



NOTICE OF HEARING

July 11, 2024

Stafford Investments LTD Prtnrshp
PO Box 941
Lake Oswego, OR 97034

RE:: County of Clackamas v. Stafford Investments LTD Prtnrshp

File: V0031514

Hearing Date: October 10, 2024

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

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

Enclosed you will find the following:

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

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

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

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

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

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

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



You must have access to the internet or to a telephone line to use the Zoom platform, a copy of the link is provided below.

If you would like to present evidence at the Hearing please email or mail your evidence to Andrea Hall at 150 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 Andrea Hall at 503-742-4467 **within 3 calendar days of receipt of the Notice of Hearing**.

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

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

Zoom invite

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

Please click this URL to join.

<https://clackamascounty.zoom.us/j/89784778254?pwd=cLWXOxT8UZFc3GKppu4pRk2xM2dtTu.1>

Passcode: 992945

Or One tap mobile:

+16694449171,,89784778254# US

+16699006833,,89784778254# 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: 897 8477 8254

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.

STAFFORD INVESTMENTS LTD
PRTNRSHP,

Respondent.

File No: V0031514

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent Stafford Investments LTD Prtnrshp mailing address is: PO Box 941,
Lake Oswego, OR 97034

2.

The address or location of the violation(s) of law alleged in this Complaint is:
20383 SW Stafford Rd., Tualatin, OR 97062, also known as T2S, R1E, Section 29A , Tax Lot 1000,
and is located in Clackamas County, Oregon.

3.

On or about the 12th day of May 2017 and 28th day of April, 2023 the Respondent violated
the following laws, in the following ways:

- a. Chapter 9.02 of the Clackamas County Code as it pertains to the Application and
Enforcement of the Clackamas County Building Code. 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 violation was given to the Respondent in the following manner: Violation Notices and Citation and Complaint #1400315. A copy of the notice document is attached to this Complaint as Exhibits F & I, and incorporated by this reference.

6.

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

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

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondent for each violation, within the range established by the Board of County Commissioners. Said range for the Priority 1 violation being \$750.00 to \$1000.00 per occurrence as provided by Appendix B to the Clackamas County Code;

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

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

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

DATED THIS 28th day of June, 2024.



Andrea Hall
Senior Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

STAFFORD INVESTMENTS LTD
PRTNRSHP,

Respondent.

File No.: V0031514

STATEMENT OF PROOF

History of Events and Exhibits:

- | | |
|--------------------------------|---|
| May 27, 2014
Exhibit A | In response to a complaint, an alleged letter was mailed to the Respondent regarding a commercial business operating from the property without land use approval. |
| February 9, 2016
Exhibit B | A violation notice was sent to the Respondent regarding the multiple businesses and unpermitted structures. The Respondent was given a deadline of February 25, 2016 to submit required documents to legalize the businesses on site. |
| January 25, 2017
Exhibit C | Aerial photos of the property from 2007 and 2016. |
| January 27, 2017
Exhibit D | A violation notice was sent to the Respondent with a deadline of April 3, 2017 to relocate the illegal business and to submit building permit applications for the unpermitted buildings. |
| February 24, 2017
Exhibit E | A site visit on February 14, 2017 revealed that the business remained on the property as well as the unpermitted buildings and unpermitted electrical. An email from the Respondent summarized the visit and described some of the structures and uses. |
| May 12, 2017
Exhibit F | A violation notice was sent to the Respondent with new deadlines of June 5, 2017 to submit permits application for the buildings an electrical work and June 30, 2017 to relocate the businesses. |
| November 4, 2020
Exhibit G | After the Respondent's application for a zone change was denied and the decision upheld by LUBA, the landscape business was relocated. The unresolved issues include the unpermitted electrical and accessory buildings. |

A violation notice was sent to the Respondent with a deadline of December 7, 2020 to submit building permit applications.

May 17, 2021
Exhibit H

A violation notice was mailed to the Respondent reiterating the existing violations and adding the illegal installation of a woodstove in one of the buildings and giving them the option to either cease allowing the public in an agriculturally exempt structure or permit it as an accessory building and with a deadline of June 21, 2021 to submit building permit applications.

May 1, 2023
Exhibit I

After a review of County records revealed that two agricultural exemption application had been received by the County but not issued due to insufficient information, citation number 1400315 was issued for \$500.00 for failing to obtain permits or agricultural exemptions and an electrical permit and approved final inspections. The citation was sent by first class mail to the owner and registered agent, neither citation was returned and the citation remains unpaid.

June 28, 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 exists on the subject property, the County would request a Continuing Order be issued requiring the Respondent to obtain agricultural exemptions for the six structures on the property within 30 days from the date of the Order. The County would also request that the Respondent retain a licensed electrical contractor and obtain a permit for the illegal electrical installations on the property within 30 days of the date of the order and obtain an approved final inspection within 30 days of the date the permit is issued.

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

- Waive payment of citation 1400315
 - The imposition of civil penalties of up to \$1000.00
 - The administrative compliance fee to be imposed from February 2016 is \$7650.00 however, the County is requesting a reduced administrative fee of \$2625.00 as a reasonable estimate of the cost of this enforcement matter.
-
- If the violations are not abated the County may request authorization for further enforcement action including to proceed to Circuit Court.

- The County requests the Hearing's Officer to permanently enjoin the Respondent from violating these laws in the future.



May 27, 2014

Stafford Investments Ltd. Partnership
P.O. Box 941
Lake Oswego, OR 97034

**Subject: Alleged Violations of the Zoning and Development Ordinance,
Title 12 of the Clackamas County Code**

Site Address: 20383 SW Stafford Rd., Tualatin, OR 97062
Legal Description: T2S, R1E, Section 29A, Tax Lot 01000

It has come to the attention of Clackamas County Code Enforcement that commercial businesses may be operating from the above referenced property without land use approval.

This may constitute a violation of the Zoning and Development Ordinance, Title 12 of the Clackamas County Code.

Please contact me within ten (10) days of the date of this letter in order to discuss this matter. My e-mail address is kimpri@co.clackamas.or.us and my telephone number is 503-742-4472.

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

KIM PRIEST
Clackamas County Code Enforcement

**Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that a \$75.00 monthly Administrative Compliance Fee will be assessed until the violation is 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.*



February 9, 2016

Stafford Investments LTD Partnership
PO Box 941
Lake Oswego, OR 97034

Subject: Violations of the Clackamas County Code

Site Address: 20383 SW Stafford Rd., Tualatin, OR 97062
Legal Description: T2S, R1E, Section 29A Tax Lot 01000

In May of 2014 the County received a complaint regarding multiple businesses operating on the subject property without land use approval.

The County was contacted at that time by a representative from your company and told this matter had been previously addressed in 2008 and there was no violation on the subject property.

A site inspection was done in August of 2014 and staff found two businesses operating on the subject property. A landscape service business was operating on the north side of the driveway at 20383 SW Stafford Rd and a landscape supply business was operating on the south side of the driveway at 20395 SW Stafford Rd.

After reviewing the previous file it appears the file was closed using a policy that was in effect at that time referred to as the 10 year policy where we would not enforce a violation if it could be proven to have existed for the previous 10 years without a complaint. The closing of the file did not abate the violation it just meant we were not going to enforce at that time. Any subsequent complaints could be enforced. That policy was repealed by the Clackamas County Board of Commissioners on October 29, 2009.

As noted, the newest complaint was received in May of 2014; therefore, subject to being in compliance with the zoning requirements for the property. The property is zoned Rural Residential Farm Forest (RRFF-5) and there is no record of land use approval for either business located onsite; therefore, you are in violation of Section 316 of the Clackamas County Zoning and Development Ordinance. You may be able

to obtain land use approval to legalize one or both of the businesses onsite and will need to work with Sandy Ingalls, Planner. Her direct number is 503-742-4532.

Additionally, aerial photos from Google Earth in 2007 show the southern portion of the property to be vacant. Records indicate in 2006/2007 this property was used in conjunction with I205 construction equipment storage. This activity can also be seen in 2006 aerial photos.

Between 2007 and today there have been many changes to the property, including the construction of many different shapes, sizes and types of buildings. A review of records shows no permits for any buildings whatsoever; therefore, you are also in violation of Chapter 9.02 of the Clackamas County Code as it pertains to the application and enforcement of the Building Code. If you are able to obtain land use approval for the businesses you will need to obtain building permits for any structures you wish to retain. Any buildings approved through the land use process or any buildings not permitted will need to be demolished.

In order to avoid further enforcement actions, the issuance of citations and the possibility of referral to the Code Enforcement Hearings Officer, please complete the following action(s) by no later than February 25, 2016:

- Contact Sandy Ingalls and submit the required documentation and fee to schedule a pre-application conference for a conditional use and/or home occupation permit in an attempt to legalize the businesses onsite.

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

A \$75.00 per month administrative fee on all open violation files will be assessed, until the violation(s) are abated.

If you have any questions I am available Monday through Thursday from 7:00am to 4:00pm. My direct telephone number is 503-742-4472 and my email at kimpri@clackamas.us

Thank you for your prompt attention to this matter.



Kim Priest
Code Enforcement Section

Enclosures

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 will result in one or more of the following: (1) a citation and fine, (2) assessment of a \$75 per month administrative compliance fee, and (3) referral of this matter to the County Code Enforcement Hearings Officer.

The Clackamas County Code provides for fine amounts of up to \$500 and additional civil penalties of up to \$3,500 for each day the county verifies the noncompliance. Fine amounts and civil penalties 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.



Google Earth



7-11-2007



Google Earth



7-23-2016



January 27, 2017

Stafford Investments LTD Partnership
PO Box 941
Lake Oswego, OR 97034

Rob Fallow
2916 Bluegrass Way
West Linn, OR 97068

Subject: Violation of the Clackamas County Code

Site Address: 20383 SW Stafford Rd., Tualatin, OR 97062
Legal Description: T2S, R1E, Section 29A, Tax Lot 1000

As you know, it has come to the attention of the Clackamas County Code Enforcement Section that there are several businesses operating on the above referenced property without land use approval. Currently, the subject property is zoned Rural Residential Farm Forest 5 Acre (RRFF5). Uses allowed within the RRFF5 zoning district are outlined in Section 316 of the Clackamas County Zoning and Development Ordinance. Unfortunately, retail uses such as the gift shop, bird shop and art studio are not permitted and constitute a violation of Section 316.

In order to abate this violation, the illegal businesses must relocate no later than April 3, 2017. The businesses that are authorized to operate pursuant to Section 316 include the farm uses and wholesaling and retailing of bark dust, decorative rock and hog fuel.

Additionally, a review of County records revealed that there are no permits for the structures on the property built between 2007 and 2016. This constitutes a violation of Chapter 9.02.040 of the Clackamas County Code as it pertains to the Application and Enforcement of the Clackamas County Building Code. In order to abate the violations, please submit the building permit applications for the buildings you would like to keep, technically complete plans and appropriate fees no later than April 3, 2017.

The permit must be picked up within ten days of being notified. Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of the permit being issued.

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

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

Thank you for your prompt attention to this matter.

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

Andrea Hall
Clackamas County
Code Enforcement Coordinator

Required Notice of Fines and Penalties

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

The Clackamas County Code provides for fine amounts of up to \$500 and additional civil penalties of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Code Enforcement Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.

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

Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.

Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.

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

From: [Hall, Andrea](#)
To: ["Rob Fallow"](#)
Cc: [Ingalls, Sandy](#); [Tony Angell \(toneangell@gmail.com\)](#)
Subject: RE: site visit 2/14/17
Date: Friday, February 24, 2017 10:50:08 AM

Hi Rob,

Thanks so much for the recap of our meeting.

If it wouldn't be too much trouble, would you or Tony label each building using an aerial photo such as Google Earth?

This would be very helpful for staff when you and Tony are applying for permits or exemptions.

Thank you,

Andrea Hall

Clackamas County

Code Enforcement Coordinator

From: Rob Fallow [mailto:rob@RLFINT.COM]
Sent: Thursday, February 23, 2017 10:43 AM
To: Hall, Andrea
Cc: Ingalls, Sandy ; Tony Angell (toneangell@gmail.com)
Subject: site visit 2/14/17

Andrea:

I appreciate the chance to participate with staff to review the alleged violations regarding retail uses such as the gift shop, bird shop and art studio from the County property inspection in late December. In addition it was good to review the criteria for the concern about no building permits regarding buildings of our tenant, Tony Angell.

I am going to outline what I think Tony and I understood and discussed and hope to follow up on with you this next week.

First, as to the "retail uses", we reviewed with Tony his uses for each building and the approx. square footage of each building.

- a. He advised that two of the buildings were used for Homing pigeons that he raises, sells and also sells seed to other parties that raise these birds.
- b. One building is the hog shed,
- c. one building holds other seed and hay for sale plus tools and
- d. two buildings were for chickens – kept for eggs and some raised for meat sales.
- e. There is one building that Tony thought he was allowed to use for his own personal place to play his piano with no commercial use. *

All of the above buildings were identified as less than 200 square feet and not requiring the "Application for Agricultural/Forestry Use Building Facility Exemption" per Sandy's comment. Other than the building "e." above, all felt that the uses conformed to the Agriculture Building criteria.

- f. Next was the approx. 16 x 20 machinery shed/building for the equipment used to cut some of the stone for special projects/uses.
- g. Last is the building (or two buildings) that would be the "bird shop" and the "gift shop" previously referenced. This is actually two buildings butted up to each other.**

Both of these are over 200 SF and thus requiring application filed to qualify for the agriculture exemption.

*It was discussed about the applicability of this being an accessory building for personal use. Sandy

wanted us to clarify “accessory to what?” I have been sick for a few days and just now getting back to Tony and he/we would like to look into this and get back to you shortly on this item.

**The room with the sign “Bird Shop” is a 12x12 room with bagged bird seed, bins for bulk bird seed sales, information, a freezer for processed chickens and location where the presold and unsold eggs are stored. This room has a small table and the room above another where Tony’s wife makes in her spare time some of the rock art she sells. She also puts together some of the hanging baskets and other rock/plant combinations that she sells in the spring/summer season (Please note that the unique buildings are the locations for and backdrop for where the hanging baskets, rock decorations, etc. are hung/placed around the property).

**In addition to the above is the main checkout room - I am assuming is the “gift shop” - and when asked, Andrea, you indicated that it must have been on the chalkboard on the door (and that was correct). This building is approx. 12’x24’ with a cash register and wood stove at one end and yes, mainly at this end, during the Xmas tree season (a major part of their income, especially in the winter slow months for the other products) they have some non-farm, but related sales items to help draw their customers in. These are mainly seasonal Christmas ornaments/decorations, but may include cards, etc. The other end of the building is used to show large log slabs, cleaned and barked root sections, burls, and other specialty lumber/timber items from some of his small owner operated mills in the N. Willamette Valley. At times, this area is an overflow storage for bales of hay, large feed bags, etc. Sometimes inside and mostly on the porch of the building are shown the swags, wreaths, etc. for the season to the tree buyers – of course, these items would fall under the agriculture umbrella.

At this point, Tony described his incidental or non-farm related sales as being in the neighborhood of \$2000 or less than 2% of his total sales. Sandy advised that Tony need a permit to be able to do any “incidental” sales and that the specific products had to be described. This was discussed and I was concerned that “specific” items may be both seasonal, unique and not always available and sometimes similar or new products that fit the general requirement of the season may come available. Our questions are, how specific a description are we being asked to provide, what type of permit are we being asked to apply for, what is its cost and is there a specific form for this? Maybe you could let us know the ZDO or other reference for this requirement so we could understand it better. I know that “Farm Stands” have a threshold of max. 25% incidental sales and previous LUBA rulings have set 10% max. incidental sales on a previous LUBA ruling on a Clackamas County case involving farm related sales, but I have not found any reference to a special permit also being required.

Tony is requesting quotes from electricians to wire the two main buildings and we both feel that this might make things easier for him (not having to plug, unplug and string extension cords for some of his main uses, etc.). The contractor was in just last evening and will be getting his quote and particulars back to Tony first of the week.

So, I think that this covered what we all agreed were the areas you and Sandy felt need to be addressed – outlined again briefly below.

- Application for building permit exemption for the two larger buildings will need to be filed.
- Tony will need to determine if there is a proper accessory use to file a request for regarding the building with his piano. If there is not one, he has indicated that he may decide to convert the building to be where his wife grows her starts for her plants, and a location to also work on potting and arranging these items and remove the piano.
- We need to know what and how we are expected to apply for a permit regarding incidental

sales on the property.

- As mention in the phone call on last Thursday, if Tony is going to apply for an electrical permit, it may be good to combine both it and the building permit exemption at the same time.

Thank you again for meeting Tuesday and talking with me again Thursday. It will be a great help to Tony to get the answers to the questions above so we can address the applications as soon as possible.

Regards,
Rob Fallow

[Spam](#)

[Not spam](#)

[Forget previous vote](#)



May 12, 2017

Stafford Investments LTD Partnership
PO Box 941
Lake Oswego, OR 97034

Rob Fallow
2916 Bluegrass Way
West Linn, OR 97068

Subject: Violation of the Clackamas County Code

Site Address: 20383 SW Stafford Rd., Tualatin, OR 97062
Legal Description: T2S, R1E, Section 29A, Tax Lot 1000

As you know, it has come to the attention of the Clackamas County Code Enforcement Section that there are several businesses operating on the above referenced property without land use approval. Currently, the subject property is zoned Rural Residential Farm Forest 5 Acre (RRFF5). Uses allowed within the RRFF5 zoning district are outlined in Section 316 of the Clackamas County Zoning and Development Ordinance. Unfortunately, retail uses such as the gift shop, bird shop, art studio and landscape business are not authorized and constitute a violation of Section 316.

Additionally, there are unpermitted building and illegal electrical installations on the property which constitute a violation of Chapter 9.02.040 of the Clackamas County Code as it pertains to the Application and Enforcement of the Clackamas County Building Code.

In order to abate the zoning and building violations on the northern half of the property, the illegal landscape business, True Care, must relocate no later than **June 30, 2017**. The unpermitted modular offices must be removed from the site no later than **July 14, 2017**.

In order to abate the zoning and building violations on the southern half of the property, the bird shop, gift shop and art studio must cease operating no later than **June 30, 2017**. You may have some incidental sales as long as the items are directly related to an allowed use on the property.

Please submit building and electrical permit applications for the remaining buildings, technically complete plans and appropriate fees **June 5, 2017**. The permits must be picked up within ten days of being notified. Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of the permit being issued.

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

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

Thank you for your prompt attention to this matter.

A handwritten signature in black ink, appearing to read 'Andrea Hall', is positioned above the typed name.

Andrea Hall
Clackamas County
Code Enforcement Coordinator

Required Notice of Fines and Penalties

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

The Clackamas County Code provides for fine amounts of up to \$500 and additional civil penalties of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Code Enforcement Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.

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

Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.

Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.

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



November 4, 2020

Stafford Investments LTD Partnership
PO Box 941
Lake Oswego, OR 97034

Rob Fallow
2916 Bluegrass Way
West Linn, OR 97068

Subject: Violation of the Clackamas County Code

Site Address: 20383 SW Stafford Rd., Tualatin, OR 97062
Legal Description: T2S, R1E, Section 29A, Tax Lot 1000

As you know, it has come to the attention of the Clackamas County Code Enforcement Section that there unpermitted or agriculturally exempted buildings as well as unpermitted electrical installations on the above referenced property. This constitutes a violation of Chapter 9.02.040(A)(D) of the Clackamas County Code as it pertains to the Application and Enforcement of the Clackamas County Building Code.

In order to abate the violations you will need to obtain agricultural exemptions or building permits for the pigeon coop, the building that was occupied by your tenant's employee, the bird shop and craft shop. You will also need to retain an electrical contractor to obtain an electrical permit for the illegal electrical installations on the property. It is recommended that you talk with the Planning Department prior to submitting applications to the Building Department to determine if the use of each structure would be allowed by the Zoning and Development Ordinance. Planning staff can be reached at 503-742-4500 or zoninginfo@clackamas.us

Please submit an electrical permit application, building permits or agricultural exemption applications for the above referenced structures, technically complete plans and appropriate fees no later than **December 7, 2020**.

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

The permits must be picked up within ten days of being notified. Please schedule all inspections so that final inspections may be obtained no later than 30 days from the date of the permit was issued.

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 or, you may stop by our offices at 150 Beavercreek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 9:00 a.m. and 3:00 p.m.

You will also need to clarify with the Building Department whether or not the public will be allowed to enter the structure currently exempted through AG004317.

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

Thank you for your prompt attention to this matter.

A handwritten signature in black ink, appearing to read 'Andrea Hall', is positioned above the typed name.

Andrea Hall
Clackamas County
Code Enforcement Section

Required Notice of Fines and Penalties

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

The Clackamas County Code provides for fine amounts of up to \$500 and additional civil penalties of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Code Enforcement Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.

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

Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.

Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.

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



May 17, 2021

Stafford Investments LTD Partnership
PO Box 941
Lake Oswego, OR 97034

Rob Fallow
2916 Bluegrass Way
West Linn, OR 97068

Subject: Violation of the Clackamas County Code

Site Address: 20383 SW Stafford Rd., Tualatin, OR 97062
Legal Description: T2S, R1E, Section 29A, Tax Lot 1000

As you know, it has come to the attention of the Clackamas County Code Enforcement Section that there are unpermitted or non-agriculturally exempted buildings as well as unpermitted electrical installations on the above referenced property. This constitutes a violation of Chapter 9.02.040(A)(D) of the Clackamas County Code as it pertains to the Application and Enforcement of the Clackamas County Building Code.

In order to abate the violations you will need to obtain agricultural exemptions or building permits for the pigeon coop, the building across from the coop that was occupied by your tenant's employee, the bird shop and craft shop. You will also need to retain an electrical contractor to obtain an electrical permit for the illegal electrical installations on the property. It is recommended that you talk with the Planning Department prior to submitting applications to the Building Department to determine if the use of each structure would be allowed by the Zoning and Development Ordinance. Planning staff can be reached at 503-742-4500 or zoninginfo@clackamas.us

Additionally, the Clackamas County Building Official has determined that you will need to cease allowing the public in the 16 x 28 structure that was originally exempted from the code as an agricultural building under AG004317 or obtain a building permit and approved final inspections. The woodstove in the building also requires a mechanical permit and inspection.

Please submit an electrical permit application, building permits or agricultural exemption applications for the above referenced structures, a mechanical permit for the woodstove, technically complete plans if required and appropriate fees no later than **June 21, 2021**.

Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building> . The permits must be picked up within ten days of being notified. Please schedule all inspections so that final inspections may be obtained no later than 30 days from the date of the permit was issued.

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 or, you may stop by our offices at 150 Beavercreek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 9:00 a.m. and 3:00 p.m.

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

Thank you for your prompt attention to this matter.

A handwritten signature in blue ink, appearing to read 'Andrea Hall', with a stylized flourish at the end.

Andrea Hall
Clackamas County
Code Enforcement Section

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 Beavercreek 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. 1400315

Case No. V0031514

ADMINISTRATIVE CITATION

Date Issued: May 1, 2023

Name and Address of Person(s) Cited:

Name: Stafford Investments LTD Partnership
Name:
Mailing Address: PO Box 941
City, State, Zip: Lake Oswego, OR 97034

Date Violation(s) Confirmed: On the 28th day of April, 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): 20383 SW Stafford Rd., Tualatin, OR 97062

Legal Description: T2S, R1E Section 29A, Tax Lot(s) 1000

Law(s) Violated:

Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (A)(D)

Description of the violation(s):

- 1) Failure to obtain permits and final inspections or agriculturally exempt multiple accessory buildings on the property and failure to obtain permits and final inspections for electrical installations on the subject property.

Maximum Civil Penalty \$1000.00 Fine \$500.00

- 2)

Maximum Civil Penalty \$.00 Fine \$.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$500.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

Citation issued by: Andrea Hall
Telephone No.: 503-742-4467

Date: May 1, 2023
Department Initiating Enforcement Action: Code Enforcement

