the County may request authorization for further enforcement action including to proceed to Circuit Court.
 - The County requests the Hearing's Officer to permanently enjoin the Respondents from violating these laws in the future.



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

April 7, 2021

Alexey & Fetinia Tipikin
6001 S Schneider Rd
Woodburn, OR 97071

**Subject: Alleged Violations of the Zoning and Development Ordinance,
Title 12, Section 401 and the Building Code, Chapter 9.02.040
of the Clackamas County Code**

Site Address: 6001 S Schneider Rd, Woodburn OR 97071
Legal Description: T5S, R1W, Section 13, Tax Lot 00300

It has come to the attention of Clackamas County Code Enforcement that construction of accessory structures may have been built without the benefit of permits.

Additionally, unauthorized occupied recreational vehicles may exist on the above referenced property.

This may constitute a violation of the Zoning and Development Ordinance, Title 12, Section 401 and the Building Code, Chapter 9.02.040 of the Clackamas County Code.

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

E-mail address is Andreahal@clackamas.us

Telephone number is 503-742-4467

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

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DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

April 12, 2021

Alexey & Fetinia Tipikin
6001 S Schneider Rd.
Woodburn, OR 97071

Subject: Violation of the Clackamas County Code V0012021

Site Address: 6001 S Schneider Rd., Woodburn, OR 97071
Legal Description: T5S, R1W, Section 13, Tax Lot 300

As you know, it has come to the attention of the Clackamas County Code Enforcement Section that several accessory buildings have been constructed on the above referenced property without building permits and inspections or agricultural exemptions. This constitutes a violation of Chapter 9.02.040(A) of the Clackamas County Code as it pertains to the Application and Enforcement of the Clackamas County Building Code.

In order to abate the violation, please submit the building permit application or agricultural exemptions, technically complete plans and appropriate fees, if required, to the Clackamas County Building Codes Division no later than **May 17, 2021**. Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>. The permit must be picked up within ten days of being notified. Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of the permit being issued.

If you have any questions concerning these permit requirements or the online submittal process, please contact the Building Codes Division at 503-742-4240, via email at bldservice@clackamas.us or, you may stop by our offices at 150 Beaver Creek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 9:00 a.m. and 3:00 p.m.

It has also been alleged that there are several unauthorized occupied recreational vehicles on the property. Please contact me to discuss this situation. My direct telephone number is 503-742-4467 or email andreahal@clackamas.us .

Thank you for your prompt attention to this matter.

A handwritten signature in blue ink, consisting of a large, sweeping 'A' followed by a series of loops and a final flourish.

Andrea Hall
Clackamas County
Code Enforcement Section

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beaver Creek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
6. **Non-Compliance may result in a lien upon your property:** Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.

From: [Moreland, Tom](#) on behalf of [Building Public Service](#)
To: [Hall, Andrea](#)
Subject: RE: Building Application
Date: Monday, May 24, 2021 2:45:24 PM

Andrea,

We did receive the applications, but had to reject them because the applications needed the building numbers called out on them and the site plans were incomplete. The client did receive an email stating what we needed for the submittal to be accepted.

Thank you,

Tom Moreland
Permit Tech
503-742-4240
Monday thru Friday 8 to 4
Special Lobby Hours
Monday thru Thursday 9 to 3

From: Hall, Andrea <Andreahal@clackamas.us>
Sent: Monday, May 24, 2021 11:13 AM
To: Building Public Service <BldService@clackamas.us>
Subject: FW: Building Application

Hi Building,
Just checking to see if you received this information.
Thank you,
Andrea

From: Hall, Andrea
Sent: Tuesday, May 11, 2021 10:57 AM
To: Building Public Service <BldService@clackamas.us>
Subject: FW: Building Application

From: Fenya Snegirev <fenya@snolandscape.com>
Sent: Tuesday, May 11, 2021 9:49 AM
To: Hall, Andrea <Andreahal@clackamas.us>
Cc: a1conifers@gmail.com
Subject: Building Application

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

Hi Andreah,

I'm attaching building applications for Vicor. Reach out with any questions.

Thank you,

A1 Conifers

[Spam Email](#)

[Phishing Email](#)



Citation No. 2100120

Case No. V0012021

ADMINISTRATIVE CITATION

Date Issued: August 12, 2021

Name and Address of Person(s) Cited:

Name: Alexey Tipikin
Name: Fetinia Tipikin
Mailing Address: 6001 S Schneider Rd.
City, State, Zip: Woodburn, OR 97071

Date Violation(s) Confirmed: On the 10th day of August, 2021, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 6001 S Schneider Rd., Woodburn, OR 97071

Legal Description: T5S, R1W Section 13, Tax Lot(s) 300

Law(s) Violated:

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

Description of the violation(s):

Persons cited failed to obtain building permits or agricultural exemptions for accessory buildings on the property.

Maximum Civil Penalty \$1000.00 Fine \$25.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$25.00. 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: Andrea Hall
Telephone No.: 503-742-4467

Date: August 12, 2021
Department Initiating Enforcement Action: Code Enforcement



Citation No. 2100120-2

Case No. V0012021

ADMINISTRATIVE CITATION

Date Issued: October 6, 2021

Name and Address of Person(s) Cited:

Name: Alexey Tipikin
Name: Fetinia Tipikin
Mailing Address: 6001 S Schneider Rd.
City, State, Zip: Woodburn, OR 97071

Date Violation(s) Confirmed: On the 10th day of August, 2021 and continues to exist on the 5th day of October 2021, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 6001 S Schneider Rd., Woodburn, OR 97071

Legal Description: T5S, R1E Section13, Tax Lot(s) 300

Law(s) Violated:

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

Description of the violation(s):

- 1) Persons cited failed to obtain building permits or agricultural exemptions for accessory buildings on the property.

Maximum Civil Penalty \$1000.00

Fine \$200.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$200.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

Citation issued by: Andrea Hall
Telephone No.: 503-742-4467

Date: October 6, 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 Beavercreek Rd.
Oregon City, OR 97045
2. Request a hearing in writing. You may request a hearing to contest the violation(s) alleged. A written request for a hearing must be mailed to Clackamas County at the address listed above or sent to codeenforcement@clackamas.us

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

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

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

STATEMENT OF UNDERSTANDING

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

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

Signature: _____ Date: _____

Address: _____

City, State, Zip

Contact Number: _____ Email: _____