

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

NOTICE OF HEARING

November 17, 2022

Steven Posey PO Box 1031 Welches, OR 97067

RE:: County of Clackamas v. Steven Posey

File: V0001222

Hearing Date: December 7, 2022

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

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

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

Carl Cox Attorney at Law 14725 NE 20th Street, #D-5 Bellevue, WA 98007

- 5. <u>Right to Recess</u>. 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. <u>Right to Appeal</u>. The Final Order of the Hearings Officer shall set forth the right of the respondent to appeal any adverse Order. Appeal may be taken pursuant to Section 2.07.130 of the Clackamas County Hearings Officer Code, and Oregon Revised Statute 34.010-34.100. If appeal is taken, appellant is responsible for all costs of appeal including preparation of transcript.



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

You must have access to the internet or to a telephone line to use the Zoom platform. Please contact Jennifer Kauppi 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 JKauppi@clackamas.us or 150 Beavercreek Rd, Oregon City, Oregon 97045, <u>no later than 4 work days prior</u> to the hearing. Staff will number your evidence for the hearing and provide the numbered documents to the Hearings Officer and send them back to you for reference.

If you are unable to participate in a hearing through the Zoom platform please contact Jennifer Kauppi at 503-742-4759 or JKauppi@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 503-348-4692 for assistance.

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

Department of Transportation and Development

Nondiscrimination Policy:

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

ILE 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 (Manderin)

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 MỬNG! 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 <u>www.clackamas.us/transportation/nondiscrimination</u>을 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,

File No: V000

v.

STEVEN POSEY,

Respondent.

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: PO Box 1031, Welches, OR 97067.

2.

The address or location of the violation(s) of law alleged in this Complaint is: No situs also known as T2S, R7E, Section 32BD, Tax Lot 02600, and is located in Clackamas County, Oregon.

3.

On or about the 5 day of April, 2022 the Respondent violated the following law, in the following way:

a. Respondent violated the Clackamas County Abatement of Dangerous Building Code, Chapter 9.01 by failing to obtain approved building permits and approved final inspections for the structure or removal of the structure. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities. On or about the 28 day of April, 2022 the Respondent violated the following laws in the following ways:

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

4.

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

5.

Notice of the violation was given to Respondent in the following manner: Administrative Citation #2200012-1 in the amount of \$100.00 was mailed via first class mail on April 7, 2022. A copy of the notice document is attached to this Complaint as Exhibit E, and incorporated by this reference.

Notice of the violation was given to Respondent in the following manner: Administrative Citation #2200012-2 in the amount of \$500.00 was mailed via first class mail on April 28, 2022. A copy of the notice document is attached to this Complaint as Exhibit G, and incorporated by this reference.

6.

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

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

1. Pursuant to Clackamas County Code Section 2.07.090, ordering 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 Abatement of Dangerous Building Code Priority 1 violation being

\$750.00 to \$3,500.00 per occurrence as provided by Appendix B to the Clackamas County Code

3. Pursuant to Clackamas County Code Section 2.07.090, 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 17 day of November, 2022.

Jennifer Kauppi

Jennifer Kauppi Code Enforcement Specialist FOR CLACKAMAS COUNTY

Page 3 of 3 – COMPLAINT AND REQUEST FOR HEARING File No. V0001222

COUNTY OF CLACKAMAS,

Petitioner, File No.: V0001222

STEVEN POSEY,

Respondent.

STATEMENT OF PROOF

History of Events and Exhibits:

| January 7, 2022 | Clackamas County received a complaint regarding an occupied structure built without permits with no septic or water connections. |
|-------------------------------|--|
| January 7, 2022 Exhibit A | Building Code Administrator Matt Rozzell conducted a site inspection. The building was deemed a dangerous building. |
| January 26, 2022 Exhibit B | I posted the Dangerous Building on the subject property. The trail leading down to the property was posted as no trespassing so the notice was stapled to a post. The Respondent was on the property at the time of the inspection and met with me at the top of the trail. I handed the Respondent the notice and explained the document. The requirements of the Dangerous Building were to vacate the building no later than January 29, 2022. In addition, the structure was required to have building permits submitted or remove the structure and all associated debris no later than March 28, 2022. |
| January 26, 2022 Exhibit C | The Dangerous Building notice was sent first class mail and certified mail. The first class mail was not returned. The certified mail was returned as unclaimed. |
| April 5, 2022 Exhibit D | I conducted a site inspection and the structure remained on site. A review of County records found no permits had been submitted. |
| April 7, 2022 Exhibit E | Citation 2200012-1 was issued for \$100.00 for the Building Code violation and was sent via first class mail. The first class mail was not returned. This citation has not been paid. |
| April 28, 2022 Exhibit F | Building inspector Robert Fix conducted a site inspection and the structure remained on site. A review of County records found no permits had been submitted. |
| April 28, 2022 Exhibit G | Citation 2200012-2 was issued for \$500.00 and was sent first class mail. The first class mail was not returned. This citation remains unpaid. |

I conducted a site inspection and the structure remained on site. A review of County records found no permits had been submitted.

If the Compliance Hearings Officer affirms the County's position that a violation of the Abatement of Dangerous Buildings Code, Title 9.01.100, the County may request a Continuing Order in this matter recommending the following:

- The Respondent be ordered to bring the property into compliance with the Abatement of the Dangerous Building Code within 30 days of the date of the Order by obtaining all required permits to permit the structure or remove the structure and all debris from the subject property. All required inspections must be approved within 30 days of the date the permit is issued.
- Code Enforcement to confirm compliance of the above item and the County will submit a
 post hearing status report. The report will be sent to the Compliance Hearings Officer and
 to the Respondent.
- The report may include the following recommendations:
- The imposition of civil penalties for the Abatement of the Dangerous Building Code violation of up to \$3,500.00 for date cited April 5, 2022 and April 28, 2022 for a total amount due of \$7,000.00.
- Payment for Citation No. 2200012-1 issued on April 7, 2022 for \$100.00 and payment for Citation No. 2200012-2 issued on April 28, 2022 for \$500.00 for a total amount due of \$600.00.
- The administrative compliance fee to be imposed from January, 2022 until the violation is abated. As of this report the total is \$675.00
- 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.

Kauppi, Jennifer

From:

Amend, Michelle

Sent:

Monday, January 10, 2022 3:19 PM

To:

Kauppi, Jennifer

Cc:

Rozzell, Matthew; Potter, Shane

Subject:

FW: 66904/E Pollylake

Attachments:

66904 E POH

27e 32Bd 02600

Hi Jen,

Can you open a new Dangerous Building case at this address based on the below photos. We have a case that is in County Counsel currently at this address. This case will be new and will be assigned to the district Specialist.

Please let me know if you have any questions.

Thank you, Michelle

From: Rozzell, Matthew < MRozzell@clackamas.us>

Sent: Monday, January 10, 2022 2:11 PM **To:** Potter, Shane <SPotter@clackamas.us>

Cc: Munns, Jeffrey <JMunns@clackamas.us>; Amend, Michelle <MAmend@clackamas.us>

Subject: FW: 66904 E Polly Ave

Hi Shane,

Attached are some pictures I took on my visit to E. Polly Ave. There is a structure built near the river, I am assuming in the flood plain. I am copying Jeffrey and Michelle, I think we should post the building as dangerous because it has no permits and I'm assuming no running water or sewer. Jeffrey, please let us know how you would like us to proceed.

Thanks,

-Matt

From: Rozzell, Matthew

Sent: Friday, January 7, 2022 2:47 PM

To: Rozzell, Matthew < MRozzell@clackamas.us>

Subject: 66904 E Polly Ave



Sent from my iPhone

NOTICE AND ORDER OF DANGEROUS BUILDING

AND NOTICE TO VACATE

DO NOT ENTER THIS BUILDING UNSAFE TO OCCUPY

IT IS A MISDEMEANOR CRIME TO OCCUPY, ENTER, OR

REMAIN IN THIS BUILDING

VIOLATORS ARE SUBJECT TO ARREST

DO NOT REMOVE OR DEFACE THIS NOTICE Pursuant to ORS 162.305

Issued by Matt Rozzell, Building Official of Clackamas County

TO:

Steven O Posey and Ali Occupants

LEGAL:

T2S, R7E, Section 32BD, Tax Lot 02600

AUTHORITY:

Chapter 9.01 of the Clackamas County Code

DATE:

January 26, 2022

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

 §9.01.100(A) The structure on your property is unpermitted and not inspected. If appears to be structurally unsound or defective and at risk of building collapse or other structural failure which may be injurious to life, limb or property

- §9.01.100(C) The structure on your property is unpermitted and not inspected. Such use creates a life or fire safety hazard, health hazard, or environmental hazard to the building occupants or adjacent property owners.
- §9.01.100(D) The structure on your property has inadequate plumbing and/or sanitation, inadequate light and/or ventilation, chemical hazard, toxins, or is otherwise determined to be unfit for human habitation or use.
- §9.01.100(E) The structure on your property is manifestly unsafe for the purpose for which it is being used.
- §9.01.100(J) The structure on your property creates an environmental hazard that poses an immediate danger to the occupants of a building or where the continued use of a building will cause the environmental hazard to worsen.
- §9.01.100(K) The structure on your property lacks an operational, potable water supply.
- §9.01.100(L) The structure on your property lacks a functioning connection to public sewer or an approved and fully operational septic facilities.

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

- 9.01.110(A)(3)(b) You must vacate this building by no later than 4 pm on January 29, 2022.
- 9.01.110(A)(3)(c) You must remove the structure and all debris associated with the structure

<u>OR</u>

Submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s).

The permit(s) must have the fee(s) paid in full within ten days of you being notified by Building Codes.

All inspections so that final inspections may be obtained not later than 45 days of the date of receipt of your approved permit(s).

The deadline for demolition of the structure and removal of all debris or permitting the structure is **March 28, 2022.**

If the action(s) described above are not commenced within the timeframes provided, the Building Official will **order the building vacated and posted to prevent further occupancy until the work is completed and** may proceed to cause the work to be done and charge the costs thereof against the property and its owner(s).

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

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

Matt Rozzell, Building Official Clackamas County, Oregon

Matt Rozzell

| BLO NO PART OF ANY STEVENS-NES | © 1990-2012 STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR www.stevensness.com |
|--|--|
| | SS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS. |
| | |
| Carla Monroe | Clackamas County Official Records Sherry Hall, County Clerk 2016-074648 |
| 110 N. Nimbus Ave. | ###################################### |
| Clear Water 171. 33765 Grantor's prame and Address | \$53.00 |
| Steven O. Posey | 01996887201600746480010015 10/31/2016 10:56:53 AM |
| Welches OR 97067 Grantee's Name and Address | D-D Cnt=1 Stn=5 LESLIE \$5.00 \$16.00 \$22.00 \$10.00 |
| After recording, return to (Name and Address): | |
| P. O. Box 1031 | |
| Welches, OR97067 | |
| Until requested otherwise, seed all tax statements to (Name and Address): | |
| P.O. Box 1031 | Control of the Contro |
| Welches, OR 97067 | |
| KNOW ALL BY THESE PRESENTS that | WARRANTY DEED CARLA MONROE |
| hereinafter called grantor, for the consideration hereinaf | fter stated, to grantor paid by Steven O. Posey, Sole |
| * Deparate | ell and convey unto the grantee and grantee's heirs, successors and assigns, |
| • | ments and appurtenances thereunto belonging or in any way appertaining, |
| | State of Oregon, described as follows (legal description of property): |
| 27E32BD02600 | 00734281 , MT HOOD WILDWOOD ANNEX, in the County |
| of Clackamas and State | |
| | |
| | |
| | |
| | |
| | DJS |
| , | CENT, CONTINUE DESCRIPTION ON REVERSE) |
| And grantor hereby covenants to and with grante | grantee's heirs, successors and assigns forever. |
| | grantee's heirs, successors and assigns forever. ee and grantee's heirs, successors and assigns, that grantor is lawfully seized |
| in fee simple of the above granted premises, free from | ee and grantee's heirs, successors and assigns, that grantor is lawfully seized m all encumbrances except (if no exceptions, so state): |
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| grantor will warrant and forever defend the premises an persons whomsoever, except those claiming under the a The true and actual consideration paid for this tractual consideration consists of or includes other proper which) consideration. (The sentence between the symbols of in construing this instrument, where the context shall be made so that this instrument shall apply equals. | ee and grantee's heirs, successors and assigns, that grantor is lawfully seized mall encumbrances except (if no exceptions, so state): ON. 5 and that id every part and parcel thereof against the lawful claims and demands of all above described encumbrances. ansfer, stated in terms of dollars, is \$ 1 600. However, the rty or value given or promised which is \$\frac{1}{2}\$ the whole \$\Boxed{1}\$ part of the (indicate if not applicable, should be deleted. See ORS 93.030.) It so requires, the singular includes the plural, and all grammatical changes to businesses, other entities and to individuals. |
| grantor will warrant and forever defend the premises an persons whomsoever, except those claiming under the at actual consideration consists of or includes other proper which) consideration. (The sentence between the symbols of, in construing this instrument, where the context shall be made so that this instrument shall apply equally IN WITNESS WHEREOF, grantor has executed signature on behalf of a business or other entity is made. | ee and grantee's heirs, successors and assigns, that grantor is lawfully seized mall encumbrances except (if no exceptions, so state): |
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MARY L MELGAARD
Notary Public - State of Florida
My Comm. Expires Jan 19, 2018 Commission # FF 067161

Notary Public for Oregon FLOEFDA

My commission expires

PUBLISHER'S NOTE: If using this form to convey real property subject to ORS 92.027, include the required reference.









9469 0599 1000 0990 7017

U.S. Postal Service[™] CERTIFIED MAIL® RECEIPT

Domestic Mail Only For delivery information, visit our website at www.usps.com®. Welches - OK 97067 Certified Mail Fee \$3.75 0108 Extra Services & Fees (check box, add fee Return Receipt (hardcopy) Return Receipt (electronic) Postmark Certified Mail Restricted Delivery Here JAN 27 2022 Adult Signature Required \$0.00 Adult Signature Restricted Delivery \$ Postage \$0.58 **Total Postage and Fees** \$7.38 Sent To Steven O Posev EXHIBIT C 1 of 7 Street and Api PO Box 1031 Welches, OR 97067 City, State, ZII

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Certified Mail service provides the following benefits: A receipt (this portion of the Certified Mail label). for an electronic return receipt, see a receipt (this portion of the Certified Mail label).

- A unique identifier for your mailpiece.
 Electronic verification of delivery or attempted
- delivery.

 A record of delivery (including the recipient's
- A record of delivery (including the recipient's signature) that is retained by the Postal Service^a for a specified period.

Important Reminders:

- You may purchase Certified Mail service with First-Class Mail®, First-Class Package Service®, or Priority Mail® service.
- Certified Mail service is not available for international mail.
 Insurance coverage is not available for purchase
- with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
- For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
 - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, Domestic Return Receipt, attach PS Form 3811 to your mailpiece;

for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.

- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
- Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
- Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

IMPORTANT: Save this receipt for your records, EXHIBIT C _ 2 of 7



CENTILITIES TRAILS

7017 0660 0001 0599 6746



ZIP 97045 \$ 007.33

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

DUTION DESCRIPT

requested

UNO

Steven O Posey PO Box 1031 Welches, OR 9706

NIXIE

E 971 9E

0102/25/22

UNCLAIMED UNABLE TO FORWARD

1: 97045430250 *1614-11417-27-46

79564594382

UNI

WINDAMIFIED TO

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT! OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.
- 1. Article Addressed to:

Stev O Posey PO 1031 Welches, OR 97067



9590 9402 4515 8278 0931 54

2. Article Number (Transfer from service label) 7017 0660 0001 0599 6746

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☐ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? If YES, enter delivery address below:

☐ No

3. Service Type

(over \$500)

- ☐ Adult Signature ☐ Adult Signature Restricted Delivery
- Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery Insured Mail Insured Mail Restricted Delivery
- ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™

☐ Priority Mail Express®

☐ Registered Mail™

☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

NOTICE AND ORDER OF DANGEROUS BUILDING

AND NOTICE TO VACATE

DO NOT ENTER THIS BUILDING UNSAFE TO OCCUPY

IT IS A MISDEMEANOR CRIME TO OCCUPY, ENTER, OR

REMAIN IN THIS BUILDING

VIOLATORS ARE SUBJECT TO ARREST

DO NOT REMOVE OR DEFACE THIS NOTICE Pursuant to ORS 162.305

Issued by Matt Rozzell, Building Official of Clackamas County

TO:

Steven O Posey and All Occupants

LEGAL:

T2S, R7E, Section 32BD, Tax Lot 02600

AUTHORITY:

Chapter 9.01 of the Clackamas County Code

DATE:

January 26, 2022

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

 §9.01.100(A) The structure on your property is unpermitted and not inspected. If appears to be structurally unsound or defective and at risk of building collapse or other structural failure which may be injurious to life, limb or property

- §9.01.100(C) The structure on your property is unpermitted and not inspected. Such use creates a life or fire safety hazard, health hazard, or environmental hazard to the building occupants or adjacent property owners.
- §9.01.100(D) The structure on your property has inadequate plumbing and/or sanitation, inadequate light and/or ventilation, chemical hazard, toxins, or is otherwise determined to be unfit for human habitation or use.
- §9.01.100(E) The structure on your property is manifestly unsafe for the purpose for which it is being used.
- §9.01.100(J) The structure on your property creates an environmental hazard that poses an immediate danger to the occupants of a building or where the continued use of a building will cause the environmental hazard to worsen.
- §9.01.100(K) The structure on your property lacks an operational, potable water supply.
- §9.01.100(L) The structure on your property lacks a functioning connection to public sewer or an approved and fully operational septic facilities.

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

- 9.01.110(A)(3)(b) You must vacate this building by no later than 4 pm on January 29, 2022.
- 9.01.110(A)(3)(c) You must remove the structure and all debris associated with the structure

OR

Submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s).

The permit(s) must have the fee(s) paid in full within ten days of you being notified by Building Codes.

All inspections so that final inspections may be obtained not later than 45 days of the date of receipt of your approved permit(s).

The deadline for demolition of the structure and removal of all debris or permitting the structure is **March 28, 2022.**

If the action(s) described above are not commenced within the timeframes provided, the Building Official will **order the building vacated and posted to prevent further occupancy until the work is completed and** may proceed to cause the work to be done and charge the costs thereof against the property and its owner(s).

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

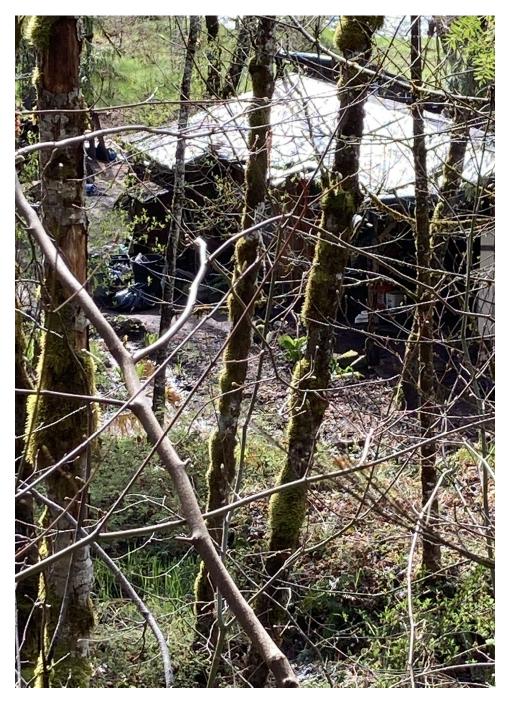
This notice and order is being served upon the owner of record and posted on each known exit of the subject building. In addition, this notice and order is being served on other potential legal interest holders including but not limited to mortgage, deed of trust, or lien holders, and known tenants or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

Matt Rozzell

Matt Rozzell, Building Official Clackamas County, Oregon















Citation No. 2200012-1

Case No. V0001222

ADMINISTRATIVE CITATION

Date Issued: April 7, 2022

Name and Address of Person(s) Cited:

Name: Steven O. Posey Mailing Address: PO Box 1031

City, State, Zip: Welches, OR 97067

Date Violation(s) Confirmed: On the 5th day of April, 2022, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): No Situs

Legal Description: T2S, R7E, Section 32BD, Tax Lot(s) 02600

Law(s) Violated

Chapter 9.01 of CCC Application and Enforcement of the Clackamas County Dangerous Building Code, Section 9.01.110, (A)(3)(b) & (c)

Description of the violation(s):

1) Failure to permit or remove the accessory structure

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

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$100.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

Citation issued by: Jennifer Kauppi Date: April 7, 2022

Telephone No.: 503-742-4759 Department Initiating Enforcement Action: Code Enforcement

V0001222

Case No.

PLEASE READ CAREFULLY!

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

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

Options:

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

Clackamas County Code Enforcement Section

150 Beavercreek Rd.

Oregon City, OR 97045

2. Request a hearing in writing. You may request a hearing to contest the violation(s) alleged. A written request for a hearing must be mailed to Clackamas County at the address listed above or sent to codeenforcement@clackamas.us.

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

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

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

STATEMENT OF UNDERSTANDING

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

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

| Signature: | Date: | | |
|-----------------|------------------|--|--|
| Address: | | | |
| | City, State, Zip | | |
| Contact Number: | Email: | | |

Clackamas County

150 Beavercreek Rd Oregon City, OR 97045

Location:

E NO SITUS - POLLY AVE RHODODENDRON OR 97049

Inspection Date:

Thu, 28 Apr 2022

Tel: Inspection: 503-742-4720

Record Type:

Code Enforcement - Violation

Record ID:

V0001222

Inspection Type:

270 Miscellaneous/Consultation

Inspector:

Robert Fix

Inspector Phone:

503-519-1661

Inspector Email:

rfix@clackamas.us

Result:

In Violation

Submit Time:

Thu, 28 Apr 2022 2:03:PM

Comments:

Structure is still standing

Site looks abandoned but a vehicle is still there.





Citation No. 2200012-2

Case No. V0001222

ADMINISTRATIVE CITATION

Date Issued: April 28, 2022

Name and Address of Person(s) Cited:

Name: Steven O. Posey Mailing Address: PO Box 1031

City, State, Zip: Welches, OR 97067

Date Violation(s) Confirmed: On the 5th day of April, 2022 and continues to exist on the 28th day of April 2022, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): No Situs

Legal Description: T2S, R7E Section 32BD, Tax Lot(s) 02600

Law(s) Violated:

Chapter 9.01 of CCC Uniform Code for the Abatement of Dangerous Buildings, Section 9.01.110 (A)(3)(b) & (c)

Description of the violation(s):

1) Failure to permit or remove the accessory structure

Maximum Civil Penalty \$3,500.00 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 monthly administrative fee is being assessed.

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

Citation issued by: Jennifer Kauppi Date: April 28, 2022

Telephone No.: 503-742-4759 Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

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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: | | |

