



NOTICE OF HEARING

September 21, 2022

Aleksey & Ekaterina Antonovich
1636 NE 119th Ave
Portland, OR 97022

RE:: County of Clackamas v. Aleksey & Ekaterina Antonovich
File: V0048921

Hearing Date: October 25, 2022

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

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

1. **Prior to the Hearing.** You have the right to make the following requests:
 - (A) You can request the opportunity to review public records and to talk to County staff about the violations or request a subpoena for that purpose if the County does not allow you to do so.
 - (B) You can request that the Hearings Officer postpone the hearing for good cause by writing the Hearings Officer at least 7 calendar days prior to the scheduled hearing date.
 - (C) You can request that the Hearings Officer decide the matter based exclusively on written materials from the parties or conduct the hearing by phone.
2. **Procedure.** The hearing will be governed by general rules of procedure designed to allow you to hear and confront the evidence against you, and for you to present evidence favorable to you. You are not required to present any evidence, the burden is on the County to establish by a preponderance of the evidence that a violation exists, or existed. Either party may, at their own expense, obtain an attorney to represent them at the hearing. If you wish to be represented by an attorney they need only notify the County and the Hearings Officer in writing of their intent to appear on your behalf. The County will present evidence first, and then you may question that evidence. You may then present your own evidence, if you wish, and the County may question your evidence. Testimony by witnesses is evidence. The Hearings Officer may inquire into any facts that are relevant to the hearing and may question the parties or witnesses about the case. Evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their serious affairs shall be admissible.
3. **Record of Proceedings.** An audio record will be made of the proceedings when a hearing is conducted. The audio record is available through the Clackamas County Code Enforcement Section and is available to you upon request.
4. **Hearings Officer.** The Hearings Officer is an independent contractor paid by the County to conduct hearings and render decisions. He/she is not a County employee. His/her function is to preside over the hearing, make a record of proceedings, consider admissible evidence, and interpret and apply the law. After the hearing is closed the Hearings Officer will enter written findings of fact, conclusions of law, and any Order deemed proper. If a violation is proven, then the Order may include civil penalties, fines, administrative fees, or may require the respondent to take certain actions, or refrain from certain actions. An Order issued by the Hearings Officer may be a Final Order or Continuing Order. The Hearings 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 Jennifer Kauppi 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 JKauppi@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 Jennifer Kauppi at 503-742-4759 or JKauppi@clackamas.us 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.

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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

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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，发送电子邮件至 JKauppi@clackamas.us 或致电 503-742-4452。

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

COUNTY OF CLACKAMAS,

Petitioner,

v.

ALEKSEY AND EKATERINA
ANTONOVICH,

Respondents.

File No: V0048921

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 1636 NE 119th Ave., Portland, OR 97220.

2.

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

27505 SE Hwy 224, Eagle Creek, OR 97022 also known as T2S, R3E, Section 24, Tax Lot 04004,
and is located in Clackamas County, Oregon.

3.

On or about the 12th day of July, 2022 the Respondents violated the following law,
in the following way:

- a. Respondents violated the Clackamas County Solid Waste and Waste Management Code 10.03.060 (A), (B) by failing to remove or screen from view all miscellaneous debris from the subject property. This violation is a Priority 3 violation pursuant to the Clackamas County Violation Priorities.

- b. Respondents violated the Clackamas County Zoning and Development Ordinance, Section 316.03 by failing to remove the commercial vehicles from the subject property.

4.

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

5.

Notice of the violation was given to Respondents in the following manner: Administrative Citation #2100489 in the amount of \$700.00 was mailed via first class mail on July 19th, 2022. A copy of the notice document is attached to this Complaint as Exhibit F, and incorporated by this reference.

6.

Based on these allegations, petitioner requests that a hearing be set in this matter. Petitioner seeks an Order from the Hearings Officer granting the following relief:

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

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondents for each violation, within the range established by the Board of County Commissioners. Said range for a Solid Waste and Waste Management Code Priority 3 violation being \$250.00 to \$1,500.00 per occurrence as provided by Appendix B to the Clackamas County Code

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

4. 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;

5. 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

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

DATED THIS 21st day of September, 2022.

Jennifer Kauppi

Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

ALEKSEY AND EKATERINA
ANTONOVICH,

Respondents.

File No.: V0048921

STATEMENT OF PROOF

History of Events and Exhibits:

November 17, 2021	Clackamas County received a complaint regarding solid waste on the subject property.
December 29, 2021 Exhibit A	Correspondence with sent to the legal owner listed at the time of the complaint. The alleged letter was returned to the County as undeliverable due to the property being vacant.
January 11, 2022 Exhibit B	I conducted a site inspection. Miscellaneous debris, commercial trailers and inoperable or non-currently licensed vehicles were found on site.
January 20, 2022 Exhibit C	Correspondence was sent to the owner Bryan Purcell by first class mail with a deadline of February 24, 2022 to abate the Solid Waste and Waste Management Code and the Zoning and Development Ordinance no later than February 24, 2022. Because previous correspondence was returned to the County, I also posted the notice on the subject property.
January 24, 2022	I received a phone call from Aleksey who stated he was the legal owner of the property. I explained to Aleksey he was not listed as the legal owner. He stated he was out of town but would come into the office when he returned to discuss the violations.
February 4, 2022	Aleksey came into the office and spoke with Code Enforcement Specialist Shane Potter. Aleksey had stated that he had just bought the property. Shane provided him with the number to the Tax Assessors office to have his information updated. Aleksey stated he would need about a month to remove the debris.
March 3, 2022 Exhibit D	I conducted a site inspection and confirmed the violations still existed.

July 12, 2022
Exhibit E

I conducted a site inspection and confirmed the violations still remained on the subject property.

July 19, 2022
Exhibit F

Citation 2100489 was issued for \$700.00 for the Priority 3 Solid Waste and Waste Management Code violation and a Priority 2 Zoning and Development Ordinance violation. This citation was sent first class mail and was returned to the County. Because the mail had been previously returned, I also posted the citation on the subject property. This citation was paid by Aleksey and Ekaterina Antonovich on August 5, 2022.

August 30, 2022
Exhibit G

I conducted a site inspection and confirmed the violations still remained on the subject property.

September 1, 2022
Exhibit H

I researched County records and found that the ownership of the property had been updated to Aleksey and Ekaterina Antonovich. A copy of the Deed reflects that Bryan Purcell signed the Statutory Warranty Deed on November 13, 2019.

September 20, 2022

This matter was referred to the Hearings Officer.

If the Compliance Hearings Officer affirms the County's position that a violation of the Solid Waste and Waste Management Code, Title 10, Chapters 10.03.060 (A) and (B) and the Zoning and Development Ordinance, Title 12, Section 316.03 (A), 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 Solid Waste and Waste Management Code and within 45 days of the date of the Order by removing or screen from view of the road or neighboring properties all miscellaneous debris and inoperable or non-currently licensed vehicles.
- The Respondents be ordered to bring the property into compliance with the Zoning and Development Ordinance within 30 days of the date of the Order by removing the commercial trailers from the subject 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 Solid Waste and Waste Management Code violation of up to \$1,500.00 for date cited July 12, 2022 for a total amount due of \$1,500.00.
- The imposition of civil penalties for the Zoning and Development Ordinance violation of up to \$2,500.00 for date cited July 12, 2022 for a total amount due of \$2,500.00
- The administrative compliance fee to be imposed from January, 2022 until the violation is abated. As of this report the total is \$525.00
- The County requests the Hearings Officer to permanently prohibit the Respondents from violating this law in the future.
- If the Respondents fails 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.



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

December 29, 2021

Bryan Purcell
27505 SE Hwy 224
Eagle Creek, OR 97022

**Subject: Alleged Violation of the Building Code, Chapter 9.02.040 and the
Solid Waste Code, Title 10.030.060 of the Clackamas County Code**

Site Address: 27505 SE Hwy 224, Eagle Creek OR 97022
Legal Description: T2S, R3E, Section 24, Tax Lot 04004

It has come to the attention of Clackamas County Code Enforcement that a remodel to a single family residence may have been done without the benefit of permits.

This may constitute a violation of the Building Code, Chapter 9.02.040 of the Clackamas County Code.

Additionally, there may be an accumulation of solid waste including miscellaneous debris and construction materials on site.

This may constitute a violation of the Solid Waste Code, Title 10.030.060 of the Clackamas County Code.

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

E-mail address is JKauppi@clackamas.us

Telephone number is 503-742-4452

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

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DEVELOPMENT SERVICES BUILDING
CODE ENFORCEMENT DIVISION
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

RETURN SERVICE
REQUESTED

PRESORTED
FIRST CLASS



US POSTAGE PAID PITNEY BOWES



ZIP 97045 \$ 000.42⁶
02 1W
0001404531 DEC 29 2021

Bryan Purcell
27505 SE Hwy 224
Eagle Creek, OR 97022

9327020238041235

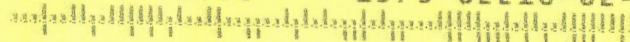
VAC

97045 97022
20 LRAM5B 97022

NIXIE 971 DE 1260 0001/02/22

RETURN TO SENDER
VACANT
UNABLE TO FORWARD

BC: 97045430230 #1579-02216-02-25





DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

December 29, 2021

Bryan Purcell
27505 SE Hwy 224
Eagle Creek, OR 97022

**Subject: Alleged Violation of the Building Code, Chapter 9.02.040 and the
Solid Waste Code, Title 10.030.060 of the Clackamas County Code**

Site Address: 27505 SE Hwy 224, Eagle Creek OR 97022

Legal Description: T2S, R3E, Section 24, Tax Lot 04004

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This may constitute a violation of the Building Code, Chapter 9.02.040 of the Clackamas County Code.

Additionally, there may be an accumulation of solid waste including miscellaneous debris and construction materials on site.

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

E-mail address is JKauppi@clackamas.us

Telephone number is 503-742-4452

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150 Beavercreek Rd
Oregon City, OR 97045
503-655-8671

[Home](#)
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[Property Search](#) > [Search Results](#) > Property Summary

Property Account Summary

11/24/2021

Account Number	01783216	Property Address	27505 SE HWY 224 , EAGLE CREEK, OR 97022
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General Information

Alternate Property #	23E24 04004
Property Description	3351 GEMCRIS LT 4
Last Sale Price	\$0.00
Last Sale Date	01/27/2020
Last Sale Excise Number	363490
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	108-009
Remarks	

Property Characteristics

Neighborhood	12054: Estacada rural all other
Land Class Category	401: Tract Land Improved
Building Class Category	11: Single family res, class 1
Year Built	1942
Change property ratio	4XX

Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
624	0 X 0	1942	15	1.0	2	1	0

Parties

Role	Percent	Name	Address
Taxpayer	100	PURCELL BRYAN	27505 SE HWY 224, EAGLE CREEK, OR 97022
Tax Service Co.	100	CORELOGIC TAX SERVICES	UNKNOWN, MILWAUKIE, OR 00000
Owner	100	PURCELL BRYAN	27505 SE HWY 224, EAGLE CREEK, OR 97022
Mortgage Company	100	CENTRAL LOAN ADMINISTRATION	PO BOX 77405, EWING, NJ 08628

Property Values

Value Type	Tax Year 2021	Tax Year 2020	Tax Year 2019	Tax Year 2018	Tax Year 2017
AVR Total	\$159,153	\$154,518	\$150,018	\$145,649	\$141,407

EXHIBIT A_6 OF 6













DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

January 20, 2022

Bryan Purcell
27505 SE Hwy 224
Eagle Creek, OR 97022

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 316.03 (A)

VIOLATION: V0048921

SITE ADDRESS: 27505 SE Hwy 224, Eagle Creek, OR 97022

LEGAL DESCRIPTION: T2S, R3E, Section24 , Tax Lot 04004

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

- Accumulation of solid waste
- Inoperable and/or non-currently licensed vehicles
- Storing commercial vehicles in a residential zone

VIOLATIONS & HOW TO RESOLVE

On January 11, 2022, I conducted a site inspection and confirmed a violation of the Solid Waste and Waste Management Code, Title 10, Chapters 10.03.060 (A) and (B) and Zoning and Development Ordinance, Title 12, Section 316.03. In order to abate the violation(s), you must complete the following **no later than February 24, 2022**

Solid Waste

The accumulation of solid waste causes a condition of unsightliness and is a safety and health hazard and constitutes a violation of Clackamas County Code Title 10.03.060 (A) and (B). No person shall store, collect, maintain, or display on private property, solid waste or wastes or recyclable material that is offensive or hazardous to the health and safety of the public, or which creates offensive odors, or a condition of unsightliness.

1. Remove all solid waste, including but not limited to appliances, equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded material, or other similar non-putrescible solid waste or wastes that is visible from the road or surrounding properties to an authorized disposal facility and store out of sight all articles and solid waste that you wish to keep.

Covering solid waste with a tarp or tarp like structure does not remove the items from violation.

Inoperable and/or Non-Currently Licensed Vehicles

Please abate vehicle violations of the Solid Waste and Wastes Management Code, by utilizing the following options for all inoperable and/or not currently licensed vehicles that includes motorcycles, boats and/or boat trailers, and/or motor-homes, travel trailers, recreational vehicles etc.

- Remove the inoperable and/or not currently licensed vehicles from the subject property, **and/or**;
- Render the inoperable and/or currently licensed vehicles, operable and licensed to persons currently residing on the subject property, **and/or**;
- Place the inoperable and/or not currently licensed vehicles that are owned by person currently residing on the subject property 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.

Commercial vehicles in residential zone

Currently commercial vehicles in excess of 11,000 GVW are being store on this site. This constitutes a violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 316.03 (A). The subject property is zoned Rural Residential Farm Forest 5-Acre (RRFF-5). In this zone this activity is not allowed. You must abate the violation by completing the following no later than February 24, 2022:

- Cease the unauthorized use and schedule an inspection to confirm.

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.

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 through Thursday and 8:00 a.m. to 3:00 p.m. on Fridays.

If you have any questions my direct telephone number is 503-742-4452 and my email is JKauppi@Clackamas.us

Jennifer Kauppi
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.
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.

**CLACKAMAS COUNTY CODE ORDINANCE TITLE 10.03 SOLID WASTE AND
WASTE MANAGEMENT CODE (This is a portion of the code the remainder of the
code can be found on the Clackamas County Website)**

10.03.030 Definitions

(33). **INOPERABLE VEHICLE:** For the purpose of the Nuisance Abatement provisions of this chapter, shall mean a vehicle designed for use on a public highway which has been left on public or private property thirty (30) days or more and is not currently licensed, or not in operating condition, or which has been extensively damaged, vandalized or stripped, including, but not limited to, missing wheels, tires, motor or transmission. An inoperable vehicle shall not mean an unlicensed operable vehicle or vehicles, which are used on private property for the production, propagation or harvesting of agricultural products grown or raised on such lands.

(48). **PUTRESCIBLE MATERIAL** means solid waste or wastes, including: bones; meat and meat scraps; fat; grease; fish and fish scraps; food containers or products contaminated with food wastes, particles or residues; prepared vegetable and fruit food wastes or scraps; manure; feces; sewer sludge; dead animals or similar wastes which cause offensive odor to create a health hazard, or which are capable of attracting or providing food for potential disease carriers, such as birds, rodents, flies and other vectors.

(59). **SOLID WASTE OR WASTES** shall include all putrescible and non-putrescible waste, including but not limited to, garbage; compost; organic waste; yard debris; brush and branches; land-clearing debris; sewer sludge; residential, commercial and industrial building demolition or construction waste; discarded residential, commercial and industrial appliances, equipment and furniture; discarded, inoperable or abandoned vehicles or vehicle parts and vehicle tires; special vehicles and equipment that are immobile and/or inoperable, mobile homes or trailer houses which are dilapidated, partially dismantled or fire damaged; manure; feces; vegetable or animal solid and semi-solid waste and dead animals; and infectious waste. Waste shall mean useless, unwanted or discarded materials. The fact that materials which would otherwise come within the definition of solid waste, may from time to time, have value and thus be utilized shall not remove them from the definition. There is a series of items identified in this section that are not included in this definition such as fertilizer for agricultural purposes. Please see the code for additional items.

10.03.060 Solid Waste or Wastes Accumulation Prohibited

A. Except as provided in subsection D of this Section, no person shall store, collect, maintain, or display on private property, solid waste or wastes or recyclable material that is offensive or hazardous to the health and safety of the public, or which creates offensive odors, or a condition of unsightliness. Storage, collection, maintenance, or display of solid waste or wastes in violation of this section shall be considered to be a public nuisance, which may be abated as provided in 10.03.070 of this chapter.

B. In addition to the provisions of subsection A, the following conditions or actions are also specifically identified as creating a public nuisance under this chapter.

(1) Placing a tarp, plastic, cloth, or similar screening apparatus over or around solid waste or wastes for purposes of keeping it out of sight from the road or surrounding properties.

(2) Placing a tarp, plastic, cloth, or similar screening apparatus over or around solid waste or wastes that is stored in a utility trailer, pickup truck, semitrailer or similar device for purposes of keeping it out of sight from the road or surrounding properties.

(3) Constructing a tire fence for any purpose.

(4) Storing waste tires except as permitted pursuant to OAR Chapter 340.

(5) Storing putrescible waste, whether it is visible or not visible from the road or adjacent properties, that is not kept in a rodent proof container with a tight-fitting lid, and not removed from the property to an authorized disposal facilities within seven (7) days.

(6) Composting which causes offensive odors, or creates a health hazard, or which is capable of attracting or providing food for potential disease carriers such as birds, rodents, flies and other vectors.

(7) Storing, collecting, maintaining, or displaying any licensed or unlicensed special vehicle or equipment that is immobile, inoperable, partially dismantled or dismantled, dilapidated, or fire damaged and is visible from the road or surrounding properties.

(8) Storing, collecting, maintaining, or displaying a mobile home or trailer house, which is dilapidated or partially dismantled, or fire damaged, and is visible from the road or surrounding properties.

(9) Storing, collecting, maintaining or displaying: residential, commercial and industrial appliances, equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded

material, or other similar non-putrescible solid waste or wastes, that is visible from the road or surrounding properties.

(10) Storing, collecting, maintaining or displaying any antique, classic, race care or collectible vehicle that is inoperable and is visible from the road or surrounding properties.

(11) Storing any inoperable vehicles unless said vehicle or vehicles are housed within a permitted structure or development, except up to two vehicles per premise may be stored behind a sight obscuring screen, in accordance with 10.03.060 C, and shall not be visible from the road or surrounding properties. For purposes of Subsection 11, two or more contiguous tax lots that are under common ownership shall be considered one premise.

(12) When commercial, industrial, multi-family or residential developments that use a compactor or compactors for on-site waste management, do not keep the areas around the compactor free of solid waste and debris, and washed down on a regular basis.

C. Any sigh obscuring screen used to abate a solid waste nuisance shall consist of one of the following options:

(1) Construct a wood fence unpainted or painted with neutral or earth tone colors of which the upright posts shall consist of a decay resistive material a minimum of four (4) inches in diameter and anchored a minimum of eight (8) feet. The railings shall be a minimum of 2 inch by 4 inch lumber with the 4 inch side attached vertically to the posts. The attached vertical or horizontal fence boards shall be set with a maximum separation $\frac{1}{4}$ inch.

(2) Construct a metal fence consisting of chain link or woven fabric with metal upright posts anchored a minimum of two (2) feet below ground level with metal railings and connectors. Water and insect resistive wood or plastic slats shall be inserted in the chain link or woven fabric, with a maximum separation of $\frac{3}{8}$ inch between slats.

(3) Construct a combination fence consisting of a metal sheeting attached to wood framing as defined in Section C-1 above, or durable metal framing, which is painted a neutral or earth tone color.

(4) Construct a wall consisting of solid material, built of concrete, masonry, brick, stone, or other similar materials or combination thereof.

(5) Construct an earthen berm consisting of dirt, soil, sand, clay or any combination thereof and shall be planted with grass and/or ornamental plantings and shall be maintained at all times.

(6) Plant a hedge consisting of evergreen plantings or other ornamental plantings a minimum of six (6) feet in height, planted not more than two (2) feet on center and which is maintained at all times.

In addition to the minimum fencing requirements, wood, metal, masonry fences or combination thereof greater than six (6) feet in height are subject to County review pursuant to the Oregon State Uniform Building Code, and all earthen berms are subject to County review pursuant to the County's Grading and Excavation Chapter.

For the purposes of this chapter, no sight obscuring screen shall be located, placed, constructed or installed contrary to the Clackamas County Zoning Development Ordinance



















Citation No. 2100489

Case No. V0048921

ADMINISTRATIVE CITATION

Date Issued: July 19, 2022

Name and Address of Person(s) Cited:

Name: Bryan Purcell
Mailing Address: 27505 SE Hwy 224
City, State, Zip: Eagle Creek, OR 97022

Date Violation(s) Confirmed: On the 12th day of July, 2022, 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): 27505 SE Hwy 224, Eagle Creek, OR 97022

Legal Description: T2S, R3E Section 24, Tax Lot(s) 04004

Law(s) Violated:

- ☒ Chapter 10.03 of CCC Solid Waste and Waste Management, Section 10.03.060 (A), (B)
- ☒ Title 12 and 13 of CCC Zoning and Development Ordinance, Section 316.03

Description of the violation(s):

- 1) Accumulation of solid waste

Maximum Civil Penalty \$1,500.00 Fine \$300.00

- 2) Storing commercial vehicles in a residential zone

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 \$700.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

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

Date: July 19, 2022
Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

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

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

Options:

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

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

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

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

STATEMENT OF UNDERSTANDING

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

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

Signature: _____ Date: _____

Address: _____

City, State, Zip

Contact Number: _____ Email: _____





CLACKAMAS
COUNTY

DEVELOPMENT SERVICES BUILDING
CODE ENFORCEMENT DIVISION
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

[Handwritten signature]

Bryan Purcell
27505 SE Hwy 224
Eagle Creek, OR 97022



US POSTAGE MAILED BY **PTNEY BOWES**


ZIP 97045 \$ 000.57
02 1W
0001404531 JUL 19 2222

EXHIBIT F - 4 OF 7

NIXIE 971 DE 1 6607/20/22

RETURN TO SENDER
VACANT
UNABLE TO FORWARD

BC: 97045430250 *0129-01664-27-00



VAC

97045430250

0



Citation No. 2100489

Case No. V0048921

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- ☒ Title 12 and 13 of CCC Zoning and Development Ordinance, Section 316.03

Description of the violation(s):

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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: _____

RECEIPT

Clackamas County
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK RD.
OREGON CITY, OR 97045

Application: V0048921

Application Type: CodeEnforcement/Violation/NA/NA

Address: 27505 SE HWY 224
EAGLE CREEK, OR 97022

Receipt No. 1365026

Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Comments	Payor
Check	1080	\$700.00	8/5/2022	ANDREAH		Aleksey & Ekaterina Antonovich
		<hr/> \$700.00				

Owner Info.: ANTONOVICH ALEKSEY & EKATERINA
1636 NE 119TH AVE
PORTLAND, OR 97220

Work Description: ALLEGED - SOLID WASTE - LOTS OF DEBRIS DUMPED NIGHTLY BACK OF PROPERTY













RECORDING REQUESTED BY:



1433 SW 6th Avenue
Portland, OR 97201

Clackamas County Official Records
Sherry Hall, County Clerk

2019-072523

11/15/2019 12:20:00 PM

D-D Cnt=1 Stn=75 TIFFANY
\$10.00 \$16.00 \$10.00 \$62.00

\$98.00

GRANTOR'S NAME:

Bryan Purcell

GRANTEE'S NAME:

Aleksey Antonovich and Ekaterina Antonovich

AFTER RECORDING RETURN TO:

Order No.: 36261906705-DS

Aleksey Antonovich and Ekaterina Antonovich, as tenants by the
entirety

1636 NE 119th Ave
Portland, OR 97220

SEND TAX STATEMENTS TO:

Aleksey Antonovich and Ekaterina Antonovich
1636 NE 119th Ave
Portland, OR 97220

APN: 01783216

Map: 23E24 04004

27505 SE Highway 224, Eagle Creek, OR 97022

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Bryan Purcell, Grantor, conveys and warrants to Aleksey Antonovich and Ekaterina Antonovich, as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon:

POST TO: 23E24 04004 01783216 (Grantor not owner

Lot 4, GEMCRIS, in the County of Clackamas and State of Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED NINETY-TWO THOUSAND AND NO/100 DOLLARS (\$292,000.00). (See ORS 93.030).

need 2019-052622/-072522

Subject to:

re-recorded, then this will work)

Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose: Access easement
Affects: 50X20 feet for the benefit of Lot 4 and Lot 5

Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose: Well
Affects: 20 feet long by 15 feet wide easement for the benefit of Lot 5

Well Maintenance Easement/Agreement

Recording Date: April 27, 2000
Recording No.: 2000-027243

MN

Well Maintenance Easement/Agreement

Recording Date: June 7, 2000
Recording No.: 2000-037036

Effect of designation that any portion of the subject land is within scenic waterway boundaries under Oregon Revised Statutes Chapter 390, as disclosed, in part, by notice or other instrument

Recording Date: February 3, 2009
Recording No.: 2009-006494

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING

Recorded by TICOR TITLE 36261906705

STATUTORY WARRANTY DEED

(continued)

THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 11/13/19
Bryan Purcell
Bryan Purcell

State of Oregon
County of Clatsop

This instrument was acknowledged before me on Nov 13 2019 by Bryan Purcell.

D. Scholtz
Notary Public - State of Oregon

My Commission Expires: 3/24/23

