



NOTICE OF HEARING

April 3, 2023

Harry Wise III
21597 S Hwy 213
Oregon City, OR 97045

RE:: County of Clackamas v. Harry Wise III
File: V0027116

Hearing Date: April 25, 2023

Time: This item will not begin before 12:00 pm however it may begin later depending on the length of preceding items.

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

Enclosed you will find the following:

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

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

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

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

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

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

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



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

You must have access to the internet or to a telephone line to use the Zoom platform. Please contact Andrea Hall to receive either the link or the phone number with password in order to attend the hearing.

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

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

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

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

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

Department of Transportation and Development

Nondiscrimination Policy:

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

www.clackamas.us/transportation/nondiscrimination, email JKauppi@clackamas.us or call (503) 742-4452.

¡LE DAMOS LA BIENVENIDA! Spanish

El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: www.clackamas.us/transportation/nondiscrimination, envíe un correo electrónico a JKauppi@clackamas.us o llame al 503-742-4452.

ДОБРО ПОЖАЛОВАТЬ! Russian

Департамент транспорта и развития инфраструктуры стремится к соблюдению политики недопущения дискриминации. Для получения дополнительной информации посетите веб-сайт: www.clackamas.us/transportation/nondiscrimination, отправьте письмо на адрес эл. почты JKauppi@clackamas.us или позвоните по телефону 503-742-4452.

欢迎! Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问 www.clackamas.us/transportation/nondiscrimination，发送电子邮件至 JKauppi@clackamas.us 或致电 503-742-4452。

CHÀO MỪNG! Vietnamese

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

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

환영합니다. Korean

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

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

COUNTY OF CLACKAMAS,

Petitioner,

v.

HARRY C WISE III,

Respondent.

File No: V0027116

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent Harry Wise's mailing address is: 21597 S Hwy 213, Oregon City, OR 97045.

2.

The address or location of the violation(s) of law alleged in this Complaint is:
21597 S Hwy 213, Oregon City, OR 97045, also known as T3S, R2E, Section 21DB , Tax Lot 300,
and is located in Clackamas County, Oregon.

3.

On or about the 21st day of December, 2017 the Respondent violated the following laws, in the following ways:

- a. Chapter 10.03 of the Clackamas County Code Solid Waste and Waste Management Code for the accumulation of solid waste on the property. This violation is a Priority 2 violation pursuant to the Clackamas County Violation Priorities.

On or about the 16th day of May, 2019 the Respondent violated the following laws, in the following ways:

- a. Chapter 10.03 of the Clackamas County Code Solid Waste and Waste Management Code for the accumulation of solid waste on the property. 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 Respondent in the following manner: Citation and Complaint numbers 1600271 and 1600271-2. A copy of the notice document is attached to this Complaint as Exhibits G and I, and incorporated by this reference.

6.

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

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

1. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to immediately abate the 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 2 violation being \$500.00 to \$2500.00 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 31st day of March, 2023.



Andrea Hall
Senior Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

HARRY C WISE III,

Respondent.

File No.: V0027116

STATEMENT OF PROOF

History of Events and Exhibits:

May 18, 2016 Exhibit A	In response to a complaint, an alleged letter was mailed to the Respondent regarding allegations of an accumulation of solid waste on the property.
July 13, 2016	In a telephone call with former Code Enforcement Specialist Kim Priest, the Respondent indicated he would be cleaning up the property but asked for time due to a medical condition. Ms. Priest set a deadline for compliance of September 1, 2016.
October 18, 2016 Exhibit B	Photos indicating that the solid waste remains on the property were provided to Code Enforcement by Clackamas County Sheriff's Deputy Peter Robinson.
November 28, 2016 Exhibit C	A violation notice was mailed to the Respondent with a deadline of December 30, 2016 to abate the violation.
February 14, 2017 Exhibit D	A site inspection was performed by former County staff person Guy Matychuck which revealed that the solid waste had not been removed or screened from view from off the property.
March 10, 2017 Exhibit E	A second violation notice was mailed to the Respondent with a deadline of May 10, 2017 to abate the violation.
December 21, 2017 Exhibit F	A site inspection was performed by former County staff person Mike Boyes which revealed that the solid waste had not been removed or screened from view from off the property.
December 29, 2017 Exhibit G	Citation number 1600271 was issued to the Respondent in the amount of \$75.00 for the solid waste violation. The citation was sent first class and certified mail, the certified mail was returned to the County as unclaimed, the copy sent first class mail was not returned. This citation remains unpaid.

May 16, 2019 Exhibit H	I conducted a site inspection along with Code Enforcement Specialist Diane Bautista, this visit revealed that items of solid waste remained on the property.
June 11, 2019 Exhibit I	Citation number 1600271-2 was issued to the Respondent in the amount of \$400.00 for the solid waste code violation. The citation was sent first class and certified mail, the certified mail was returned to the County as unclaimed, the copy sent first class mail was not returned. This citation remains unpaid.
November 26, 2019 Exhibit J	I met with the Respondent on site along with Code Enforcement Specialist Diane Bautista. The Respondent indicated that he would like to build a fence to screen the solid waste from view but wouldn't be something he could do right away. We talked about the specific items he needed to address such as inoperable and/or non-currently licensed vehicles, food items etc.
November 27, 2019 Exhibit K	A letter was mailed to the Respondent outlining specifically what needed to be done on the property to bring it into compliance.
January 8, 2021 Exhibit L	I conducted a site inspection that revealed that the items of solid waste remained on the property.
November 18, 2022 Exhibit M	I conducted a site inspection that revealed that the items of solid waste remained on the property.
March 24, 2023 Exhibit N	I conducted a site inspection that revealed that the items of solid waste remained on the property.
March 31, 2023	The matter was referred to the Code Enforcement Hearings Officer.

If the Hearings Officer affirms the County's position that a violation of the Clackamas County Solid Waste and Waste Management Code exists on the subject property, the County would request a Continuing Order be issued requiring the Respondent to remove all putrescible waste, screen from view all items of solid waste he wishes to keep and remove the remaining items within 30 days of the date of the Order. The Respondent may have two inoperable and/or non-currently licensed vehicles on the property but they must be screened from view from off the property.

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 number 1600217 for \$75.00 and citation number 1600271-2 for \$400.00
 - The imposition of civil penalties of up to \$2500.00 for each day cited December 21, 2017 and May 16, 2019.
 - The administrative compliance fee to be imposed from November 2016 which is currently \$5700.00, however, the County would recommend half that amount \$2850.00 due to the length of time the County allowed this file to remain pending.
-
- 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.



May 18, 2016

Harry Wise III
21597 S. Hwy 213
Oregon City, OR 97045

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

Site Address: 21597 S. Hwy 213, Oregon City, OR 97045
Legal Description: T3S, R2E, Section 21DB, Tax Lot 00300

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 kimpri@clackamas.us and my telephone number is 503-742-4472.

A handwritten signature in black ink that reads "Kim Priest".

KIM PRIEST
Clackamas County Code Enforcement

**Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County in its discretion may waive all or part of the \$75 per month administrative fee.*





November 28, 2016

Harry C Wise III
21597 S Hwy 213
Oregon City, OR 97045

Subject: Violation of the Clackamas County Code

Site Address: 21597 S Hwy 213, Oregon City, OR 97045
Legal Description: T3S, R2E, Section 21DB, Tax Lot 300

As you know, it has come to the attention of the Clackamas County Code Enforcement Section that there is an accumulation of solid waste on the above referenced property, including but not limited to, cardboard, plastic buckets and household garbage. Additionally, it appears that there is an occupied tent on site. This constitutes a violation of Chapter 10.03.030 of the Clackamas County Code as it pertains to the Solid Waste and Waste Management Code and Section 316 of the Clackamas County Zoning and Development Ordinance.

In order to abate these violations, please remove all items of solid waste and vacate the tent no later than **December 30, 2016**.

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 black ink, appearing to read "Andrea Hall".

Andrea Hall
Clackamas County
Code Enforcement Section

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.







March 10, 2017

Harry C Wise III
21597 S Hwy 213
Oregon City, OR 97045

Subject: Violation of the Clackamas County Code

Site Address: 21597 S Hwy 213, Oregon City, OR 97045
Legal Description: T3S, R2E, Section 21DB, Tax Lot 300

As you know, it has come to the attention of the Clackamas County Code Enforcement Section that there is an accumulation of solid waste on the above referenced property, including but not limited to, cardboard, plastic buckets, appliances and household garbage. This constitutes a violation of Chapter 10.03.030 of the Clackamas County Code as it pertains to the Solid Waste and Waste Management Code and Section 316 of the Clackamas County Zoning and Development Ordinance.

In order to abate these violations, please remove all items of solid waste no later than **May 10, 2017**.

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 black ink, appearing to read "Andrea Hall".

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.

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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.

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





Citation No. 1600271

Case No. V0027116

ADMINISTRATIVE CITATION

Date Issued: December 29, 2017

Name and Address of Person(s) Cited:

Name: Harry Wise III
Name:
Mailing Address: 21597 S Hwy 213
City, State, Zip: Oregon City, OR 97045

Date Violation(s) Confirmed: On the 21st day of December, 2017, 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): 21597 S Hwy 213, Oregon City, OR 97045

Legal Description: T3S, R2E Section 21DB, Tax Lot(s) 300

Law(s) Violated:

Chapter 10.03 of CCC Solid Waste and Waste Management, Section 10.03.030

Description of the violation(s):

- 1) Person cited has an accumulation of solid waste on the subject property.

Maximum Civil Penalty \$3500.00 Fine \$75.00

- 2)

Maximum Civil Penalty \$.00 Fine \$.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: Andrea Hall Date: December 29, 2017
Telephone No.: 503-742-4467 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.

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: _____

V0027116

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

7017 0660 0001 0599 2052
6650 1000 0960 2702

Certified Mail Fee	
\$	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage	

Postmark
Here

Harry Wise III
21597 S. Hwy 213
Oregon City, OR 97045

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to:

Harry Wise III
 21597 S Hwy 213
 Oregon OR 97045



2. Article Number (Transfer from service label)

7017 0660 0001 0599 2052

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature X Agent
- B. Received by (Printed Name) Addressee
- C. Date of Delivery
- D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Collect on Delivery Restricted Delivery (International Mail)
- All Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt



Recycled Paper
 30% Post-Consumer Waste



Citation No. 1600271

Case No. V0027116

ADMINISTRATIVE CITATION

Date Issued: December 29, 2017

Name and Address of Person(s) Cited:

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Name:
Mailing Address: 21597 S Hwy 213
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Address of Violation(s): 21597 S Hwy 213, Oregon City, OR 97045

Legal Description: T3S, R2E Section 21DB, Tax Lot(s) 300

Law(s) Violated:

Chapter 10.03 of CCC Solid Waste and Waste Management, Section 10.03.030

Description of the violation(s):

- 1) Person cited has an accumulation of solid waste on the subject property.

Maximum Civil Penalty \$3500.00 Fine \$75.00

- 2)

Maximum Civil Penalty \$.00 Fine \$.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: Andrea Hall Date: December 29, 2017
Telephone No.: 503-742-4467 Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

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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.

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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: _____

Contact Number: _____ Email: _____

City, State, Zip





Citation No. 1600271-2

Case No. V0027116

ADMINISTRATIVE CITATION

Date Issued: June 11, 2019

Name and Address of Person(s) Cited:

Name: Harry Wise III
Name:
Mailing Address: 21597 S Hwy 213
City, State, Zip: Oregon City, OR 97045

Date Violation(s) Confirmed: On the 21st day of December, 2017 and continues to exist on the 16th day of May 2019, 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): 21597 S Hwy 213, Oregon City, OR 97045

Legal Description: T3S, R2E Section21DB, Tax Lot(s) 300

Law(s) Violated:

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

Description of the violation(s):

- 1) Accumulation of solid waste.

Maximum Civil Penalty \$3500.00 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: Andrea Hall Date: June 11, 2019
Telephone No.: 503-742-4467 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.

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: _____

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

- Extra Services & Fees (check box, add fee as appropriate)
- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postage

Total Postage and Fees

\$
Postmark Here



Sent To
Harry Wise

Street and Apt.
21597 S Hwy 213

City, State, ZIP
Oregon City, OR 97045

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Certified Mail service provides the following benefits:

- A receipt (this portion of the Certified Mail label), for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.
- A unique identifier for your mailpiece.
- Electronic verification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.

0002716

Important Reminders:

- You may purchase Certified Mail service with First-Class Mail®, First-Class Package Service®, or Priority Mail® service.
- Certified Mail service is not available for international mail.
- Insurance coverage is not available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
- For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
 - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece;
- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

IMPORTANT: Save this receipt for your records.



CLACKAMAS COUNTY

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

UNDELIVERED MAIL



7018 3090 0000 5249 506L

PORTLAND
OR 972
11 JUN 2019
PM 6 L



U.S. POSTAGE PITNEY BOWES
ZIP 97045 \$006.80
02 1W
0001404295 JUN 11 2019

LN
7/6



Harry Wise
21597 S Hwy 213
Oregon City, OR 97045

RETURN RECEIPT
REQUESTED

LN
B13
6158
7163

UNC
97045430250

NIXIE 971 DE 1700 0007/05/19
RETURN TO SENDER
UNDELIVERED
UNABLE TO FORWARD
BC: 97045430250 *1514-04691-11-45

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Harry Wise
 21597 S Hwy 213
 Oregon City, OR 97045



9590 9402 4515 8278 0938 33

2. Article Number (Transfer from service label)

7018 3090 0000 5249 506J

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addressee
- X**
- B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

Domestic Return Receipt

PS Form 3811, July 2015 PSN 7530-02-000-9053



Citation No. 1600271-2

Case No. V0027116

ADMINISTRATIVE CITATION

Date Issued: June 11, 2019

Name and Address of Person(s) Cited:

Name: Harry Wise III
Name:
Mailing Address: 21597 S Hwy 213
City, State, Zip: Oregon City, OR 97045

Date Violation(s) Confirmed: On the 21st day of December, 2017 and continues to exist on the 16th day of May 2019, 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): 21597 S Hwy 213, Oregon City, OR 97045

Legal Description: T3S, R2E Section21DB, Tax Lot(s) 300

Law(s) Violated:

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

Description of the violation(s):

- 1) Accumulation of solid waste.

Maximum Civil Penalty \$3500.00 Fine \$400.00

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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 Date: June 11, 2019
Telephone No.: 503-742-4467 Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

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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: _____





November 27, 2019

Harry C Wise III
21597 S Hwy 213
Oregon City, OR 97045

Subject: Violation of the Clackamas County Code

Site Address: 21597 S Hwy 213, Oregon City, OR 97045
Legal Description: T3S, R2E, Section 21DB, Tax Lot 300

As you know it has come to the attention of the Clackamas County Code Enforcement Section that there is an accumulation of solid waste on the above referenced property. As we discussed yesterday, these items include, but are not limited to, inoperable and/or non-currently licensed vehicles, appliances, food items, plastic bags of compost and other miscellaneous debris.

This accumulation constitutes a violation of Chapter 10.03.060(A)(B) of the Clackamas County Code as it pertains to Solid Waste and Waste Management.

In order to abate this violation, you must do the following no later than **December 27, 2019**.

Remove all of the food items and other household garbage to a proper disposal facility.

Render all vehicles currently licensed, this includes the recreational vehicle.

Render all vehicles operable. If you wish, you may have two inoperable and/or non-currently licensed vehicles on the property but they must be screened from view from off the property.

Screen the refrigerator, bags of composing material and other items you wish to keep from view from off the property. The branches, rocks, lumber, nursery stock and supplies are not a violation.

Another option would be to construct a seven (7) foot fence to screen the items you wish to keep. (You would still need to reduce the number of inoperable and/or non-currently licensed vehicles to two and dispose of household garbage.)

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

Thank you for your prompt attention to this matter.



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.







