



NOTICE OF HEARING

August 28, 2023

Gomez Cresencio Lara
15 N Hiena Pl.
Makawao, HI 96768

Juan Lara
96 Kumanu Dr.
Makawao, HI 96768

RE:: County of Clackamas v. Gomez Cresencio Lara

File: V0006023

Hearing Date: September 26, 2023

Time: This item will not begin before 11:30am 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 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 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 Jennifer Kauppi or 150 Beavercreek 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 Jennifer Kauppi at 503-742-4759 **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/81596769102?pwd=VnlrNDJabU9PWtNxbFQyVmR4amNJQT09>

Passcode: 384720

Or One tap mobile:

+16699006833,,81596769102# US (San Jose)

+17193594580,,81596769102# US

Or join by phone:

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

US: +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 +1 669 444 9171 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 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 876 9923

Webinar ID: 815 9676 9102

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.

GOMEZ CRESENCIO LARA AND
JUAN LARA,

Respondents.

File No: V0006023

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 15 N Hiena Pl., Makawao, HI 96768

2.

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

23770 E Farragut St., Welches, OR 97067 also known as T2S, R7E, Section 32DA, Tax Lot 03500,
and is located in Clackamas County, Oregon.

3.

On or about the 24th day of May, 2023 the Respondents violated the following laws,
in the following ways:

- a. Respondents violated the Clackamas County Solid Waste and Waste Management Code, Chapter 10.03 by accumulating non-putrescible waste. This violation is a Priority 4 violation pursuant to the Clackamas County Violation Priorities.

- b. Respondents violated the Clackamas County Zoning and Development Ordinance, Section 316.03(A) by failing to obtain land use approval for an occupied recreational vehicle. This violation is a Priority 2 violation pursuant to the Clackamas County Violation Priorities.

4.

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

5.

Notice of the violations was given to Respondents in the following manner: Administrative Citation #2300060 in the amount of \$500.00 was mailed via first class mail on May 25, 2023. A copy of the notice document is attached to this Complaint as Exhibit G, and incorporated by this reference.

6.

Based on these allegations, petitioner requests that a hearing be set in this matter.

Petitioner seeks an Order from the Hearings Officer granting the following relief:

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

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty

against Respondents for each violation, within the range established by the Board of County

Commissioners. Said range for a Solid Waste and Waste Management Code Priority 4 violation

being \$100.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code

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

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

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

and

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

DATED THIS 17 day of July, 2023.

Jennifer Kauppi

Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

LARA CRESENCIA GOMEZ AND
JUAN LARA

Respondent.

File No.: V0006023

STATEMENT OF PROOF

History of Events and Exhibits:

- February 13, 2023 Clackamas County received a complaint regarding an occupied recreational vehicle and solid waste on the subject property.
- February 21, 2023 Correspondence was sent to the Respondents to the mailing address on file and the site address. The alleged letter sent to the mailing address was returned to the County as undeliverable. The alleged letter sent to the site address was not returned.
- Exhibit A
- March 14, 2023 I conducted a site inspection of the subject property. The property had solid waste throughout the site and a trailer in front was full of putrescible waste. There was also an occupied recreational vehicle.
- Exhibit B
- March 15, 2023 I researched County records and found a contact number for Juan Lara. I called Juan and we spoke regarding the violations on the property. Juan stated he was the legal owner of the property and that he had not updated the assessor records. The man that is squatting on the property has been there for approximately two years and has been trying to get him to leave. I explained to Juan that he will have to go through an eviction process to remove the squatter. I explained that as long as progress is being made on the eviction I could provide more time regarding deadlines for abating the violations. Juan provided me with his correct mailing address.
- March 16, 2023 Correspondence was sent to the listed owner and taxpayer with a deadline of April 16, 2023 to abate the violations. The correspondence was sent to the mailing address on file and to the address that Juan provided me. The correspondence that was sent to the mailing address on file was returned to the County. The correspondence sent to the mailing address provided by Juan was not.
- Exhibit C
- March 16, 2023 Juan sent me a photo of the 72 hour eviction notice that was posted to the recreational vehicle door.
- Exhibit D
- April 18, 2023 I conducted a site inspection. The solid waste and occupied recreational vehicle remained onsite.
- Exhibit E

April 18, 2023 I called Juan to discuss the status of the property. Juan stated that he had to re-notice the squatter because he had to give him a minimum of a 14 day notice which was done the previous week. I asked Juan to send me a copy of the 14 day notice. Juan did not provide me with a copy of the notice.

May 24, 2023 Exhibit F I conducted a site visit and the solid waste and recreational vehicle remained on the subject property. The trailer that was full of household garbage appeared to have been emptied.

May 25, 2023 Exhibit G Citation 2300060 for \$100.00 for the Priority 4 Solid Waste and Waste Management Code violation and \$400.00 for the Zoning and Development Ordinance violation was sent first class mail to the mailing address on file and a copy to the mailing address provided to me by Juan. The citation was not returned to the County and remains unpaid.

June 8, 2023 Exhibit H Juan sent me a photo of the tenant being served a notice to vacate on June 7, 2023 with a deadline of June 21, 2023 to vacate.

June 22, 2023 I called Juan to discuss the property. Juan stated the squatter did not leave. Juan stated he was filing the eviction paperwork with the County on June 23rd. I asked Juan to send me a copy of the filed paperwork. The County did not receive confirmation that the paperwork for the eviction was filed.

August 28, 2023 This matter was referred to the Hearings Officer.

September 20, 2023 I conducted a site visit on the subject property. There has been no change since the May 24, 2023 inspection.

If the Compliance Hearings Officer affirms the County's position that a violation of the Solid Waste and Waste Management Code, Chapter 10.03.060(A)(B) and Zoning and Development Ordinance Title 12, Section 316.03(A) exists, the County may request a Continuing Order in this matter recommending the following:

- The Respondents be ordered to bring the property into compliance with the Solid Waste and Waste Management Code and the Zoning and Development Ordinance within 45 days of the date of the Order by removing all putrescible waste from the subject property to an authorized disposal facility. Remove or screen from view of the road and surrounding properties all non-putrescible waste. The recreational vehicle must be removed from the subject property.
- 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 Respondents.
- The report may include the following recommendations:
- The imposition of civil penalties for the Solid Waste and Waste Management Code violation of up to \$1,000.00 for date cited May 25, 2023.
- The imposition of civil penalties for the Zoning and Development Ordinance Code violation of up to \$2,500.00 for date cited May 25, 2023.
- Payment for Citation No. 2300060 issued on May 25, 2023 for \$500.00.
- The administrative compliance fee to be imposed from March, 2023 until the violation is abated. As of this report the total is \$300.00
- The County requests the Hearings Officer to permanently prohibit the Respondents 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.



February 21, 2023

Gomez & Juan Lara
23770 E Farragut St
Welches, OR 97067

Gomez & Juan Lara
15 N HIENA PL,
MAKAWAO, HI 96768

Subject: Alleged Violation of the Building Code, Chapter 9.01.100, Zoning and Development Ordinance, Title 12, Section 316 and the Solid Waste Code, Title 10.03.060 of the Clackamas County Code

Site Address: 23770 E Farragut St Welches, OR 97067
Legal Description: T2S, R7E, Section 32DA, Tax Lot 03500

It has come to the attention of Clackamas County Code Enforcement that a dangerous building, occupied travel trailers and a transient camp may exist on the above-mentioned property. In addition, there may be an accumulation of solid waste and inoperable vehicles on the above referenced property.

This may constitute a violation of the Building Code, Chapter 9.01.100, Zoning and Development Ordinance, Title 12, Section 316 and the Solid Waste Code, Title 10.03.060 of the Clackamas County Code.

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

E-mail address is JKauppi@clackamas.us

Telephone number is 503-742-4759

**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

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¡LE DAMOS LA BIENVENIDA! Spanish

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ДОБРО ПОЖАЛОВАТЬ! Russian

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欢迎! Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问

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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

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CLACKAMAS
COUNTY

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



US POSTAGE SM PITNEY BOWES



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0001404531 MAR 06 2023

GOMEZ LARA
15 N HIENA PL,
MAKAWAO, HI 96768

NIXIE 968 FE 1 0003/15/23

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 97045409299 *0229-02306-06-47



UTF

967680607249107



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

February 21, 2023

Gomez & Juan Lara
23770 E Farragut St
Welches, OR 97067

Gomez & Juan Lara
15 N HIENA PL,
MAKAWAO, HI 96768

Subject: Alleged Violation of the Building Code, Chapter 9.01.100, Zoning and Development Ordinance, Title 12, Section 316 and the Solid Waste Code, Title 10.03.060 of the Clackamas County Code

Site Address: 23770 E Farragut St Welches, OR 97067
Legal Description: T2S, R7E, Section 32DA, Tax Lot 03500

It has come to the attention of Clackamas County Code Enforcement that a dangerous building, occupied travel trailers and a transient camp may exist on the above-mentioned property. In addition, there may be an accumulation of solid waste and inoperable vehicles on the above referenced property.

This may constitute a violation of the Building Code, Chapter 9.01.100, Zoning and Development Ordinance, Title 12, Section 316 and the Solid Waste Code, Title 10.03.060 of the Clackamas County Code.

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

E-mail address is JKauppi@clackamas.us

Telephone number is 503-742-4759

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UTC BC: 97045409299 *0229-02307-06-47

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EXHIBIT A_PAGE 5 OF 6



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

February 21, 2023

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March 16, 2023

Lara Cresencio Gomez
15 N Hiena Pl
Makawao, HI 96768

Juan Lara
15 N Hiena Pl
Makawao, HI 96768

Juan Lara
96 Kumanu Dr
Makawao, HI 96768

SUBJECT: Violation of the Clackamas County Solid Waste and Waste management Code, Title 10, Chapters 10.03.060 (A) and (B) and Clackamas County Zoning and Development Code Ordinance Title 12, Section 316.03(A)

FILE: V0006023

SITE ADDRESS: 23770 E Farragut St., Welches, OR 97067

LEGAL DESCRIPTION: T2S, R7E, Section 32DA, Tax Lot 03500

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

- Solid waste being stored on the property including inoperable and/or non-currently licensed vehicles, miscellaneous debris and household garbage.
- Occupied recreational vehicle without land use approval

VIOLATIONS & HOW TO RESOLVE

On March 14, 2023 I conducted a site inspection at the subject property. The property currently has an occupied recreational vehicle onsite. In addition, I found solid waste throughout the property including inoperable or non-currently licensed vehicles, miscellaneous debris and household garbage. In order to abate the violations, please complete the following no later than April 16, 2023.

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 April 16, 2023:**

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.

Remove all putrescible (household) waste to an authorized disposal facility. 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

- 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 **and/or**;
- Place the inoperable and/or not currently licensed vehicles 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.

Occupied Recreational Vehicle

Occupied recreational vehicles constitute a violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 316.03(A). In order to abate the violations, you must complete one of the following **no later than April 16, 2023**.

- If the recreational vehicle is operable and currently licensed and registered it may remain in stored condition. If you wish to store it on site please provide evidence it meets these conditions and schedule a site inspection to confirm.

CONTACT INFORMATION

You may also stop by the Planning Department at the Development Services Building, 150 Beaver Creek Road, Oregon City. The lobby is open between the hours of 8:00 a.m. to 4:00 p.m. Monday through Thursday and 8:00 a.m. Our office is closed to the public on Fridays, however, staff are available by both phone and email.

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

Jennifer Kauppi

Code Enforcement Specialist
Clackamas County Code Enforcement

Important Notices

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

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

10.03.030 Definitions

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

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

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

10.03.060 Solid Waste or Wastes Accumulation Prohibited

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

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

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

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

(3) Constructing a tire fence for any purpose.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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


CLACKAMAS
COUNTY
DEVELOPMENT SERVICE
CODE ENFORCEMENT DEPARTMENT
150 BEAVERCREEK ROAD

Please scan
23-03-28
Returned Vio Juan
Lara.

Thx You!

**RETURN SERVICE
REQUESTED**

PRESORTED
FIRST CLASS



US POSTAGESM PITNEY BOWES



ZIP 97045 \$ 000.47¹
02 1W
0001404531 MAR 16 2023

Juan Lara
15 N Hiena Pl
Makawao, HI 96768

NIXIE 968 FE 1260 0003/21/23

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 97045409299 *2272-02421-21-29

UTF
9 874104531409299



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

March 16, 2023

Lara Cresencio Gomez
15 N Hiena Pl
Makawao, HI 96768

Juan Lara
15 N Hiena Pl
Makawao, HI 96768

Juan Lara
96 Kumanu Dr
Makawao, HI 96768

SUBJECT: Violation of the Clackamas County Solid Waste and Waste management Code, Title 10, Chapters 10.03.060 (A) and (B) and Clackamas County Zoning and Development Code Ordinance Title 12, Section 316.03(A)

FILE: V0006023

SITE ADDRESS: 23770 E Farragut St., Welches, OR 97067

LEGAL DESCRIPTION: T2S, R7E, Section 32DA, Tax Lot 03500

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

- Solid waste being stored on the property including inoperable and/or non-currently licensed vehicles, miscellaneous debris and household garbage.
- Occupied recreational vehicle without land use approval

VIOLATIONS & HOW TO RESOLVE

On March 14, 2023 I conducted a site inspection at the subject property. The property currently has an occupied recreational vehicle onsite. In addition, I found solid waste throughout the property including inoperable or non-currently licensed vehicles, miscellaneous debris and household garbage. In order to abate the violations, please complete the following no later than April 16, 2023.

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 April 16, 2023:**



CLACKAMAS
COUNTY

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

*Please scan
23-03-28
Returned Via Lara
Gomez
Thx You!*

PRESORTED
FIRST CLASS



US POSTAGE PAID PITNEY BOWES



ZIP 97045 \$ 000.47¹
02 1W
0001404531 MAR 16 2023

Lara Cresencio Gomez
15 N Hiena Pl
Makawao, HI 96768

NIXIE 968 FE 1260 0003/21/23
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
BC: 97045409299 *2272-02422-21-29

9 034050 034700



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

March 16, 2023

Lara Cresencio Gomez
15 N Hiena Pl
Makawao, HI 96768

Juan Lara
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Makawao, HI 96768

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After recording return to:
Clackamas County Property Resources
150 Beaver Creek Rd.
Oregon City, OR 97045

Until a change is requested all taxes shall be sent to:
Juan Lara
15 N. Hiena Pl
Makawao, HI 96768

Clackamas County Official Records
Sherry Hall, County Clerk

2017-014834



02030370201700148340010014

03/03/2017 02:29:45 PM

\$53.00

D-D Cnt=1 Stn=9 COUNTER1
\$5.00 \$16.00 \$22.00 \$10.00

BARGAIN AND SALE DEED

CLACKAMAS COUNTY, OREGON, a political subdivision of the State of Oregon, Grantor, releases and quitclaims to Cresencio Lara Gomez, Grantee, all its right, title and interest in that real property situated in Clackamas County, Oregon, and being described as follows:

27E32DA03500 & 03600 00735823 & 00735832

Lot 8 and 9, Block 8, GREENWOOD PARK, in the County of Clackamas and State of Oregon.

The true and actual consideration being paid for this transfer stated in terms of: Fourteen Thousand Seven Hundred and Eighty 00/100 (\$14,780.00) This amount excludes any amount for liens, mortgages, contract, indebtedness, or other encumbrances existing against the above-described real property to which the property remains subject or which the purchaser agrees to pay or assume.

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, AND 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, AND SECTIONS 2 TO 9 AND 17 CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Date this the 28th day of February, 2017.

CLACKAMAS COUNTY

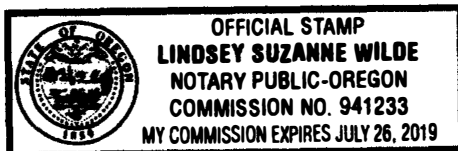
Director, Business and Community Services or Designee

State of Oregon }
County of Clackamas }

This document was acknowledged before me on 28th day of February, 2017, by Laura Zentner, Deputy Director of Business and Community Services of Clackamas County.

Notary Public for Oregon

My Commission Expires: July 26, 2019



MN

The guy didn't want to grave the later so he took a video leaving the later on the front door in front of hem in person

1:46

72-Hour Notice of Nonpayment

TO: **MIGUEL OLMOS
AND ALL OTHERS RESIDING AT**

ADDRESS: **23770 E. Farragut Street, Welches, Oregon 97067**

DATE DELIVERED: _____ 03/16/2023 _____

This is to inform you that your rent on the above referenced premises is in arrears for the month(s) of April 2022 through and including March 2023 at the rate of **\$2,400** (“past due rent”).

X This notice is being personally served on you on the date specified in this **written notice to pay your past due rent by 12:00 midnight (Thursday March 16 , 2023. (Insert date at least 4 days to the tenant, not counting the date delivered.)**

If you fail to pay your past due rent by the specified time and date, your

















Citation No. 2300060

Case No. V0006023

ADMINISTRATIVE CITATION

Date Issued: May 25, 2023

Name and Address of Person(s) Cited:

Name: Lara Cresencio Gomez
Name: Juan Lara
Mailing Address: 15 N Hiena Pl
City, State, Zip: Makawao, HI 96768

Date Violation(s) Confirmed: On the 24th day of May, 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): 23770 E Farragut St., Welches, OR 97067

Legal Description: T2S, R7E Section 32DA, Tax Lot(s) 03500

Law(s) Violated:

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

Description of the violation(s):

- 1) Accumulation of solid waste

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

- 2) Occupied recreational vehicle without land use approval

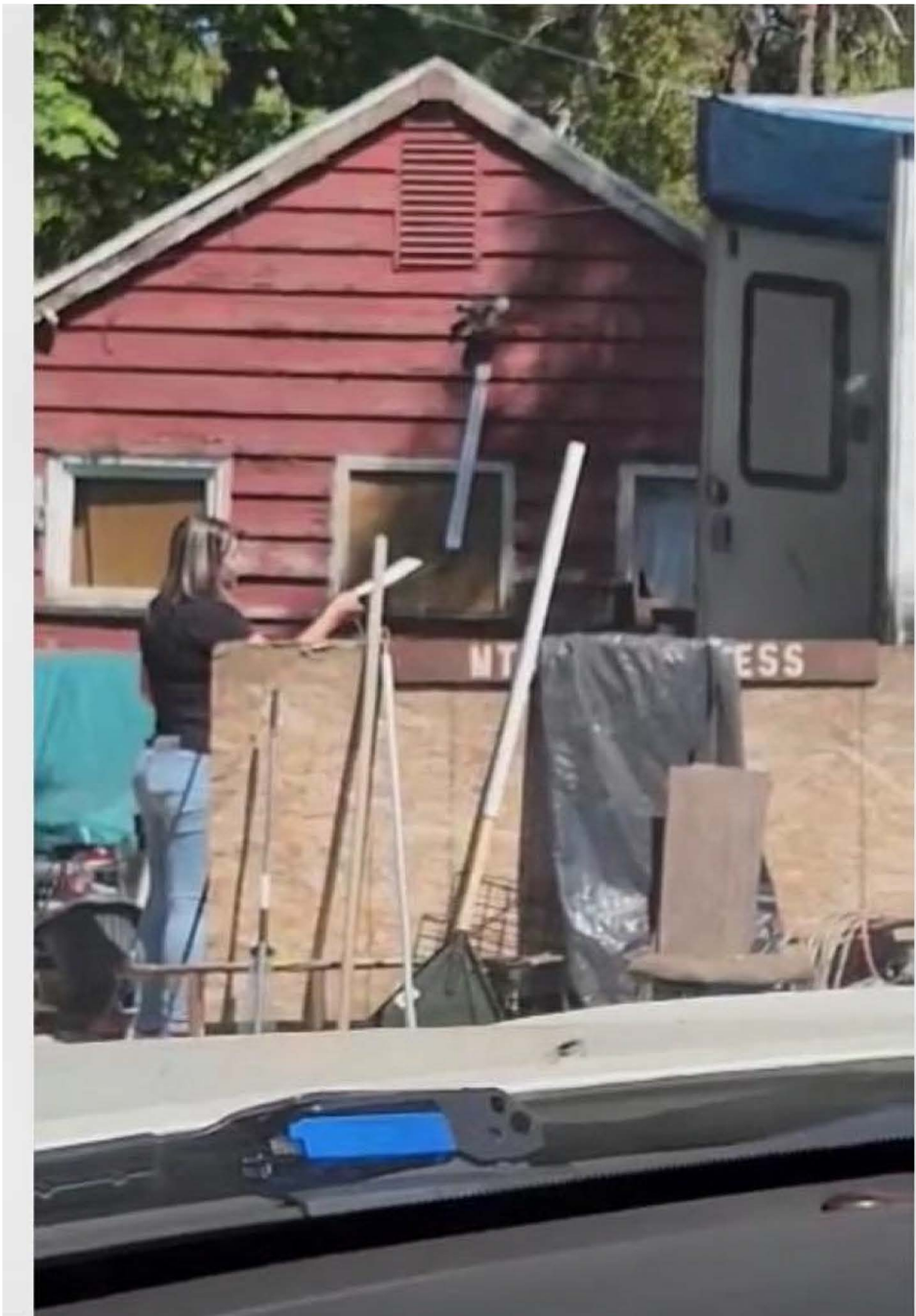
Maximum Civil Penalty \$2,500.00 Fine \$400.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$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: Jennifer Kauppi
Telephone No.: 503-742-4759

Date: May 25, 2023
Department Initiating Enforcement Action: Code Enforcement



14 - Day's Notice of Nonpayment of Rent

TO: RAQUEL OLARON AND ALL OTHERS RESIDING AT

ADDRESS: 23270 E. Farragut Street, Welches, Oregon 97147

DATE DELIVERED: June 07, 2023

This is to inform you that your rent on the above referenced premises is past due. You currently owe rent for

the month(s) of April 2022 through and including May 2023 at the rate of \$900 per month in total the sum of

\$2,800 ("past due rent").

X This notice is being personally served on you on the date specified above. This is your 14 days written notice to pay your past due rent by 12:00 midnight (end of day) on

June 21 2023. (Insert date at least 4 days after personally delivering the notice to the tenant, not counting the date delivered.)

If you fail to pay your past due rent by the specified time and date, your tenancy terminates automatically, and

your landlords intend to take possession of the premises in the manner provided by the Oregon Residential

Landlord and Tenant Act.

Landlords: Juan and Mayra Lara

Payment May Be Made as Follows in Either Manner (list direct deposit information and mailing address for payment):

Mayra Lara

Bank of Hawaii Account # 0052897750

Address: 96 Kūmano Dr Makawao HI 96768