



NOTICE OF HEARING

July 18, 2022

Ty and Reva Lamb
25934 SE Eagle Creek Rd
Eagle Creek, OR 97022

RE:: County of Clackamas v. Ty and Reva Lamb

File: V0011116

Hearing Date: September 8, 2022

Time: This item will not begin before 10:30 am 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 Diane Bautista, Code Compliance Specialist for Clackamas County at (503) 742-4459, should you have any questions about the violation(s) in the **Complaint**. Do not call the Compliance Hearings Officer.

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

1. **Prior to the Hearing.** You have the right to make the following requests:
 - (A) You can request the opportunity to review public records and to talk to County staff about the violations or request a subpoena for that purpose if the County does not allow you to do so.
 - (B) You can request that the Hearings Officer postpone the hearing for good cause by writing the Hearings Officer at least 7 calendar days prior to the scheduled hearing date.
 - (C) You can request that the Hearings Officer decide the matter based exclusively on written materials from the parties or conduct the hearing by phone.
2. **Procedure.** The hearing will be governed by general rules of procedure designed to allow you to hear and confront the evidence against you, and for you to present evidence favorable to you. You are not required to present any evidence, the burden is on the County to establish by a preponderance of the evidence that a violation exists, or existed. Either party may, at their own expense, obtain an attorney to represent them at the hearing. If you wish to be represented by an attorney they need only notify the County and the Hearings Officer in writing of their intent to appear on your behalf. The County will present evidence first, and then you may question that evidence. You may then present your own evidence, if you wish, and the County may question your evidence. Testimony by witnesses is evidence. The Hearings Officer may inquire into any facts that are relevant to the hearing and may question the parties or witnesses about the case. Evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their serious affairs shall be admissible.
3. **Record of Proceedings.** An audio record will be made of the proceedings when a hearing is conducted. The audio record is available through the Clackamas County Code Enforcement Section and is available to you upon request.
4. **Hearings Officer.** The Hearings Officer is an independent contractor paid by the County to conduct hearings and render decisions. He/she is not a County employee. His/her function is to preside over the hearing, make a record of proceedings, consider admissible evidence, and interpret and apply the law. After the hearing is closed the Hearings Officer will enter written findings of fact, conclusions of law, and any Order deemed proper. If a violation is proven, then the Order may include civil penalties, fines, administrative fees, or may require the respondent to take certain actions, or refrain from certain actions. An Order issued by the Hearings Officer may be a Final Order or Continuing Order. The Hearings 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 Diane Bautista 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 DianeBau@clackamas.us or 150 Beavercreek 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 Diane Bautista at 503-742-4459 or DianeBau@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.

**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.

TY LAMB and
REVA LAMB,

Respondents.

File No: V0011116

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's place of residence is: 25934 SE Eagle Creek Rd., Eagle Creek, OR
97022.

2.

The address or location of the violation(s) of law alleged in this Complaint is:
25924 SE Eagle Creek Rd., Eagle Creek, OR 97022, also known as T3S, R4E, Section 05, Tax Lot
04400, and is located in Clackamas County, Oregon.

3.

On or about the 15th day of June, 2022 Respondents violated the following laws, in the following ways:

- a. Respondents violated the Clackamas County Building Code, Title 9.02 by failing to obtain required final approved inspections. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

4.

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

5.

Notice of the violations was given to Respondents in the following manner: Citation and Complaint #16001111-3 in the amount of \$500.00 was mailed via first class mail on June 16, 2022. A copy of the notice document is attached to this Complaint as Exhibit 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 Respondents to immediately abate the violations and bring the property at issue into compliance with all laws, and permanently enjoining Respondents from violating these laws in the future;

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondents for each violation, within the range established by the Board of County Commissioners. Said range for a Building Code Chapter 9.02 Priority 1 violation being \$750.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code.

and

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

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

and

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

DATED THIS 18th day of July, 2022.



Diane Bautista
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

TY LAMB and
REVA LAMB,

Respondents.

File No.: V0011116

STATEMENT OF PROOF

History of Events and Exhibits:

February 23, 2016	Clackamas County received a complaint regarding an accessory structure converted to habitable space and solid waste.
March 23, 2016 Exhibit A	Code Enforcement Specialist Dean Brown conducted a site inspection and verified the 2nd story office in the shop building (permit B0112901) contained a kitchen sink, cabinets, refrigerator but no cooking stove or laundry. The 2nd story office also contained a full bathroom with a toilet, sink and shower stall. There is also a pellet stove installed in the 2nd story office. He found no bedding in the office.
April 28, 2016	Code Enforcement Specialist Dean Brown conducted research in the county permit system and found that electrical permit E0162016 issued in March of 2016 for service in the shop building had not received any inspections and there were no permits for the plumbing, pellet stove or bathroom exhaust fan.
May 13, 2016 Exhibit B	Correspondence was sent to the Respondents with a deadline of June 13, 2016 to obtain final approved inspections for permits E0162016 and to obtain plumbing and mechanical permits for the pellet stove, bathroom and exhaust fan.
July 16, 2019 Exhibit C	Correspondence was sent to the Respondents with a deadline of August 12, 2019 to obtain approved final inspections for E0162016.
November 25, 2019 Exhibit D	Correspondence was sent to the Respondents with a deadline of December 29, 2019 to obtain approved final inspections for the pole barn, building permit B0112901 and electrical permit E0162016.
May 20, 2020 Exhibit E	Correspondence to the Respondents with a deadline of June 20, 2020 to receive final approved inspections for E0162016 and P0142916.
April 26, 2022 Exhibit F	Correspondence was sent to the Respondents with a deadline of May 28, 2022 to obtain approved final inspections for E0162016 and P0142916.

June 16, 2022
Exhibit G

Citation 16001111-3 was issued for failure to obtain approved final approved inspections for building, plumbing, electrical and mechanical permits and was sent via first class mail. Citation mailed first class mail was not returned. This citation has not been paid.

July 18, 2022

The County referred this matter to the Code Enforcement Hearings Officer.

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

- The Respondents be ordered to bring the property into compliance with the building code within 30 days of the date of this hearing by renewing and/or obtaining approved final inspections for the pole barn and the electrical, plumbing and mechanical work.
- 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 building code violations of up to \$1,000.00 for date cited of June 15, 2022.
- Payment for Citation No. 16001111-3 issued on June 16, 2022 for \$500.00.
- The administrative compliance fee to be imposed from January 2019 until the violation is abated. As of this report the total is \$3,225.00.
- The County requests the Hearings Officer to permanently prohibit the Respondents from violating this law in the future.
- If the Respondents fail to comply with the Hearings Officer's Continuing Order the County will request the Hearings Officer to issue a Final Order and will also request the Hearings Officer to authorize the County further enforcement action including to proceed to Circuit Court.









DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

May 13, 2016

TY & REVA LAMB
25934 SE EAGLE CREEK RD
EAGLE CREEK OR 97022

Subject: Violation of the Clackamas County Building Code

Site Address: 25934 SE Eagle Creek Rd., Eagle Creek OR 97022
Legal Description: T3S, R4E, Section 5, Tax Lot 4400

Thank you for taking time to meet with staff on March 23, 2016 and allow an inspection of the shop building on the subject property after the County received a complaint alleging that the 2nd story of the shop building had been converted into an apartment and occupied by your adult daughter. The inspection confirmed that the 2nd story of the shop building appears to be an office that contains a full bathroom, sink and a pellet stove. The inspection confirmed that the 2nd story office was vacant.

A check of the permit history by staff however revealed that an electrical permit issued for electrical service in the shop building, no. E0162016, has had no inspections to date. Additionally, there appears to have been no permits issued for the plumbing in the bathroom and office and no permit issued for the installation of the pellet stove.

Please be advised that the installation of electrical service to the shop building without all required permits and approved inspections, and the unpermitted installation of the plumbing in the bathroom and the office, and pellet stove, constitutes separate and multiple violations of Chapter 9.02 of the Clackamas County Code as it pertains to the Application and Enforcement of the Clackamas County Plumbing and Building Codes.

In order to resolve this matter, it is requested that the following alternatives be utilized ***within thirty (30) days of the date of this letter:***

For the aforementioned plumbing and mechanical (pellet stove, bathroom exhaust fan) installations:

1. Submit plumbing ***and*** mechanical building permit applications ***and*** fees to the Clackamas County Building Codes Division, complete all necessary work to retain the aforementioned installations ***and*** within thirty (30) days of the permits being issued, complete all required inspections including a final inspection, ***or,***

2. Submit plumbing and mechanical building permit applications and fees to the Clackamas County Building Codes Division, complete all necessary work to remove the aforementioned installations and within thirty (30) days of the permits being issued, complete all required inspections including a final inspection

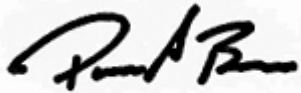
For the electrical permit no. E0162016:

1. Complete all work necessary to obtain an approved final inspection.

For information regarding electrical, plumbing, and mechanical permits and inspections, please contact the Clackamas County Building Codes Division Service Representative at 503-742-4240, or you may stop by our offices at the Development Services Building, 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, between the hours of 8:00 a.m. and 3:00 p.m.

In order to provide the highest level of customer service, please bring a copy of this correspondence when visiting the County.

Please feel free to contact me if you have any further questions. My direct telephone number is 503-742-4459 and email deanbro@co.clackamas.or.us.



Dean A. Brown
Code Enforcement Specialist
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 an administrative 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 are 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 waive all or part of the \$75 per month administrative fee.

Unpaid fines, administrative fees, civil penalties and abatement costs may be recorded as a lien against property owned by any of the parties either jointly or separately.

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 will result in the issuance of a citation without prior notice.



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

July 16, 2019

Ty & Reva Lamb
25934 SE Eagle Creek Rd.
Eagle Creek, OR 97022

**SUBJECT: VIOLATION OF CLACKAMAS COUNTY ZONING AND DEVELOPMENT
ORDINANCE TITLE 9.02.040 (D)**

SITE ADDRESS: 25924 SE Eagle Creek Rd., Eagle Creek, OR 97022

LEGAL DESCRIPTION: T3S, R4E, Section 05, Tax Lot 04400

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

- Electrical inspections not completed

ACTIONS

The following is a brief description of some of the activities associated with this file and is not intended to provide all actions that have occurred on this file.

- On February 23, 2019 a complaint was filed with Clackamas County Code Enforcement.
- On February 24, 2019 a letter of alleging the violation was mailed to the above address by a Clackamas County Code Enforcement staff member.
- On September 19, 2018 I spoke with respondent who stated that they have not had PGE come out and hook up power yet and are still awaiting that. I explained I would give 60 days but would need to have contact after that.

VIOLATION & HOW TO RESOLVE

Unpermitted Construction

Failure to obtain all inspections including a final inspection on a permit constitutes a violation of Clackamas County Code Title 9.02.040 (D) as it pertains to electrical work done in the office area. To abate these violations you must complete the following **no later than August 12, 2019:**

- Obtain all inspections and receive a final inspection on Electrical permit number E0162016.

CONTACT INFORMATION

Building – If you have questions concerning permitting requirements please feel free to contact the building department at 503-742-4240.

Code Enforcement – If you have any other questions please feel free to contact me at 503-742-4465.

You may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 Beavercreek Road, Oregon City. The lobby is open between the hours of 8:00a.m. to 4:00p.m. Monday through Thursday and 8:00a.m. to 3:00p.m. on Fridays.

****In order to provide the highest level of customer service, please bring a copy of this correspondence when visiting the County.***

If you have any questions my direct telephone number is 503-742-4465 and my email is spotter@co.clackamas.or.us

ITEMS INCLUDED IN THIS PACKET

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

A handwritten signature in black ink that reads "Shane Potter". The signature is written in a cursive, flowing style.

Shane Potter
Code Enforcement Specialist
Clackamas County code enforcement

REQUIRED NOTICE OF FINES AND PENALTIES

It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. Failure to resolve those violations may result in one or more of the following: (1) a citation and fine, (2) assessment of a \$75 per month administrative compliance fee, and (3) referral of this matter to the County Code Enforcement Hearings Officer.

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 Road.

Also, be advised that non-compliance with a Hearing 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, recurrence of abated violations may result in the issuance of a citation without prior notice.



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

November 25, 2019

VIOLATION NO.: V0011116

Ty & Reva Lamb
25934 SE Eagle Creek Rd.
Eagle Creek, OR 97022

**SUBJECT: VIOLATION OF CLACKAMAS COUNTY BUILDING CODE
ORDINANCE TITLE 9.02.04 (A, D, & E)**

SITE ADDRESS: 25924 SE Eagle Creek Rd., Eagle Creek, OR 97022

LEGAL DESCRIPTION: T3S, R4E, SECTION 05, TAX LOT 04400

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

- Building permit #B0112901 for a pole barn was issued and has since expired with no final inspection, and;
- Electrical permit #E0162016 for electrical work done in the shop was renewed but still no inspections have been completed.

ACTIONS

The following is a few points of interest associated with this file and is not intended to illustrate all actions that have been taken on this file.

On February 23, 2016 a complaint was filed with Clackamas County Code Enforcement.

On September 19, 2018 I spoke with the respondent who stated that they have not had PGE come out and hook up power yet and are still awaiting that. I explained I would give 60 days but would need to have contact after that.

On July 16, 2019 a letter was sent addressing the violations. Historically in the file you had always responded to letters sent. There was no response to the last letter. For that reason I have chosen to resend this violation letter in hopes that we can communicate about this file before further enforcement actions are taken.

GENERAL SITE INFORMATION

The property has two zoning districts located on this lot. The first 1.87 acres of the property beginning at Eagle Creek Rd and heading east on the property is zoned RC (Rural Commercial). The remainder of the site (2.98 acres) is zoned RRFF-5 (Rural Residential Farm Forest 5 Acre).

VIOLATION AND HOW TO RESOLVE

The following addresses each type of violation, how to resolve the violation and when the due date to resolve that violation occurs.

UNPERMITTED CONSTRUCTION

You currently have an electrical permit that was issued and has not received a final inspection. You also have a building permit for the pole barn that has expired without completing all inspections. This constitutes a violation of Clackamas County Code Title 9.02.04 (A, D, & E). To abate these violations you must complete the following **no later than December 29, 2019**:

1. Obtain a permit for the pole barn:
 - a. Contact the permitting department to discuss options of completing the work on building permit #B0112901, and;
 - b. You must obtain the permits prior to the deadline mentioned above, and;
 - c. Complete all inspections within 45 days of receiving the permits.
2. Complete the electrical permit for electrical work done in the shop:
 - a. You will need to schedule an inspection by the deadline listed above and complete all inspections within 45 days of the date listed above.

You can reach Clackamas County Permitting by calling 503-742-4240

CONTACT INFORMATION

Code Enforcement – If you have any other questions please feel free to contact me at 503-742-4465 or email at spotter@co.clackamas.us

You may stop by the Planning, Permitting, and Code Enforcement offices at the Development Services Building, 150 Beaver Creek Road, Oregon City. The lobby is open between the hours of 8:00 a.m. and 4:00 p.m. Monday through Thursday and 8:00 a.m. to 3:00 p.m. on Fridays.

In order to provide the highest level of customer service, please bring a copy of this correspondence when visiting the County.

ITEMS INCLUDED IN THIS PACKET

- Violation Letter
- Required Notice of Fines and Penalties



Shane Potter
Code Enforcement Specialist
Clackamas County Code Enforcement

REQUIRED NOTICE OF FINES AND PENALTIES

It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. Failure to resolve those violations may result in one or more of the following: (1) a citation and fine, (2) assessment of a \$75 per month administrative compliance fee, and (3) referral of this matter to the County Code Enforcement Hearings Officer.

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.

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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 Road.

Also, be advised that non-compliance with a Hearing 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, recurrence of abated violations may result in the issuance of a citation without prior notice.



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

VIOLATION NO: V0011116

May 20, 2020

Ty & Reva Lamb
25934 SE Eagle Creek Rd.
Eagle Creek, OR 97022

SUBJECT VIOLATION(S) OF:

1. **CLACKAMAS COUNTY BUILDING CODE AND ENFORCEMENT OF THE COUNTY BUILDING CODE ORDINANCE TITLE 9.02.040**

SITE ADDRESS: 25924 SE Eagle Creek Rd., Eagle Creek, OR 97022

LEGAL DESCRIPTION: T3S, R4E, SECTION 05, TAX LOT 04400

ZONING: RC (Rural Commercial) / RRFF-5 (Rural Residential Farm Forest 5 Acre)

THIS LETTER SERVES AS NOTICE OF A VIOLATION OF THE CLACKAMAS COUNTY ORDINANCES. THE VIOLATIONS INCLUDE:

1. Not completing inspections on plumbing and electrical permits that were part of a violation.

There is a long history with this file. First the complaint was regarding living in an accessory structure. Upon inspection it was determined to be an office but there had been mechanical, plumbing and electrical work done without a permit. Permits were required and were applied for and received. However inspections have not been completed on the plumbing and electrical permits. There have been numerous letters addressing this issue however there was a problem with addresses. Permits were taken out on two different addresses on this site. A plumbing permit for 25934 and electrical permit for 25924. This letter should clarify those violations as one as they are one tax lot.

The following section provides details of the violation. This section also provides options on how to address the violation. Department contact information can be found towards the end of this letter under "CONTACT INFORMATION". You may contact that department to discuss the options outlined or ask questions for other possible solutions, if they may exist. This letter may not address all violations that exist on the site and instead is intended to address those violations identified during the review and/or inspections that have occurred.

UNPERMITTED CONSTRUCTION

A violation for no permits started this process. Permits were obtained but no final inspections have been done for the electrical and plumbing work. Performing work requiring a permit and/or inspections without obtaining said permit and completing all inspections constitutes a violation of the Clackamas County Code Title 9.02.040. To abate these violations you must complete the following **no later than June 20, 2020:**

1. You must complete all inspections for the electrical and plumbing work done on the property.

- a. If it is not possible to complete by this deadline please contact me to discuss further. However due to this violation letter being issued inspections will need to be completed in a quick manner and an extension may not be granted to this deadline.

CONTACT INFORMATION

Code Enforcement Specialist – Shane Potter – If you have any other questions please feel free to contact me at 503-742-4465 or email at spotter@clackamas.us

Building Department (Permits) – If you have questions regarding the permit process and other permitting questions please call the Building Department (Permitting) at 503-742-4240

During the COVID event our offices are closed, however staff is working to assist you and may be reached online and by telephone. Inspections are also occurring during this time.

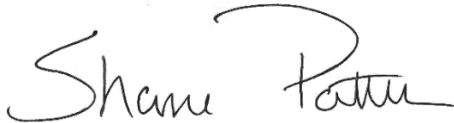
Once this event is over and our offices open you may also stop by the Planning, Permitting, and Code Enforcement Offices at the Development Services Building located at 150 Beavercreek Road, Oregon City. The lobby is open between the hours of 8 a.m. and 4 p.m. Monday through Thursday and 8 a.m. to 3 p.m. on Fridays.

In order to provide the highest level of customer service, please bring a copy of this correspondence when visiting the County. You can also review the entire code by going to:

<https://www.clackamas.us/code>

ITEMS INCLUDED IN THIS PACKET

- Violation Letter
- Required Notice of Fines and Penalties



Shane Potter
Code Enforcement Specialist
Clackamas County Code Enforcement

REQUIRED NOTICE OF FINES AND PENALTIES

It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. Failure to resolve those violations may result in one or more of the following: (1) a citation and fine, (2) assessment of a \$75 per month administrative compliance fee, and (3) referral of this matter to the County Code Enforcement Hearings Officer.

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 Road.

Also, be advised that non-compliance with a Hearing 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, recurrence of abated violations may result in the issuance of a citation without prior notice.



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

April 26, 2022

Ty and Reva Lamb
25934 SE Eagle Creek Road
Eagle Creek, OR 97022

SUBJECT: Violation of Clackamas County Building Code, Title 9.02.040 (C) and (D)

VIOLATION: V001116

SITE ADDRESS: 25924 SE Eagle Creek Rd., Eagle Creek, OR 97022
25934 SE Eagle Creek Rd., Eagle Creek, OR 97022

LEGAL DESCRIPTION: T3S, R4E, Section 05, Tax Lot 04400

Your violation file has been reassigned to me for work done without approved final inspections.

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

- Failure to obtain approved final inspections for electrical permit E0162016
- Failure to obtain approved final inspections for plumbing permit P0142916

VIOLATIONS & HOW TO RESOLVE

Failure to obtain final approved inspections for the installation of electrical and plumbing constitutes a violation of the Clackamas County Building Code Title 9.02.40(C) and (D). In order to abate the violation, please complete the following **no later than May 28, 2022:**

- Obtain final approved inspections for electrical permit E0162016
- Obtain final approved inspections for plumbing permit P0142916

CONTACT INFORMATION

Building - If you have any questions concerning these permit requirements or the online submittal process, please contact the Building Codes Division at 503-742-4240, via email at bldservice@clackamas.us.

You may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 Beavercreek 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 503-742-4459 and my email is dianebau@clackamas.us.

ITEMS INCLUDED IN THIS PACKET

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

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

Diane Bautista
Code Enforcement Specialist
Clackamas County Code Enforcement

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beaver Creek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
6. **Non-Compliance may result in a lien upon your property:** Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.



Citation No. 16001111-3

Case No. V0011116

ADMINISTRATIVE CITATION

Date Issued: June 16, 2022

Name and Address of Person(s) Cited:

Name: Ty and Reva Lamb
Mailing Address: 25934 SE Eagle Creek Road
City, State, Zip: Eagle Creek, OR 97022

Date Violation(s) Confirmed: On the 15th day of June, 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): 25924 SE Eagle Creek Rd., Eagle Creek, OR 97022
25934 SE Eagle Creek Rd., Eagle Creek, OR 97022

Legal Description: T3S, R4E Section 05, Tax Lot(s) 04400

☒ Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (B), (C), (D) and (E)

Description of the violation(s):

- 1) Failure to obtain required building, plumbing, electrical and mechanical permits and receive final approved inspections

Maximum Civil Penalty \$1,000.00

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: Diane Bautista
Telephone No.: 503-742-4459

Date: June 15, 2022
Department Initiating Enforcement Action: Code Enforcement

