



NOTICE OF HEARING

July 30, 2024

Eloy Sepeda-Fernandez
18077 S Dillman Rd.
Oregon City, OR 97045

RE:: County of Clackamas v. Eloy Sepeda-Fernandez
File: V0014316

Hearing Date: September 17, 2024

Time: This item will not begin before 9:30am however it may begin later depending on the length of preceding items.

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

Enclosed you will find the following:

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

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

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

You may contact 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 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 Andrea Hall 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 Andrea Hall at 503-742-4467 **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/85418677407?pwd=1MBKKzgTcNiWzVWFACerUyeXLbNDwG.1>

Passcode: 142761

Or One tap mobile:

+12532050468,,85418677407# US

+12532158782,,85418677407# US (Tacoma)

Or join by phone:

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

US: +1 253 205 0468 or +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 +1 312 626 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 or +1 309 205 3325

Webinar ID: 854 1867 7407

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.

ELOY SEPEDA-FERNANDEZ

Respondent.

File No: V0014316

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent Eloy Sepeda-Fernandez mailing address is: 18077 S Dillman Rd.,
Oregon City, OR 97045.

2.

The address or location of the violation(s) of law alleged in this Complaint is:
18077 S Dillman Rd., Oregon City, OR 97045, also known as T3S, R3E, Section 6C , Tax Lot 1306,
and is located in Clackamas County, Oregon.

3.

On or about the 28th day of July, 2017 and on June 3, 2024 the Respondent violated the
following laws, in the following ways:

a. Chapter 9.03 of the Clackamas County Code as it pertains to Grading and Excavating.

This violation is a Priority One violation pursuant to the Clackamas County Violation
Priorities.

4.

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

5.

Notice of the violation was given to Respondent in the following manner: Violation Notice and Citation and Complaint #1600143. A copy of the notice document is attached to this Complaint as Exhibits D & G, and incorporated by this reference.

6.

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

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

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

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondent for each violation, within the range established by the Board of County Commissioners. Said range for the Priority One violation being \$750.00 to \$3500.00 per occurrence as provided by Appendix B to the Clackamas County Code;

3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to pay an administrative compliance fee as provided by Appendix A to the Clackamas County Code; and

4. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to reimburse the County for any expense the County may incur in collection of any penalties, fines or fees that may be imposed:

5. Ordering any other relief deemed reasonably necessary to correct the violations.

DATED THIS 26th day of June, 2024.



Andrea Hall
Senior Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

ELOY SEPEDA-FERNANDEZ,

Respondent.

File No.: V0014316

STATEMENT OF PROOF

History of Events and Exhibits:

March 9, 2016 Exhibit A	In response to a complaint, a letter was mailed to the Respondent alleging an accumulation of solid waste on the subject property.
May 6, 2016 Exhibit B	A site inspection was attempted but the property was posted no trespassing. The County did an internet search and found evidence that a landscape business was operating from the property.
May 6, 2016 Exhibit C	A letter was sent to the Respondent listing the additional alleged violation.
May 13, 2016	The County spoke with Tim Yocum who is a friend of the property owners regarding a home occupation permit for the business and the fact that aerials suggest grading and filling on site.
July 28, 2017 Exhibit D	A violation notice was sent to the Respondent with a deadline of August 11, 2017 to submit a home occupation permit for the business and a grading permit for the grading work done on the site.
September 26, 2017	The Respondent met with Code Enforcement Specialist Kimberly Benthin at the County and obtained a grading permit application and information regarding the need for a geotech.
March 28, 2018	The County met with the Respondent and Tim at the County. A Home Occupation permit was not an option as he shares an easement with a neighbor who is not willing to sign off on the application. He will scale back to a level one home occupation that is not regulated by the County. The Respondent indicated that he brought material to the property to build up the back of his house as it was placed on a slope. We also met with Plans Examiner Robert Morris who reviewed the aerials and determined that a geotech would be required to draw the plans for the grading permit.

September 9, 2019 Exhibit E	A violation notice regarding the grading violation was sent to the Respondent with a deadline of October 11, 2019 to submit a grading permit application.
April 24, 2020 Exhibit F	An email was sent to the Respondents niece to check to see if there is a plan to abate the grading violation.
June 3, 2024 Exhibit G	Citation number 1600143 was issued in the amount to \$500 for the grading violation. The citation was mailed first class mail and was not returned to the County, the citation remains unpaid.
June 18, 2024 Exhibit H	The County received a request for a hearing from the Respondent.
June 26, 2024	The County referred the matter to the Code Enforcement Hearings Officer.

If the Hearings Officer affirms the County's position that a violation of the Grading and Excavating Code exists on the subject property, the County would request a Continuing Order be issued requiring the Respondent to submit a technically complete grading permit application within 30 days of the date of the Order, comply with any requests for additional information within 10 days and obtain an approved final inspection within 30 days of the date the permit is issued. .

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

- Payment of Citation 1600143 for \$500.00
 - The imposition of civil penalties of up to \$3500.00
 - The administrative compliance fee imposed from July 28, 2017 totals \$7200.00 however the County is requesting a reduced fee of \$2250.00 as a reasonable estimate of the cost of this enforcement matter.
- 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 Respondent from violating these laws in the future.



March 9, 2016

Eloy Sepeda-Fernandez
P.O. Box 605
Troutdale, OR 97060

Subject: Alleged Violation of the Solid Waste Code, Title 10, Section 10.03.060 of the Clackamas County Code

Site Address: 18077 S. Dillman Rd., Oregon City, OR 97045
Legal Description: T3S, R3E, Section 06C, Tax Lot 01306

It has come to the attention of Clackamas County Code Enforcement that there may be an accumulation of solid waste including putrescible (household) waste on the above referenced property.

This may constitute a violation of the Solid Waste Code, Title 10, Section 10.03.060 of the Clackamas County Code.

Please contact me within ten (10) days of the date of this letter in order to discuss this matter. My e-mail address is andreahal@clackamas.us and my telephone number is 503-742-4467.

A handwritten signature in black ink, appearing to read "Andrea Hall", written over a light gray rectangular background.

ANDREA HALL
Clackamas County Code Enforcement

**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.*

Business Registry Business Name Search

New Search

Business Entity Data

05-06-2016
13:55

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
946478-99	DLLC	ACT	OREGON	06-24-2013	06-24-2016	YES
Entity Name A-1 GENERAL CLEANUP & LANDSCAPE COMPANY, LLC						
Foreign Name						

Online Renewal:

Renew Online

[Click here to generate and print an annual report.](#)

New Search

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS			
Addr 1	18077 S DILLMAN RD				
Addr 2					
CSZ	OREGON CITY	OR	97045	Country	UNITED STATES OF AMERICA

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

Type	AGT	REGISTERED AGENT		Start Date	06-24-2013	Resign Date	
Name	TIM	YOCUM					
Addr 1	18077 S DILLMAN RD						
Addr 2							
CSZ	OREGON CITY	OR	97045	Country	UNITED STATES OF AMERICA		

Type	MAL	MAILING ADDRESS			
Addr 1	18077 S DILLMAN RD				
Addr 2					
CSZ	OREGON CITY	OR	97045	Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER		Resign Date	
Name	ELOY	SEPEDA			

Addr 1	18077 S DILLMAN RD					
Addr 2						
CSZ	OREGON CITY	OR	97045		Country	UNITED STATES OF AMERICA

New Search



Name History

Business Entity Name	Name	Name	Start Date	End Date
	Type	Status		
A-1 GENERAL CLEANUP & LANDSCAPE COMPANY, LLC	EN	CUR	06-24-2013	

Please read before ordering Copies.

New Search

Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	REINSTATEMENT AMENDED	07-06-2015		FI		
	ADMINISTRATIVE DISSOLUTION	08-29-2014		SYS		
	NOTICE LATE ANNUAL	06-27-2014		SYS		
	ARTICLES OF ORGANIZATION	06-24-2013		FI	Agent	

© 2016 Oregon Secretary of State. All Rights Reserved.

Angie's List : Local Reviews : OR : Oregon-city : A1 General Clean Up & Landscape Co

A1 General Clean Up & Landscape Co

Is this your business? [Claim your profile](#)

18077 S. Gillman Rd.
Oregon City, OR 97045
(503) 201-1199
<http://www.a1-general.com>

Contact: Sepeda, Eloy

Business Description: No job too big or too small. We work hard, do good work and have affordable rates. For a free estimate, please call. LICENSED AND BONDED: LCB8383 CCB 200282

Services: [Ceramic Tile](#), [Concrete Repair](#), [Stamped Concrete](#), [Deck Cleaning](#), [Decks](#), [Dock Building](#), [Drain Pipe](#), [Concrete Driveway](#), [Driveway](#), [Fencing](#), [Picture Framing](#), [Gutter Cleaning](#), [Gutter Repair](#), [Handyman Service](#), [Landscape](#), [Outdoor Lighting](#), [Hardscaping](#), [Lakefront Landscaping](#), [Lawn Service](#), [Lawn Treatment](#), [Irrigation Systems](#), [Leaf Removal](#), [Mulch](#), [Pressure Washing](#), [Roof Cleaning](#), [Roofing](#), [Pavers](#), [Gravel](#), [Tree Service](#)

In Business Since: 2000

Service Area: Portland, Beaverton, Cornelius, Damascus, Fairview, Forest Grove, Gladstone, King City, Lake Oswego, Milwaukie, Oregon City, Sherwood, Tigard, Troutdale, Tualatin, West Linn, Wilsonville, Wood Village

On Angie's List Since: 10/12/2006

Warranties: YES

Free Estimates: Yes

Office Hours: By Appointment

Features: Emergency Service

Licensed: Yes, I am appropriately licensed for my trade.
(All statements concerning insurance, licenses, and bonds are informational only, and are self-reported. Since insurance, licenses and bonds can expire and can be cancelled, homeowners should always check such information for themselves.)

Senior Discount: 10

Cities Served: Albina | Aloha | Banks | Battle Ground | Beaver Creek | Beaverton | Boring | Brush Prairie | Camas | Canby | Castle Rock | Cedar Mill | Clackamas | Clackamas County | Columbia County | Corbett | Cornelius | Cowlitz County | Cully | Estacada | Fairview | Forest Grove | Gladstone | Goose Hollow | Gresham | Happy Valley | Hillsboro | Hillsdale | Irvington | Kalama | Kelso | Kenton | King City | La Center | Lake Oswego | Laurelhurst | Linnnton | Lloyd District | Longview | Mcminville | Milwaukie | Molalla | Montavilla | Mt. Scott | Mt. Tabor | Newberg | Nob Hill | Oak Grove | Oregon City | Parkrose | Pearl District | Portland - Downtown | Rainier | Raleigh Hills | Ridgefield | Rockwood | Rose City | Sandy | Scappoose | Sellwood-moreland | Sherwood | South Burlingame | Southwest Hills | St. Helens | St. Johns | Sylvan Highlands | Tigard | Troutdale | Tualatin | Vancouver | The Dalles | Warrenton | West Linn | Wilsonville | Wood Village

Do your research.

Join now to read ratings and reviews from real customers

Angie's List Rating for A1 General Clean Up & Landscape Co

Total Reviews	🔒
Overall Grade	🔒
Price	🔒
Quality	🔒
Professionalism	🔒
Punctuality	🔒
Responsiveness	🔒
Super Service Award Winner	🔒

[Join Now](#)

Why check Angie's List?

- **Reviews come from real people** like you, not anonymous users
- **Exclusive discounts** from top-rated businesses
- **Ratings and reviews in more than 500** home repair and health care categories

Featured Deals



Moss Busters

\$395 for Eco-Friendly Roof Cleaning



Larson Lawns

\$225 for 5 Hours of Lawn or Landscape Work

We've Done the Research — Join to read ratings and reviews from real customers.

[Join Now](#)

May 6, 2016

Eloy Sepeda-Fernandez
18077 S Dillman Rd.
Oregon City, OR 97045

Tim Yocum
18077 S Dillman Rd.
Oregon City, OR 97045

Subject: Violation of the Clackamas County Code

Site Address: 18077 S Dillman Rd., Oregon City, OR 97045
Legal Description: T3S, R3E, Section 06C, Tax Lot 1306

As you know, it has come to the attention of the Clackamas County Code Enforcement Section that there may be an accumulation of solid waste on the above referenced property. Additionally, it appears that a clean-up and landscape business is operating from the property without land use approval.

This constitutes a violation of Chapter 10.030.030 of the Clackamas County Code and Section 316 of the Clackamas County Zoning and Development Ordinance.

Please contact no later than May 16, 2016 to discuss this matter. My direct telephone number is 503-742-4467 or email andrehal@clackamas.us .

Thank you for your prompt attention to this matter.



Andrea Hall
Clackamas County
Code Enforcement Section



July 28, 2017

Eloy Sepeda-Fernandez
PO Box 605
Troutdale, OR 97060

Occupant
18077 S Dillman Rd.
Oregon City, OR 97045

Subject: Violation of the Clackamas County Code

Site Address: 18077 S Dillman Rd., Oregon City, OR 97045
Legal Description: T3S, R3E, Section 06C, Tax Lot 1306

As you know, it has come to the attention of the Clackamas County Code Enforcement Section that there may be an accumulation of solid waste on the above referenced property, specifically, landscape and yard debris. Additionally, per the Oregon Secretary of State's Office, a clean-up and landscape business is operating from the property. A review of County records revealed that there is no land use approval for the business. Aerial photographs of the property revealed that fill material has been placed on the property. There is no record of a grading permit on file with the County.

This constitutes a violation of Chapter 10.030.030 of the Clackamas County Code and Section 316 of the Clackamas County Zoning and Development Ordinance and Chapter 9.03 of the Clackamas County Code as it pertains to Excavation and Grading.

In order to abate the violations, please submit a Home Occupation permit application and a grading permit application, technically complete plans and appropriate fees **not later than August 11, 2017**. The grading 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 the Home Occupation permit requirements, please contact the Planning Division at 503-742-4500. Or, you may stop by our offices at 150 Beavercreek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 8:00 a.m. and 4:00 p.m. and Fridays 8:00 a.m. and 3 p.m.

If you have any questions concerning the grading permit requirements, please contact the Building Codes Division at 503-742-4739. Or, you may stop by our offices at 150 Beavercreek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 8:00 a.m. and 4:00 p.m. and Fridays 8:00 a.m. and 3 p.m.

Please free to contact me if you have any questions. My direct telephone number is 503-742-4467 or email andreaahal@clackamas.us .

Thank you for your prompt attention to this matter.

A handwritten signature in black ink, appearing to read 'Andrea Hall', is centered on a light gray rectangular background.

Andrea Hall
Clackamas County
Code Enforcement Coordinator

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.



September 9, 2019

Eloy Sepeda-Fernandez
18077 S Dillman Rd.
Oregon City, OR 97045

Subject: Violation of the Clackamas County Code

Site Address: 18077 S Dillman Rd., Oregon City, OR 97045
Legal Description: T3S, R3E, Section 6C, Tax Lot 1306

As you know it has come to the attention of the Clackamas County Code Enforcement Section that fill material has been brought onto the above referenced property without the benefit of a permit or inspections.

This constitutes a violation of Chapter 9.03.030 of the Clackamas County Code as it pertains to Excavation and Grading.

In order to abate the violations, please submit a grading permit application, technically complete plans and appropriate fees not later than **October 11, 2019**. 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, please contact the Building Codes Division at 503-742-4240. Or, you may stop by our offices at 150 Beaver Creek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 8:00 a.m. and 4:00 p.m. and Fridays 8:00 a.m. and 3 p.m.

Please feel free to contact me if you have any questions. My direct telephone number is 503-742-4467 or email andreaahal@clackamas.us .

Thank you for your prompt attention to this matter.

A handwritten signature in blue ink, consisting of several fluid, overlapping strokes that form a cursive-like shape.

Andrea Hall
Clackamas County
Code Enforcement Coordinator

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.

From: [Hall, Andrea](#)
To: "[Arianne Garcia](#)"
Subject: RE: Code Enforcement
Date: Friday, April 24, 2020 8:54:00 AM

Hi Arianne,

Do you know how your uncle is doing with regard to working with the geo-tech company to formulate a plan to abate the violation?

Any update you can give me would be much appreciated.

Thank you,

Andrea Hall

Clackamas County

Code Enforcement Coordinator

From: Hall, Andrea
Sent: Tuesday, December 3, 2019 8:56 AM
To: 'Arianne Garcia' <garciasanchezarianne@gmail.com>
Subject: RE: Code Enforcement

Hi Arianne,

I'm a little confused by your message. Your uncle has retained a geo-tech company to work on the project and has asked the County to delay enforcement until the Spring when his business picks up and he would have the funds to move forward with the project. Per the geo-tech who was on site with your Uncle, it is unlikely that the fill material will be able to remain due to the fact that it is not clean fill that has concrete and other debris mixed in. For more details, I would call Mark at Northwest Geo-tech Inc. at 503-682-1880. The County will be giving your Uncle the time he needs to get the finances to work toward abating the violation.

Please let me know if you have any further questions.

Thank you,

Andrea

From: Arianne Garcia [<mailto:garciasanchezarianne@gmail.com>]
Sent: Sunday, December 1, 2019 11:51 PM
To: Hall, Andrea <Andreahal@clackamas.us>
Subject: Code Enforcement

Hello Andrea,

This is Arianne Garcia, niece of Eloy Sepeda, we live at 18077 S Dillman Rd, Oregon City. I am going to try to help my uncle understand better what needs to be done to resolve the code violation, he has been very concerned, but is having trouble asking the right questions and reaching the right people.

I have been reading information from the county website, and with my uncle we got to the conclusion that we want to keep the soil and write down a project for that to happen, from my understanding is required a Geotechnical Engineer to write down the project, and also to have

some soil testing done.

With that said, my main reason to write to you is to ask if you know what are test that need to be done to the soil to be able to keep it? My other question is if you could provide me with some Geotechnical engineers contact information?

Thank you so much for your time and attention to this matter.

Arianne Garcia

5037560666

Garciasanchezarianne@gmail.com

18077 S Dillman Rd, Oregon City OR 97045

NOTE: This message was trained as non-spam. If this is wrong, please correct the training as soon as possible.

[Spam Email](#)

[Phishing Email](#)



Citation No. 1600143

Case No. V0014316

ADMINISTRATIVE CITATION

Date Issued: June 3, 2024

Name and Address of Person(s) Cited:

Name: Eloy Sepeda-Fernandez
Name:
Mailing Address: 18077 S Dillman Rd.
City, State, Zip: Oregon City, OR 97045

Date Violation(s) Confirmed: On the 3rd day of June, 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): 18077 S Dillman Rd., Oregon City, OR 97045

Legal Description: T3S, R3E Section 6C, Tax Lot(s) 1306

Law(s) Violated:

Chapter 9.03 of CCC Excavation and Grading

Description of the violation(s):

- 1) Person cited failed to obtain a grading permit for fill material brought to the subject property.

Maximum Civil Penalty \$3500.00.00

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: Andrea Hall
Telephone No.: 503-742-4467

Date: June 3, 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: _____

REQUEST FOR HEARING

Eloy Sepeda

18077 South Dillman road

Oregon City Oregon 970454

Citation # 1600143

Case # V0014316

Requesting a reasonable resolution of on going code enforcement vilolation.