



NOTICE OF HEARING

May 18, 2023

Spencer Somerville
23342 S Schieffer Rd.
Colton, OR 97017

RE:: County of Clackamas v. Spencer Somerville
File: V0041118

Hearing Date: June 8, 2023

Time: This item will not begin before 11:00am 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 Diane Bautista, Code Compliance Specialist for Clackamas County at (503) 742-4459, should you have any questions about the violation(s) in the **Complaint**. Do not call the Compliance Hearings Officer.

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

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

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



You must have access to the internet or to a telephone line to use the Zoom platform. Please contact Diane Bautista to receive either the link or the phone number with password in order to attend the hearing.

If you would like to present evidence at the Hearing please email or mail your evidence to DianeBau@clackamas.us or 150 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 Diane Bautista at 503-742-4459 or DianeBau@clackamas.us within **3 calendar days** of receipt of the notice of hearing packet.

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

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

SPENCER SOMERVILLE,

Respondent.

File No: V0041118

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's place of residence is: 23342 S. Schieffer Rd., Colton, OR 97017.

2.

The location of the violation(s) of law alleged in this Complaint is Legal Description T5S, R3E, Section 01, Tax Lot 01200, and is located in Clackamas County, Oregon.

3.

On or about the 15th day of September, 2021 Respondent violated the following laws, in the following ways:

- a. Respondents violated the Clackamas County Building Code, Title 9.02 by failing to obtain required permits and final approved inspections for the re-roof of a single family residence. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

- b. Respondent violated the Clackamas County Solid Waste and Waste Management Code, Chapter 10.03 by storing inoperable and non-currently licensed vehicles. This violation is a Priority 3 violation pursuant to the Clackamas County Violation Priorities

On or about the 9th day of February, 2022 Respondent violated the following laws, in the following ways:

- a. Respondent violated the Clackamas County Zoning and Development Ordinance, Title 12, by storing commercial vehicles without land use approval. This violation is a Priority 2 violation pursuant to the Clackamas County Violation Priorities.
- b. Respondent violated the Clackamas County Solid Waste and Waste Management Code, Chapter 10.03 by storing inoperable and non-currently licensed vehicles. This violation is a Priority 3 violation pursuant to the Clackamas County Violation Priorities

On or about the 22nd day of March, 2023 Respondent violated the following laws, in the following ways:

- a. Respondent violated the Clackamas County Zoning and Development Ordinance, Title 12, by having an occupied recreational vehicle without land use approval. 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 Respondent in the following manner: Citation and Complaint #1800411-1 in the amount of \$150.00 was mailed via first class mail on September 20, 2021. A copy of the notice document is attached to this Complaint as Exhibit G, and incorporated by this reference.

Notice of the violations was given to Respondent in the following manner: Citation and Complaint #1800411-1A in the amount of \$75.00 was mailed via first class mail on February 14, 2022. A copy of the notice document is attached to this Complaint as Exhibit J, and incorporated by this reference.

Notice of the violations was given to Respondent in the following manner: Citation and Complaint #1800411-2 in the amount of \$300.00 was mailed via first class mail on February 14, 2022. A copy of the notice document is attached to this Complaint as Exhibit J, and incorporated by this reference.

Notice of the violations was given to Respondent in the following manner: Citation and Complaint #1800411-3 in the amount of \$400.00 was mailed via first class mail on April 10, 2023. A copy of the notice document is attached to this Complaint as Exhibit N, and incorporated by this reference.

6.

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

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

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

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondent for each violation, within the range established by the Board of County Commissioners. Said range for a Zoning Ordinance Title 12 Priority 2 violation being \$500.00 to \$2,500.00 per occurrence as provided by Appendix B to the Clackamas County Code; and said range for Solid Waste and Waste Management, Chapter 10.03 Priority 3 violation being \$250.00 to \$1,500.00 per occurrence as provided by Appendix B to the Clackamas County Code;

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

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

and

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

DATED THIS 18th day of May, 2023.



Diane Bautista
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

SPENCER SOMERVILLE,

Respondent.

File No.: V0041118

STATEMENT OF PROOF

History of Events and Exhibits:

- July 21, 2018 Clackamas County received a complaint regarding occupied recreational vehicles, inoperable and non-currently licensed vehicles, a remodel being done to a single family residence and an accessory structure being built without permits.
- July 30, 2018 Correspondence was sent to the Respondent regarding potential building, Exhibit A solid waste and zoning violations.
- August 1, 2018 Senior Code Enforcement Specialist Andrea Hall spoke to the Respondent on the telephone and he stated that his shop burned down 3 years ago and he replaced it with an AG building, permit AG011715. The work he did on the house was to repair dry rot damage around some windows on the west side of the house and that he had family staying in an RV for a family reunion that would be gone by the weekend. He said he had one inoperable vehicle that he will screen from view and it is okay to conduct a site inspection.
- October 22, 2018 Code Enforcement Specialist Michael Hamilton conducted a site inspection Exhibit B and confirmed construction being done to the single family residence.
- August 8, 2019 Code Enforcement Specialist Michael Barns conducted a site inspection and Exhibit C confirmed occupied recreational vehicles, inoperable and non-currently licensed vehicles, semi-trucks and repairs being done to the single family residence.
- September 9, 2019 The file was reassigned to me and Correspondence was sent to the Exhibit D Respondent with a deadline of October 9, 2019 to abate the violations.
- September 16, 2019 Respondent submitted an application for a re-roof permit. Exhibit E

September 15, 2021 Exhibit F	I conducted a site inspection and confirmed commercial vehicles and inoperable and non-currently licensed vehicles. I also conducted research in the County permit system that showed Building Permit B0482719 expired on March 14, 2020 and no inspections had occurred.
September 20, 2021 Exhibit G	Citation 1800411-1 was issued for \$150.00 for the building and solid waste code violations. This citation was not returned to the County. This citation remains unpaid.
September 20, 2021 Exhibit H	Correspondence to the Respondent for the commercial vehicles on site without land use approval with a deadline of October 20, 2021 to abate the violation.
February 9, 2022 Exhibit I	I conducted a site inspection and confirmed commercial vehicles and inoperable and non-currently licensed vehicles. I also conducted research in the County permit system and Building permit B0482719 received a final approved inspection on October 4, 2021. The building code violation has been abated.
February 14, 2022 Exhibit J	Citations 1800411-1A and 1800411-2 were issued for \$375.00 for the zoning and solid waste code violations. This citation was not returned to the County. This citation remains unpaid.
October 26, 2022 Exhibit K	I met with Spencer on site. He had removed some vehicles but had many to go. I told him I would give him until January 1, 2023 to abate the violations. We also discussed the blue and silver bus. He said that it is registered as a motorhome. I looked up the plate in DMV2U and it is listed as a motor home but the tags are expired. He said his girlfriend's son is living in the RV. I told him he could not be there more than 30 days and he understood.
December 8, 2022 Exhibit L	I received an eviction notice dated November 15, 2022 for De Craig Somerville and Tracey Burkheimer.
March 22, 2023 Exhibit M	I conducted a site inspection. Spencer was not home at this time and I was met by Craig Somerville in the driveway who said he was being evicted from an accessory structure on site that he was living in and would be taking (3) vehicles including 2 of the buses when he moves. He said Spencer's girlfriend's son still lives in the RV in the back. Craig and I walked part of the property together and then I said I was going to circle around the back by the RV and he said he would just be at the driveway. I proceed to the back of the property to take photos of additional vehicles and the occupied RV. There was a man outside of the RV who said he didn't live there but stays there a lot. He said he had a rare condition and Spencer was taking care of him. I explained that he may be able to get a temp for care permit.

May 18, 2023

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

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

- The Respondent be ordered to bring the property into compliance with the Clackamas County Zoning Ordinance and the Solid Waste and Waste Management Code within 30 days of the Continuing Order.
 - Remove or screen all solid waste, including but not limited to equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded material, or other similar non-putrescible solid waste or waste that is visible from the road or surrounding properties.
 - Remove the inoperable and/or not currently licensed vehicles or render the vehicles, operable and licensed to persons currently residing on the subject property. Screen no more than two (2) vehicles from view of the road and surrounding properties.
 - Vacate the recreational vehicle.
 - Remove the commercial vehicles to an authorized location or submit a complete land use application to allow them to remain on site. If land use authorization is obtained for the commercial vehicles to remain, all Conditions of Approval must be met within 30 days of the date of approval.

Code Enforcement to confirm compliance of the above items and the County will submit a Post Hearing Status Report. The Report will be sent to the Compliance Hearings Officer and to the Respondents.

- The report may include the following recommendations:
 - The imposition of civil penalties for the Solid Waste Code violations of up to \$1,500.00 for dates cited September 15, 2021 and February 9, 2022.
 - The imposition of civil penalties for the Zoning violations of up to \$2,500.00 for dates cited February 9, 2022 and March 22, 2023.
 - Payment for Citation 1800411-1 for \$150.00 issued on September 20, 2021.
 - Payment for Citation 1800411-1A for \$75.00 issued on February 14, 2022.
 - Payment for Citation 1800411-2 for \$300.00 issued on February 14, 2022.
 - Payment for Citation 1800411-3 for \$400.00 issued on April 10, 2023.

- The administrative compliance fee to be imposed from September 2019 until the violations are abated. As of this report the total is amount due is \$3,375.00.
- 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.



July 30, 2018

Spencer Somerville
23342 S. Schieffer Road
Colton, OR 97017

Subject: Alleged Violations of the Zoning and Development Ordinance, Title 12, Section 406, Building Code, Chapter 9.02.040 and the Solid Waste Code, Title 10, Section 10.03.060 of the Clackamas County Code

Site Address: 23342 S. Schieffer Rd., Colton, OR 97017
Legal Description: T5S, R3E, Section 01, Tax Lot 01200

It has come to the attention of Clackamas County Code Enforcement that an addition and/or remodel to a single family residence and construction of an accessory structure may have been done without the benefit of permits.

In addition, unauthorized occupied recreational vehicles may exist on the above referenced property as well as an accumulation of solid waste including but not limited to inoperable and/or non-currently licensed vehicles and other miscellaneous debris.

This may constitute a violation of the Zoning and Development Ordinance, Title 12, Section 406, Building Code, Chapter 9.02.040 and the Solid Waste and Waste Management Code, Chapter 10.03.060 of the Clackamas County Code.

Please contact Andrea Hall, Code Enforcement Coordinator, within ten (10) days of the date of this letter in order to discuss this matter.

E-mail address is Andreahal@clackamas.us

Telephone number is 503-742-4467

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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 www.clackamas.us/transportation/nondiscrimination，发送电子邮件至 swilliams@clackamas.us 或致电 503-742-4696。

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 swilliams@clackamas.us hoặc gọi điện thoại theo số 503-742-4696.

환영합니다. Korean

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September 9, 2019

Spencer Somerville
23342 S. Schieffer Road
Colton, OR 97017

SUBJECT: Violation of Clackamas County Solid Waste and Waste Management Code, Title 10, Chapters 10.03.060 (A) and (B), Clackamas County Zoning and Development Ordinance, Title 12, Section (406.04) and Clackamas County Building Code, Title 9.02.040 (E)

SITE ADDRESS: 23342 S. Schieffer Rd., Colton, OR 97017

LEGAL DESCRIPTION: T5S, R3E, Section 01, Tax Lot 01200

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

- Re-roof of a single family dwelling without permits
- Inoperable and/or non-currently licensed vehicles
- Occupied recreational vehicles

VIOLATIONS & HOW TO RESOLVE

Re-roof of single family dwelling without permits

Replacement of a roof on a single family dwelling without permits constitutes a violation of Clackamas County Code Title 9.02.40 (E). In order to abate the violation, please complete the following **no later than October 9, 2019**:

- Please submit the building permit application, technically complete plans and appropriate fee(s).
 - The permit must be picked up within ten days of being notified.
 - Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of the permit being issued.

Inoperable and/or Not 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 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 10.03.06 (C). Please note: placing items under tarps or tarp structures does not remedy the violation.

Occupied Recreational Vehicles

Occupied recreational vehicles constitutes a violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 406.04. In order to abate the violations, you must complete one of the following **no later than October 9, 2019**:

- You must remove the recreational vehicle from your property until such time you obtain proper land use approval and permits, this use will not be allowed, or;
- If the recreational vehicle is operable, currently licensed and registered to the person residing on the subject property, 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 no later than October 9, 2019.

CONTACT INFORMATION

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

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 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. to 3:00 p.m. on Fridays.

If you have any questions my direct telephone number is 503-742-4459 and my email is dianebau@co.clackamas.or.us.

ITEMS INCLUDED IN THIS PACKET

1. Violation Letter
2. Required Notice of Fines and Penalties
3. Copy of the Solid Waste Code



Diane Bautista
Code Enforcement Specialist
Clackamas County Code Enforcement

REQUIRED NOTICE OF FINES AND PENALTIES

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

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

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

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

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

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

Excerpts:

10.03.06 Solid Waste or Waste 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 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, semi-trailer 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 in an authorized disposal facility 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 of 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 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 County's Grading and Excavation Chapter.

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

10.03.030 Definitions

(32). **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.

(47). **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 or 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.

(58). **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 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 n

REQUIRED NOTICE OF FINES AND PENALTIES

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

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

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

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

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

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

Excerpts:

10.03.06 Solid Waste or Waste Accumulation Prohibited

- D. 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.
- E. 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:
 - 13. Placing 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.
 - 14. 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, semi-trailer or similar device for purposes of keeping it out of sight from the road or surrounding properties.
 - 15. Constructing a tire fence for any purpose.
 - 16. Storing waste tires except as permitted pursuant to OAR Chapter 340.
 - 17. 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 in an authorized disposal facility within seven (7) days.
 - 18. 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.
 - 19. 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.
 - 20. 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.
 - 21. 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.
 - 22. 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.
 - 23. 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.
 - 24. 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.
- F. Any sight obscuring screen used to abate a solid waste nuisance shall consist of one of the following options:
 - 7. 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 of 1/4 inch.
 - 8. 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 3/8 inch between slats.

9. 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.
10. Construct a wall consisting of solid material, built of concrete, masonry, brick, stone, or other similar materials or combination thereof.
11. 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.
12. 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 County's Grading and Excavation Chapter.

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

10.03.030 Definitions

(32). 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.

(47). 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 or 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.

(58). 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 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.



Permit #: B0482719 Applied: 09/16/2019
 Type: New / Residential Approved:
 Status: Final Final: 10/05/2021
 Valuation: \$8,000.00 Expiration: 04/04/2022
 Address: 23342 S SCHIEFFER RD COLTON, OR 97017

Applicant: SOMERVILLE SPENCER L
 Owner: SOMERVILLE SPENCER L 5033605716
 Contractor: HOME OWNER DOING WORK

Certificate of Occupancy Required:

Parcel: 53E01 01200 Class: 434-Residential Addition/Remodel
 Entered By: KATHLEENC Occupancy: R-3 SFR/Duplex Type
 Units: V-B
 Insp Area: 3 RVL Bldgs:
 Printed: 05/17/2023 Violation:
 Description: V0041118 - RE-ROOF ONLY
 Conditions: SCANNED INTO AX - Scanned into AX - no physical file on the shelf.

NOTICE: In accordance with ORS 455.355, the disposal of thermostats that contain mercury shall be in accordance with programs established by thermostat manufacturers, their representative or distributor, or by delivery to sites that will ensure that the mercury does not become part of the solid waste stream or wastewater.

NOTICE: The County in its review and approval of this application is not authorizing any activity that may result in a violation of the federal Endangered Species Act (EAS). You are specifically put on notice that it is your responsibility to determine whether activities undertaken pursuant to an approval result in conflict with the provisions of the ESA. It is further your responsibility to ensure that all activities taken pursuant to an approval are designed, constructed and maintained in a manner that does not violate the ESA or any other applicable federal, state or local law.

Any Transportation or Park System Development Charge decision made by the Department may be appealed to the County TSDC Hearings Officer by filing a written request with the Department within 14 days of the final decision. The fee is \$500.00.

SFR/Dup 1st Unit(sqft):	Additional Unit(sqft):	
Residential Plan Review	1	\$84.11
Residential Structural Permit	1	\$129.40
State Surcharge	1	\$15.53



BUILDING CODES DIVISION

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

Total Fees:	\$229.04
Total Payments:	\$229.04
Balance Due:	\$0.00

Our goal is to provide you with excellent service. If you would like to discuss your experience with us, contact one of our Customer Service Specialists at 503-742-4400, dtdcustomerinfo@clackamas.us or simply fill out our online survey at <https://www.surveymonkey.com/s/cccustomersurvey>





















Citation No. 1800411-1

Case No. V0041118

ADMINISTRATIVE CITATION

Date Issued: September 20, 2021

Name and Address of Person(s) Cited:

Name: Spencer Somerville
Mailing Address: 23342 S. Schieffer Road
City, State, Zip: Colton, OR 97017

Date Violation(s) Confirmed: On the 15th day of September, 2021, 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): 23342 S. Schieffer Rd., Colton, OR 97017

Legal Description: T5S, R3E, Section 01, Tax Lot(s) 01200

Law(s) Violated

- Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (E)
- Chapter 10.03 of CCC Solid Waste and Waste Management, Section 10.03.030

Description of the violation(s):

- 1) Failure to obtain approved final inspections for re-roof, building permit B0482719

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

- 2) Inoperable and non-currently licensed vehicles

Maximum Civil Penalty \$1,500.00 Fine \$50.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$150.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

Citation issued by: Diane Bautista
Telephone No.: 503-742-4459

Date: September 20, 2021
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: _____



September 20, 2021

Spencer Somerville
23342 S. Schieffer Road
Colton, OR 97017

**SUBJECT: Violation of Clackamas County Zoning and Development Ordinance,
Title 12, Section 406.04**

VIOLATION #: V0041118

SITE ADDRESS: 23342 S. Schieffer Rd., Colton, OR 97017

LEGAL DESCRIPTION: T5S, R3E, Section 01, Tax Lot 01200

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

- Commercial vehicles in excess of 11,000 GVW on site without land use approval

VIOLATIONS & HOW TO RESOLVE

Commercial vehicles over 11,000 GVW without land use approval

Currently commercial vehicles are parked on site without land use approval. This constitutes a violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 406.04. The subject property is zoned Timber (TBR). On this site parking and/or storage of commercial vehicles in excess of 11,000 gross vehicle weight must receive land use approval. You must abate the violation by completing one of the following **no later than October 20, 2021**.

- Remove the vehicles and cease the unauthorized use and schedule an inspection to confirm, **or**;
- Contact the Clackamas County Planning Department, submit the appropriate paperwork which is available on our website at clackamas.us/planning/supplemental and receive approval for this activity from this location.
- If the activity receives land use authorization, the violation will be closed only after confirmation that all conditions of approval have been met.

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 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. to 3:00 p.m. on Fridays.

If you have any questions my direct telephone number is 503-742-4459 and my email is diane bau@co.clackamas.or.us.

ITEMS INCLUDED IN THIS PACKET

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



Diane Bautista
Code Enforcement Specialist
Clackamas County Code Enforcement

Important Notices

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













Clackamas County
Inspection History for Record #B0482719

Applicant Name: SOMERVILLE SPENCER L

Work Description: V0041118 - RE-ROOF ONLY

Address: 23342 S SCHIEFFER RD, COLTON, OR 97017

Inspection Date	Inspection Type	Inspector	Status	Comments
	270 Miscellaneous/Consultation	Luke Johnson	Cancelled	
10/4/2021 7:26:28 AM	299 Building/Solar Final	Luke Johnson	Approved	Date: 10/4/2021 Nailing of sheeting spot checked. Completion of metal roofing verified.



Citation No. 1800411-1A

Case No. V0041118

ADMINISTRATIVE CITATION

Date Issued: February 14, 2022

Name and Address of Person(s) Cited:

Name: Spencer Somerville
Mailing Address: 23342 S. Schieffer Road
City, State, Zip: Colton, OR 97017

Date Violation(s) Confirmed: On the 9th day of February, 2022, 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): 23342 S. Schieffer Rd., Colton, OR 97017

Legal Description: T5S, R3E Section 01, Tax Lot(s) 01200

Law(s) Violated:

Title 12 and 13 of CCC Zoning and Development Ordinance, Section 406.04

Description of the violation(s):

- 1) Commercial vehicles in excess of 11,000 GVW on site without land use approval

Maximum Civil Penalty \$2,500.00 Fine \$75.00

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

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

Citation issued by: Diane Bautista
Telephone No.: 503-742-4459

Date: February 14, 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: _____



Citation No. 1800411-2

Case No. V0041118

ADMINISTRATIVE CITATION

Date Issued: February 14, 2022

Name and Address of Person(s) Cited:

Name: Spencer Somerville
Mailing Address: 23342 S. Schieffer Road
City, State, Zip: Colton, OR 97017

Date Violation(s) Confirmed: On the 15th day of September, 2021 and continues to exist on the 9th day of February, 2022, 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): 23342 S. Schieffer Rd., Colton, OR 97017

Legal Description: T5S, R3E, Section 01, Tax Lot(s) 01200

Law(s) Violated:

- Chapter 10.03 of CCC Solid Waste and Waste Management, Section 10.03.060
- Title 12 and 13 of CCC Zoning and Development Ordinance, Section

Description of the violation(s):

- 1) Accumulation of inoperable and non-currently licensed vehicles

Maximum Civil Penalty \$1,500.00 Fine \$300.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$300.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

Citation issued by: Diane Bautista Date: February 14, 2022
Telephone No.: 503-742-4459 Department Initiating Enforcement Action: Code Enforcement





























10/26/2022 00:54



10/26/2022 00:54











LANDLORD'S TERMINATION NOTICE

(Residential Tenancy - No Cause)

TODAY'S DATE: November 15, 2022

TO TENANTS: De Craig Somerville and Tracey Burkheimer

UNIT ADDRESS: 23342 S. Schieffer Rd., Colton, OR 97017 (Garage)
(PREMISES)

Your Landlord or Landlord's Agent hereby notifies you that pursuant to ORS 90.427(8)(a)(B) the tenancy in the above-described premises now existing between you and your landlord for the above described premises shall be and is terminated on January 18, 2023(termination date), at midnight (the end of the day).

Your tenancy has existed for more than one year, but the tenancy is for occupancy in a dwelling unit that is located in the same building or on the same property as the landlord's primary residence, and the building or the property contains not more than two dwelling units.

If this notice has been served upon you via first class mail only, then the actual date of termination has been extended at least three days beyond the minimum thirty or sixty days required by law.

LANDLORD/AGENT: Breckenridge Cartwright, Attorney at Law (Spencer Somerville, Landlord)

LANDLORD'S/AGENT'S ADDRESS:
273 N. Grant St.
Canby, OR 97013

SERVICE METHOD: Mailed to tenant via first class mail on the 15th day November,
2022
(month) (year)

HUD Disclosures (For Subsidized Residents Only): If you remain in the leased unit on the date specified for termination, we would enforce the termination only by bringing a judicial action. You have the right to defend any eviction action in court. You have ten days within which to discuss this proposed termination of tenancy with the landlord. This 10-day period commences on the earlier of the day this notice is hand-delivered to your unit or the day after it is mailed. The discussion period does not extend the date for termination. If you request a meeting to discuss this matter, the Landlord agrees to discuss the proposed termination with you.

Veterans Information: If you are a veteran of the armed forces, assistance may be available from a county veterans' service officer or community action agency. Contact information for a local county veterans' service officer and community action agency may be obtained by calling a 2-1-1 information service.

THIS IS AN IMPORTANT NOTICE ABOUT YOUR RIGHTS TO PROTECTION AGAINST EVICTION FOR NONPAYMENT.

For information in Spanish, Korean, Russian, Vietnamese or Chinese, go to the Judicial Department website at www.courts.oregon.gov. Until February 28, 2022, if you give your landlord documentation that you have applied for rental assistance at or before your first appearance in court, you may be temporarily protected from eviction for nonpayment. Documentation may be made by any reasonable method, including by sending a copy or photograph of the documentation by electronic mail or text message. "Documentation" includes electronic mail, a screenshot or other written or electronic documentation verifying the submission of an application for rental assistance. To apply for rental assistance, go to www.oregonrentalassistance.org, dial 211 or go to www.211info.org. To find free legal assistance for low-income Oregonians, go to www.oregonlawhelp.org.

COPIED TO: Landlord – Spencer Somerville











03/22/2023 09:50



03/22/2023 09:50















Citation No. 18004111-3

Case No. V0041118

ADMINISTRATIVE CITATION

Date Issued: April 10, 2023

Name and Address of Person(s) Cited:

Name: Spencer Somerville
Mailing Address: 23342 S. Schieffer Road
City, State, Zip: Colton, OR 97017

Date Violation(s) Confirmed: On the 22nd day of March, 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): 23342 S. Schieffer Rd., Colton, OR 97017

Legal Description: T5S, R3E Section 01, Tax Lot(s) 01200

Law(s) Violated:

Title 12 and 13 of CCC Zoning and Development Ordinance, Section 406.04(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: Diane Bautista
Telephone No.: 503-742-4459

Date: April 10, 2023
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: _____