



NOTICE OF HEARING

September 21, 2022

Vivid Properties LLC
16811 Lakeridge Drive
Lake Oswego, OR 97034

RE:: County of Clackamas v. Vivid Properties LLC
File: V0032021

Hearing Date: October 25, 2022

Time: This item will not begin before 10:00 am however it may begin later depending on the length of preceding items.

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

Enclosed you will find the following:

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

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

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

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

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

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

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



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

You must have access to the internet or to a telephone line to use the Zoom platform. We have sent you the Zoom invite to divers@teleport.com. Please contact Jennifer Kauppi if you are unable to find the email.

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

If you are unable to participate in a hearing through the Zoom platform please contact Jennifer Kauppi at 503-742-4759 **within 3 calendar days of receipt of the notice of hearing packet.**

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

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

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

Department of Transportation and Development

Nondiscrimination Policy:

The Department of Transportation and Development is committed to non-discrimination. For more information go to: www.clackamas.us/transportation/nondiscrimination, email JKauppi@clackamas.us or call (503) 742-4452.

¡LE DAMOS LA BIENVENIDA! Spanish

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

ДОБРО ПОЖАЛОВАТЬ! Russian

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

欢迎! Chinese (Mandarin)

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

CHÀO MỪNG! Vietnamese

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

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

환영합니다. Korean

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

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

COUNTY OF CLACKAMAS,

Petitioner,

v.

VIVID PROPERTIES LLC,

Respondent.

File No: V0032021

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 16811 Lakeridge Dr., Lake Oswego, OR 97034.

2.

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

8615 SE Roots Rd., Clackamas, OR 97015 also known as T2S, R2E, Section 09CC, Tax Lot 01600,
and is located in Clackamas County, Oregon.

3.

On or about the 24th day of February, 2022 the Respondent violated the following
laws, in the following ways:

- a. Respondent violated the Clackamas County Abatement of Dangerous Building, Chapter
9.01 by failing to obtain approved permits approved final inspections for the dangerous
building. This violation is a Priority 1 violation pursuant to the Clackamas County
Violation Priorities.

- b. Respondent violated the Clackamas County Building Code, Chapter 9.02 by failing to obtain renewed permits and approved final inspection for an accessory structure. This violation is a Priority 4 violation pursuant to the Clackamas County Violation Priorities.
- c. Respondent violated the Solid Waste and Waste Management Ordinance, Section 10.03.060 (A) (B) by failing to remove the solid waste from the subject property. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

4.

On or about the 30th day of August, 2022 the Respondent violated the following law in the following way

- a. Respondent violated the Clackamas County Zoning and Development Ordinance, Section 315.03 (A) by failing to remove the occupied recreational vehicle from the subject property. This violation is a Priority 2 violation pursuant to the Clackamas County Violation Priorities.

5.

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

6.

Notice of the violations was given to Respondent in the following manner:

Administrative Citation #2100320-1 in the amount of \$225.00 was mailed via first class mail on February 24, 2022. A copy of the notice document is attached to this Complaint as Exhibit I, and incorporated by this reference.

Notice of the violations was given to Respondent in the following manner:

Administrative Citation #2100320-1Z in the amount of \$400.00 was mailed first class mail on September 1, 2022. A copy of the notice document is attached to this Complaint as Exhibit N, and incorporated by this reference.

7.

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 Abatement of Dangerous Buildings Priority 1 violation being \$750.00 to \$3,500.00 per occurrence as provided by Appendix B to the Clackamas County Code

3. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondent for each violation, within the range established by the Board of County Commissioners. Said range for a Building Code Priority 4 violation being \$250.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code.

4. 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 a Solid Waste and Waste Management Priority 1 violation being \$750.00 to \$3,500.00 per occurrence as provided by Appendix B to the Clackamas County Code.

5. 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 a Zoning and Development Ordinance Priority 2 violation being \$500.00 to \$2,500.00 per occurrence as provided by Appendix B to the Clackamas County Code.

6. 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;

7. 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:

and

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

DATED THIS 21 day of September, 2022.

Jennifer Kauppi

Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

VIVID PROPERTIES LLC,

Respondent.

File No.: V0032021

STATEMENT OF PROOF

History of Events and Exhibits:

May 25, 2021
Exhibit A

Clackamas County Code Enforcement received a complaint regarding an occupied single family residence without water service and solid waste on the subject property. Clackamas County Code Enforcement Specialist Michael Barnes posted the residence as a dangerous building on July 29, 2022. Michael Barnes spoke with the owner at the time Charles Mitchell who told Michael he was in the process of selling the property to Vivid Properties LLC. A search of County records indicated that the property was transferred into Vivid Properties LLC on July 20, 2021.

July 30, 2021

Jeff Divers with Vivid Properties LLC contacted Michael Barnes to inform him that the single family residence had been completely destroyed by a fire.

August 2, 2021
Exhibit B

Michael Barnes conducted a site inspection with Jeff Drivers present. The dangerous building was reposted on the property.

October 27, 2021
Exhibit C

I conducted a site inspection on the property. The photos reflect that the dangerous building posting was still in place but that the property was open and accessible and there was solid waste present.

November 17, 2021
and December 16,
2021
Exhibit D

I spoke with Jeff Divers regarding the property. He stated that the reason he had not cleaned it up was that there was an investigation regarding the fire. I followed up with Jeff again on December 16, 2021 by email. Jeff stated that the insurance company was still investigating and he has not started cleaning up the property. I told Jeff know that I needed to hear from someone from the insurance company within a week.

January 4, 2022 Exhibit E	Building Inspector Robert Fix conducted a site inspection. Solid waste can be seen throughout the site and the property was accessible to the public.
January 11, 2022 Exhibit F	I reposted the property for the Dangerous Building and gave a deadline of February 10, 2022 to obtain a demolition permit and all other permits required for removal of the fire damage structure.
January 18, 2022 Exhibit G	Correspondence was sent to the Respondent and a copy to the Registered Agent with a deadline of February 21, 2022 to abate the Solid Waste and Waste Management Code violation and to renew the expired accessory structure permits and obtain approved final inspections.
February 24, 2022 Exhibit H	I conducted a site inspection and the solid waste code violation remained on the subject property. In addition, the front gate of the property was open leaving the property accessible to the public. A search of county records reflected that no demolition permits had been applied for and the accessory structure permits remained expired.
February 24, 2022 Exhibit I	Citation 2100320-1 was issued for \$225.00 for the Priority 1 Building Code violation, Priority 4 Building Code violation and Priority 1 Solid Waste and Waste Management Code violation. This citation was sent first class mail to the Respondent and a copy was sent to the Registered Agent. The citation was not returned and remains unpaid.
May 17, 2022 Exhibit J	I conducted a site inspection. The house and house debris had been removed and a small amount of solid waste remained on site. A review of County records indicated that a demolition permit had been applied for on March 31, 2022 but had not been approved. In addition, the permits for the accessory structure had not been renewed.
July 12, 2022 Exhibit K	I conducted a site inspection and found there to be an increase of the solid waste on site and an occupied recreational vehicle was now on the subject property.
July 12, 2022 Exhibit L	Correspondence was sent to the Respondent and a copy to the Registered Agent with a deadline of August 12, 2022 to remove the occupied recreational vehicle from the subject property.
August 30, 2022 Exhibit M	I conducted a site inspection and confirmed the recreational vehicle and solid waste remained on site. In addition, the demolition permit had not been paid for and the accessory structure permits remain expired.

September 1, 2022 Exhibit N	Citation 2100320-1Z for \$400.00 was issued for the occupied recreational vehicle. This citation was mailed first class mail to the Respondent and a copy to the Registered Agent. The citation was not returned and remains unpaid.
September 20, 2022 Exhibit O	I conducted a site inspection and confirmed the recreational vehicle and solid waste remained on site.
September 21, 2022	This matter was referred to the Hearings Officer.

If the Compliance Hearings Officer affirms the County's position that a violation of the Abatement of Dangerous Buildings, Section 9.01, Building Code, Title 9.02.040, Zoning and Development Ordinance 315.03 (A) and the Solid Waste and Waste Management Code 10.03.060 (A) and (B) the County may request a Continuing Order in this matter recommending the following:

- The Respondent be ordered to bring the property into compliance with the Abatement of the Dangerous Building Code within 15 days of the date of the Order by obtaining all required permits and approved final inspections for the demolition of the house and the accessory structure.
- The Respondent be ordered to bring the property into compliance with the Building Code within 30 days of the date of the Order to renewing all permits and receiving approved final inspections for the accessory structure.
- The Respondent be ordered to bring the property into compliance with the Solid Waste and Waste Management Code within 15 days of the date of the Order by removing all putrescible solid waste from the subject property. In addition, the remaining miscellaneous debris and inoperable or non-currently vehicles must be screened from view from the road and neighboring properties or removed to an authorized disposal facility.
- The Respondent be ordered to bring the property into compliance with the Zoning and Development Ordinance within 15 days of the date of the Order by removing the occupied recreational vehicle from the subject property and relocating it to an authorized location.
- Code Enforcement to confirm compliance of the above item and the County will submit a 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:
- The imposition of civil penalties for the Dangerous Building Code violation of up to \$3,500.00 for date cited February 24, 2022 for a total amount due of \$3,500.00.
- The imposition of civil penalties for the Building Code violation of up to \$1,000.00 for date cited February 24, 2022 for a total amount due of \$1,000.00.
- The imposition of civil penalties for the Solid Waste and Waste Management Code violation of up to \$3,500.00 for date cited February 24, 2022 for a total amount due of \$3,500.00.
- The imposition of civil penalties for the Zoning and Development Ordinance Code violation of up to \$2,500.00 for date cited August 30, 2022 for a total amount due of \$2,500.00
- The administrative compliance fee to be imposed from September, 2021 until the violation is abated. As of this report the total is \$975.00.

- The County requests the Hearings Officer to permanently prohibit the Respondent from violating this law in the future.
- If the Respondent fails to comply with the Hearings Officer's Continuing Order the County will request the Hearings Officer to issue a Final Order and will also request the Hearings Officer to authorize the County further enforcement action including to proceed to Circuit Court.





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

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Property Account Summary

9/7/2022

Account Number	00475159	Property Address	8615 SE ROOTS RD , CLACKAMAS, OR 97015
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General Information

Alternate Property #	22E09CC01600
Property Description	74 ROOTS ADD TO MARSHFLD LT 2 BLK 25 ALSO VAC ST
Last Sale Price	\$185,000.00
Last Sale Date	07/20/2021
Last Sale Excise Number	395047
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	012-051
Remarks	

Property Characteristics

Neighborhood	15271: North Clackamas 100, 101
Land Class Category	101: Residential land improved
Building Class Category	12: Single family res, class 2
Year Built	1958
Change property ratio	1XX

Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
528	0 X 0	1958	25	1.0	1	1	0

Parties

Role	Percent	Name	Address
Taxpayer	100	VIVID PROPERTIES LLC	16811 LAKERIDGE DR, LAKE OSWEGO, OR 97034
Owner	100	VIVID PROPERTIES LLC	16811 LAKERIDGE DR, LAKE OSWEGO, OR 97034

Property Values

Value Type	Tax Year 2021	Tax Year 2020	Tax Year 2019	Tax Year 2018	Tax Year 2017
AVR Total	\$112,877	\$109,590	\$106,399	\$103,300	\$100,291
Exempt					
TVR Total	\$112,877	\$109,590	\$106,399	\$103,300	\$100,291
Real Mkt Land	\$219,785	\$197,948	\$188,790	\$179,633	\$172,588

EXHIBIT A _ 2 of 5

Real Mkt Bldg	\$94,110	\$85,300	\$82,390	\$69,460	\$66,080
Real Mkt Total	\$313,895	\$283,248	\$271,180	\$249,093	\$238,668
M5 Mkt Land	\$219,785	\$197,948	\$188,790	\$179,633	\$172,588
M5 Mkt Bldg	\$94,110	\$85,300	\$82,390	\$69,460	\$66,080
M5 SAV					
SAVL (MAV Use Portion)					
MAV (Market Portion)	\$112,877	\$109,590	\$106,399	\$103,300	\$100,291
Mkt Exception					
AV Exception					

Tax Rate

Description	Rate
Total Rate	18.1110

Tax Balance**Installments Payable**

Tax Year	Installment	Earliest Due Date	Principal	Interest, Penalties and Costs	Total Due	Cumulative Due
2019	Delinquent	11/15/2019	\$2,585.84	\$1,068.82	\$3,654.66	\$3,654.66
2020	Delinquent	11/15/2020	\$1,978.52	\$501.23	\$2,479.75	\$6,134.41
2021	3	11/15/2021	\$3,543.35	\$330.71	\$3,874.06	\$10,008.47

[View Detailed Statement](#)

Click for information about taxes, other charges, and recalculating tax amounts for future interest dates.

Parents

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Continued	Document Number
No Parents Found						

Children

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Document Number
No Children Found					

Related Properties

No Related Properties Found

Active Exemptions

No Exemptions Found

Events

Effective Date	Entry Date-Time	Type	Remarks
06/21/2021	07/20/2021 11:30:00	Taxpayer Changed	Property Transfer Filing No.: 395047 06/21/2021 by CINDYSIM
06/21/2021	07/20/2021 11:30:00	Recording Processed	Property Transfer Filing No.: 395047, Warranty Deed, Recording No.: 2021-059102 06/21/2021 by CINDYSIM
04/22/2021	04/22/2021 11:44:00	Removed from Foreclosure or Warrant	REDEEMED FROM 2019 FORECLOSURE by LESLIESOS
06/24/2019	06/24/2019 11:48:00	Initiated Foreclosure or Warrant	Initiated Delinquency Process by LESLIESOS
07/30/2018	07/30/2018 10:59:00	Removed from Foreclosure or Warrant	2014 TAXES PAID IN FULL by LESLIESOS
06/20/2018	06/20/2018 15:22:00	Initiated Foreclosure or Warrant	Initiated Delinquency Process by LESLIESOS
12/20/2016	12/20/2016 11:13:00	Removed from Foreclosure or Warrant	2014 FORECLOSURE - REDEEMED 12-15-2016 by SHARONS
06/24/2014	06/24/2014	Initiated Foreclosure or	Initiated Delinquency Process by SHARONS

EXHIBIT A _ 3 of 5

	10:37:00	Warrant	
02/06/2013	02/07/2013 15:15:00	Taxpayer Changed	Property Transfer Filing No.: 242044 02/06/2013 by AMANDAOLS
02/06/2013	02/07/2013 15:15:00	Recording Processed	Property Transfer Filing No.: 242044, Bargain & Sale, Recording No.: 2013-008625 02/06/2013 by AMANDAOLS
07/01/1999	07/01/1999 12:00:00	Ownership at Conversion	Quitclaim Deed: 91-25838, 5/1/91, \$ 0

Receipts

Date	Receipt No.	Amount Applied	Amount Due	Tendered	Change
04/22/2021 12:15:00	4996955	\$14,288.50	\$19,449.16	\$14,288.50	\$0.00
07/30/2018 09:37:00	4431893	\$2,500.00	\$9,860.99	\$2,500.00	\$0.00
06/05/2018 11:52:00	4429071	\$500.00	\$10,175.67	\$500.00	\$0.00
01/03/2018 09:59:00	4402764	\$500.00	\$10,201.68	\$500.00	\$0.00

Sales History

Sale Date	Entry Date	Recording Date	Recording Number	Sale Amount	Excise Number	Deed Type	Transfer Type	Grantor(Seller)	Grantee(Buyer)	Other Parcels
06/15/2021	07/20/2021	06/21/2021	2021-059102	\$185,000.00	395047		S	MITCHELL CHARLES THOMAS	VIVID PROPERTIES LLC	No
02/04/2013	02/07/2013	02/06/2013	2013-008625	\$0.00	242044		S	MITCHELL MARY TRUSTEE	MITCHELL CHARLES THOMAS	No

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RECORDING REQUESTED BY:



1925 NE Stucki Avenue, Ste 153
Hillsboro, OR 97006

GRANTOR'S NAME:

Charles Thomas Mitchell

GRANTEE'S NAME:

Vivid Properties LLC

AFTER RECORDING RETURN TO:

Order No.: 36262102583-RN

Jeff Divers

Vivid Properties LLC

16811 Lakeridge Drive

Lake Oswego, OR 97034

SEND TAX STATEMENTS TO:

Vivid Properties LLC

16811 Lakeridge Drive

Lake Oswego, OR 97034

APN: 00475159

Map: 22E09CC01600

8615 SE Roots Road, Clackamas, OR 97015

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Charles Thomas Mitchell, Grantor, conveys and warrants to Vivid Properties LLC, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon: **22E09CC01600**

00475159

Lot 2, Block 25, ROOTS ADDITION TO MARSHFIELD, in the County of Clackamas and State of Oregon, TOGETHER WITH that portion of vacated fourth street adjoining that would attach thereto by Order No. 8704, recorded March 13, 1961, Recorder's fee No. 4529.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE HUNDRED EIGHTY-FIVE THOUSAND AND NO/100 DOLLARS (\$185,000.00). (See ORS 93.030).

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.

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

Dated:

June 13, 2021

Charles Thomas Mitchell
Charles Thomas Mitchell

State of

Oregon

County of

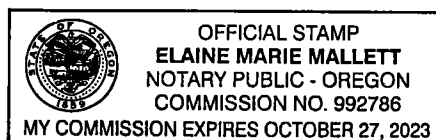
Clackamas

This instrument was acknowledged before me on 6-15-2021 by Charles Thomas Mitchell.

Elaine M. Mallett
Notary Public - State of Oregon

My Commission Expires:

10-27-2023



**NOTICE AND ORDER OF DANGEROUS BUILDING
AND NOTICE TO VACATE**

DO NOT ENTER THIS BUILDING

UNSAFE TO OCCUPY

**IT IS A MISDEMEANOR CRIME TO OCCUPY, ENTER, OR
REMAIN IN THIS BUILDING**

VIOLATORS ARE SUBJECT TO ARREST

DO NOT REMOVE OR DEFACE THIS NOTICE
Pursuant to ORS 162.305

Issued by Matt Rozzell, Building Official of Clackamas County

TO: ALL OCCUPANTS & JEFF DIVERS- Registered Agent of Vivid Properties LLC

SITE ADDRESS: 8615 SE Roots Rd., Clackamas, OR 97015

LEGAL DESCRIPTION: T2S, R2E, Section 09CC, Tax Lot 01600

AUTHORITY: Chapter 9.01 of the Clackamas County Code

DATE: JULY 29, 2021

The above referenced location lacks an operational potable water supply and lacks a functioning connection to public sewer. Therefore, pursuant to Chapter 9.01 of the Clackamas County Code, the Building Official for Clackamas County has determined the above referenced location it is a dangerous building and is an immediate danger to life, limb, and safety of its occupants and the public for the following reasons:

- There is currently no water service at this location.
9.01.100 (D) Whenever a building or structure is effected by one or more health hazards including but not limited to inadequate plumbing and/or sanitation, inadequate light and/or ventilation, chemical hazard, toxins, or is otherwise determined to be unfit for human habitation or use.

9.01.100 L. Whenever an occupied building lacks a functioning connection to public sewer or an approved and fully operational septic facilities.

9.01.100 K. Whenever an occupied building lacks an operational, potable water supply.

As a result of this notice and order you must take the following action(s) as required by the Building Official:

- You must receive water service or vacate the structure **by 4 pm on Sunday August 1st, 2021.**

You must vacate this building by no later than 4 pm on August 1st, 2021 and you must not re-occupy this building until approved services are reestablished.

Any person having any record title or legal interest in the building may appeal from this notice and order and any action of the building official to the board of appeals, **provided the appeal is made in writing as provided in this chapter and filed with the building official within 30 days from the date of service of this notice and order.** See §9.01.150. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

This notice and order is being served upon the owner of record and posted on each known exit of the subject building. In addition, this notice and order is being served on other potential legal interest holders including but not limited to mortgage, deed of trust, or lien holders, and known tenants or occupants. Mailings shall be accomplished by certified mailing, return receipt requested, to the person or entity entitled to service of the notice and order as required by §9.01.110(C).

Matt Rozzell, Building Official
Clackamas County, Oregon











Kauppi, Jennifer

From: Kauppi, Jennifer
Sent: Thursday, December 16, 2021 12:26 PM
To: 'Jeff Divers'
Subject: RE: Exclusion Agreement

Jeff,

Thank you for letting me know about the exclusion agreement. Please have the insurance company contact that's working this case contact me directly about this issue, preferably by email. I would like to hear from someone by this time next week.

Thank you
Jennifer

From: Jeff Divers <divers@teleport.com>
Sent: Thursday, December 16, 2021 12:12 PM
To: McClurg, Sara <saramcc@clackamas.us>
Cc: Kauppi, Jennifer <JKauppi@clackamas.us>
Subject: RE: Exclusion Agreement

Warning: External email. Be cautious opening attachments and links.

Jennifer and Sara,

I am humbly responding to your email Jennifer from last month and Sara your email from August that I only found because I was trying to show Jennifer that I did in fact have the Exclusion. But, as fate may have it, I never saw your response until today. Absent minded probably doesn't make the cut here, but, I thank you both for responding and here is the exclusion application. I have met officers on site twice, once recently, I told them I had the Exclusion too!! Better late than never. So, Sara, see attached and thank you for your patience and willingness to help the absent minded guy in the back of the room!!

FYI Jennifer, I have been trying to keep most of the recurring homeless activity off the property and did return the neighbors call to vm and we are back and forth. The insurance company is dragging their feet on the investigation and they want no one to remove anything. I will let you know with progress as it comes.

On 8/3/2021 11:59:14 AM, McClurg, Sara <saramcc@clackamas.us> wrote:

Jeff –

I have attached the exclusion packet for you to review. To enroll in the program, just fill out the agreement form and send it back to me. I will let you know once the property has been entered into the program. The way it works is if an unwanted/unauthorized person is on the property and this is brought to our attention, the exclusion program gives deputies the authorization to give the person a 'Notice of Exclusion', meaning they are not allowed to return to the property for one-year. If they violate this notice, deputies could charge them with Criminal Trespass. Deputies can also exclude persons if they self-initiate to check on your property.

Clackamas County
Inspection History for Record #V0032021

Applicant Name:

Work Description: ALLEGED DANGEROUS BUILDING, SOLID WASTE

Address: 8615 SE ROOTS RD, CLACKAMAS, OR 97015

Inspection Date	Inspection Type	Inspector	Status	Comments
1/4/2022 12:37:06 PM	270 Miscellaneous/Consultation	Robert Fix	In Violation	Date: 1/4/2022 This is a dangerous building and a lot of solid waste lying around the property. No signs of anyone onsite at the time of the inspection.







NOTICE AND ORDER OF DANGEROUS BUILDING

DO NOT ENTER THIS BUILDING

UNSAFE TO OCCUPY

**IT IS A MISDEMEANOR CRIME TO OCCUPY, ENTER, OR
REMAIN IN THIS BUILDING**

VIOLATORS ARE SUBJECT TO ARREST

**DO NOT REMOVE OR DEFACE THIS NOTICE
Pursuant to ORS 162.305**

Issued by Matt Rozzell, Building Official of Clackamas County

TO: Vivid Properties LLC and All Occupants
SITE ADDRESS: 8615 SE Roots Rd., Clackamas, OR 97055
LEGAL: 22E09CC01600
AUTHORITY: Chapter 9.01 of the Clackamas County Code
DATE: January 11, 2022

Pursuant to Chapter 9.01 of the Clackamas County Code the Building Official for Clackamas County have inspected or caused to be inspected the single family residence at the above referenced location and have determined that such building is a dangerous building and is an immediate danger to life, limb, and safety of its occupants and the public for the following reasons:

- §9.01.100(A) Whenever a building or structure is determined to be structurally unsound or defective such that building collapse or other structural failure may occur or where such a structural condition exists that may be injurious to life, limb, or property. – The structure was destroyed in a fire, however, is still partially standing.

- §9.01.100(I) Whenever the accumulation of solid and/or putrescible waste creates a structural, life or fire safety, health or other hazard. – The structure was destroyed in a fire resulting in partial collapse of the structure.
- §9.01.100(M) Whenever any other condition exists that creates a significant structural, life or fire safety, health or other hazard that impacts the occupancy or continued use of buildings or structures. In such cases, the health officer or the building official shall cite the specific reason(s) that the building or structure has been determined to be unsafe.

As a result of this notice and order you must take the following action(s) as required by the Building Official:

- §9.01.110(A)(3)(c) You must obtain a demolition permit and all other permits required for removal of the fire damaged structure by **4 pm on February 10, 2022 and**
- You must receive all approved final inspections on the required permits no later than 4 pm on **March 12, 2022.**

If the action(s) described above are not commenced within the timeframes provided, the Building Official may proceed to cause the work to be done and charge the costs thereof against the property and its owner(s).

Any person having any record title or legal interest in the building may appeal from this notice and order and any action of the building official to the board of appeals, **provided the appeal is made in writing as provided in this chapter and filed with the building official within 30 days from the date of service of this notice and order.** See §9.01.150. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

This notice and order is being served upon the owner of record and posted on each known exit of the subject building. In addition, this notice and order is being served on other potential legal interest holders including but not limited to mortgage, deed of trust, or lien holders, and known tenants or occupants. Mailings shall be accomplished by certified mailing, return receipt requested, to the person or entity entitled to service of the notice and order as required by §9.01.110(C).



Matt Rozzell, Building Official
Clackamas County, Oregon







DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

January 18, 2022

Vivid Properties LLC
16811 Lakeridge Drive
Lake Oswego, OR 97034

SUBJECT: Violation of the Clackamas County Building Code, Title 9.02.040 (C), (E) and Solid Waste and Waste Management Code, Title 10, Chapters 10.03.060 (A) and (B)

VIOLATION: V0032021

SITE ADDRESS: 8615 SE Roots Rd., Clackamas, OR 97015

LEGAL DESCRIPTION: T2S, R2E, Section 09CC, Tax Lot 01600

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

- Accessory structure built without required inspections
- Accumulation of solid waste
- Inoperable and/or non-currently licensed vehicles

VIOLATIONS & HOW TO RESOLVE

On January 11, 2022 a site inspection confirmed an accumulation of solid waste and inoperable and/or non-currently licensed vehicles on the above reference property. In addition, the accessory structure has not received the required approved final inspections. This constitutes a violation of Clackamas County Solid Waste and Waste Management Code, Title 10, Chapters 10.03.060 (A) and (B) and Building Code Title 9.02.040 (C) and (E). In order to abate the violation(s), you must complete the following **no later than February 21, 2022:**

Accessory Structure Expired Permits

- Contact the Building Department at 503-742-4452 to renew permits B0185309 and P0083709. There may be additional required paperwork to complete and reinstatement fees assessed to these permits.
 - The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes.
 - Please 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).

Solid Waste

The accumulation of solid waste causes a condition of unsightliness and is a safety and health hazard and constitutes a violation of Clackamas County Code Title 10.03.060 (A) and (B). In order to abate the violations, you must complete the following **no later than February 21, 2022**:

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

Additionally all putrescible (household) waste must be stored in a rodent proof container with a tight-fitting lid and removed to an authorized disposal facility a minimum of **once every seven (7) days**. Covering solid waste with a tarp or tarp like structure does not remove the items from violation.

Inoperable and/or Non-Currently Licensed Vehicles

Please abate vehicle violations of the Solid Waste and Waste Management Code, by utilizing the following options for all inoperable and/or not currently licensed vehicles that includes motorcycles, boats and/or boat trailers, and/or motor-homes, travel trailers, recreational vehicles, utility trailers etc., no later than **February 21, 2022**:

- Remove the inoperable and/or not currently licensed vehicles from the subject property, **and/or**;
- Render the inoperable and/or currently licensed vehicles, operable and licensed to persons currently residing on the subject property, **and/or**;
- Place the inoperable and/or not currently licensed vehicles that are owned by person currently residing on the subject property inside a permitted structure, **and/or**;
- Screen no more than two (2) vehicles from view of the road and surrounding properties, in accordance with the minimum screening requirements of the code (see Title 10.03.060 (C)). Please note: placing vehicles under tarps or tarp structures does not remedy the violation.

Please be advised that the fire damaged structure and all debris associated with the fire damaged structure if not properly demolished and disposed of is considered a solid waste code violation if left on the property.

CONTACT INFORMATION

Building – If you have questions concerning permitting requirements please contact the building department at 503-742-4240 or on-line at bldservice@clackamas.us.

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

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

Jennifer Kauppi

Code Enforcement Specialist
Clackamas County Code Enforcement
503-742-4452

Important Notices

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

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

10.03.030 Definitions

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

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

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

10.03.060 Solid Waste or Wastes Accumulation Prohibited

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

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

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

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

(3) Constructing a tire fence for any purpose.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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









Citation No. 2100320-1

Case No. V0032021

ADMINISTRATIVE CITATION

Date Issued: February 24, 2022

Name and Address of Person(s) Cited:

Name: Vivid Properties LLC
Mailing Address: 16811 Lakeridge Drive
City, State, Zip: Lake Oswego, OR 97034

Date Violation(s) Confirmed: On the 24 day of February, 2022, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 8615 SE Roots Rd., Clackamas, OR 97015

Legal Description: T2S, R2E, Section 09CC, Tax Lot(s) 01600

Law(s) Violated

- ☒ Chapter 9.01 of CCC Uniform Code for the Abatement of Dangerous Buildings, Section 9.01.100(A)(I)(M)
- ☒ Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, ((B)(C)(D)(E))
- ☒ Chapter 10.03 of CCC Solid Waste and Waste Management, Section 10.03.060 (A), (B)

Description of the violation(s):

- 1) Accumulation of putrescible waste, miscellaneous solid waste and inoperable or non-currently licensed vehicle.

Maximum Civil Penalty \$3,500.00 Fine \$100.00

- 2) Failure to obtain required permits for the dangerous building (fire damaged home).

Maximum Civil Penalty \$1,000.00 Fine \$100.00

- 3) Failure to obtain approved final inspections on accessory structure.

Maximum Civil Penalty \$1,000.00 Fine \$25.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$225.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

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

Date: February 24, 2022
Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

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

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

Options:

1. Abate the violation and pay the fine. Sign the statement of Understanding below and deliver or mail this form, together with a check or money order payable to Clackamas County in the amount of the fine to:
Clackamas County Code Enforcement Section
150 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: _____









DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

July 12, 2022

Vivid Properties LLC
16811 Lakeridge Drive
Lake Oswego, OR 97034

Jeff Divers-Registered Agent
16932 Greentree Ave
Lake Oswego, OR 97034

**SUBJECT: Violation of Clackamas County Zoning and Development Ordinance,
Title 12, Section 315.03(A)**

SITE ADDRESS: 8615 SE Roots Rd., Clackamas, OR 97015

LEGAL DESCRIPTION: T2S, R2E, Section 09CC, Tax Lot 01600

VIOLATION: V0032021

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

- Unauthorized occupied recreational vehicle

VIOLATIONS & HOW TO RESOLVE

A site inspection was conducted on the property July 12, 2022. During that inspection I confirmed an occupied recreational vehicle on the subject property. With the absence of a primary structure (single family residence) an occupied recreational vehicle is not an allowed use.

Occupied Recreational Vehicles

An unauthorized occupied recreational vehicle constitutes a violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 315.03 (A). In order to abate the violation, you must complete the following **no later than August 12, 2022**:

- You must remove the recreational vehicles from your property until such time you obtain proper land use approval and permits, this use will not be allowed.

CONTACT INFORMATION

Planning – If you have questions concerning land use requirements please contact the Land Use and Planning Department at 503-742-4500 or on-line at ZoningInfo@clackamas.us.

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

If you have any questions my direct telephone number is 503-742-4759 and my email is JKauppi@Clackmas.us.

Jennifer Kauppi

Code Enforcement Specialist
Clackamas County Code Enforcement

Important Notices

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





Citation No. 2100320 – 1Z

Case No. V0032021

ADMINISTRATIVE CITATION

Date Issued: September 1, 2022

Name and Address of Person(s) Cited:

Name: Vivid Properties LLC
Mailing Address: 16811 Lakeridge Dr
City, State, Zip: Lake Oswego, OR 97034

Date Violation(s) Confirmed: On the 30th day of August, 2022, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 8615 SE Roots Rd., Clackamas, OR 97015

Legal Description: T2S, R2E Section 09CC, Tax Lot(s) 01600

Law(s) Violated:

☒ Title 12 and 13 of CCC Zoning and Development Ordinance, Section 315.03 (A)

Description of the violation(s):

- 1) Occupied recreational vehicle 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 \$400.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

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

Date: September 1, 2022
Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

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

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

Options:

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

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

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

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

STATEMENT OF UNDERSTANDING

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

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

Signature: _____ Date: _____

Address: _____

City, State, Zip

Contact Number: _____ Email: _____



