



## NOTICE OF HEARING

January 16, 2024

Robert & Ramona Lumsden  
40792 SE Fall Creek Rd.  
Estacada, OR 97023

**RE::** County of Clackamas v. Robert & Ramona Lumsden  
**File:** V0005923

**Hearing Date:** February 13, 2024

**Time:** This item will not begin before 12:00pm 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 Diane Bautista, Code Compliance Specialist for Clackamas County at (503) 742-4459, 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.



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 Diane Bautista at 150 Beavercreek 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 Diane Bautista at 503-742-4459 **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/85348655524?pwd=UHV6djlwRk9uSEdZdGFvVW0zaHp1QT09>

Passcode: 176493

Or One tap mobile:

+12532158782,,85348655524# US (Tacoma)

+13462487799,,85348655524# US (Houston)

Or join by phone:

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

US: +1 253 215 8782 or +1 346 248 7799 or +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 +1 301 715 8592 or +1 305 224 1968 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

Webinar ID: 853 4865 5524

## 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.

ROBERT LUMSDEN and,  
RAMONA LUMSDEN,

Respondents.

File No: V0005923

COMPLAINT AND REQUEST FOR HEARING

I, Diane Bautista, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondent's mailing address is: 40904 SE Fall Creek Rd., Estacada, OR 97023.

2.

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

40792 SE Fall Creek Rd., Estacada, OR 97023, also known as T4S, R5E, Section 06, Tax Lot 01100,  
and is located in Clackamas County, Oregon.

3.

On or about the 10th day of May, 2023 Respondents violated the following law, in  
the following way:

- a. The Respondents violated the Clackamas County Zoning and Development Ordinance,  
Title 12 by having an occupied recreational vehicle on site without land use approval.  
This violation is a Priority 2 violation pursuant to the Clackamas County Violation  
Priorities.

On or about the 13th day of September, 2023 Respondents violated the following law, in the following way:

- a. Respondents violated the Clackamas County Solid Waste and Waste Management Code, Chapter 10.03 by accumulating inoperable and non-currently licensed vehicles, boats and miscellaneous debris. This violation is a Priority 4 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 violations was given to Respondents in the following manner: Citation and Complaint #2300059 in the amount of \$400.00 was mailed via first class mail on May 10, 2023 and Citation and Complaint #2300059-2 in the amount of \$200.00 was mailed via first class mail on September 25, 2023. A copy of the notice documents is attached to this Complaint as Exhibits E and H, 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 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 a Zoning Ordinance Title 12 Priority 2 violation being \$500.00 to \$2,500.00 per occurrence as provided by Appendix B to the Clackamas County Code; and said range for Solid Waste and Waste Management, Chapter 10.03 Priority 4 violation being \$100.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code;

3. Pursuant to Clackamas County Code Section 2.07.090, ordering 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 8th day of January, 2024.



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**Diane Bautista**  
**Code Enforcement Specialist**  
**FOR CLACKAMAS COUNTY**

COUNTY OF CLACKAMAS,

Petitioner,

File No.: V0005923

v.

ROBERT LUMSDEN and,  
ROMANO LUMSDEN,

Respondents.

STATEMENT OF PROOF

History of Events and Exhibits:

February 16, 2023	Clackamas County received a complaint regarding occupied recreational vehicles.
February 16, 2023 Exhibit A	Correspondence was sent to the Respondents regarding the potential zoning code violation.
March 22, 2023 Exhibit B	I conducted a site inspection and confirmed an occupied recreational vehicle, miscellaneous debris and inoperable and non-currently licensed vehicles.
March 30, 2023 Exhibit C	Correspondence was sent to the Respondents mailing address and the site address for the zoning and solid waste code violations with a deadline of April 30, 2023.
May 10, 2023 Exhibit D	I conducted a site inspection and confirmed an occupied recreational vehicle, miscellaneous debris and inoperable and non-currently licensed vehicles remained on site.
May 10, 2023 Exhibit E	Citation 2300059 was issued for \$400.00 for the zoning ordinance violation. This citation was sent via first class mail and was not returned to the County. This citation remains unpaid.
May 16, 2023	Both Ramona and her grandson Jason left me voice messages. I returned the call to Ramona's phone number and Jason answered. His grandfather recently passed and he moved back to help his grandmother. He said currently he, his mother and uncle are living with his grandmother and the recreational vehicle was occupied by his uncle's girlfriend's daughter named Missy but she is no longer living in the RV. He also stated he had removed (5) cars and has already taken a couple loads to the dump. He said there are (4) cars on site that he doesn't know how to get rid of because no one will take them due to the fact that they were in the fires and the vin numbers are burnt off.

<p>May 24, 2023 – July 25, 2023 Exhibit F</p>	<p>I received pictures from Jason on his progress to abate the solid waste code violation.</p>
<p>September 13, 2023 Exhibit G</p>	<p>I conducted a site inspection and confirmed the miscellaneous debris and inoperable and non-currently licensed vehicles remained on site. I could not confirm the recreational vehicle was occupied.</p>
<p>September 25, 2023 Exhibit H</p>	<p>Citation 2300059-2 was issued for \$200.00 for the solid waste code violation. This citation was sent via first class mail and was not returned to the County. This citation remains unpaid.</p>
<p>November 27, 2023 Exhibit I</p>	<p>I conducted a site inspection and confirmed the miscellaneous debris and inoperable and non-currently licensed vehicles remained on site. I could not confirm the recreational vehicle was occupied.</p>
<p>November 28, 2023 – December 4, 2023 Exhibit J</p>	<p>I received pictures from Jason on his progress to abate the solid waste code violation.</p>
<p>January 2, 2024 Exhibit K</p>	<p>I conducted a site inspection and confirmed miscellaneous debris, and inoperable and non-currently licensed vehicles and boats. During this inspection I also confirmed an occupied recreational vehicle that had smoke coming out of the chimney and a semi-trailer had been brought onto the site.</p>
<p>January 8, 2024</p>	<p>The County referred this matter to the Code Enforcement Hearings Officer.</p>

If the Compliance Hearings Officer affirms the County’s position by a preponderance of the evidence, the County may request a Continuing Order in this matter recommending the following:

- The Respondents be ordered to bring the property into compliance with the Clackamas County Solid Waste and Waste Management Code within 30 days of the Continuing Order.
  - Remove or screen all solid waste, including but not limited to equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded material, or other similar non-putrescible solid waste or waste that is visible from the road or surrounding properties.
  - Remove the inoperable and/or not currently licensed vehicles and boats or render them, operable and licensed to persons currently residing on the subject property. Screen no more than two (2) vehicles from view of the road and surrounding properties.



The Respondents be ordered to bring the property into compliance with the Clackamas County Zoning Ordinance within 30 days of the Continuing Order.

- Vacate the recreational vehicle until such time as land use approval is obtained.
- If the recreational vehicle is operable, currently licensed and registered to the person residing on the subject property, it may remain in stored condition. If you wish to store it on site please provide evidence it meets these conditions and schedule a site inspection to confirm, **or**;
- Remove the recreational vehicle from the property to an authorized location.
- The Respondent be ordered to bring the property into compliance with the Clackamas County Building Code within 30 days of the Continuing Order.
- Place the semi-trailer on the ground and complete a Statement of Use stating this trailer will be used for residential storage only, **or**;
- Remove the semi-trailer from the property to an authorized location.

Code Enforcement to confirm compliance of the above items and the County will submit a 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:
- The imposition of civil penalties for the zoning ordinance violation of up to \$2,500.00 for date cited May 10, 2023.
- The imposition of civil penalties for the Solid Waste Code violation of up to \$1,000.00 for date cited September 13, 2023.
- Payment for Citation 2300059 for \$400.00 issued on May 10, 2023 and Citation 2300059-2 issued on September 25, 2023 for \$200.00. For a total amount due of \$600.00.
- The administrative compliance fee to be imposed from March 2023 until the violations are abated. As of this report the total amount due is \$675.00.
- 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 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.



February 16, 2023

Robert & Ramona Lumsden  
40904 SE Fall Creek Rd.  
Estacada, OR 97023

**Subject: Alleged Violations of the Zoning and Development Ordinance,  
Title 12, Section 406 of the Clackamas County Code**

Site Address: 40792 SE Fall Creek Rd., Estacada, OR 97023  
Legal Description: T4S, R5E, Section 06, Tax Lot 1100

It has come to the attention of Clackamas County Code Enforcement that several 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 406 of the Clackamas County Code.

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

E-mail address is [DianeBau@clackamas.us](mailto:DianeBau@clackamas.us)

Telephone number is 503-742-4459

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

## Department of Transportation and Development

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**ДОБРО ПОЖАЛОВАТЬ!** Russian

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**欢迎!** Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问 [www.clackamas.us/transportation/nondiscrimination](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

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March 30, 2023

Robert and Ramona Lumsden  
40904 SE Fall Creek Road  
Estacada, OR 97023

Robert and Ramona Lumsden  
40792 SE Fall Creek Road  
Estacada, OR 97023

**SUBJECT: Violation of Clackamas County Solid Waste and Waste Management Code, Title 10, Chapters 10.03.060 (A) and (B) and Clackamas County Zoning and Development Ordinance, Title 12, Section 406.04(A)**

**VIOLATION: V0005923**

**SITE ADDRESS:** 40792 SE Fall Creek Rd., OR 97023

**LEGAL DESCRIPTION:** T4S, R5E, Section 06, Tax Lot 01100

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

- Occupied recreational vehicle(s)
- Accumulation of solid waste
- Inoperable and/or non-currently licensed vehicles

## **VIOLATIONS & HOW TO RESOLVE**

### **Occupied Recreational Vehicles**

Occupied recreational vehicles constitute a violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 406.04(A). In order to abate the violations, you must complete one of the following **no later than April 30, 2023**:

- Vacate the recreational vehicles until such time as land use approval is obtained.
- If the recreational vehicles are operable, currently licensed and registered to the person residing on the subject property, it may remain in stored condition. If you wish to store it on site please provide evidence it meets these conditions and schedule a site inspection to confirm.

## **Solid Waste**

An accumulation of solid waste constitutes a violation of Solid Waste and Waste Management Code, Title 10, Chapters 10.03.060 (A) and (B), as it provides a condition of unsightliness and is considered a public nuisance. In order to abate the violations, you must complete the following **no later than April 30, 2023**:

- Remove or screen all solid waste, including but not limited to equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded material, or other similar non-putrescible solid waste or waste that is visible from the road or surrounding properties.

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

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

Inoperable and/or non-currently licensed vehicles constitute a violation of Solid Waste and Waste Management Code, Title 10, Chapters 10.03.060 (A) and (B), as it provides a condition of unsightliness and is considered a public nuisance. In order to abate the violations, you must complete the following **no later than April 30, 2023**:

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

## **CONTACT INFORMATION**

**Planning** – If you have questions concerning land use requirements please contact the Land Use and Planning Department at 503-742-4500 or on-line at [ZoningInfo@clackamas.us](mailto:ZoningInfo@clackamas.us).

You may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 Beaver Creek Road, Oregon City. The lobby is open between the hours of 8:00 a.m. to 4:00 p.m. Monday, Tuesday and Thursday.

If you have any questions my direct telephone number is 503-742-4459 and my email is [dianebau@clackamas.us](mailto:dianebau@clackamas.us).

**ITEMS INCLUDED IN THIS PACKET**

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

A handwritten signature in blue ink that reads "Diane Bautista". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Diane Bautista  
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.













Citation No. 2300059

Case No. V0005923

# ADMINISTRATIVE CITATION

Date Issued: May 10, 2023

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

Name: Robert Lumsden  
Name: Ramona Lumsden  
Mailing Address: 40904 SE Fall Creek Road  
City, State, Zip: Estacada, OR 97023

Date Violation(s) Confirmed: On the 10th day of May, 2023, 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): 40792 SE Fall Creek Rd., Estacada, OR 97023

Legal Description: T4S, R5E Section 06, Tax Lot(s) 01100

**Law(s) Violated:**

Title 12 and 13 of CCC Zoning and Development Ordinance, Section 406.04

**Description of the violation(s):**

- 1) Occupied recreational vehicle 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 \$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: Diane Bautista  
Telephone No.: 503-742-4459

Date: May 10, 2023  
Department Initiating Enforcement Action: Code Enforcement

**PLEASE READ CAREFULLY!**

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

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

Options:

- 1. Abate the violation and pay the fine. Sign the statement of Understanding below and deliver or mail this form, together with a check or money order payable to Clackamas County in the amount of the fine to:  
 Clackamas County Code Enforcement Section  
 150 Beaver Creek Rd.  
 Oregon City, OR 97045
- 2. Request a hearing in writing. You may request a hearing to contest the violation(s) alleged. A written request for a hearing must be mailed to Clackamas County at the address listed above or sent to [codeenforcement@clackamas.us](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. 2300059-2

Case No. v0005923

# ADMINISTRATIVE CITATION

Date Issued: September 25, 2023

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

Name: Robert Lumsden  
Name: Ramona Lumsden  
Mailing Address: 40904 SE Fall Creek Road  
City, State, Zip: Estacada, OR 97023

Date Violation(s) Confirmed: On the 13th day of September, 2023, 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): 40792 SE Fall Creek Rd., Estacada, OR 97023

Legal Description: T4S, R5E Section 06, Tax Lot(s) 01100

**Law(s) Violated:**

Chapter 10.03 of CCC Solid Waste and Waste Management, Section 10.03.060

**Description of the violation(s):**

- 1) Inoperable and non-currently licensed vehicles and an accumulation of solid waste

Maximum Civil Penalty \$1,000.00

Fine \$200.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$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: Diane Bautista  
Telephone No.: 503-742-4459

Date: September 25, 2023  
Department Initiating Enforcement Action: Code Enforcement









































