



## NOTICE OF HEARING

January 19, 2023

Huang Xin  
3203 Brighton St  
Philadelphia, PA 19149

**RE::** County of Clackamas v. Huang Xin  
**File:** V0020621

**Hearing Date:** February 9, 2023

**Time:** This item will not begin before 11:00 am however it may begin later depending on the length of preceding items.

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

Enclosed you will find the following:

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

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

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

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

Enclosures

CC: Carl Cox -Compliance Hearings Officer

## STATEMENT OF RIGHTS

1. **Prior to the Hearing.** You have the right to make the following requests:
  - (A) You can request the opportunity to review public records and to talk to County staff about the violations or request a subpoena for that purpose if the County does not allow you to do so.
  - (B) You can request that the Hearings Officer postpone the hearing for good cause by writing the Hearings Officer at least 7 calendar days prior to the scheduled hearing date.
  - (C) You can request that the Hearings Officer decide the matter based exclusively on written materials from the parties or conduct the hearing by phone.
2. **Procedure.** The hearing will be governed by general rules of procedure designed to allow you to hear and confront the evidence against you, and for you to present evidence favorable to you. You are not required to present any evidence, the burden is on the County to establish by a preponderance of the evidence that a violation exists, or existed. Either party may, at their own expense, obtain an attorney to represent them at the hearing. If you wish to be represented by an attorney they need only notify the County and the Hearings Officer in writing of their intent to appear on your behalf. The County will present evidence first, and then you may question that evidence. You may then present your own evidence, if you wish, and the County may question your evidence. Testimony by witnesses is evidence. The Hearings Officer may inquire into any facts that are relevant to the hearing and may question the parties or witnesses about the case. Evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their serious affairs shall be admissible.
3. **Record of Proceedings.** An audio record will be made of the proceedings when a hearing is conducted. The audio record is available through the Clackamas County Code Enforcement Section and is available to you upon request.
4. **Hearings Officer.** The Hearings Officer is an independent contractor paid by the County to conduct hearings and render decisions. He/she is not a County employee. His/her function is to preside over the hearing, make a record of proceedings, consider admissible evidence, and interpret and apply the law. After the hearing is closed the Hearings Officer will enter written findings of fact, conclusions of law, and any Order deemed proper. If a violation is proven, then the Order may include civil penalties, fines, administrative fees, or may require the respondent to take certain actions, or refrain from certain actions. An Order issued by the Hearings Officer may be a Final Order or Continuing Order. The Hearings 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 20<sup>th</sup> 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.





Clackamas County is abiding by social distancing requirements during the coronavirus pandemic, so your hearing will be conducted virtually using the Zoom platform.

You must have access to the internet or to a telephone line to use the Zoom platform. We have sent you the Zoom invite to [huangxin12111009@gmail.com](mailto:huangxin12111009@gmail.com). Please contact Shane Potter if you are unable to find the email.

If you would like to present evidence at the Hearing please email or mail your evidence to [SPotter@clackamas.us](mailto:SPotter@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 Shane Potter at 503-742-4465 **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, 503-348-4692** for assistance.

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

## Department of Transportation and Development

### **Nondiscrimination Policy:**

The Department of Transportation and Development is committed to non-discrimination. For more information go to:

[www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination), email [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination), envíe un correo electrónico a [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination), отправьте письмо на адрес эл. почты [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination)，发送电子邮件至 [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination), gửi email đến [JKauppi@clackamas.us](mailto: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/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination)을 참조하거나 이메일 [JKauppi@clackamas.us](mailto: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.

XIN HUANG

Respondent.

File No(s): V0020621

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondents' mailing address is: 3203 Brighton St., Philadelphia, PA 19149

2.

The address or location of the violations of law alleged in this Complaint is: 17010 S McCubbin Rd., Oregon City, OR 97045 also known as T2S, R3E., Section 32, Tax Lot 00300, and is located in Clackamas County, Oregon.

3.

On or about the 9<sup>th</sup> day of March, 2022, Respondents violated the following laws, in the following ways:

Respondents violated Title 9.02.040 of the Clackamas County Building Code by installing electrical and mechanical devices without a permit and inspections, on the above referenced property.

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

4.

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

5.

Notice of the violations was given to Respondents in the following manner: Administrative Citation No. 2100206 - 1 in the amount of \$500.00 was mailed on June 27, 2022. A copy of the notice document is attached to this Complaint as Exhibit G, and incorporated by this reference.

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 violation 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 Board of County Commissioners. Said range for a Priority 1 violation being \$750.00 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, ordering Respondents to pay an administrative compliance fee as provided by Appendix A to the Clackamas County Code; and

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

DATED this 18<sup>th</sup> day of January 10, 2023.

A handwritten signature in black ink that reads "Shane Potter". The signature is written in a cursive style with a large, sweeping initial "S".

---

Shane Potter  
Code Enforcement Specialist  
for Clackamas County

COUNTY OF CLACKAMAS,

Petitioner,

v.

XIN HUANG,

Respondent.

File No.: V0020621

STATEMENT OF PROOF

History of Events and Exhibits:

May 24, 2021 Exhibit A	Clackamas County received a complaint regarding a marijuana grow in an agricultural building and garage converted into an indoor grow room without permits.
May 25, 2021 Exhibit B	Letter of correspondence mailed to the owners mailing address and to the physical site.
June 1, 2021 through June 28, 2021 Exhibit C	Email exchanges with the owner Xin Huang and Clackamas County Code Enforcement Specialist (CES) Shane Potter by email.
June 14, 2021 Exhibit D	Clackamas County Sheriff's Deputy Tony Mayer performed a site visit and visited the garage and large red barn. Deputy Mayer stated there was large quantities of equipment for a hydro grow of marijuana with a few marijuana leaves on the ground. Smelled like a recent harvest. Deputy Mayer also provided photos he took during the site visit.
July 20, 2021	Owner Xin Huang came into the County offices to turn in land use applications for a marijuana grow.
February 10, 2022 Exhibit E	CES Potter performed a site visit from the right of way. The day was cool and foggy. There was no smell of marijuana at the time of the site visit.
March 9, 2022 Exhibit F	Facts of the alleged violation were reviewed, the violation for unpermitted work was verified, and notice of the violation was mailed containing a statement of the facts that support the finding a violation exists on the property. The Notice of Violation was mailed first class mail on this date.

June 23, 2022 I researched the permit history to see if any permits have been obtained for the work in the garage and none were shown.

June 27, 2022  
Exhibit G Citation #2100206 – 1 issued for a building code violation sent first class mail. The first class mail was not returned. This citation has not been paid.

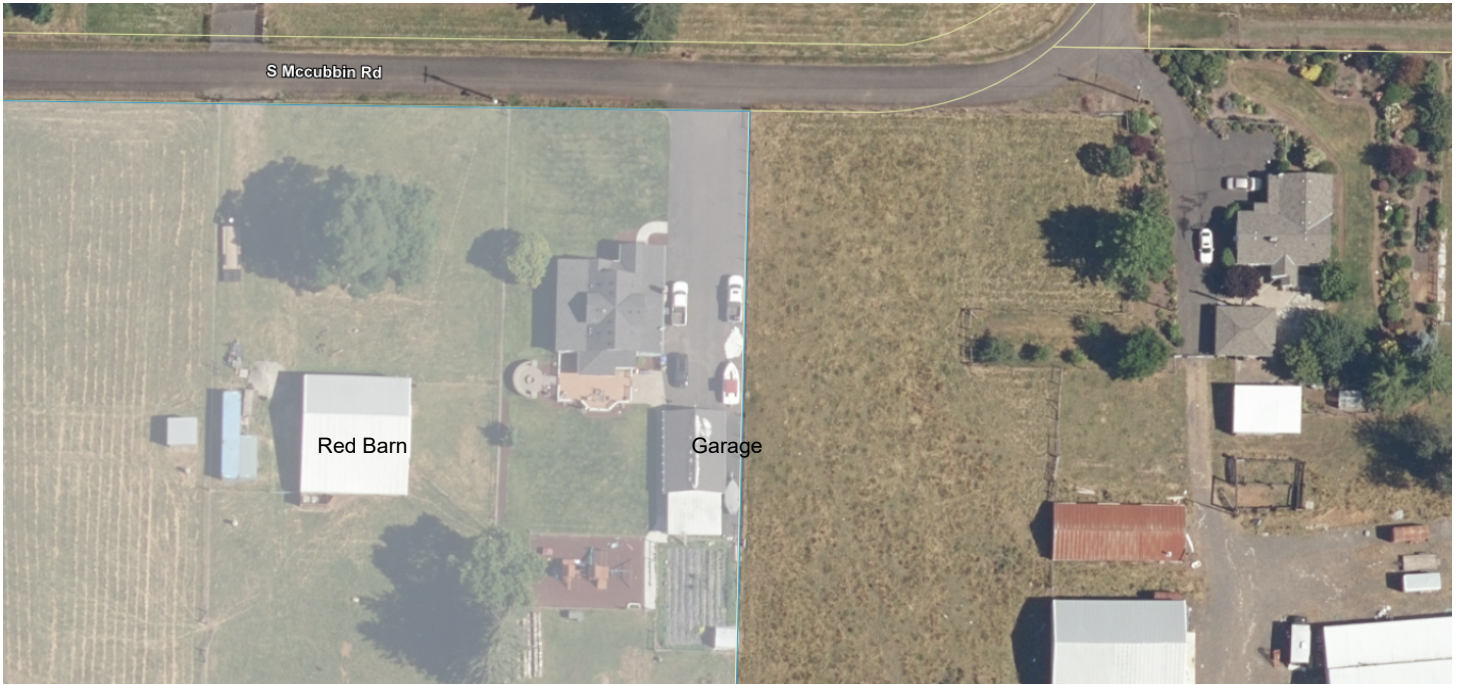
January 5, 2023 Research of permits in the County do not show any electrical and/or mechanical permits for this site being issued to address the violations in the garage and agricultural building.

January 18, 2023 The County referred this matter to the Code Enforcement Hearings Officer.

1. If the Hearings Officer affirms the County's position that a violation of the building code for unpermitted electrical and HVAC installations in the garage and the agricultural building on site then the County would request a Continuing Order be issued to the Respondent to:
  - Submit technically complete plans, if required, and obtain permits for electrical and mechanical work done in the garage and agricultural building or by properly removing the mechanical and obtaining an electrical permit for removing the electrical, along with paying all fees, within 15 days of the date of the continuing order;
  - Schedule all inspections so that final approved inspections may be obtained within 45 days of the date of the Continuing Order
2. The County will submit a Post Hearing Status Report. The report will be sent to the Compliance Hearings Officer and to the Respondent. The report may include the following recommendations:
  - Payment of Citation #2100206 – 1 in the amount of \$500.00
  - The imposition of civil penalties up to \$1,000.00
  - The administrative compliance fee to be imposed from March 2022. As of the date of this report this total would be \$750.00.
3. If the violations are not abated the County may request authorization for further enforcement action including to proceed to Circuit Court.
4. The County requests the Hearing's Officer to permanently enjoin the Respondent from violating these laws in the future.
5. If penalties, fines, and fees are imposed in the final order in this matter, the County requests the Hearing's Officer order the Respondent to reimburse the County for any expenses the County may incur collecting these monies.







RECORDING REQUESTED BY:



**Fidelity National Title**  
Company of Oregon

12809 SE 93rd Avenue  
Clackamas, OR 97015

Clackamas County Official Records	<b>2021-007889</b>
Sherry Hall, County Clerk	01/25/2021 01:39:02 PM
D-D Cnt=1 Str=73 LESLIE	\$103.00
\$15.00 \$16.00 \$10.00 \$62.00	

**GRANTOR'S NAME:**  
Eric C. Mitchell and Holli Mitchell

**GRANTEE'S NAME:**  
Xin Huang

**AFTER RECORDING RETURN TO:**  
Order No.: 45142040691-CR  
Xin Huang  
3203 Brighton Street  
Philadelphia, PA 19149

**SEND TAX STATEMENTS TO:**  
Xin Huang  
3203 Brighton Street  
Philadelphia, PA 19149

APN: 00639731  
Map: 23E32 /00300  
17010 S. McCubbin Road, Oregon City, OR 97045

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**STATUTORY WARRANTY DEED**

**Eric C. Mitchell and Holli Mitchell**, Grantor, conveys and warrants to **Xin Huang**, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SEVEN HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS (**\$780,000.00**). (See ORS 93.030).

**Subject to:**

The Land has been classified as Farmland, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of unnamed creek.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of unnamed creek.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of unnamed creek.

Rights of the public to any portion of the Land lying within the area commonly known as McCubbin Road.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	United States of America
Purpose:	Transmission Line
Recording Date:	February 25, 1941
Recording No.:	Book 277, Page 452
Affects:	Reference is hereby made to said document for full particulars

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND**

Fidelity National Title of Oregon 45142040691-07

STATUTORY WARRANTY DEED

(continued)

195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

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

Dated: 22 Jan 2021

[Signature]  
Eric C. Mitchell

[Signature]  
Hollie Mitchell

State of Oklahoma  
County of Logan

This instrument was acknowledged before me on 22 Jan 2021 by Eric C. Mitchell and Hollie Mitchell.

[Signature]  
Notary Public, State of Oklahoma  
My Commission Expires: 1-30-2023



**EXHIBIT "A"**  
Legal Description

That portion of Section 32, Township 2 South, Range 3 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the North section line, 379.5 feet East from the North one-quarter section corner of said Section 32; thence continuing East on said North section line, 382.5 feet; thence South 1156.0 feet, more or less, to the South line of that tract described in Book 326, Page 59, Clackamas County Deed Records; thence West along said South line, 382.5 feet; thence North 1156.0 feet, more or less, to the point of beginning.

**23E32 00300 00639731**



May 25, 2021

Huang Xin  
3203 Brighton St  
Philadelphia, PA 19149

Occupant  
17010 S McCubbin Rd  
Oregon City, OR 97045

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

Site Address: 17010 S McCubbin Rd, Oregon City OR 97045  
Legal Description: T2S, R3E, Section 32, Tax Lot 00300

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

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

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

E-mail address is [SPotter@clackamas.us](mailto:SPotter@clackamas.us)

Telephone number is 503-742-4465

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

## Department of Transportation and Development

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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 [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination)，发送电子邮件至 [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination), gửi email đến [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) hoặc gọi điện thoại theo số 503-742-4452.

**환영합니다.** Korean

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**From:** [Potter, Shane](#)  
**To:** ["huangxin12111009"](#)  
**Subject:** RE: my friend  
**Date:** Monday, June 28, 2021 1:29:00 PM

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It will be a voicemail they will call you back you have to leave a message. They are extremely busy so it can take them up to 24 hours

Sincerely,

Shane Potter  
Clackamas County  
Code Enforcement Specialist  
503-742-4465  
[SPotter@clackamas.us](mailto:SPotter@clackamas.us)  
150 Beavercreek Rd  
Oregon City, OR 97045

**From:** huangxin12111009 <huangxin12111009@gmail.com>  
**Sent:** Monday, June 28, 2021 1:29 PM  
**To:** Potter, Shane <SPotter@clackamas.us>  
**Subject:** my friend

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

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I called (503) 742-4240 all with artificial voice, and there is no service for answering the phone.

发自我的iPhone

**From:** [Potter, Shane](#)  
**To:** ["huangxin12111009"](#)  
**Subject:** RE: my friend  
**Date:** Friday, June 25, 2021 3:38:00 PM

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You will have to hire an electrician and they will be able to help you through the process.

Sincerely,

Shane Potter  
Clackamas County  
Code Enforcement Specialist  
503-742-4465  
[SPotter@clackamas.us](mailto:SPotter@clackamas.us)  
150 Beavercreek Rd  
Oregon City, OR 97045

**From:** huangxin12111009 <huangxin12111009@gmail.com>  
**Sent:** Friday, June 25, 2021 3:37 PM  
**To:** Potter, Shane <SPotter@clackamas.us>  
**Subject:** my friend

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

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How do I get approval from the county, can you help me with this

发自我的iPhone



**From:** [Potter, Shane](#)  
**To:** "[huangxin12111009](#)"  
**Subject:** RE:  
**Date:** Friday, June 25, 2021 3:30:00 PM

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You will have to hire an electrician and they will want to talk with our permitting department at 503-742-4240. I do not have the costs or procedures they would need to answer you on that issue.

Sincerely,

Shane Potter  
Clackamas County  
Code Enforcement Specialist  
503-742-4465  
[SPotter@clackamas.us](mailto:SPotter@clackamas.us)  
150 Beaver Creek Rd  
Oregon City, OR 97045

**From:** huangxin12111009 <huangxin12111009@gmail.com>  
**Sent:** Friday, June 25, 2021 3:29 PM  
**To:** Potter, Shane <SPotter@clackamas.us>  
**Subject:**

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

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How do I get the county's approval? Do you probably know how long it will take for such an electrician to check, and how much it will cost? Do you have a contact phone number for this electrician?

发自我的iPhone

**From:** [Potter, Shane](#)  
**To:** "[huangxin12111009](#)"  
**Subject:** RE: my friend  
**Date:** Friday, June 25, 2021 3:22:00 PM

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Hi there,

I did talk with your friend on the phone. We agreed that during the site visit the Deputy confirmed the marijuana had been removed, but there was a recent grow in there and you will need to obtain Clackamas County Land Use Approval for a grow in the future if you choose to grow beyond the personal use allowance.

As for the electrical you will have to do one of two things: First you can remove all the electrical in there and obtain an electrical permit for capping the electrical and get an inspection to confirm it was removed by code. Or the other option is to obtain an electrical permit. We are unable to provide any other options as electrical requires a permit regardless of the use. Please let me know which option you and choose and when you expect to have the work done.

Sincerely,

Shane Potter  
Clackamas County  
Code Enforcement Specialist  
503-742-4465  
[SPotter@clackamas.us](mailto:SPotter@clackamas.us)  
150 Beaver Creek Rd  
Oregon City, OR 97045

**From:** huangxin12111009 <huangxin12111009@gmail.com>  
**Sent:** Friday, June 25, 2021 3:19 PM  
**To:** Potter, Shane <SPotter@clackamas.us>  
**Subject:** my friend

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

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Because my friend has no money to hire an electrician now, is there any better way? Please help us, we are also willing to cooperate with the county and cooperate with you.

发自我的iPhone

**From:** [Potter, Shane](#)  
**To:** "[huangxin12111009](#)"  
**Subject:** RE: hello  
**Date:** Tuesday, June 1, 2021 10:34:00 AM

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Hi I tried to reach you by phone. The complaint is regarding an indoor marijuana grow in an agriculture exempt building and the garage without land use approval and/or state approval.

Sincerely,

Shane Potter  
Clackamas County  
Code Enforcement Specialist  
503-742-4465  
[SPotter@clackamas.us](mailto:SPotter@clackamas.us)  
150 Beaver creek Rd  
Oregon City, OR 97045

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**From:** huangxin12111009 <huangxin12111009@gmail.com>  
**Sent:** Monday, May 31, 2021 12:24 PM  
**To:** Potter, Shane <SPotter@clackamas.us>  
**Subject:** hello

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

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Hello, I am the head of 17010 S MCCUBBIN RD ORERON CITY OR 97045. I received your letter the day before yesterday. What should I do with this problem?

发自我的iPhone

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[Spam Email](#)  
[Phishing Email](#)

**From:** [Mayer, Tony](#)  
**To:** [Potter, Shane](#)  
**Subject:** McCubbin  
**Date:** Monday, June 14, 2021 4:24:54 PM

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Site visit on 06-14-21. Owner present and another male in his 40's. Owner appears to be late 20's early 30's.

Checked the garage and the red barn. Both had large quantities of equipment for hydro grow of marijuana with a few marijuana leaves on the ground. Told me the equipment was from the last owner but all the wiring appeared less than a few months old and still smelled like recent harvested marijuana, less odor, but still fresh smelling.

Neighbors also reporting seeing people at the house bringing out out chunks of concrete from the house and dirt. Several new bags of qwikcrete were stacked up on the back porch.

**From:** [Mayer, Tony](#)  
**To:** [Potter, Shane](#)  
**Subject:** McCubbin  
**Date:** Monday, June 14, 2021 8:05:57 PM  
**Attachments:** [IMG\\_3173.jpg](#)  
[IMG\\_3168.jpg](#)  
[IMG\\_3167.jpg](#)

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Also, when I walked by the house meter, separate from the red barn meter, the house meter was reading 17k for the house and renovated garage





**Can-Fan**  
The Original  
Lamborghini

Hawthorne Hydroponics, LLC    Manufactured  
3204 NW 38th Circle    In Germany  
USA - 98660 Vancouver WA    Thermally protected  
Conforms to ANSI/UL std. 507 and Certified to CAN/CSA Std. C22.2 No. 113    Protection Thermique

**736840, Max Fan 14"**

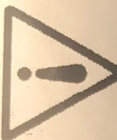
120V ~	I <sub>max.</sub>	t <sub>a</sub> /t <sub>m</sub>	P <sub>in</sub>	n <sub>n</sub>	
60Hz	2,1A	60/60°C	243W	1690	1/min
					ISO F

SN 200928-C00023-393    ID 113 768    28.09.2020

AIR →

**USE ONLY IN DUCTS WITH HEATED AIR LESS**

**CHAUFFÉS A AU PLUS 140°C (140°F) DANS UN CONDUIT**



**WARNING:**  
Cancer and Reproductive Harm -  
[www.p65warnings.ca.gov](http://www.p65warnings.ca.gov)

**CAUTION:** THIS DUCT FAN SHALL BE INSTALLED A MINIMUM OF ONE METRE FROM ANY ACCESSIBLE OPENING OF THE DUCT

**CAUTION:** Automatically Operated Device - To Reduce The Risk Of Injury Disconnect From Power Supply Before Servicing.

This fan shall not be installed behind a suspended floor/ceiling or a structural wall, ceiling or floor.

**ATTENTION:** CE VENTILATEUR DE CONDUIT DOIT ETREINSTALLÉ À AU MOINS UN MÈTRE D'UNE OUVERTURE ACCESSIBLE DU CONDUIT.

**ATTENTION:** Dispositif à fonctionnement automatique - Pour réduire le risque de blessure, débranchez l'appareil de l'alimentation électrique avant de servir.

Ce ventilateur ne doit pas être installé derrière un plancher/plafond suspendu ou un mur, un plafond ou un plancher structurel.























March 9, 2022

Violation No.: V0020621

Xin Huang  
3203 Brighton St.  
Philadelphia, PA 19149

**VIOLATIONS OF CLACKAMAS COUNTY CODES:**

1. CLACKAMAS COUNTY BUILDING CODE & ENFORCEMENT OF THE COUNTY BUILDING CODE TITLE 9.02.040 (B & D)

SITE ADDRESS: 17010 S Mccubbin Rd., Oregon City, OR 97045

LEGAL DESCRIPTION T2S, R3E, SECTION 32, TAX LOT(S) 00300

A recent site visit based on an unlicensed marijuana grow shows electrical and mechanical work done without a permit. The marijuana grow had been removed as of the time of the site visit, however it should be noted a return of the grow without proper licenses will constitute a continued violation of the Clackamas County Code as previous violation letter(s) have stated.

**UNPERMITTED CONSTRUCTION – BUILDING CODES DIVISION**

There has been electrical and mechanical work completed in the shop without the benefit of permits. In order to abate the code violations on the subject property, please complete one of the following **not later than: April 9, 2022**

1. Please submit your mechanical and electrical permits application(s), technically complete plans, and pay the appropriate fee(s) to address the unpermitted construction.
  - a. We recommend contacting the building codes division to check on the exact plans you are required to submit.
  - b. If it is found that additional information is required to complete the plan review, please submit the required information not later than 15 days of the request.
  - c. The permit(s) must have the fee(s) paid in full within ten days of your being notified they are due by Building Codes.
  - d. Please schedule all inspections so that all inspections, including the final inspections may be successfully obtained not later than 30 days of the date of receipt of your issued permit(s).

**OR;**

2. If you choose to remove the uses remove all mechanical equipment and properly cap and permit the electrical removal and obtain all site inspections required to receive a final inspection consistent with (1) above.
- ❖ Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>

## **CONTACT INFORMATION**

**Building Department – Permitting** – If you have questions related to items labeled under Building Department please call them at 503-742-4240 or email at [bldservice@clackamas.us](mailto:bldservice@clackamas.us)

**Code Enforcement Specialist – Shane Potter** – For all other questions please contact me at 503-742-4465 or email at [spotter@clackamas.us](mailto:spotter@clackamas.us)


If you have any questions concerning these permit requirements, online submittal process, or land use process, please contact the department listed above at the phone number or email, or you may stop by our offices at 150 Beavercreek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 8:00 a.m. and 4:00 p.m. and Friday 8:00 a.m. to 3:00 p.m.

**If you choose to come to the Development Services Building please bring a copy of this correspondence in order for us to provide the highest level of customer service. You may also review the code at: <https://www.clackamas.us/code>**

This letter addresses violations identified and will provide options on how to abate those violations. You should always check with the department identified in the violation for other options that may exist and were not brought up in this letter. Department contact information can be found towards the end of this letter under Contact Information. You may contact that department to discuss options outlined or ask for other possible alternatives, if such alternatives exist. Further this letter may not address all violations that exist on site and instead is intended to address those violations identified during the review, research and inspections of this file. Items usually should be addressed in the order they are listed below.

## **ITEMS INCLUDED IN THIS PACKET**

- Violation Letter
- Required Notice of Fines and Penalties



Shane Potter  
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](mailto:codeenforcement@clackamas.us).
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
6. **Non-Compliance may result in a lien upon your property:** Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.



Citation No.: 2100206 – 1

Case No.: V0020621

# ADMINISTRATIVE CITATION

Date Issued: June 27, 2022

**Name and Address of Person(s) Cited:**

Name: Xin Huang  
Mailing Address: 3203 Brighton St.  
City, State, Zip: Philadelphia, PA 19149

Date Violation(s) Confirmed: June 23, 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): 17010 S Mccubbin Rd., Oregon City, OR 97045

Legal Description: T2S, R3E SECTION 32, Tax Lot(s) 00300

**Law(s) Violated**

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

**Description of the violation(s):**

- 1) Installed mechanical and electrical without the benefit of permits and inspections.

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

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 \$75.00 monthly administrative fee is being assessed.

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

Citation Issued by: Shane Potter                      Date: June 27, 2022  
Telephone No.: 503-742-4465                      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](mailto: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: \_\_\_\_\_