



NOTICE OF HEARING

June 3, 2024

Orozco Farms LLC
35725 S Hwy 213
Molalla, OR 97038

RE:: County of Clackamas v. Orozco Farms LLC
File: V0014423

Hearing Date: June 25, 2024

Time: This item will not begin before 2:00pm however it may begin later depending on the length of preceding items.

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

Enclosed you will find the following:

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

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

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

You may contact Shane Potter, Code Compliance Specialist for Clackamas County at (503) 742-4465, should you have any questions about the violation(s) in the **Complaint**. Do not call the Compliance Hearings Officer.

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

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

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



You must have access to the internet or to a telephone line to use the Zoom platform. A Zoom invite has been sent to Juan Orozco at juan@malloriesllc.com a copy of the link is provided below.

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

If you are unable to participate in a hearing through the Zoom platform please contact Shane Potter at 503-742-4465 **within 3 calendar days of receipt of the Notice of Hearing**.

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

If you experience difficulties connecting to the Zoom hearing before your scheduled start time, please call 503-830-9960 for assistance.

Zoom invite

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://clackamascounty.zoom.us/j/82476156857?pwd=lyfNF7hueO5wH1NhbmfoUAbQ9Bnfdi.1>

Passcode: 341661

Or One tap mobile:

+16694449171,,82476156857# US

+16699006833,,82476156857# US (San Jose)

Or join by phone:

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

US: +1 669 444 9171 or +1 669 900 6833 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 408 638 0968 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 876 9923 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623

Webinar ID: 824 7615 6857

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.

OROZCO FARMS LLC.,

Respondents.

File No(s): V0014423

COMPLAINT AND REQUEST FOR HEARING

I, Shane Potter, Code Compliance Specialist for Clackamas County, allege the following:

1.

Respondents' place of residence is: 35725 S Hwy 213, Molalla, OR 97038

2.

The address or location of the violation(s) of law alleged in this Complaint is: 35725 S Hwy 213, Molalla, OR 97038 also known as T5S, R1E., Section 34, Tax Lot 01300, and is located in Clackamas County, Oregon.

3.

On or about the 5th day of July, 2023, Respondent violated the following laws, in the following ways:

- a. Respondent violated Chapter 9.02.040 of the Clackamas County Building Code by use of an agricultural building for purposes other than agricultural uses including commercial uses and numerous permits that have not been completed and received a final inspection.

This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities,

- b. Respondent violated Section 401.04 of the Clackamas County Zoning and Development Ordinance (ZDO) by Operating an event center and operating an auto repair and/or auto storage facility without Land Use approval. Said property is zoned Exclusive Farm Use (EFU) District.

This violation is a Priority 2 violation pursuant to the Clackamas County Violation Priorities,

4.

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

5.

Notice of the violations was given to Respondent in the following manner: Violation notice dated July 5, 2023 and Citation #2300144 – 1 in the amount of \$900.00 on September 11, 2023. A copy of the notice document is attached to this Complaint as Exhibit F, and incorporated by this reference.

Based on these allegations, petitioner requests 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 violation 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 Board of County Commissioners. Said range for a Priority 1 Building Code violation being \$750.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code; and said range for a Priority 2 Zoning Ordinance violation being \$500.00 to \$2,500.00.

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

DATED this 29th day of May, 2024.



Shane Potter
Code Enforcement Specialist
for Clackamas County

COUNTY OF CLACKAMAS,

Petitioner,

v.

OROZCO FARMS LLC,

Respondent.

File No.: V0014423

STATEMENT OF PROOF

History of Events and Exhibits:

May 8, 2023
Exhibit A

Clackamas County received a complaint regarding commercial activity in an EFU (Exclusive Farm Use) zone, renting event space in accessory building and plumbing and electrical work done without permits. Complaints were previously filed under file V0034322, however this file was closed because events stopped occurring. This violation file was opened when the events began the following year.

May 10, 2023
Exhibit B

Letter of allegation mailed to Orozco Farms LLC. The mail was not returned. The letter requested contact within 10 days.

May 19, 2023

Code Enforcement Specialist (CES) Shane Potter received a phone call from Respondent Juan Orozco who stated between him and his sister they have a very large family and there is always activities going on there. They have music and family events only for their family.

June 26, 2023
Exhibit C

CES Potter did a site visit and could not obtain photos. CES Potter did see the building identified in aerials and shown on Facebook posts as the location for these events. CES Potter did research online and found a Facebook page that shows several photos of the building used for events. Further research shows an agricultural exemption application was submitted and approved.

July 5, 2023
Exhibit D

Facts of the alleged violation were reviewed, the violation verified, and Notice of Violation mailed containing a statement of the facts that support the finding a violation exists on the property. The notice was mailed to Orozco Farms LLC., and the Registered Agent Juan Orozco. No mail was returned.

August 2, 2023	CES Potter spoke by phone with Respondent Juan Orozco. CES Potter stated that there is still advertising showing for events at this location. Respondent Orozco explained to me that he has a large family and that is what the events are for. CES Potter explained they are using an agricultural barn that is permitted for agricultural purposes not for this use and they cannot use it until they obtain the proper permits for the building. Respondent Orozco stated they are not using the car repair any longer so they didn't renew the permit. CES Potter and Respondent Orozco went through several of the outstanding permits and explained those needed to be addressed.
September 5, 2023 Exhibit E	CES Potter sent an email to Respondent Juan Orozco stating that they are still showing advertising and they are still using the barn that is not permitted for such use.
September 11, 2023 Exhibit F	Citation #2300144 – 1 issued for the Building Code and Zoning Ordinance violations was mailed the owner and registered agent. The mail was not returned. The citation has not been paid.
February 8, 2024 Exhibit G	CES Potter performed a site visit and was unable to see any banners or advertising.
May 11, 2024 Exhibit H	CES Potter received a photo showing the banners are back up and complaints state that there was another event held.
May 22, 2024	The County referred this matter to the Code Enforcement Hearings Officer.

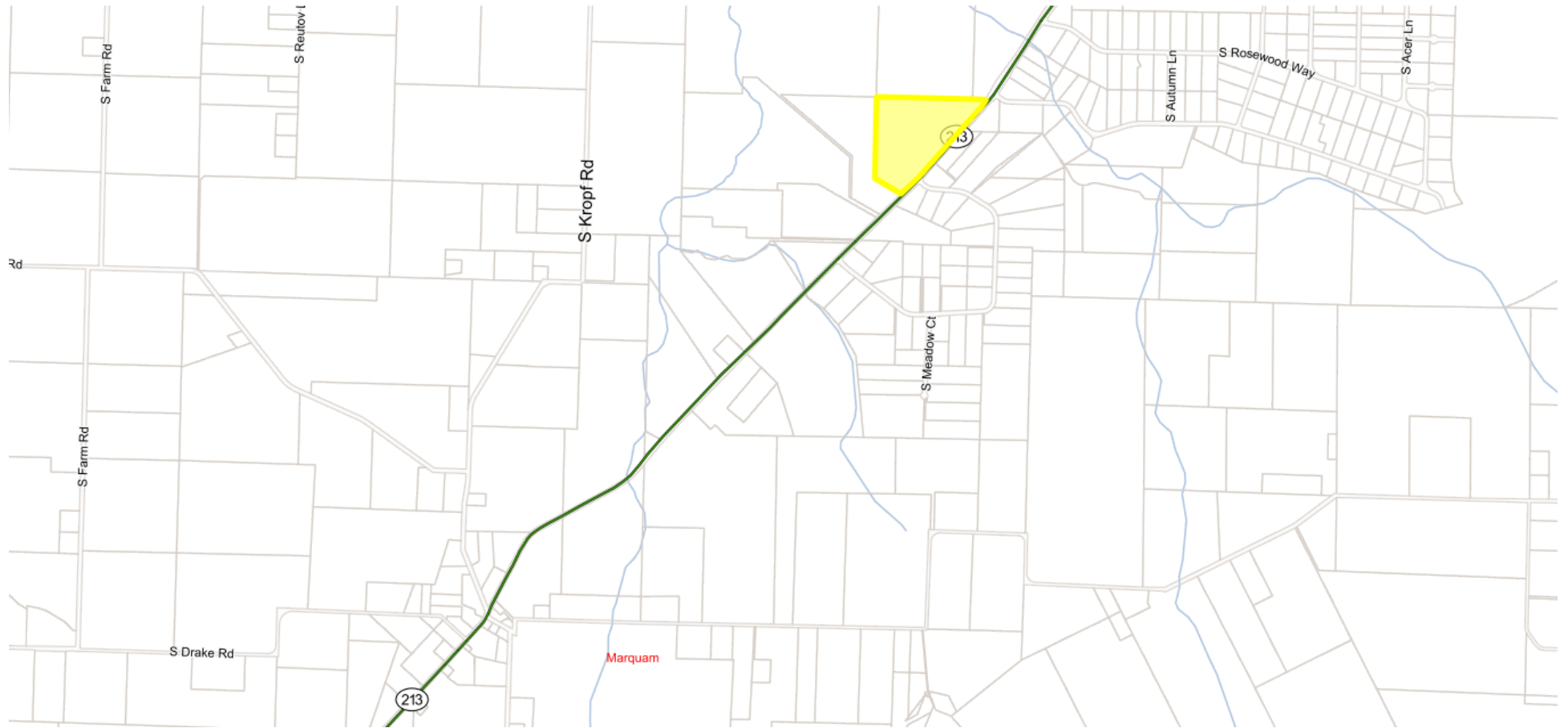
If the Hearings Officer affirms the County's position that a violation of the Building Code and Zoning Ordinance exists on the subject property, the County would request a Continuing Order be issued requiring the Respondent:

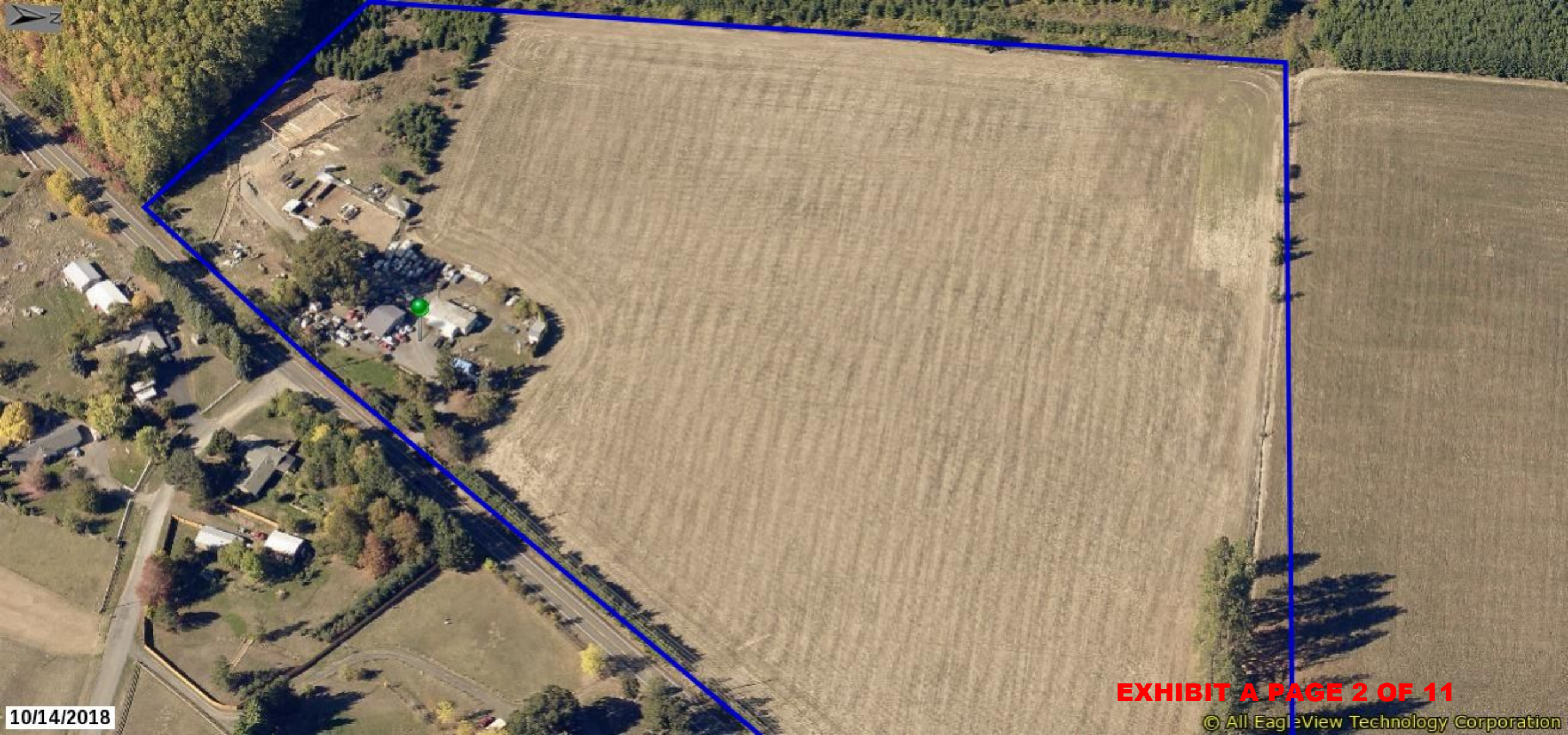
- With regard to the auto repair and/or auto storage portion of the site within 30 days of the Continuing Order complete the following:
 - Cease operating auto repair and/or storage and remove all vehicles not associated with the individuals residing on site or that are inoperable and/or not currently licensed, or
 - Make application to the Clackamas County Planning and Zoning Division by the deadline listed. If the application is deemed incomplete by the Planning and Zoning Division you must provide a completed application within 30 days from the date of the incomplete letter. Any voluntary action such as "tolling the clock" will be considered to be a continued violation.

- With regard to operating an Event Center complete the following within 30 days of the Continuing Order complete the following:
 - Cease operating and advertising for events. This includes having individuals to help park vehicles, signage for events along the highway unless otherwise in compliance with County and State Highway regulations, within 30 days of the date of the Continuing Order, or
 - Make application to the Clackamas County Planning and Zoning Division by the deadline listed. If the application is deemed incomplete by the Planning and Zoning Division you must provide a completed application within 30 days from the date of the incomplete letter. Any voluntary action such as “tolling the clock” will be considered to be a continued violation.
- Cease operating any activities within the agriculturally exempt building until Land Use Approval and Building Codes approval has been obtained for use of this barn for activities other than agricultural uses.
- Address outstanding permits: MH021699, E0561099, B0066811, E0135219, and E0303018 within 30 days of the Continuing Order complete the following:
 - Submit the permit applications and technically complete plans and pay the appropriate fees as requested by the Building Codes Division.
 - If it is determined that the permit application is incomplete for review by the Building Codes Division you will be required to submit the missing materials within 30 days of being notified of such incomplete application.
 - The permit must have been paid in full within 10 days of being notified by the Building Codes Division.
 - Schedule all inspections so that final inspections may be obtained not later than 45 days of the date of receipt of your approved permits.

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 #230144 – 1 for \$900.00
- The imposition of civil penalties of up to \$500.00 for a priority 1 Building Code violation, and 2,500.00 for a priority 2 Zoning Ordinance violation.
- The administrative compliance fee to be imposed from July 2023.
- 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.
- The County would also ask that reimbursement be ordered for any expense the County incurs in collection of these monies.





10/14/2018

EXHIBIT A PAGE 2 OF 11

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09/02/2023

EXHIBIT A PAGE 3 OF 11

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Business Name Search

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Business Entity Data

07-05-2023 13:08

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1383403-93	DLLC	ACT	OREGON	11-29-2017	11-29-2023	
Entity Name	OROZCO FARM, LLC					
Foreign Name						

[New Search](#)

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Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS					
Addr 1	35725 S HIGHWAY 213						
Addr 2							
CSZ	MOLALLA	OR	97038		Country	UNITED STATES OF AMERICA	

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

Type	AGT	REGISTERED AGENT		Start Date	11-29-2017	Resign Date	
Name	JUAN		OROZCO				
Addr 1	2446 HAZEL AVE NE						
Addr 2							
CSZ	SALEM	OR	97301		Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS					
Addr 1	2446 HAZEL AVE NE						
Addr 2							
CSZ	SALEM	OR	97301		Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER				Resign Date	
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Name	JUAN		OROZCO		
Addr 1	2446 HAZEL AVE NE				
Addr 2					
CSZ	SALEM	OR	97301	Country	UNITED STATES OF AMERICA

Type	MGR	MANAGER		Resign Date	
Name	JUAN		OROZCO		
Addr 1	2446 HAZEL AVE NE				
Addr 2					
CSZ	SALEM	OR	97301	Country	UNITED STATES OF AMERICA

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Name History







Business Entity Name	Name Type	Name Status	Start Date	End Date
OROZCO FARM, LLC	EN	CUR	11-29-2017	

Please [read](#) before ordering [Copies](#).

[New Search](#)

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Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	10-19-2022		FI		
	AMENDED ANNUAL REPORT	10-15-2021		FI		
	AMENDED ANNUAL REPORT	11-12-2020		FI		
	AMENDED ANNUAL REPORT	10-21-2019		FI		
	AMENDED ANNUAL REPORT	02-01-2019		FI		
	ARTICLES OF ORGANIZATION	11-29-2017		FI	Agent	

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For comments or suggestions regarding the operation of this site

Clackamas County Official Records
Sherry Hall, County Clerk

2018-000444

01/03/2018 09:55:01 AM

D-D Cnt=1 Stn=75 CONNIE
\$15.00 \$16.00 \$10.00 \$22.00

\$63.00

After Recording Return To:

Orozco Farm, LLC and
Juan Orozco
35725 S Hwy. 213
Molalla, OR 97362

After Recording, Send Tax

Statements To:

Orozco Farm, LLC and
Juan Orozco
35725 S Hwy. 213
Molalla, OR 97362

STATUTORY WARRANTY DEED

Juan Diego Almaral Sanchez, Grantor, conveys and warrants to Orozco Farm, LLC, Grantee, the following described real property free of encumbrances, except as specifically set forth herein, situated in Clackamas County, Oregon, to-wit:

See Exhibit A attached hereto and incorporated herein.

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 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.

The true consideration for this conveyance is \$440,000.00.

SIGNATURES CONTINUE ON FOLLOWING PAGE

MARTINIS & HILL
110 Madrona Avenue SE, Salem, OR 97302
Mailing Address: PO Box 3938, Salem, OR 97302
Phone: (503) 566-5800; Fax: (503) 566-6775
Email: wes@martinis-hill.com

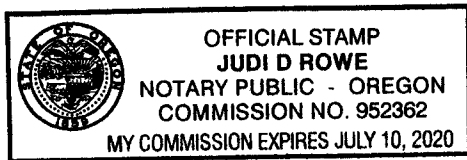
FATCO 2018782

Dated this 19th day of December, 2017.

Juan Diego Almaral Sanchez
Juan Diego Almaral Sanchez

STATE OF OREGON)
)ss.
County of Marion

On this 19th day of December, 2017, personally appeared before me the above named Juan Diego Almaral Sanchez, and acknowledged the foregoing instrument to be his voluntary act and deed.



Judi D. Rowe
Notary Public for Oregon
My Commission Expires: 7-10-20

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON; THENCE EAST ON QUARTER SECTION LINE TO THE CENTER OF MARKET ROAD NO. 5; THENCE SOUTHWESTERLY FOLLOWING THE CENTER LINE OF SAID ROAD TO THE MOST EASTERLY CORNER OF A TRACT OF LAND CONVEYED TO L. H. JONES BY DEED RECORDED OCTOBER 14, 1903, IN BOOK 85, PAGE 190, DEED RECORDS; THENCE NORTHWESTERLY FOLLOWING THE NORTHERLY LINE OF SAID JONES TRACT TO THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 34; THENCE NORTH TO THE PLACE OF BEGINNING.

EXCEPTING FROM SAID PARCEL THAT PORTION CONVEYED TO THE STATE OF OREGON BY DEED RECORDED APRIL 20, 1953, IN BOOK 468, PAGE 3, DEED RECORDS.

NOTE: This Legal Description was created prior to January 01, 2008.

February 25, 2020

Orozco Farms, LLC
2446 Hazel Ave NE
Salem, OR 97301

IMPORTANT DOCUMENT – PLEASE READ CAREFULLY
This is not a septic construction permit.

Site: Township 5S Range 1E Section 34 Tax Lot 1300
35725 S Hwy 213

Application Number: SE004720

Results: Prepared site is not approvable

To whom it may concern:

Onsite Wastewater Systems program staff have completed an evaluation at the property referenced above. The purpose of the evaluation was to locate suitable site conditions in the prepared area that is large enough for both the initial Onsite Wastewater System (system) and its future replacement. The following site characteristics if applicable where determined:

- Soil types--how well they drain and other evidence of good soil structure for treatment
- Depth to groundwater
- Wells located on the site or adjacent sites too close to the proposed septic system
- Slopes, escarpments, ground surface variations, topography
- Any surface water body or springs on the site or adjacent properties
- Whether the soils have been disturbed hindering natural infiltration properties
- Setbacks from property lines, buildings, water lines and other utilities
- Other site features that could affect the performance of your on-site system

Based on the evaluation of the site conditions, the site does not meet Oregon Administrative Rules for on-site wastewater treatment. The denial is based on limitations at your site, as described in this report. Possible options for your next step in this process are also discussed. Technical details of the site evaluation are included in the field worksheet attached to this report.

Sincerely,



Aaron Dennis, WWS
Soil Scientist, Senior

CC:

Prepared Site Restrictions:

Wastewater contains disease-causing organism and other pollutants that can adversely impact human health and the environment. An on-site treatment system is expected to provide wastewater treatment in a manner that will not cause a public health hazard, contaminate drinking water supplies, or pollute public waters.

Proper treatment in an on-site system begins with primary treatment in the septic tank. The septic tank separates the solid particles in wastewater from liquid. The liquid that comes out of the septic tank is called effluent. The effluent may then be dispersed in the soil for further treatment or discharged into a secondary treatment device such as a sand filter or aerobic treatment unit prior to dispersal in the soil. For proper treatment, the effluent must slowly infiltrate into the underlying soil. Dissolved wastes and bacteria in the effluent are trapped or adsorbed by soil particles or decomposed by microorganisms. This process removes disease-causing organisms, organic matter, and some nutrients. Effluent that comes to the ground surface through poor soil conditions or other problems with the septic system can be a health hazard because it may still contain some disease-causing organisms. Soil that drains too quickly may not give the effluent enough treatment and may result in groundwater contamination.

The following site restrictions would prevent proper wastewater treatment.

Temporary groundwater level is too high

Site conditions observed: Redoximorphic features in the soil at 7-9" indicate the winter high water table is less than 12" from the ground surface.

Rule requirement: Temporary groundwater refers to the groundwater table which is not present all year long and the level could vary at times throughout the year.

Description: There must be enough unsaturated soil below the absorption area otherwise, very little treatment occurs, wastewater could be forced to the surface where it poses a potential public health hazard and human bacteria, viruses, or parasites could get into someone's drinking water supply.

OARs 340-071-0290 (2.a), 340-071-0220 (1.b.B), 340-071-0265(1.b)

Options:

1. For the purposes of an employee bathroom, a septic holding tank meeting OAR 340-071-0340 may be an option for this site.

2. It should be noted that this study was done only in the area that you indicated. To pursue reevaluation we recommend retaining the services of an Onsite Wastewater Consultant (list attached), identify and prepare another site as you did before and contact this office. No additional fee will be charged for any recheck request made within ninety (90) days of the original evaluation.

3. You may pursue an easement on a neighboring property. A new set of test holes is required to determine the suitability of soil conditions. If the site is approved, a septic easement would need to be reviewed by Soils staff and then recorded at the county recorder's office before this evaluation could be approved.

4. Site evaluation report review. An applicant may request the department to review a site evaluation report issued by an agent. The application for review must be submitted to the department in writing within 60 days after the site evaluation report issue date and must include the site evaluation review fee in OAR 340-071-0140(2). The department will review and approve or disapprove the site evaluation report. The application is a written request that includes all information you have received from this evaluation, the reason the report is in error and citing the specific Oregon Administrative Rules that conflict with the report. (DEQ Contact information is below)

5. You may request a variance from these Rules through the Department of Environmental Quality. This is not an automatic variance and there is a fee associated with this request. Technical advice from a knowledgeable consultant is recommended. A variance officer from DEQ will review your application and the property. All information from your file will be provided at your request. (DEQ Contact information is below)

DEQ Contact:

Jessica Joye
NWR Onsite Wastewater Management Specialist
Oregon DEQ
4026 Fairview Industrial Drive SE
Salem, OR 97302
joye.jessica@deq.state.or.us



May 11, 2023

Juan Orozco & Orozco Farms LLC
35725 S Hwy 213
Molalla, OR 97038

Subject: Alleged Violations of the Zoning and Development Ordinance, Title 12, Section 401 and the Building Code, Chapter 9.02.040 of the Clackamas County .

Site Address: 35725 S Hwy 213 Molalla, OR 97038
Legal Description: T5S, R1E, Section 34, Tax Lot 01300

It has come to the attention of Clackamas County Code Enforcement that a commercial business for weddings and other events may be operating from the above referenced property without land use approval. In addition, an accessory building may have been converted for commercial use without the benefit of permits and a certificate of occupancy.

This may constitute a violation of the Zoning and Development Ordinance, Title 12, Section 401 and the Building Code, Chapter 9.02.040 of the Clackamas County Code.

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

E-mail address is SPotter@clackamas.us

Telephone number is 503-742-4465

**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.















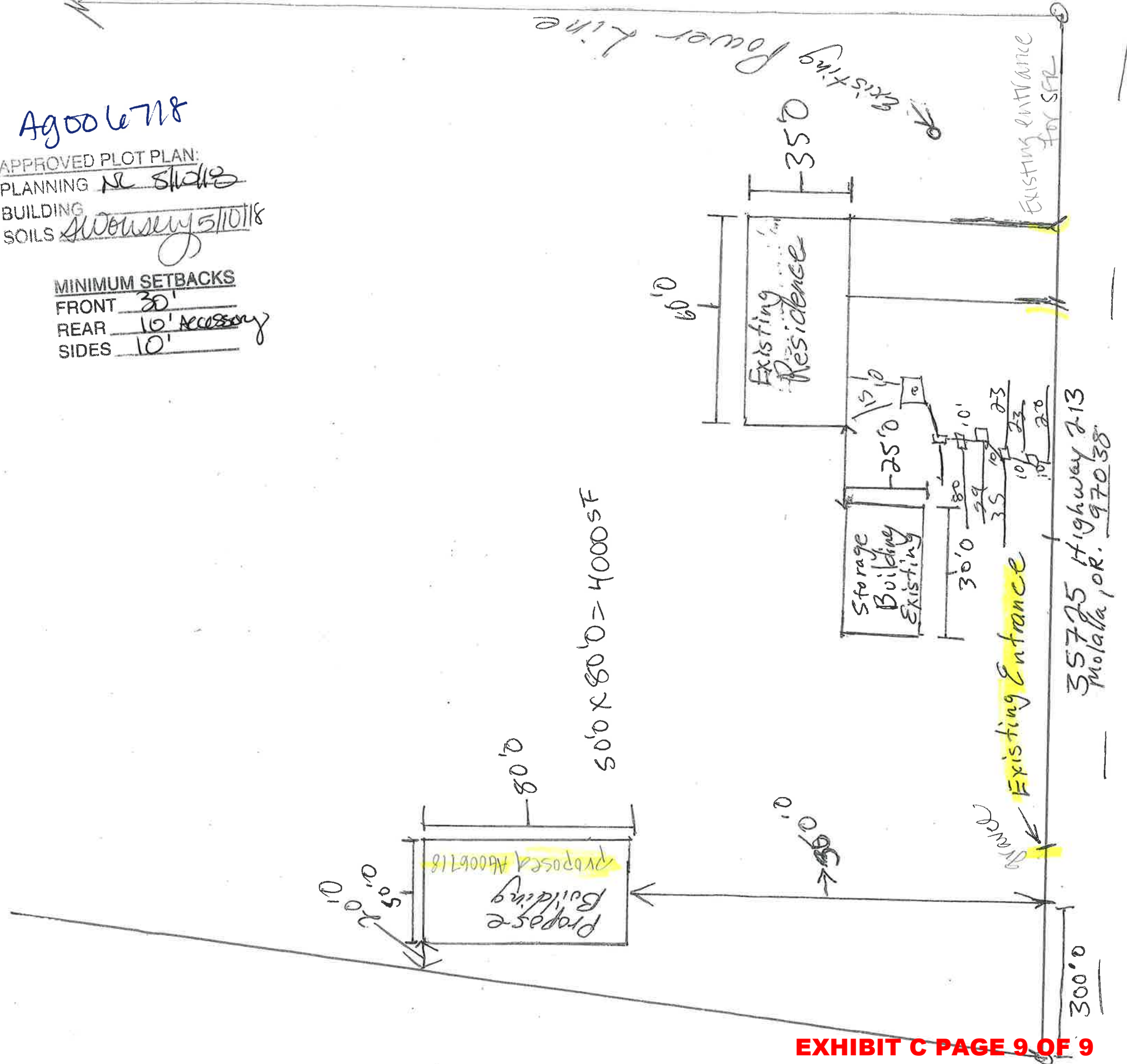


Contact -
Juana @ 503 480 4413

Agoo 6718

APPROVED PLOT PLAN:
PLANNING NC Studio
BUILDING
SOILS A0006718

MINIMUM SETBACKS
FRONT 30'
REAR 10' necessary
SIDES 10'





DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

July 5, 2023

Violation No.:V0014423

Orozco Farms LLC.
35725 S Hwy 213
Molalla, OR 97038

RE: VIOLATIONS OF CLACKAMAS COUNTY CODES: No.: V0014423

1. CLACKAMAS COUNTY ZONING AND DEVELOPMENT NATURAL RESOURCE DISTRICTS ORDINANCE 12.401.04. – USES PERMITTED – **Operating Businesses on site without Land Use Approval**
2. CLACKAMAS COUNTY BUILDING CODE APPLICATION AND ENFORCEMENT OF THE BUILDING CODE TITLE 9.02.040(A, B, C, D, E, G & K) – **There has been activities occurring in buildings not permitted for such use and there are numerous incomplete permits on site**

SITE ADDRESS: 35725 S Hwy 213, Molalla, OR 97038
LEGAL DESCRIPTION T5S, R1E, SECTION 34, TAX LOT 01300

Dear Orozco Farms LLC,

There has been several violations identified on the site. The violations will be detailed below. There are businesses operating on site without Land Use Approval, buildings being used for commercial purposes without proper building permits and numerous permits that are incomplete on the site. To abate these violations you must complete the following **no later than: August 5, 2023**

1. Violation of operating an event center without Land Use Approval. A representative and I spoke about the events at this site which the representative stated that the family uses for events, however we have found advertising for holding such events which is a violation. Also as addressed later in this letter there has been events held in agriculturally exempt buildings which is not permitted for use for such events. You will need to complete one of the options below to come into compliance:
 - a. Cease operating events there except as allowed by law which is one event per quarter. For more information on this you will want to contact the Clackamas County Planning and Zoning Division at 503-742-4500 or by email at zoninginfo@clackamas.us to discuss these options. An event form will need to be filled out when holding such events, or
 - b. If you choose to obtain Land Use Approval, if such use is allowed, you must submit the required application and materials by the date listed above. If the Planning and Zoning Division determines that the materials submitted were not complete and issue an incomplete application letter you will have 30 days to obtain a completed application.

2. Violation of operating a auto repair business without continued Land Use Approval. Land Use Approval Z0394-09 and then followed by the latest renewal through Land Use Approval Z0020-13 which says denied but no further land use actions are shown which means they have exceeded the three year limitation on the auto repair. This means the auto repair at this location is in violation and must:
 - a. Cease operating the use until such land use approval has been obtained.
 - b. Obtain land use approval by reaching out to the Clackamas County Planning and Zoning Division at the numbers listed above. Obtain such land use approval consistent with 1.b above.
3. Holding events in an agriculturally exempt building without building permit approval. There are events being held in a building with an agricultural exemption (AG006718). The use of an event center is not allowed in an agriculturally exempt building and must be addressed. In order to hold events in this structure, if events are allowed to continue, the building must obtain the appropriate change of use permits to allow for such use.
 - a. Submit the permit application(s) and technically complete plans and pay the appropriate fee(s) as requested by the Building Codes Division. If you have questions about the submittal documents and/or permit applications please contact the Building Codes Division at 503-742-4240 or by email at bldservice@clackamas.us
 - b. If it is determined that the permit application is incomplete for review by the Building Codes Division you will be required to submit the missing materials within 30 days of being notified of the incomplete application.
 - c. The permit must have been paid in full within 10 days of being notified by the Building Codes Division.
 - d. Schedule all inspections so that final inspections may be obtained not later than 45 days of the date of receipt of your approved permit(s).
4. Permits listed below have not been completed and require a final inspection to be in compliance. Each permit will be listed below and the process in how to resolve those outstanding permits. For questions regarding these permits you can reach out to the Building Codes Division as shown in 3.a above:
 - a. Permit MH021699 for Expired manufactured home permit without a final inspection has a current status of expired. To abate this violation you will need to:
 - i. Reach out to the Building Codes Division to determine if a new permit will need to be applied for.
 - ii. Once the permit is obtained comply with the process outlined in 3.a, b, c, & d above.
 - b. Permit E0561099 for manufactured home has a current status of expired. To abate this violation you will need to:
 - i. Reach out to the Building Codes Division to determine if a new permit will need to be applied for.
 - ii. Once the permit is obtained comply with the process outlined in 3.a, b, c, & d above.
 - c. Permit B0066811 for replace air handler has a current status of expired. To abate this violation you will need to:
 - i. Reach out to the Building Codes Division to determine if a new permit will need to be applied for.


- ii. Once the permit is obtained comply with the process outlined in 3.a, b, c, & d above.
- d. Permit B0066811 for change of use of auto repair building has a current status of expired. To abate this violation you will need to:
 - i. Reach out to the Building Codes Division to determine if a new permit will need to be applied for.
 - ii. Once the permit is obtained comply with the process outlined in 3.a, b, c, & d above.
- e. Permit E0135219 for 200 amp service in ag building has a current status of issued no inspections. To abate this violation you will need to:
 - i. Reach out to the Building Codes Division to determine if a new permit will need to be applied for.
 - ii. Once the permit is obtained comply with the process outlined in 3.a, b, c, & d above.
- f. Permit E0303018 for 200 amp service for ag building has a current status of issued no final inspection. To abate this violation you will need to:
 - i. Reach out to the Building Codes Division to determine if a new permit will need to be applied for.
 - ii. Once the permit is obtained comply with the process outlined in 3.a, b, c, & d above.

Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>

If you have questions concerning permit requirements, online submittal process, or land use process, please contact the department listed above at the phone number or email listed, or stop by the offices located at 150 Beaver Creek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 8:00 a.m. and 4:00 p.m. The offices are closed on Fridays

ITEMS INCLUDED IN THIS PACKET

- Violation Letter
- Required Notice of Fines and Penalties



Shane Potter
Code Enforcement Specialist
Clackamas County Code Enforcement
Phone: 503-742-4465
spotter@clackamas.us

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.

Potter, Shane

From: Potter, Shane
Sent: Tuesday, September 5, 2023 8:17 AM
To: 'Juan Orozco'
Subject: RE: Los Pinos

Hi Juan,

I am still seeing advertising for events for this location and there are events being held in the building that requires permits. I have tried to call you but it goes to a message that says no voicemail.

Sincerely,

Shane Potter
Code Enforcement Specialist
Code Enforcement
Department of Transportation and Development
150 Beaver Creek Rd., Oregon City, OR 97045
Primary Phone: 503-742-4465
spotter@clackamas.us
www.clackamas.us
Hours: M-F from 7:30 am until 4:00 pm (Lobby closed to the public on Fridays)

Were you happy with the service you received today?



CLICK A SMILEY

Follow Clackamas County: [Facebook](#) | [Twitter](#) | [YouTube](#) | [Nextdoor](#)

From: Juan Orozco <juan@malloriesllc.com>
Sent: Monday, August 7, 2023 1:56 PM
To: Potter, Shane <SPotter@clackamas.us>
Subject: Los Pinos



Citation No.: 2300144 - 1

Case No.: V0014423

ADMINISTRATIVE CITATION

Date Issued: September 11, 2023

Name and Address of Person(s) Cited:

Name: Orozco Farms LLC.
Mailing Address: 35725 S Hwy 213
City, State, Zip: Molalla, OR 97038

Date Violation(s) Confirmed: September 5, 2023, the person(s) cited committed or allowed to be committed, the violation(s) of law described below, at the following address:

Address of Violation(s): 35725 S Hwy 213, Molalla, OR 97038

Legal Description: T5S, R1E SECTION 34, Tax Lot 01300

Law(s) Violated

- Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (A, B, C, D, E, & G)
- Title 12 and 13 of CCC Zoning and Development Ordinance, Section 12.401.04

Description of the violation(s):

- 1) Holding events in an agriculturally exempt building (AG006718) and several permits that are incomplete (MH021699, E0561099, B0066811, B0082512, E0135219, and E0303018).

Maximum Civil Penalty \$1,000.00 Fine \$500.00

- 2) Operating an auto repair in violation of Land Use file Z0020-13 (expired and has not been renewed), and operating an event center without Land Use approval.

Maximum Civil Penalty \$2,500.00 Fine \$400.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$900.00. 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 \$75.00 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: Shane Potter Date: September 11, 2023
Telephone No.: 503-742-4465 Department Initiating Enforcement Action: Code Enforcement

V0014423

PLEASE READ CAREFULLY!

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

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

Options:

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

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

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

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

STATEMENT OF UNDERSTANDING

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

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

Signature: _____ Date: _____

Address: _____

City, State, Zip

Contact Number: _____ Email: _____



