



NOTICE OF HEARING

April 23, 2024

Dmitriy & Mariya Kirdey
8801 SE 307th Ave.
Boring, OR 97009

RE:: County of Clackamas v. Dmitriy & Mariya Kirdey
File: V0004924

Hearing Date: May 29, 2024

Time: This item will not begin before 11:00am however it may begin later depending on the length of preceding items.

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

Enclosed you will find the following:

1. Notice of Rights
2. Copy of Complaint and Request for Hearing

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

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

You may contact Jennifer Kauppi, Code Compliance Specialist for Clackamas County at (503) 742-4759, should you have any questions about the violation(s) in the **Complaint**. Do not call the Compliance Hearings Officer.

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

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

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



You must have access to the internet or to a telephone line to use the Zoom platform. A copy of the link is provided below.

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

If you are unable to participate in a hearing through the Zoom platform please contact Jennifer Kauppi at 503-742-4759 **within 3 calendar days of receipt of the Notice of Hearing**.

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

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

Zoom invite

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://clackamascounty.zoom.us/j/85633971784?pwd=U3dQMjNmeWhMS3FjZEhnVHp1T1ZqQT09>

Passcode: 649778

Or One tap mobile:

+14086380968,,85633971784# US (San Jose)

+16694449171,,85633971784# US

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 408 638 0968 or +1 669 444 9171 or +1 669 900 6833 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 876 9923 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968

Webinar ID: 856 3397 1784

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.

DMITRIY & MARIYA KIRDEY,

Respondents.

File No: V0004924

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 8801 SE 307TH Ave, Boring, OR 97009.

2.

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

8801 SE 307th Ave, Boring, OR 97009 also known as T1S, R4E, Section 29B, Tax Lot 02200, and is located in Clackamas County, Oregon.

3.

On or about the 25th day of March 2024 the Respondents violated the following laws, in the following ways:

- a. Respondents violated the Clackamas County Zoning and Development Ordinance, Section 316.03 (A) by operating Translite LLC trucking company, storing commercial vehicles and repair without land use approval. This violation is a Priority 2 violation pursuant to the Clackamas County Violation Priorities.

4.

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

5.

Notice of the violation was given to Respondents in the following manner: Administrative Citation #2400049-1 in the amount of \$400.00 was mailed via first class mail on March 25, 2024. A copy of the notice document is attached to this Complaint as Exhibit E, and incorporated by this reference.

6.

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

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

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

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondents for each violation, within the range established by the Board of County Commissioners. Said range for a Zoning and Development Ordinance Priority 2 violation being \$500.00 to \$2,500.00 per occurrence as provided by Appendix B to the Clackamas County Code;

3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondents 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 Respondents 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 April, 2024.



Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

DMITRIY & MARIYA KIRDEY,

Respondents.

File No.: V0004924

STATEMENT OF PROOF

History of Events and Exhibits:

February 27, 2024

Clackamas County received a complaint regarding a commercial trucking business and repair and storing commercial vehicles onsite without land use approval.

February 27, 2024
Exhibit A

I researched the code enforcement history of the subject property. Since 2017, this case is the 8th code enforcement violation opened for operating a commercial trucking business, storing commercial vehicles and commercial truck repair onsite without land use approval. The first file was opened in 2017. At that time Dimitriy and his son came into the office and spoke with code enforcement regarding the violation. Dimitriy stated he would stop parking commercial vehicles on the subject property and the case was closed. In 2019 another complaint was received and a Notice of Violation was sent to the Respondents. The Respondent again stated that the business had ceased on the property. In 2020, two additional complaints were received and the Respondents were issued citations 2000336-1 for \$75.00 and 2000336-2 for 400.00. Another complaint was filed in 2021 and 2 additional complaints in 2022. Citation 2200210 for \$400.00 was issued for file V0021022 and was paid in December 2022.

March 7, 2024
Exhibit B

Photos were received into the County regarding the commercial activity onsite.

March 11, 2024
Exhibit C

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

March 12, 2024
Exhibit D

Photos were received into the County showing the continued activity on the subject property. These photos were taken on March 12, 2024.

March 25, 2024
Exhibit E

On March 19, 2024 Citation 2400049 for \$500.00 was issued for the Priority 2 land use violation. On March 25, 2024 I reviewed this file and notice the error in the fine amount for that Citation. I voided Citation 2400049 and reissued Citation 2400049-1 for \$400.00 for the Priority 2 land use violation. The citation was sent first class mail and was not returned to the County. The citation has not been paid.

April 3, 2024

I received a call from the owners son Ruvim. He was asking about the citation that his parents received. I explained that this was the 8th code enforcement case for the same land use violation and that a hearing would be scheduled.

April 22, 2024

Code Enforcement referred this matter to the Hearings Officer.

If the Compliance Hearings Officer affirms the County's position that a violation of the Zoning and Development Ordinance, Title 12, Section 316.03, the County is requesting a Final Order in this matter recommending the following:

- The Respondents be ordered to immediately cease operating the commercial trucking business, repair or storing commercial vehicles onsite. All commercial vehicles shall be removed from the subject property within 72 hours of the Final Order.
- If the Respondent wishes to operate a commercial business onsite, the Respondents will obtain an approved land use decision and meet the conditions of approval before any business activities including storing of commercial vehicles occurs on the subject property.
- The report may include the following recommendations:
- The imposition of civil penalties for the Zoning violation of up to \$2,500.00 for date cited March 25, 2024.
- Payment for Citation 2400049-1 in the amount of \$400.00.
- Administrative Compliance fee in the amount of \$75.00.
- The County requests the Hearings Officer to permanently prohibit the Respondents from violating this law in the future.
- If the Respondents fail to comply with the Hearings Officer's Final 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.

Menu

Refine Search

New

Create By Form

GIS

View Log

Help

My Filters --Select--

Module CodeEnforcement

Showing 1-8 of 8

<input type="checkbox"/> Record #	Related	Record Status	Balance	Opened	Number	Dir	Street Name	Suffix	Parcel #	Assigned to Staff	Description	Record Type Alias	Status Date	Created By
<input type="checkbox"/> V0004924	View	Pending	75	03/05/2024	8801	SE	307TH	AVE	14E29B 02200	Jennifer Kauppi	ALLEGED - RUNNING AN AUTOBODY SHOP...	Code Enforcement - Violation	03/05/2024	DBUZZA
<input type="checkbox"/> V0028622	View	Final	0	07/15/2022	8801	SE	307TH	AVE	14E29B 02200	Jennifer Kauppi	ALLEGED - COMMERCIAL VEHICLES ON S...	Code Enforcement - Violation	09/29/2022	JENNIFERK
<input type="checkbox"/> V0021022	View	Final	0	05/23/2022	8801	SE	307TH	AVE	14E29B 02200	Jennifer Kauppi	ALLEGED - STORING COMMERCIAL VEHIC...	Code Enforcement - Violation	12/30/2022	JENNIFERK
<input type="checkbox"/> V0025021	View	Final	0	06/23/2021	8801	SE	307TH	AVE	14E29B 02200	Jennifer Kauppi	ALLEGED - 2 OTT'S, STORING COMMERC...	Code Enforcement - Violation	04/19/2022	JENNIFERK
<input type="checkbox"/> V0033620	View	Final	0	09/02/2020	8801	SE	307TH	AVE	14E29B 02200	BMICHAEL	ALLEGED - STORING COMMERCIAL VEHIC...	Code Enforcement - Violation	07/12/2021	JENNIFERK
<input type="checkbox"/> V0001020	View	Final	0	01/14/2020	8801	SE	307TH	AVE	14E29B 02200	BMICHAEL	HOME OCC - 2-3 SEMI TRACTOR/TRAILE...	Code Enforcement - Violation	03/23/2020	JENNIFERK
<input type="checkbox"/> V0011719	View	Final	0	03/12/2019	8801	SE	307TH	AVE	14E29B 02200	BMICHAEL	OPERATING "DIESEL LOGISTICS LLC" (...)	Code Enforcement - Violation	12/13/2019	DIANEB
<input type="checkbox"/> V0024617	View	Final	0	04/10/2017	8801	SE	307TH	AVE	14E29B 02200	DEANB	STORING SEMI'S ON SITE WITHOUT LAN...	Code Enforcement - Violation	07/11/2018	DIANEB

ACTIVITY LOG for V0024617

Activity Date	Type of Activity	Person Contacted	Contacted By	Response Requested By
Comments				
04/10/2017	1st Complaint	Diane Bautista	Complainant	
Complaint received - STORING SEMI'S ON SITE WITHOUT LAND USE APPROVAL, CURRENTLY (4) ON SITE				

Activity Date	Type of Activity	Person Contacted	Contacted By	Response Requested By
Comments				
Please note: A notification of the accruing \$75.00 monthly administrative file fee will be mailed monthly. Copies of this notification are not included in this violation file record.				

Activity Date	Type of Activity	Person Contacted	Contacted By	Response Requested By
Comments				
04/10/2017	2nd Complaint	Code Enforcement	Complainant	
Complaint received				

Activity Date	Type of Activity	Person Contacted	Contacted By	Response Requested By
Comments				
04/11/2017	Letter	Dmitriy & Mariya Kirdey	Dean Brown	04/21/2017
Alleged letter sent				

Activity Date	Type of Activity	Person Contacted	Contacted By	Response Requested By
Comments				
04/26/2017	Phone Call	Dean Brown	Dan Kirdey	05/26/2017
Dan called and we discussed the allegations. Dan said there is an old house on the property that is in poor condition and that they want to construct a new dwelling to replace it. Dan said that his father, Dimitriy Kirdey, has one semi that belongs to him that he uses to earn income and that he has several other trucks that he is a co-owner of. Dan said they were parking the trucks there for a while until they decide what to do. Dan was very evasive when asked questions. I explained the zoning rules that prohibit the parking of trucks over 11K GVW without an approved home occupation permit. Dan said that Dimitriy does not live on the property full time because of the poor condition of the house on site. I told Dan that if Dimitry does not live on site, he could qualify for a home occupation permit and therefore cannot park any trucks on site. Dan said that he would speak with father about how to proceed from here and will probably come into have me explain the rules to his father in person.				

Activity Date	Type of Activity	Person Contacted	Contacted By	Response Requested By
Comments				
05/19/2017	Meeting	Dean Brown	Dan Kirdey	05/23/2017

Dan and Dimitriy into DSB. I spoke with Dan who is Dimitriy's son and who translated English to Ukrainian for Dimitriy. They have agreed to stop parking the trucks on the subject property. Dan said they will remove the last truck this weekend. I will schedule a site inspection to take place on Tuesday May 23, 2017. Dan said that his father is going to build a new dwelling on the property and they are in today to begin the permit process for the new house. I allowed them to proceed.

Activity Date	Type of Activity	Person Contacted	Contacted By	Response Requested By
Comments				
05/23/2017	Site Visit	property	Guy M	05/23/2017
Took photos showing the property is empty and vacant. All the semi trucks are gone.				

Activity Date	Type of Activity	Person Contacted	Contacted By	Response Requested By
Comments				
05/30/2017	Meeting	Andrea - lobby	Eddy	05/23/2017
Eddy here to talk with soils.				

Activity Date	Type of Activity	Person Contacted	Contacted By	Response Requested By
Comments				
05/21/2018	Meeting	Lobby	Shane - Code	
Mary Ann came into DSB stated that there are no semis and would like to get this violation addressed.				

Activity Date	Type of Activity	Person Contacted	Contacted By	Response Requested By
Comments				
05/21/2018	Inspection Request	Mike - Code	Shane - Code	05/24/2018
Requesting site inspection check to see if any semi's are on property.				

Activity Date	Type of Activity	Person Contacted	Contacted By	Response Requested By
Comments				
07/10/2018	Site Visit		Shane - Code	
Performed site visit and found that there is a new home being built and there are no other violations on the site. There are no semi's or hint of a semi business on the site.				

Activity Date	Type of Activity	Person Contacted	Contacted By	Response Requested By
Comments				
07/11/2018		Diane Bautista - Code	Shane - Code	07/17/2018
Ok to close, task Diane to scan to AX				

Activity Date	Type of Activity	Person Contacted	Contacted By	Response Requested By
---------------	------------------	------------------	--------------	-----------------------

Comments			
07/19/2018		Diane Bautista	07/19/2018
File closed and scanned into AX			

OREGON SECRETARY OF STATE
Corporation Division

HOME

Business Xpress **business name search** oregon business guide

license directory business registry/renewal forms/fees notary public

uniform commercial code uniform commercial code search documents & data services

Business Name Search

[New Search](#)

[Printer Friendly](#)

Business Entity Data

03-05-2024
11:19

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1685499-97	DLLC	ACT	OREGON	06-19-2020	06-19-2024	
Entity Name		TRANSLITE LLC				
Foreign Name						

[New Search](#)

[Printer Friendly](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS			
Addr 1	8801 SE 307TH AVE				
Addr 2					
CSZ	BORING	OR	97009	Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	06-19-2020	Resign Date	
Name	VITALIY	KIRDEY				
Addr 1	8801 SE 307TH AVE					
Addr 2						
CSZ	BORING	OR	97009	Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS			
Addr 1	8801 SE 307TH AVE				
Addr 2					
CSZ	BORING	OR	97009	Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER		Resign Date	
Name	VITALIY	KIRDEY			
Addr 1	8801 SE 307TH AVE				
Addr 2					
CSZ	BORING	OR	97009	Country	UNITED STATES OF AMERICA

[New Search](#)

[Printer Friendly](#)

Name History






Business Entity Name	Name Type	Name Status	Start Date	End Date
TRANSLITE LLC	EN	CUR	06-19-2020	

Please [read](#) before ordering [Copies](#).

[New Search](#)

[Printer Friendly](#)

Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	05-11-2023		FI		
	AMENDED ANNUAL REPORT	05-17-2022		FI		
	REINSTATEMENT AMENDED	08-27-2021		FI		
	ADMINISTRATIVE DISSOLUTION	08-19-2021		SYS		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	06-23-2020		FI		
	ARTICLES OF ORGANIZATION	06-19-2020		FI	Agent	

[About Us](#) | [Announcements](#) | [Laws & Rules](#) | [Feedback Policy](#) | [SOS Home](#) | [Oregon Blue Book](#) | [Oregon.gov](#)

For comments or suggestions regarding the operation of this site, please contact : corporation.division@sos.oregon.gov

© 2024 Oregon Secretary of State. All Rights Reserved.



March 28, 2019

DMITRIY & MARIYA KIRDEY
8801 SE 307TH AVE
BORING, OR 97009

Subject: Violation of the Clackamas County Zoning and Development Ordinance Title 12. 315.030 and Title 12.822.

Address: 8801 SE 307TH AVE, BORING, OR 97009
Legal Description: T1S, R4E, Section 29B, Tax Lot 02200

This office received a complaint that a commercial business has been operating on the subject property. During an office meeting on March 27th 2019, Dmitriy admitted at least one commercial vehicle has been parked on the site for his business "Diesel Logistics LLC."

The subject property is currently zoned RRFF5 (Rural Area Residential Farm Forest 5-Acre). In this zone, home occupations are allowed subject to the performance standards and permit requirements set forth in Title 12.822 of the Clackamas County Zoning and Development Ordinance. A recent review of County records finds no such permit has been issued for this use. To abate this zoning violation you must comply with Title 12.315.030.

It is requested that one (1) of the following alternatives be utilized **no later than 4/29/2019**:

1. Cease the unauthorized use or;
2. Contact the County Planning Department and submit an application for a Home Occupation Permit. If you fail to obtain land use approval, you will need to cease the unauthorized use.

If you have any questions concerning these permit requirements, please contact the Planning Division at 503-742-4500. 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.

If you have any questions, please contact me by e-mail at MBarnes@clackamas.us or by telephone (503) 742-4759.



Michael Barnes
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.

The 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 Record.

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.

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



Citation No. 2000336-1

Case No. V0033620

ADMINISTRATIVE CITATION

Date Issued: October 19, 2020

Name and Address of Person(s) Cited:

Name: DMITRIY & MARIYA KIRDEY
Mailing Address: 8801 SE 307TH AVE
City, State, Zip: BORING, OR 97009

Date Violation(s) Confirmed: On the 1st day of September, 2020, 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): 8801 SE 307TH AVE, BORING, OR 97009

Legal Description: T1S, R4E, Section 29B, Tax Lot 02200

Law(s) Violated

Title 12 and 13 of CCC Zoning and Development Ordinance, Section 315.030 and 822

Description of the violation(s):

- 1) Commercial Vehicles (Semi-truck) on site

Maximum Civil Penalty \$ 2,500.00

Fine \$75.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$75.00. 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: Michael Barnes
Telephone No.: 503-742-4759

Date: October 19, 2020
Department Initiating Enforcement Action: Code Enforcement

A handwritten signature in black ink, appearing to read "Michael Barnes".

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.

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

- a. Your name and address
- b. A copy of the citation
- 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. 2000336-2

Case No. V0033620

ADMINISTRATIVE CITATION

Date Issued: December 09, 2020

Name and Address of Person(s) Cited:

Name: DMITRIY & MARIYA KIRDEY
Mailing Address: 8801 SE 307TH AVE
City, State, Zip: BORING, OR 97009

Date Violation(s) Confirmed: On the 1st day of September, 2020, and continues to exist on the 7th day of December 2020, 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): 8801 SE 307TH AVE, BORING, OR 97009

Legal Description: T1S, R4E, Section 29B, Tax Lot 02200

Law(s) Violated

Title 12 and 13 of CCC Zoning and Development Ordinance, Section 315.030 and 822

Description of the violation(s):

- 1) Commercial Vehicles (Semi-truck) on site

Maximum Civil Penalty \$ 2,500.00 Fine \$400.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$400.00. 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: Michael Barnes
Telephone No.: 503-742-4759

Date: December 09, 2020
Department Initiating Enforcement Action: Code Enforcement

A handwritten signature in black ink, appearing to read "Michael Barnes".

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.

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

- a. Your name and address
- b. A copy of the citation
- 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. 2200210

Case No. V0021022

ADMINISTRATIVE CITATION

Date Issued: May 25, 2022

Name and Address of Person(s) Cited:

Name: Dmitriy & Mariya Kirdey
Mailing Address: 8801 SE 307th Ave
City, State, Zip: Boring, OR 97009

Date Violation(s) Confirmed: On the 21st day of May, 2022, the person(s) cited committed or allowed to be committed, the violation(s) of law described below, at the following address:

Address of Violation(s): 8801 SE 307th Ave, Boring OR 97009

Legal Description: T1S, R4E Section 29B, Tax Lot(s) 02200

Law(s) Violated:

Title 12 and 13 of CCC Zoning and Development Ordinance, Section 316.03(A)

Description of the violation(s):

- 1) Commercial vehicles stored on site

Maximum Civil Penalty \$2,500.00

Fine \$400.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$400.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

Citation issued by: Jennifer Kauppi
Telephone No.: 503-742-4759

Date: May 25, 2022
Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

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

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

Options:

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

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

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

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

STATEMENT OF UNDERSTANDING

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

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

Signature: _____ Date: _____

Address: _____

City, State, Zip

Contact Number: _____ Email: _____

From: [Laura Dufala](#)
To: [Kauppi, Jennifer](#)
Cc: [Tom Dufala](#); [Laura Dufala](#)
Subject: Code violation at 8801 SE 307th Boring
Date: Wednesday, March 6, 2024 10:17:27 AM
Attachments: [IMG_1824.jpeg](#)
[IMG_1864.jpeg](#)
[IMG_1873.jpeg](#)
[IMG_1877.jpeg](#)
[IMG_1884.jpeg](#)
[IMG_1890.jpeg](#)

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

Hi Jennifer, here are some recent pictures. The dates and times should be imbedded in each photo. Also, Please send the affidavit form for our signature.
Regards, Laura and Tom



From: [Laura Dufala](#)
To: [Kauppi, Jennifer](#)
Cc: [Tom Dufala](#)
Subject: Re: Code violation at 8801 SE 307th Boring
Date: Thursday, March 7, 2024 12:04:37 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[PHOTO DECLARATION submitted by Community as Evidence \(Complainant Declaration\).docx](#)

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

Hi Jennifer, Here's the signed doc.
Here are the photo dates, top to bottom:

Jan 23, 2024
Feb 12, 2024
Feb 15, 2024
Feb 15, 2024
Feb 23, 2024
Feb 24, 2024

Thanks for your assistance.

Regards, Laura and Tom

On Mar 6, 2024, at 10:25 AM, Kauppi, Jennifer <JKauppi@clackamas.us> wrote:

Laura,

Please complete the attached declaration and return to me when done. Please list the date for each individual picture. I also have scheduled a site inspection for Monday the 11th.

Thank you
Jennifer

From: Laura Dufala <lauraleethiel@msn.com>
Sent: Wednesday, March 6, 2024 10:17 AM
To: Kauppi, Jennifer <JKauppi@clackamas.us>
Cc: Tom Dufala <tjohnduff@msn.com>; Laura Dufala <lauraleethiel@msn.com>

Subject: Code violation at 8801 SE 307th Boring

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

Hi Jennifer, here are some recent pictures. The dates and times should be imbedded in each photo.

Also, Please send the affidavit form for our signature.

Regards, Laura and Tom



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

COUNTY OF CLACKAMAS,

Petitioner,

v.

(Respondent),

Respondent.

File No.:

DECLARATION OF PHOTOS IN
SUPPORT OF PETITIONER

I, laura dufala, declare, under the penalty of perjury, the following to be true to the best of my personal knowledge and belief:

1. I am submitting these photos voluntarily, and I make this declaration in support of plaintiff's motion for an order and judgment on default.

2. The photos attached to the Petitioner's Statement of Proof were taken by me on Jan-Feb , 2024.

3. I took the attached photos from SE Wheeler Rd, Boring, OR.

4. (Further description if necessary)

I HEREBY DECLARE THAT THE ABOVE STATEMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN AN ADMINISTRATIVE HEARING OR COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

Dated this 7 day of March, 2024.

Laura Dufala _____
(TYPED NAME)



















Citation No. 2400049

Case No. V0004924

ADMINISTRATIVE CITATION

Date Issued: March 19, 2024

VOIDED

Name and Address of Person(s) Cited:

Name: Dmitriy & Mariya Kirdey
Mailing Address: 8801 SE 307th Ave
City, State, Zip: Boring, OR 97009

Date Violation(s) Confirmed: On the 11 day of March, 2024, 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): 8801 SE 307th Ave., Boring, OR 97009

Legal Description: T1S, R4E Section 29B, Tax Lot(s) 02200

Law(s) Violated:

Title 12 and 13 of CCC Zoning and Development Ordinance, Section 316.03(A)

Description of the violation(s):

- 1) Operating Translite LLC, storing commercial vehicles and commercial vehicle repair without land use approval.

Maximum Civil Penalty \$2,500.00

Fine \$500.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$500.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

Citation issued by: Jennifer Kauppi
Telephone No.: 503-742-4759

Date: March 19, 2024
Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

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

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

Options:

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

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

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

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

STATEMENT OF UNDERSTANDING

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

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

Signature: _____ Date: _____

Address: _____

City, State, Zip

Contact Number: _____ Email: _____



Citation No. 2400049-1

Case No. V0004924

ADMINISTRATIVE CITATION

Date Issued: March 25, 2024

Name and Address of Person(s) Cited:

Name: Dmitriy & Mariya Kirdey
Mailing Address: 8801 SE 307th Ave
City, State, Zip: Boring, OR 97009

Previous citation 2400049 has been voided. The incorrect citation amount was given. This is the update citation.

Date Violation(s) Confirmed: On the 11 day of March, 2024, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 8801 SE 307th Ave., Boring, OR 97009

Legal Description: T1S, R4E Section 29B, Tax Lot(s) 02200

Law(s) Violated:

Title 12 and 13 of CCC Zoning and Development Ordinance, Section 316.03(A)

Description of the violation(s):

- 1) Operating Translite LLC, storing commercial vehicles and commercial vehicle repair without land use approval.

Maximum Civil Penalty \$2,500.00

Fine \$400.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$500.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

Citation issued by: Jennifer Kauppi
Telephone No.: 503-742-4759

Date: March 25, 2024
Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

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

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

Options:

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

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

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

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

STATEMENT OF UNDERSTANDING

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

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

Signature: _____ Date: _____

Address: _____

City, State, Zip

Contact Number: _____ Email: _____