



NOTICE OF HEARING

January 12, 2026

Firwood Industrial Park LLC
20226 SE Veneer Ln.
Sandy, OR 97055

Ian Walsh – Registered Agent
20226 SE Veneer Ln.
Sandy, OR 97055

Diesel Truck and Fleet Services 2
20240 SE Veneer Ln.
Sandy, OR 97055

RE: County of Clackamas v. Firwood Industrial Park LLC
File: V0048225

Hearing Date: February 12, 2026

Time: This item will not begin before 9:30 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 Complaint and Request for Hearing

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

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

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

Enclosures
CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

1. Prior to the Hearing. You have the right to make the following requests:

- (A) You can request the opportunity to review public records and 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 evidence that a violation exists or existed. Either party may, at their own expense, obtain an attorney, to represent that 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 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 a continuing order. The Hearings Officer 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, the 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 proceedings 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 Hearing Officer Code, and Oregon Revised Statute 34.010-34.100. If appeal is taken, the 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. A Zoom invite has been emailed to ian@timbertechnologiesllc.com & Dieseltruckandfleet7@gmail.com. A copy of the link is provided below. Once you have joined the meeting, you will be prompted to join as panelist. Please click **JOIN AS PANELIST**.

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

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

If you are unfamiliar with using the Zoom platform, please perform an internet search of "how to use Zoom" and there are many interactive guides available. **When joining the webinar please accept the request to join as a panelist.**

If you experience difficulties connecting to the Zoom hearing **before** your scheduled start time, please call 971-930-6134 for assistance.

Zoom Invite:

Join from PC, Mac, iPad, or Android:

<https://clackamascounty.zoom.us/j/88565845495?pwd=rRxatYp6p6dehT3D0QzV4WT6uHFLZU.1>

Passcode: 903259

Phone one-tap:

+17193594580,,88565845495# US

+12532050468,,88565845495# US

Join via audio:

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 876 9923 US (New York)

+1 646 931 3860 US

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

Webinar ID: 885 6584 5495

International numbers available: <https://clackamascounty.zoom.us/j/kcsXfjHxZu>

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

¡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

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

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

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

환영합니다. Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 www.clackamas.us/transportation/nondiscrimination

BEFORE THE COMPLIANCE HEARINGS OFFICER
for
COUNTY OF CLACKAMAS

COUNTY OF CLACKAMAS,

Petitioner,

v.

FIRWOOD INDUSTRIAL PARK LLC AND
DIESEL TRUCK AND FLEET SERVICES
2,

Respondents.

File No: V0048225

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 20226 SE Veneer Ln, Sandy, OR 97055 and 20240 SE Veneer Ln, Sandy, OR 97055.

2.

The Respondent(s) own/owns or occupies the address or location of the violation(s) of law alleged in this Complaint is 43227 SE Wall Way, Sandy, OR 97055 also known as T2S, R5E, Section 20, Tax Lot 3900, and is located in Clackamas County, Oregon. The property is zoned Rural Industrial and is the location of violation(s) asserted by the County.

3.

On or about December 23, 2025 the Respondents violated the following law, in the following way:

- a. Respondents violated the Clackamas County Building Code, Chapter 9.02.040 by failing to obtain an approved tenant improvement and certificate of occupancy. This violation

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 Respondents in the following manner: Violation Notice December 23, 2025 was mailed first class mail on December 23, 2025. A copy of the notice document is attached to this Complaint as Exhibit C and incorporated by this reference.

6.

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

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

1. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondents to immediately abate the 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 the Board of County Commissioners. Said range for a Building Code violation being \$1,000.00 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 Respondents 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 Respondents to reimburse the County for any expense the County may incur in collection of any penalties, fines or fees that may be imposed:

and

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

DATED THIS January 7, 2026.

A handwritten signature in cursive script that reads "Jennifer Kauppi".

Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

FIRWOOD INDUSTRIAL PARK LLC
AND DIESEL TRUCK AND FLEET
SERVICES 2

Respondents.

File No.: V0048225

STATEMENT OF PROOF

History of Events and Exhibits:

December 9, 2025
Exhibit A

Firwood Industrial Park has multiple structures on the subject property. The structures were originally permitted as building shell permits only. A building shell permit is for the construction of the building only and the proposed occupancy use. In order for a building to establish the occupancy of the structure, a commercial tenant improvement permit (TI) must be submitted to the County for review and approval.

The building shell permit for 43227 SE Wall Way also known as 20240 SE Veneer Ln was approved in 2018 under permit B0421417. As noted on the approved shell permit a Certificate of Occupancy is required for a tenant that moves into the space. The building shell received a final approved inspection in 2018. The address was changed from 20240 SE Veneer Ln to the Wall Way address after the park went through a land use process which resulted in the plat of the property being updated and new addresses being assigned to the buildings. No TI permits have ever been approved and completed for establishing occupancy for this building.

December 9, 2025

Code Enforcement was notified by Dan Symons with Symons Engineering Consultants stating that he was no longer assisting Richard Watkins with Diesel Truck and Fleet Services 2 who is the tenant of this space with the submittal for the TI.

December 9, 2025
Exhibit B

Commercial Plans Examiner Travis Wright emailed Mr. Watkins and Ian Walsh and provided them with information regarding the requirements of a TI permit. Mr. Watkins responded to Travis Wright's email on December 10, 2025 again stating his position that he did not need to obtain a TI permit.

December 23, 2025
Exhibit C

A Notice of Violation was mailed to the Respondents with a deadline date of January 23, 2026 to abate the violation. I also emailed a copy of the Notice of Violation to the Respondents.

December 23, 2025
Exhibit D

Mr. Watkins requested a hearing.

If the Compliance Hearings Officer affirms the County's position that a violation of the Building Code, Title 9.02.040 exists, the County is requesting a Continuing Order in this matter recommending the following:

- The Respondents be ordered to bring the property into compliance with the Building Code within 30 days of the date of the Order by submitting a technically complete tenant improvement permit application.
 - Respond to requests for additional plan review information within 15 days.
 - Payment for the issuance of the building permit shall be submitted within 10 days of being notified by the building department.
 - Complete all required inspections and obtain a final approved inspection within 60 days of the permit being issued.
 - Submit a complete Certificate of Occupancy application.
- Code Enforcement to confirm compliance of the above item and the County will submit a Post Hearing Status Report. The report will be sent to the Compliance Hearings Officer and to the Respondents.
- The report may include the following recommendations:
- The imposition of civil penalties for the Building Code violation of \$1,000.00 to \$3,500.00. for date noticed of December 23, 2025.
- The Administrative Compliance fee to be imposed from December 2025 until the violation is abated. As of this report the total is \$100.00.
- The County requests the Hearings Officer to permanently prohibit the Respondents from violating this law in the future.
- If the Respondents fail 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.



SYMONS ENGINEERING
CONSULTANTS, INC.

12805 s.e. foster road
portland, oregon 97236
phone 503 760 1353
facsimile 503 762 1962

CLIENT

FIRWOOD INDUSTRIAL PARK, LLC
20226 SE VENEER LN
SANDY, OR 97055
503-708-4310

PROJECT

FIRWOOD IND'L
SUBDIVISION

SITE ADDRESS

20226 SE VENEER LN
SANDY, OR 97055

SHEET NAME

OVERALL SITE PLAN

REVISION

△	5/31/19	ISSUED FOR DESIGN REVIEW
1	7/2/19	REVISED FOR COMPLETENESS
2	8/27/19	ISSUED FOR SITE DEV. PERMIT
3	11/12/19	REVISED PER PR COMMENTS
4	7/22/22	PRELIM PLAT CONCEPT
△		

ISSUE DATE JULY 22, 2022

DRAWING FILE 22-17c.DWG

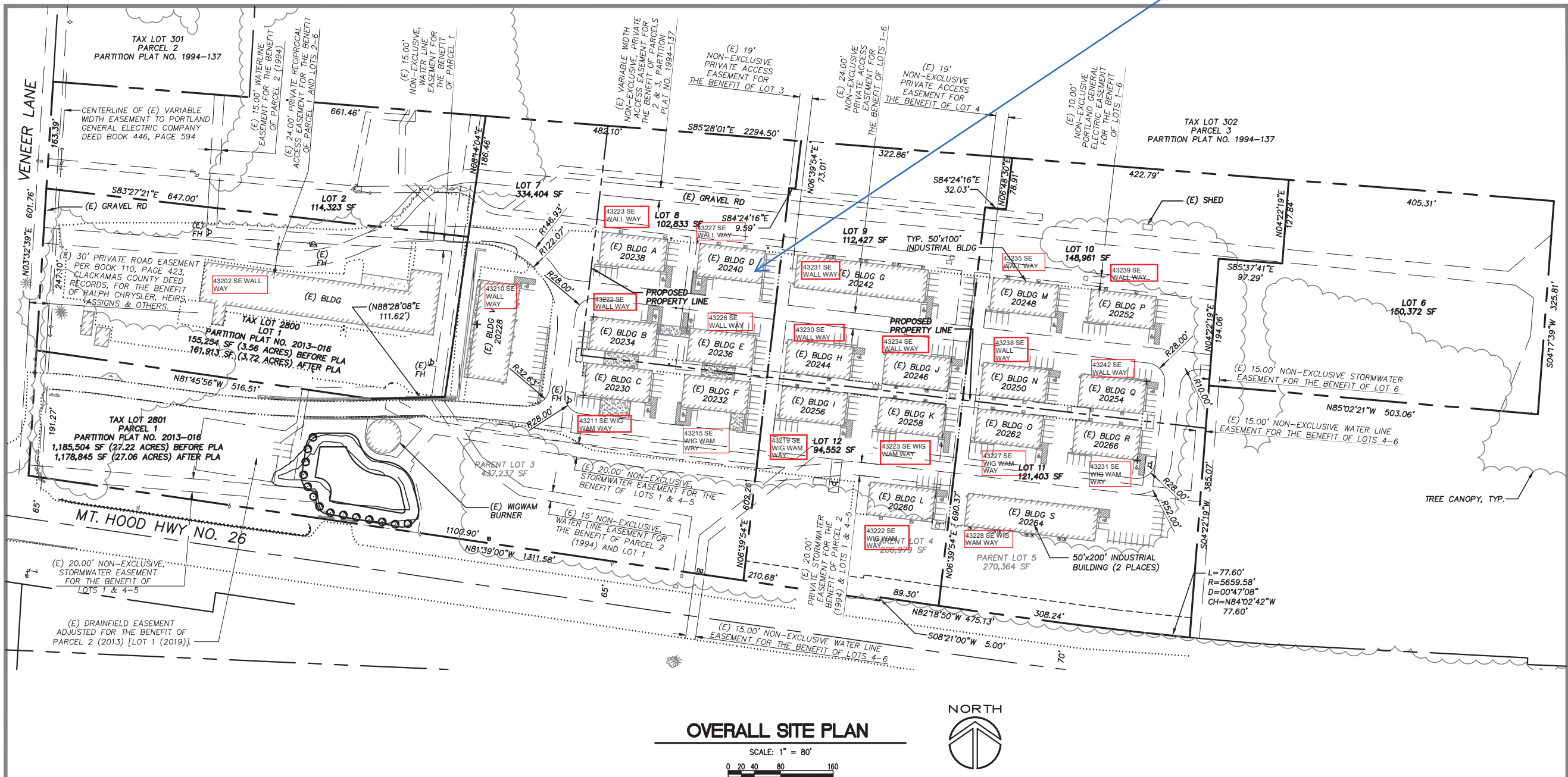
PROJECT NUMBER 22-17

SHEET 3

C1.0

OF 18 SHEETS

NOT FOR CONSTRUCTION



OVERALL SITE PLAN

SCALE: 1" = 80'



NORTH



Clackamas County
Department of Transportation & Development - Building Codes Division
150 Beaver Creek Road, Oregon City, OR 97045
www.clackamas.us

Permit #: B0421417	Applied: 08/14/2017
Type: New / Commercial	Approved:
Status: Issued	Final:
Valuation: \$294,700.00	Expiration: 9/9/2018
Address: 20240 SE VENEER LN SANDY, OR 97055	

Applicant: DAN SYMONS 503-760-1353
Owner: KNAPP JOHN S & REGENA L
Contractor: TIMBER TECHNOLOGIES LLC 503-708-4310

Certificate of Occupancy Required: Yes

Parcel: 25E20 02801	Class: 320-Industrial
Entered By: STEPHANIEJ	Occupancy: S-1
Insp Area: 4 RVL	Units: Bldgs:
Printed: 03/13/2018	Violation:
Description: FIRWOOD INDUSTRIAL PARK - BUILDING D SHELL	
Conditions:	

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 (ESA). 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):	
Commercial Plan Review	1	\$593.74
Commercial Structural Permit	1	\$1,157.20
State Surcharge	1	\$138.86
Deferred Submittal - Bldg	250	\$250.00
Commercial Plan Review	0	\$158.44
Fire Life Safety Plan Review w/ Regular Plan Review	1	\$405.02
School District Tax	2500	\$2,500.00
Transportation SDC	7530	\$7,530.00

P. 503.742.4240 F. 503.742.4741 WWW.CLACKAMAS.US
Inspection Request Line: 503.742.4720

Kauppi, Jennifer

From: Wright, Travis
Sent: Tuesday, December 9, 2025 2:42 PM
To: Dieseltruckandfleet7@gmail.com
Cc: Macleod; ian@timbertechnologiesllc.com; Carlson, Richard; Kauppi, Jennifer; Dan Symons; Rozzell, Matt
Subject: RE: TI Permit

Richard good afternoon.

I was asked to reach out to you in regards to tenant improvement permits and architectural design.

Here is what I know about the building:

- The building permit for the shell is: B0421317
- The record of completion for the shell is: B0421417
- No C of O has ever been issued for a TI in building D.
- The building is VB construction
- The *intended* occupancy classification for the building was being proposed as S-1 although some TI's in the complex are designated as S-2 & F1. (This will not be determined until the TI permit is established and then it will be assigned)
- The area is 5,000 sq ft
- 1 Story

Not sure of your specific question although I am happy to provide 28 years of code experience to help you get started in the process for your diesel truck and fleet repair business.

1. A permit application shall be submitted to the building department for a tenant improvement per the Oregon Structural Specialty Code (OSSC) section 104.2 and 105.1
2. Under the OSSC section 102.1.1 it mentions that statutory references take precedence over the code.
3. Under the OSSC section 107.1 it mentions Oregon Revised Statute (ORS) 671. This statute establishes when an architect is required for fire and life safety, and the specific section is under ORS 671.030 (2) (b) (C) and this building triggers that requirement for a licensed design professional.
4. The submittal requirements are in section 107.1 through 107.5 of the OSSC
5. This also requires a fire and life safety review. OSSC 107.3.5 (9)
6. With your business there are going to be requirements from chapter 4 of the OSSC as well as other chapters.
7. Requirements to the Oregon Mechanical Specialty Code (OMSC).

(The building may not be occupied until a certificate of occupancy is issued per the OSSC 111.1)

If you have general questions I am happy to answer them, for specific questions we will need you to provide: code sections, referenced standard sections, State law with the chapter, division, section.

Thank you,

Travis Wright, Commercial Plans Examiner

Department of Transportation and Development

Clackamas County Building Codes Division

150 Beaver Creek Rd, Suite 225

Oregon City, OR. 97045

Cell: 503-347-9224

Hours of Operation: Mon – Fri, 7:00 a.m. – 3:30 p.m.

www.clackamas.us

Kauppi, Jennifer

From: Wright, Travis
Sent: Wednesday, December 10, 2025 8:03 AM
To: Kauppi, Jennifer
Subject: FW: TI Permit

Response from Richard Watkins below. (I have to step out from further communication with him, although if you need me please reach out)

Thanks Travis

From: Richard Watkins <dieseltruckandfleet7@gmail.com>
Sent: Wednesday, December 10, 2025 7:59 AM
To: Wright, Travis <TWright@clackamas.us>
Subject: Re: TI Permit

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

Travis,

Thank you for the update.

It will be my pleasure to speak with Code Enforcement.

I look forward to providing them with the complete OSSC citation analysis, including the portions of the code you omitted—specifically the requirements that:

- a **change of occupancy** must occur to invoke a new Certificate of Occupancy (OSSC 111.1), and
- **actual construction, alteration, or system modification** must occur to invoke a Tenant Improvement permit or enforcement under OSSC 114.2.

As stated previously, **no such conditions exist at this property.**

The building remains S-1, and no qualifying TI work has been performed.

Code Enforcement will need to identify:

1. The **specific work** allegedly performed without a permit;
2. The **specific occupancy change** they believe occurred; and
3. The **corresponding OSSC sections** that apply.

I am confident they will reach the same conclusion:

operating within an existing S-1 occupancy without performing alterations does not trigger TI permits or a new C of O.

Please have them contact me directly.

Respectfully,

Richard Watkins

On Wed, Dec 10, 2025 at 7:53 AM Wright, Travis <TWright@clackamas.us> wrote:

This has been turned over to code enforcement for further action.

To be added to a permit for view only please use this link to create an account:

<https://www.clackamas.us/building> (Only the applicant may answer and upload documents)

If you are inquiring about the status of permits please use this link: <https://aca-prod.accela.com/CLACKAMAS/Default.aspx>

If you need help with Development Direct either; uploading, answering, applying, etc. please contact: Building Public Service BldService@clackamas.us

(If your permit is currently under review please provide responses to plan review comments in Development Direct, not by personal email)

Thank you,

Travis Wright, Commercial Plans Examiner

Department of Transportation and Development

Clackamas County Building Codes Division

150 Beavercreek Rd, Suite 225

Oregon City, OR. 97045

Cell: 503-347-9224

Hours of Operation: Mon – Fri, 7:00 a.m. – 3:30 p.m.

www.clackamas.us

From: Richard Watkins <dieseltruckandfleet7@gmail.com>

Sent: Wednesday, December 10, 2025 7:50 AM

To: Wright, Travis <TWright@clackamas.us>

Subject: Re: TI Permit

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

Travis,

Your conclusion is incorrect. No tenant improvement permit or certificate of occupancy is required because:

1. There has been no change in occupancy classification.

The building was previously classified as **S-1**, and it continues to be used in a manner consistent with S-1 under OSSC Chapter 3.

2. No construction, alteration, or system modification has occurred that would trigger a permit requirement under OSSC 105.1, 105.2, or 114.2.

3. A C of O is only required when the occupancy changes (OSSC 111.1).

Since the occupancy has not changed, 111.1 is not applicable.

4. **The code sections you cited apply only when work or changes occur**, neither of which apply here.

If the County believes otherwise, please identify:

- The specific scope of “work” allegedly performed,
- The specific change of occupancy classification you believe occurred, and
- The exact OSSC or OAR section establishing a TI requirement for a non-altered S-1 occupancy continuing in S-1 use.

I look forward to your clarification.

On Wed, Dec 10, 2025 at 7:08 AM Wright, Travis <TWright@clackamas.us> wrote:

Richard good morning.

I have read your rebuttal, and we are sorry that without a tenant improvement permit and a C of O then you are in violation of section 111.1 & 114.2 of the OSSC.

Respectfully,

Travis Wright, Commercial Plans Examiner

Department of Transportation and Development

Clackamas County Building Codes Division

150 Beavercreek Rd, Suite 225

Oregon City, OR. 97045

Cell: 503-347-9224

Hours of Operation: Mon – Fri, 7:00 a.m. – 3:30 p.m.

From: Richard Watkins <dieseltruckandfleet7@gmail.com>
Sent: Tuesday, December 9, 2025 4:54 PM
To: Wright, Travis <TWright@clackamas.us>
Cc: Macleod <macleod@easystreet.net>; ian@timbertechnologiesllc.com; Carlson, Richard <richardcar@clackamas.us>; Kauppi, Jennifer <JKauppi@clackamas.us>; Dan Symons <dans@symonsengineering.com>; Rozzell, Matt <MRozzell@clackamas.us>
Subject: Re: TI Permit

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

This letter responds to your message asserting that my use of the building requires:

1. A tenant improvement (TI) building permit;
2. A change of occupancy; and
3. The services of a licensed architect under ORS 671.

You referenced various provisions of the Oregon Structural Specialty Code (OSSC) and ORS 671. After reviewing the actual code language, your conclusions do **not** follow from the facts or the law.

To be blunt: **we are using the building exactly as it was built and originally classified, as an S-1 shop/storage occupancy, with no construction or code-regulated work performed.** Under the OSSC and ORS, that does **not** trigger a TI permit, a change of occupancy, or an architect.

Below is the legal framework and a point-by-point response to your numbered statements.

I. Actual Conditions on the Property

1. The building is legally classified as **Group S-1 (Moderate-hazard Storage)**. OSSC §311.2 defines S-1 as storage uses that are not S-2, including storage of combustible materials and similar moderate-hazard uses.

2. My business is **diesel truck / fleet repair and storage** – vehicles, parts, tools, and ordinary shop supplies. That fits squarely within S-1 / light industrial use and is consistent with the original permitted occupancy.
3. **No structural, mechanical, electrical, plumbing, or fire-protection alterations have been performed.** No walls moved, no new systems installed, no egress changes, no sprinklers altered.
4. The building is outside city limits; enforcement falls under the state building code and county jurisdiction, not a city ordinance add-on.

In short: **existing S-1 building, used as S-1, with zero code-regulated construction work.**

II. Legal Framework – OSSC and ORS 671

1. OSSC 105.1 – When a Permit Is Required

OSSC §105.1 requires a permit when an owner intends to **construct, enlarge, alter, repair, move, or change the occupancy** of a building.

If none of those actions occur, no building permit is required. Simply occupying an existing, code-compliant S-1 building for another S-1 use does **not** fall under 105.1.

2. OSSC 102.6 – Existing Legal Occupancies

OSSC §102.6 states that the **legal occupancy of an existing structure is allowed to continue without change** unless specifically provided otherwise.

We are continuing the same general occupancy class (S-1) with no change in hazard category or construction type.

3. OSSC 311.2 – S-1 Occupancy

OSSC §311.2 defines S-1 as moderate-hazard storage, including a wide range of combustible goods and facilities similar to vehicle/parts storage.

Diesel truck/fleet repair with associated parts and vehicle storage is comfortably inside that definition; nothing in our use pushes it into H-occupancy or other special category.

4. ORS 671.030 – Activities Not Considered “Practice of Architecture”

ORS 671.030 lists activities that are **not** “practice of architecture.” In particular, subsection (2)(c) allows a person to plan or observe **alterations or repairs** where:

- the **structural** parts of the building are not involved;
- the **use/occupancy classification is not changed**; and
- the **type of construction classification is not changed**.

Even if minor non-structural work were performed, it would still be exempt from the architect requirement if it meets those conditions. Here, we are not even at that threshold – there have been **no code-level alterations** at all.

III. Point-by-Point Response to Your Statements

Below I restate your numbered items and respond to each.

1. “A permit application shall be submitted... per OSSC 104.2 and 105.1.”

Response:

OSSC §104.2 describes the **building official’s authority** to interpret the code; it does not independently create a permit requirement.

OSSC §105.1 requires a permit only when someone intends to **construct, enlarge, alter, repair, move, or change the occupancy** of a building.

We have done **none of those things**. We are using the existing, permitted S-1 building as a diesel repair / fleet facility – a use within the same occupancy group, with no construction.

Invoking 105.1 without identifying any actual **work** under that section is an overreach.

2. “Under OSSC 102.1.1 statutory references take precedence over the code.”

Response:

Correct but irrelevant.

OSSC §102.1.1 simply says that when a statute and the OSSC conflict, the statute governs.

You have not identified any statute that mandates a permit or architect for **continuing an existing S-1 occupancy with no construction work**.

3. “Under OSSC 107.1 and ORS 671, this building triggers the requirement for a licensed design professional (architect).”

Response:

This is where your analysis really falls apart.

- OSSC §107.1 describes **construction document submittals** when a permit is already required. It says documents must be prepared by a design professional **where required by ORS 671 and 672**.

It does not magically create a need for an architect where ORS says one is not required.

- ORS 671.030(2)(c) explicitly allows non-architects to plan or observe alterations or repairs where **structural parts are not involved**, and the building's **use/occupancy and construction type classifications are unchanged**.

Even if we were doing minor non-structural interior work (we aren't), that would still fall in the exempt bucket as long as there is no structural change, no occupancy change, and no construction-type change.

Here, there are:

- **No alterations or repairs** in the sense the code regulates;
- **No change of occupancy** (staying S-1); and
- **No change of construction type**.

Claiming that ORS 671 forces me to hire an architect for simply occupying an existing S-1 building is inaccurate and not supported by the statute.

4. "Submittal requirements are in 107.1 through 107.5 of the OSSC."

Response:

Agreed – but only **after** a permit is required under §105.1.

Since no permit is triggered (no construction, no occupancy change), the §107 submittal requirements are **moot**. You cannot bootstrap a permit requirement by pointing to the section that tells you what to submit *if* you already need a permit.

5. "This also requires a fire and life safety review. OSSC 107.3.5(9)."

Response:

OSSC §107.3.5 addresses **specific plan review items** when there is an actual permit and proposed work. It is not a blanket rule that any S-1 business must obtain a new fire/life-safety review simply to exist.

Again: no new work, no change of occupancy, no system modifications = no trigger for this section.

If you believe a particular life-safety feature in this building violates current code, that is a different conversation – but the building is an existing, previously approved S-1 structure, and OSSC §102.6 allows existing legal occupancies to continue.

6. “With your business there are going to be requirements from Chapter 4 of the OSSC as well as other chapters.”

Response:

Chapter 4 contains **special detailed requirements** for certain occupancies (high-rise, hazardous, stages, etc.). You have not identified any specific §4XX section that our current use violates.

We are not operating a hazardous occupancy, assembly, high-rise, or other Chapter-4-type use. We are simply using an existing S-1 shop for an S-1 use. General hand-waving at “Chapter 4” is not a legal basis for demanding a TI permit or architect involvement.

7. “Requirements to the Oregon Mechanical Specialty Code (OMSC).”

Response:

OMSC becomes relevant when mechanical systems are **installed, altered, or repaired**. We have not installed any new mechanical systems or altered existing ones. No ventilation changes, no new exhaust systems, no fuel-gas piping work.

Invoking the OMSC without identifying actual mechanical work is just more noise.

IV. Summary and Requested Resolution

1. The building is a legally permitted **Group S-1** occupancy.
2. Our use (diesel truck and fleet repair/storage) fits **within S-1**; there is **no occupancy change**.
3. No construction, enlargement, alteration, repair, movement, or change of occupancy has occurred that would trigger OSSC §105.1.
4. ORS 671.030 expressly exempts non-structural work that does not change occupancy or construction type from the definition of “practice of architecture.”
5. There is therefore **no TI permit required, no change of occupancy permit required, and no statutory basis to demand an architect**.

If you disagree, I am asking for something very specific:

Identify **exactly which OSSC section and ORS section** you believe is triggered by the **actual scope of what we’ve done** (using the existing S-1 shell as an S-1 diesel/fleet

shop with no construction), and explain precisely **what work** you believe has occurred that fits within OSSC §105.1.

Short of that, I consider the assertion that I must obtain a TI, hire an architect, or process a change of occupancy to be legally unsupported.

I'm willing to comply with any **legitimate** code requirement tied to documented work or a real change of hazard. I'm not willing to roll over for vague, over-broad interpretations that go beyond what the OSSC and ORS actually say.

Sincerely,

On Tue, Dec 9, 2025 at 2:42 PM Wright, Travis <TWright@clackamas.us> wrote:

Richard good afternoon.

I was asked to reach out to you in regards to tenant improvement permits and architectural design.

Here is what I know about the building:

- The building permit for the shell is: B0421317
- The record of completion for the shell is: B0421417
- No C of O has ever been issued for a TI in building D.
- The building is VB construction
- The *intended* occupancy classification for the building was being proposed as S-1 although some TI's in the complex are designated as S-2 & F1. (This will not be determined until the TI permit is established and then it will be assigned)
- The area is 5,000 sq ft
- 1 Story

Not sure of your specific question although I am happy to provide 28 years of code experience to help you get started in the process for your diesel truck and fleet repair business.

1. A permit application shall be submitted to the building department for a tenant improvement per the Oregon Structural Specialty Code (OSSC) section 104.2 and 105.1
2. Under the OSSC section 102.1.1 it mentions that statutory references take precedence over the code.
3. Under the OSSC section 107.1 it mentions Oregon Revised Statute (ORS) 671. This statute establishes when an architect is required for fire and life safety, and the specific section is under ORS 671.030 (2) (b) (C) and this building triggers that requirement for a licensed design professional.
4. The submittal requirements are in section 107.1 through 107.5 of the OSSC
5. This also requires a fire and life safety review. OSSC 107.3.5 (9)
6. With your business there are going to be requirements from chapter 4 of the OSSC as well as other chapters.
7. Requirements to the Oregon Mechanical Specialty Code (OMSC).

(The building may not be occupied until a certificate of occupancy is issued per the OSSC 111.1)

If you have general questions I am happy to answer them, for specific questions we will need you to provide: code sections, referenced standard sections, State law with the chapter, division, section.

Thank you,

Travis Wright, Commercial Plans Examiner

Department of Transportation and Development

Clackamas County Building Codes Division

150 Beaver Creek Rd, Suite 225

Oregon City, OR. 97045

Cell: 503-347-9224

Hours of Operation: Mon – Fri, 7:00 a.m. – 3:30 p.m.

www.clackamas.us

--

Diesel Truck and Fleet Services Inc

1206 W 2nd ST

The Dalles OR 97058

Dieseltruckandfleet7@gmail.com

Office (503) 887-4667

Jessica (503) 780 -4364

--

Diesel Truck and Fleet Services Inc

1206 W 2nd ST

The Dalles OR 97058

Dieseltruckandfleet7@gmail.com

Office (503) 887-4667

Jessica (503) 780 -4364

--

Diesel Truck and Fleet Services Inc
1206 W 2nd ST
The Dalles OR 97058

Dieseltruckandfleet7@gmail.com

Office (503) 887-4667

Jessica (503) 780 -4364

SECTION 103—CODE COMPLIANCE AGENCY

Not adopted by the State of Oregon, Building Codes Division, as part of this code.

>

SECTION 104—DUTIES AND POWERS OF BUILDING OFFICIAL



The requirements of Sections 104.1 and 104.3 shall apply unless specifically amended by a local *municipality* under the authority of ORS 455.020.

104.1 General.

The *building official* is hereby authorized and directed to enforce the provisions of this [code](#).

104.2 Determination of compliance.



The *building official* shall have the authority to determine compliance with this code, to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures:

1. Shall be in compliance with the intent and purpose of this code.
2. Shall not have the effect of waiving requirements specifically provided for in this code.

Consistent with discretionary decision-making powers granted to *building officials*, a *building official* may take any action including but not limited to waiving a requirement, modifying a requirement or accepting an alternate method to the requirements of this code. When waiving a requirement or accepting a modification, a *building official* shall not allow a provision that would create an *unsafe* or dangerous condition regarding fire and life safety, and may not enforce requirements that are in addition to this code except where additional code requirements are specified by the terms of an alternate method approval.

104.2.1 Listed compliance

Blue and dotted underline denotes new Oregon-specific language
Purple denotes new IBC language

104.2.4 Modifications. Where there are practical difficulties involved in carrying out the provisions of this code, the *building official* shall have the authority to grant modifications for individual cases, provided that the *building official* shall first find that one or more special individual reasons make the strict letter of this code impractical, and that the modification is in compliance with the intent and purpose of this code and that such modification does not create an unsafe or *dangerous* condition regarding fire and life safety, and does not enforce requirements that are in addition to the *state building code* except where additional code requirements are specified by the terms of an alternate method approval. The details of the written request for and action granting modifications shall be recorded and entered in the files of the *municipality*.

104.2.4.1 Flood hazard areas. This section is not adopted by the State of Oregon, Building Codes Division, as part of this code.

104.3 Applications and permits. The *building official* shall receive applications, review *construction documents*, issue *permits*, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.3.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. For applications for reconstruction, rehabilitation, *repair*, *alteration*, *addition* or other improvement of *existing buildings or structures* located in *flood hazard areas* established by the *flood plain administrator*, the *flood plain administrator* shall determine if the proposed work constitutes *substantial improvement* or *repair of substantial damage*. Where the *flood plain administrator* determines that the proposed work constitutes *substantial improvement* or *repair of substantial damage*, and where required by this code, the *building official* shall require the building to meet the requirements of Section 1612.

104.4 Right of entry. This section is not adopted by the State of Oregon, Building Codes Division, as part of this code.

104.5 Reserved.

104.6 Notices and orders. The *building official* shall issue necessary notices or orders to ensure compliance with this code. Notices of violations shall be in accordance with Section 114.

104.7 Official records. The *building official* shall keep official records according to the applicable retention requirements set forth in OAR 166-150-0020 for locations where the county has jurisdiction, in OAR 166-200-0250 for locations where a city has jurisdiction, and in OAR 166 Division 300, for locations where the State of Oregon has jurisdiction. The *building official* shall maintain a permanent record of all *permits* issued in *flood hazard areas*, including copies of inspection reports and certifications required in Section 1612.

104.7.1 Tests. The *building official* shall keep a record of tests conducted to comply with Sections 104.2.2.4 and 104.2.3.5.

104.7.2 Fees. The *building official* shall keep a record of fees collected and refunded in accordance with Section 109.

104.8 Liability. See ORS 30.265 for regulations relating to liability.

104.9 Approved materials and equipment. Materials, equipment and devices *approved* by the *building official* shall be constructed and installed in accordance with such approval.

104.9.1 Materials and equipment reuse. Materials, equipment and devices shall not be reused unless such elements are in good working condition and approved. Used or salvaged dimensional lumber shall be permitted to be used.

SECTION 105—PERMITS

105.1 Required. Any *owner* or *owner's* authorized agent who intends to construct, enlarge, alter, *repair*, move or change the occupancy of a *building* or *structure*, that is regulated by this code, or to cause any such work to be performed, shall first make application to the *building official* and obtain the required *permit*. Any *owner* or *owner's* authorized agent who intends to *repair* an existing *fire protection system* or *life safety system* shall first notify the local *building official* and obtain any necessary building *permit*, where required by the *municipality*. See ORS 455.020(2).

Exceptions:

1. Construction subject to minor labels and master permits when authorized by the inspection authority under OAR Chapter 918, Division 100.
2. Temporary (180 days) structural supports, structural replacement or *repairs* performed in an emergency on an existing structure. The *municipality* shall be notified of this work within 72 hours and *permit* application for the temporary work shall be submitted within the next 5 business days.

105.2 Work exempt from permit. For the application and scope of this code, see Section 101. For *repairs* in *existing buildings*, see Chapter 34. *Permits* shall not be required for the following:

Building:

1. One-story detached accessory structures used as trash enclosures, provided that the gross floor area is not greater than 120 square feet (11 m²).
2. One-story detached *nonoccupied Group U* structures, provided that the gross floor area is not greater than 200 square feet (18.58 m²), provided that the structure is not used as a trash enclosure.

CHAPTER 1 SCOPE AND ADMINISTRATION

- reasonable level of safety, health and general welfare through structural strength, *means of egress*, stability, sanitation, light and ventilation, energy conservation, and for providing a reasonable level of life safety and property protection from the hazards of fire, *explosion* or *dangerous* conditions **attributed to the built environment**, and to provide a reasonable level of safety to firefighters and emergency responders during emergency operations. **It is not the purpose of this code to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code. Nothing in this code limits a local municipality's ability to require application of its own ordinances, or to enforce its own ordinances.**
- >

SECTION 102—APPLICABILITY

102.1 General.

- Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. **Consistent with discretionary decision-making powers granted to building officials, a building official may take any action including but not limited to waiving a requirement, modifying a requirement or accepting an alternate method to the requirements of this code. When waiving a requirement or accepting a modification, a building official shall not allow a provision that would create an unsafe or dangerous condition regarding fire and life safety and may not enforce requirements that are in addition to this code except where**
- > **additional code requirements are specified by the terms of an alternate method approval.**

102.1.1 Statutory references.



This code is adopted pursuant to Oregon Revised Statutes (ORS). Where this code and the statutes specify different requirements, the statute shall govern. Statutes related to this code include, but are not limited to, ORS 455.010 through 455.895 and ORS 447.210 through 447.310.

Statutes referenced may be obtained from the Building Codes Division, 1535 Edgewater St. NW, Salem, OR 97304 or P.O. Box 14470, Salem, OR 97309 at a nominal cost or read online at: [Oregon.gov/bcd](https://www.oregon.gov/bcd).

Blue and dotted underline denotes new Oregon-specific language
Purple denotes new IBC language

SECTION 106—FLOOR AND ROOF DESIGN LOADS

106.1 Live loads posted. In commercial or industrial *buildings*, for each floor or portion thereof designed for *live loads* exceeding 50 psf (2.40 kN/m²), such design *live loads* shall be conspicuously posted by the *owner* or the *owner's* authorized agent in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

106.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

106.3 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a *building, structure* or portion thereof, a *load* greater than is permitted by this code.

SECTION 107—CONSTRUCTION DOCUMENTS

107.1 General. Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report, *design calculations*, and other data as needed to demonstrate that the proposed design and construction conforms to the provisions of this code and relevant laws, shall be submitted in two or more sets, or in a digital format where specified by the *municipality*, with each *permit* application. Where special conditions exist, the *building official* is authorized to require that additional *construction documents* be submitted. The *construction documents* shall be prepared by a *registered design professional* where required by ORS 671 and 672.

Exception: The *building official* may waive the submission of plans, calculations, construction inspection requirements and other data and the related plan review fee if it is found that the nature of the work applied for is such that review of plans is not necessary to obtain compliance with this code.

107.2 Construction documents. *Construction documents* shall be in accordance with Sections 107.2.1 through 107.2.8.

107.2.1 Information on construction documents. *Construction documents* shall be dimensioned and drawn on suitable material. Electronic media documents are permitted to be submitted where *approved* by the *building official*. *Construction documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws. Nothing in this code limits a local *municipality's* ability to require application of its own ordinances, or to enforce its own ordinances.

107.2.2 Fire protection system shop drawings. Shop drawings, plans, specifications or sketches for the *fire protection systems* shall be submitted to the *building official* pursuant to the requirements of the *state building code* and ORS Chapter 455 or ORS 479.155 to determine compliance with the *state building code*, including but not limited to fire and life safety standards that are part of the *state building code*. Shop drawings, plans, specifications or sketches shall be *approved* prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9. The issuance of permits and inspections shall be the authority of the *building official* to administer under ORS Chapter 455.

107.2.3 Means of egress. The *construction documents* shall show in sufficient detail the location, construction, size and character of all portions of the *means of egress* including the path of the exit discharge to the *public way* in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the *construction documents* shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

107.2.4 Exterior wall envelope. *Construction documents* for all *buildings* shall describe the *exterior wall assembly* in sufficient detail to determine compliance with this code. The *construction documents* shall provide details of the *exterior wall envelope* as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, *water-resistive barrier* and details around openings.

The *construction documents* shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the *construction documents* maintain the weather resistance of the *exterior wall assembly*. The supporting documentation shall fully describe the *exterior wall assembly* that was tested, where applicable, as well as the test procedure used.

107.2.5 Exterior balconies and elevated walking surfaces. Where balconies or other elevated walking surfaces have *weather-exposed surfaces*, and the structural framing is protected by an impervious moisture barrier, the *construction documents* shall include details for all elements of the impervious moisture barrier system. The *construction documents* shall include manufacturer's installation instructions.

107.2.6 Site plan. The *construction documents* submitted with the application for *permit* shall be accompanied by a site plan showing to scale the size and location of new construction and *existing structures* on the *site*, distances from *lot lines*, the established street grades and the proposed finished grades and it shall be drawn in accordance with an accurate boundary line survey. The *building official* is authorized to waive or modify the requirement for a site plan where the application for *permit* is for *alteration* or *repair* or where otherwise warranted.

107.2.7 Structural information. The *construction documents* shall provide the information specified in Section 1603.

107.3 Examination of documents. The *building official* shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws. Nothing in this code limits a local *municipality's* ability to require application of its own ordinances, or to enforce its own ordinances.

Certain technical
submissions to carry stamp

671.030
Activities not considered as
"practice of architecture"

671.041
Certificate of registration for
business entity

671.045
Liability of architectural firm

671.047
Application of general
corporation law to
architectural firms

671.050
Application for certificate of
registration

671.065
Certification based on
recognition by national
council or other jurisdictions

671.080
Renewal

671.085
Fees

671.090
Prohibitions

text Annotations

- (1) [ORS 671.010 \(Definitions\)](#) to [671.220 \(Board action to enjoin violations\)](#) do not apply to the practice of marine, naval or landscape architecture.
- (2) [ORS 671.010 \(Definitions\)](#) to [671.220 \(Board action to enjoin violations\)](#) do not prohibit: [↗](#)
 - (a) An employee of a registered architect from acting under the registered architect's instruction, control or supervision. An employee who is not a registered architect may not use the designation "architect," "registered architect" or "foreign architect" or the words "architecture" or "architectural" to describe the employee's work unless a rule of the State Board of Architect Examiners provides otherwise.
 - (b) A person that is not an architect from preparing technical submissions or providing construction phase services related to erecting, enlarging or altering a building or an appurtenance to a building if the building or the appurtenance:
 - (A) Is a single family residential dwelling or farm building;
 - (B) Is a structure used in connection with or auxiliary to a single family residential dwelling or farm building, including but not limited to a three-car garage, barn or shed or a shelter used for the housing of domestic animals or livestock; **or**
 - (C) Has a ground area of 4,000 square feet or less and is not more than 20 feet in height from the top surface of lowest flooring to the highest interior overhead finish.

Blue and dotted underline denotes new Oregon-specific language
Purple denotes new IBC language

SECTION 106—FLOOR AND ROOF DESIGN LOADS

106.1 Live loads posted. In commercial or industrial *buildings*, for each floor or portion thereof designed for *live loads* exceeding 50 psf (2.40 kN/m²), such design *live loads* shall be conspicuously posted by the *owner* or the *owner's* authorized agent in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

106.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

106.3 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a *building, structure* or portion thereof, a *load* greater than is permitted by this code.

SECTION 107—CONSTRUCTION DOCUMENTS

107.1 General. Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report, *design calculations*, and other data as needed to demonstrate that the proposed design and construction conforms to the provisions of this code and relevant laws, shall be submitted in two or more sets, or in a digital format where specified by the *municipality*, with each *permit* application. Where special conditions exist, the *building official* is authorized to require that additional *construction documents* be submitted. The *construction documents* shall be prepared by a *registered design professional* where required by ORS 671 and 672.

Exception: The *building official* may waive the submission of plans, calculations, construction inspection requirements and other data and the related plan review fee if it is found that the nature of the work applied for is such that review of plans is not necessary to obtain compliance with this code.

107.2 Construction documents. *Construction documents* shall be in accordance with Sections 107.2.1 through 107.2.8.

107.2.1 Information on construction documents. *Construction documents* shall be dimensioned and drawn on suitable material. Electronic media documents are permitted to be submitted where *approved* by the *building official*. *Construction documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws. Nothing in this code limits a local *municipality's* ability to require application of its own ordinances, or to enforce its own ordinances.

107.2.2 Fire protection system shop drawings. Shop drawings, plans, specifications or sketches for the *fire protection systems* shall be submitted to the *building official* pursuant to the requirements of the *state building code* and ORS Chapter 455 or ORS 479.155 to determine compliance with the *state building code*, including but not limited to fire and life safety standards that are part of the *state building code*. Shop drawings, plans, specifications or sketches shall be *approved* prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9. The issuance of permits and inspections shall be the authority of the *building official* to administer under ORS Chapter 455.

107.2.3 Means of egress. The *construction documents* shall show in sufficient detail the location, construction, size and character of all portions of the *means of egress* including the path of the exit discharge to the *public way* in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the *construction documents* shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

107.2.4 Exterior wall envelope. *Construction documents* for all *buildings* shall describe the *exterior wall assembly* in sufficient detail to determine compliance with this code. The *construction documents* shall provide details of the *exterior wall envelope* as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, *water-resistive barrier* and details around openings.

The *construction documents* shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the *construction documents* maintain the weather resistance of the *exterior wall assembly*. The supporting documentation shall fully describe the *exterior wall assembly* that was tested, where applicable, as well as the test procedure used.

107.2.5 Exterior balconies and elevated walking surfaces. Where balconies or other elevated walking surfaces have *weather-exposed surfaces*, and the structural framing is protected by an impervious moisture barrier, the *construction documents* shall include details for all elements of the impervious moisture barrier system. The *construction documents* shall include manufacturer's installation instructions.

107.2.6 Site plan. The *construction documents* submitted with the application for *permit* shall be accompanied by a site plan showing to scale the size and location of new construction and *existing structures* on the *site*, distances from *lot lines*, the established street grades and the proposed finished grades and it shall be drawn in accordance with an accurate boundary line survey. The *building official* is authorized to waive or modify the requirement for a site plan where the application for *permit* is for *alteration* or *repair* or where otherwise warranted.

107.2.7 Structural information. The *construction documents* shall provide the information specified in Section 1603.

107.3 Examination of documents. The *building official* shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws. Nothing in this code limits a local *municipality's* ability to require application of its own ordinances, or to enforce its own ordinances.

Blue and dotted underline denotes new Oregon-specific language
Purple denotes new IBC language

107.3.1 Approval of construction documents. When the *building official* issues a *permit*, the *construction documents* shall be *approved*, in writing or by stamp, as "Reviewed for Code Compliance." One set of *construction documents* so reviewed shall be retained by the *building official*. The other set shall be returned to the applicant, shall be kept at the *site* of work and shall be open to inspection by the *building official* or a duly authorized representative. *Construction documents* shall be *approved* in the timelines specified in ORS 455.467.

107.3.2 Previous approvals. This code shall not require changes in the *construction documents*, construction or designated occupancy of a *structure* for which a lawful *permit* has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

107.3.3 Phased approval. The *building official* is authorized to issue a *permit* for the construction of foundations or any other part of a *building* or *structure* before the *construction documents* for the whole *building* or *structure* have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such *permit* for the foundation or other parts of a *building* or *structure* shall proceed at the holder's own risk with the building operation and without assurance that a *permit* for the entire *structure* will be granted.

107.3.4 Design professional in responsible charge. Where it is required that documents be prepared by a *registered design professional*, the *building official* shall be authorized to require the *owner* or the *owner's* authorized agent to engage and designate on the *building permit* application a *registered design professional* who shall act as the *registered design professional in responsible charge*. If the circumstances require, the *owner* or the *owner's* authorized agent shall designate a substitute *registered design professional in responsible charge* who shall perform the duties required of the original *registered design professional in responsible charge*. The *building official* shall be notified in writing by the *owner* or the *owner's* authorized agent if the *registered design professional in responsible charge* is changed or is unable to continue to perform the duties.

The *registered design professional in responsible charge* shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and *deferred submittal* items, for compatibility with the design of the building.

107.3.4.1 Deferred submittals. Deferral of any submittal items shall have the prior approval of the *building official*. The *registered design professional in responsible charge* shall list the *deferred submittals* on the *construction documents* for review by the *building official*.

Documents for *deferred submittal* items shall be submitted to the *registered design professional in responsible charge* who shall review them and forward them to the *building official* with a notation indicating that the *deferred submittal* documents have been reviewed and found to be in general conformance to the design of the building. The *deferred submittal* items shall not be installed until the *deferred submittal* documents have been *approved* by the *building official*.

ORS 455.467 is not part of this code but are reprinted here for the reader's convenience:

455.467 Timelines for approval or disapproval of certain specialty code building plans; exceptions; phased permit systems; failure to adhere to timelines.

(1) Except as provided in subsection (2) of this section, for specialty code plan reviews of simple low-rise residential dwellings, the Department of Consumer and Business Services or a municipality that administers a building inspection program under ORS 455.148 or 455.150 shall approve or disapprove the specialty code building plan:

(a) For a jurisdiction with a population that is less than 300,000, within 10 business days of receiving a complete application, or shall implement the process described in ORS 455.465.

(b) For a jurisdiction with a population that is 300,000 or more, shall implement the process described in ORS 455.465.

(2) The 10-day and 15-day requirements in subsection (1) of this section do not apply if:

(a) The plan requires approval by federal, state or local agencies outside the jurisdiction of the issuing agency;

(b) The plan is for a complex structure that requires additional review as determined by the department or municipality; or

(c) Based on conditions that exist in the affected municipality, the Director of the Department of Consumer and Business Services authorizes a different plan review schedule as described in a building inspection program submitted under ORS 455.148 or 455.150.

(3) For specialty code plan reviews of commercial structures, a municipality shall include in its building inspection program submitted under ORS 455.148 or 455.150 a process for plan review services. The municipality shall include in its program detailed reasons supporting the proposed plan review process. The plan review services provided by the municipality shall:

(a) Allow an applicant to defer the submittal of plans for one or more construction phases for a commercial construction project in accordance with the state building code; and

(b) Allow an applicant to receive permits for each of the phases of a commercial construction project as described in the state building code when the plan review for that phase is approved.

(4) For a phased commercial construction project as described in subsection (3) of this section, the municipality shall inform the applicant of the detailed plans necessary for each phase of the project and the estimated time for initial and phased review of the building plans for conformance with the state building code.

(5) An applicant submitting plans under subsection (3) of this section is responsible for ensuring that the project meets all specialty code requirements and that the project does not proceed beyond the level of approval authorized by the building official.

(6) A municipality that repeatedly fails to meet the plan review period described in this section or otherwise authorized in its building inspection program submitted under ORS 455.148 or 455.150 shall be considered to be engaging in a pattern of conduct of failing to provide timely plan reviews under ORS 455.160.

107.3.5 Fire and life safety plan review, occupancies to be reviewed. ORS 479.155(2) requires submission of plans for review and approval of certain occupancies.

Unless exempted by the Building Codes Division through delegation of the fire and life safety plan review program, the owner shall submit to the building codes administrator two copies (or, where required, an additional copy shall be submitted for local government use) of a plan or sketch drawn clearly and to scale showing information as set forth in Section 107.3.5.1 for review and approval prior to beginning construction or alteration. Fire and life safety plan review is required for the following occupancies:

1. Group A occupancies.
2. Group B occupancies over 4,000 square feet (372 m²) or more than 20 feet (6096 mm) in height from the top surface of the lowest flooring to the highest interior overhead finish of the structure, or with a basement.
3. Group E occupancies.
4. Group F occupancies over 4,000 square feet (372 m²) or more than 20 feet (6096 mm) in height from the top surface of the lowest flooring to the highest interior overhead finish of the structure, or with a basement.
5. Group H occupancies over 1,500 square feet (139 m²) or more than 20 feet (6096 mm) in height from the top surface of the lowest flooring to the highest interior overhead finish of the structure, or with a basement.
6. Group I occupancies.
7. Group M occupancies over 4,000 square feet (372 m²) or more than 20 feet (6096 mm) in height from the top surface of the lowest flooring to the highest interior overhead finish of the structure, or with a basement.
8. Group R, Division 1, 2 and 4 occupancies over 4,000 square feet (372 m²) or more than 20 feet (6096 mm) in height from the top surface of the lowest flooring to the highest interior overhead finish of the structure, or with a basement over 1,500 square feet (139 m²).
9. Group S, Division 1, 2 and 3 occupancies over 4,000 square feet (372 m²) or more than 20 feet (6096 mm) in height from the top surface of the lowest flooring to the highest interior overhead finish of the structure, or with a basement.
10. Group U occupancies over 4,000 square feet (372 m²) or more than 20 feet (6096 mm) in height from the top surface of the lowest flooring to the highest interior overhead finish of the structure, or with a basement.

ORS 479.155(2) is not part of this code but is reprinted here for the reader's convenience:

479.155 Plan of proposed construction or alteration; declaration of value; approval of plan; effect of approval; rules.

(2) Prior to construction or alteration of a hospital, public building as defined in ORS 479.168, public garage, dry cleaning establishment, apartment house, hotel, bulk oil storage plant, school, institution as defined in ORS 479.210, or any other building or structure regulated by the State Fire Marshal for use and occupancy or requiring approval by the State Fire Marshal pursuant to statute, the owner shall submit to the director two copies of a plan or sketch showing the location of the building or structure with relation to the premises, distances, lengths and details of construction as the director shall require. A filing is not required with respect to any such building or structure in any area exempted by order of the State Fire Marshal pursuant to ORS 476.030. Approval of the plans or sketches by the director is considered approval by the State Fire Marshal and satisfies any statutory provision requiring approval by the State Fire Marshal.

107.3.5.1 Fire and life safety plan review limits. The following portions of this code shall be used to review the plans submitted under this subsection. (These requirements are not intended to apply to structural, architectural, light and ventilation, accessibility and energy efficiency requirements of the code except as they affect requirements included on the list.)

Chapters 1 through 10.

Chapter 11 (egress).

Chapter 14.

Chapter 15.

Chapter 24.

Chapter 26.

Chapters 30 through 32.

Chapter 34.

Appendix C.

107.4 Amended construction documents. Work shall be installed in accordance with the *approved construction documents*, and any changes made during construction that are not in compliance with the *approved construction documents* shall be resubmitted for approval as an amended set of *construction documents*.

107.5 Retention of construction documents. One set of *approved construction documents* shall be retained by the *building official* for a period of not less than that dictated by OAR 166-150-0020 where a county has jurisdiction; OAR 166-200-0250 where the city has jurisdiction; or OAR 166 Division 300, where the State of Oregon has jurisdiction. One set of approved plans and specifications shall be returned to the applicant and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

ORS 455.020(2) is not part of this code but is reprinted here for the reader's convenience:

455.020(2) Purpose: scope of application; exceptions; scope of rules; fees by rule.

(2) The rules adopted pursuant to this chapter shall include structural standards; standards for the installation and use of mechanical, heating and ventilating devices and equipment; and standards for prefabricated structures; and shall, subject to ORS 455.210, prescribe reasonable fees for the issuance of building permits and similar documents, inspections and plan review services by the Department of Consumer and Business Services. The department may also establish, by rule, the amount of any fee pertaining to the state building code or any specialty code that is authorized by statute, but for which an amount is not specified by statute.

SECTION 108—TEMPORARY STRUCTURES

108.1 General. The *building official* is authorized to issue a *permit* for temporary structures. Such *permits* shall be limited as to time of service, but shall not be permitted for more than 180 days. The *building official* is authorized to grant extensions for demonstrated cause.

See Chapter 31 for additional requirements. Detached *tents* and other *membrane structures* erected for a period of 180 days or less are regulated by the fire official.

108.2 Conformance. *Temporary structures* shall comply with the requirements in Section 3103.

108.3 Termination of approval. The *building official* is authorized to terminate such *permit* for a *temporary structure* and to order the same to be discontinued.

ORS 455.467 is not part of this code but are reprinted here for the reader's convenience:

455.467 Timelines for approval or disapproval of certain specialty code building plans; exceptions; phased permit systems; failure to adhere to timelines.

(1) Except as provided in subsection (2) of this section, for specialty code plan reviews of simple low-rise residential dwellings, the Department of Consumer and Business Services or a municipality that administers a building inspection program under ORS 455.148 or 455.150 shall approve or disapprove the specialty code building plan:

(a) For a jurisdiction with a population that is less than 300,000, within 10 business days of receiving a complete application, or shall implement the process described in ORS 455.465.

(b) For a jurisdiction with a population that is 300,000 or more, shall implement the process described in ORS 455.465.

(2) The 10-day and 15-day requirements in subsection (1) of this section do not apply if:

(a) The plan requires approval by federal, state or local agencies outside the jurisdiction of the issuing agency;

(b) The plan is for a complex structure that requires additional review as determined by the department or municipality; or

(c) Based on conditions that exist in the affected municipality, the Director of the Department of Consumer and Business Services authorizes a different plan review schedule as described in a building inspection program submitted under ORS 455.148 or 455.150.

(3) For specialty code plan reviews of commercial structures, a municipality shall include in its building inspection program submitted under ORS 455.148 or 455.150 a process for plan review services. The municipality shall include in its program detailed reasons supporting the proposed plan review process. The plan review services provided by the municipality shall:

(a) Allow an applicant to defer the submittal of plans for one or more construction phases for a commercial construction project in accordance with the state building code; and

(b) Allow an applicant to receive permits for each of the phases of a commercial construction project as described in the state building code when the plan review for that phase is approved.

(4) For a phased commercial construction project as described in subsection (3) of this section, the municipality shall inform the applicant of the detailed plans necessary for each phase of the project and the estimated time for initial and phased review of the building plans for conformance with the state building code.

(5) An applicant submitting plans under subsection (3) of this section is responsible for ensuring that the project meets all specialty code requirements and that the project does not proceed beyond the level of approval authorized by the building official.

(6) A municipality that repeatedly fails to meet the plan review period described in this section or otherwise authorized in its building inspection program submitted under ORS 455.148 or 455.150 shall be considered to be engaging in a pattern of conduct of failing to provide timely plan reviews under ORS 455.160.

107.3.5 Fire and life safety plan review, occupancies to be reviewed. ORS 479.155(2) requires submission of plans for review and approval of certain occupancies.

Unless exempted by the Building Codes Division through delegation of the fire and life safety plan review program, the owner shall submit to the building codes administrator two copies (or, where required, an additional copy shall be submitted for local government use) of a plan or sketch drawn clearly and to scale showing information as set forth in Section 107.3.5.1 for review and approval prior to beginning construction or alteration. Fire and life safety plan review is required for the following occupancies:

1. Group A occupancies.
2. Group B occupancies over 4,000 square feet (372 m²) or more than 20 feet (6096 mm) in height from the top surface of the lowest flooring to the highest interior overhead finish of the structure, or with a basement.
3. Group E occupancies.
4. Group F occupancies over 4,000 square feet (372 m²) or more than 20 feet (6096 mm) in height from the top surface of the lowest flooring to the highest interior overhead finish of the structure, or with a basement.
5. Group H occupancies over 1,500 square feet (139 m²) or more than 20 feet (6096 mm) in height from the top surface of the lowest flooring to the highest interior overhead finish of the structure, or with a basement.
6. Group I occupancies.
7. Group M occupancies over 4,000 square feet (372 m²) or more than 20 feet (6096 mm) in height from the top surface of the lowest flooring to the highest interior overhead finish of the structure, or with a basement.
8. Group R, Division 1, 2 and 4 occupancies over 4,000 square feet (372 m²) or more than 20 feet (6096 mm) in height from the top surface of the lowest flooring to the highest interior overhead finish of the structure, or with a basement over 1,500 square feet (139 m²).
9. Group S, Division 1, 2 and 3 occupancies over 4,000 square feet (372 m²) or more than 20 feet (6096 mm) in height from the top surface of the lowest flooring to the highest interior overhead finish of the structure, or with a basement.
10. Group U occupancies over 4,000 square feet (372 m²) or more than 20 feet (6096 mm) in height from the top surface of the lowest flooring to the highest interior overhead finish of the structure, or with a basement.

Blue and dotted underline denotes new Oregon-specific language
Purple denotes new IBC language

SECTION 111—CERTIFICATE OF OCCUPANCY

Under state authority, buildings occupied without a valid certificate of occupancy or permit are under the enforcement authority of the Office of State Fire Marshal.

Local programs should ensure that adequate local ordinances have been adopted allowing for enforcement action where a certificate of occupancy was not issued or where a permit was not requested.

111.1 Change of occupancy. A building or structure shall not be used or occupied in whole or in part, and a *change of occupancy* classification of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code. Certificates presuming to give authority to violate or cancel the provisions of this code or other laws shall not be valid.

Exception: Certificates of occupancy are not required for work exempt from *permits* in accordance with Section 105.2.

111.2 Certificate issued. After the *building official* inspects the building or *structure* and does not find violations of the provisions of this code or other laws that are enforced by the *municipality*, the *building official* shall issue a certificate of occupancy that contains the following:

1. The building *permit* number.
2. The address of the *structure*.
3. The name and address of the *owner* or the *owner's* authorized agent.
4. A description of that portion of the *structure* for which the certificate is issued.
5. A statement that the described portion of the *structure* has been inspected for compliance with the requirements of this code for the occupancy, division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the *building official*.
7. The edition of the code under which the *permit* was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design *occupant load*.
11. Where an *automatic sprinkler system* is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building *permit*.

111.3 Temporary occupancy. The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the *permit*, provided that such portion or portions shall be occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid.

111.4 Revocation. The *building official* is authorized to suspend or revoke a certificate of occupancy or completion issued under the provisions of this code, in writing, wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or *structure* or portion thereof is in violation of the provisions of this code. Nothing in this code limits a local *municipality's* ability to require application of its own ordinances, or to enforce its own ordinances.

SECTION 112—SERVICE UTILITIES

Not adopted by the State of Oregon, Building Codes Division, as part of this code. *Municipalities* may have independent local authority regarding service utilities.

SECTION 113—MEANS OF APPEALS

113.1 General. The local *municipality* shall establish a process to review appeals of determinations made by the *building official* regarding any provision of the specialty codes the *municipality* administers and enforces, to include a method to identify the local *building official* or designee and to notify a permit applicant of the provisions of ORS 455.475, see OAR 918-020-0090(1)(c).

Where there are practical difficulties in establishing a local appeals board, appeals filed under the provisions of ORS 455.475 shall satisfy this requirement.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. An appeals board, where appointed, shall not have authority to waive requirements of this *code*.

113.3 Qualifications. An appeals board, where appointed, shall consist of members who are qualified by experience and training on matters pertaining to *the provisions of this code* and who are not employees of the *municipality*.



NOTICE OF VIOLATION

December 23, 2025

Firwood Industrial Park LLC
20226 SE Veneer Ln
Sandy, OR 97055

Diesel Truck and Fleet Services 2
20240 SE Veneer Ln
Sandy, OR 97055

Diesel Truck and Fleet Services 2
43227 SE Wall Way
Sandy, OR 97055

SUBJECT: Violation of the Clackamas County Building Code, Title 9.02.040 (A)

VIOLATION: V0048225
PRIORITY 1 – Building Code

SITE ADDRESS: 43227 SE Wall Way, Sandy, OR 97055

LEGAL DESCRIPTION: T2S, R5E, Section 20, Tax Lot 03900

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

Failure to obtain a tenant improvement building permit and failure to obtain a Certificate of Occupancy

VIOLATIONS & HOW TO RESOLVE

The structure in question was built in 2017 under permit B0421417 as a shell permit. The intended occupancy proposed at the time of the permit was listed as S-1. As noted on the approved permit, a certificate of occupancy is required for the tenant of the space to establish the actual occupancy of the structure whether or not any changes are made to the interior of the space.

I have reviewed the permitting history and no tenant improvements or certificate of occupancy has been issued for this building.

This constitutes a violation of the Clackamas County Building Code, Title 9.02.040 (A). In order to abate the violation(s), you must complete the following **no later than January 23, 2026**:

- Please submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s). As noted in ORS 671.030 (2)(b)(C) an architect or engineer licensed with the State of Oregon will be required to submit this permit as the building floor area is over 4,000 sqft. Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>
 - All requests for additional information to complete plan review must be responded to within ten days of being notified.
 - The permit(s) and any required trade permits must have the fee(s) paid in full within ten days of your being notified by Building Codes.
 - Please schedule all inspections so that final inspections may be obtained not later than 60 days of the date of receipt of your approved permit(s).
 - Submit your Certificate of Occupancy application to the building department.

CONTACT INFORMATION

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

You may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 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. Our office is closed to the public on Fridays.

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



Code Enforcement Permit 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 \$100 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, and (3) a lien being placed against the subject property for the amount due from citations and fees which will accrue interest.
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 to codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$514 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. **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.
6. **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.
7. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.

Clackamas County
Department of Transportation & Development - Building Codes Division
150 Beaver Creek Road, Oregon City, OR 97045
www.clackamas.us

Permit #: B0421417	Applied: 08/14/2017
Type: New / Commercial	Approved:
Status: Issued	Final:
Valuation: \$294,700.00	Expiration: 9/9/2018
Address: 20240 SE VENEER LN SANDY, OR 97055	

Applicant: DAN SYMONS 503-760-1353
Owner: KNAPP JOHN S & REGENA L
Contractor: TIMBER TECHNOLOGIES LLC 503-708-4310

Certificate of Occupancy Required: Yes

Parcel: 25E20 02801	Class: 320-Industrial
Entered By: STEPHANIE J	Occupancy: S-1
Insp Area: 4 RVL	Units: Bldgs:
Printed: 03/13/2018	Violation:
Description: FIRWOOD INDUSTRIAL PARK - BUILDING D SHELL	
Conditions:	

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 (ESA). 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):	
Commercial Plan Review	1	\$593.74
Commercial Structural Permit	1	\$1,157.20
State Surcharge	1	\$138.86
Deferred Submittal - Bldg	250	\$250.00
Commercial Plan Review	0	\$158.44
Fire Life Safety Plan Review w/ Regular Plan Review	1	\$405.02
School District Tax	2500	\$2,500.00
Transportation SDC	7530	\$7,530.00

P. 503.742.4240 F. 503.742.4741 WWW.CLACKAMAS.US
Inspection Request Line: 503.742.4720

Kauppi, Jennifer

From: Wright, Travis
Sent: Tuesday, December 9, 2025 2:42 PM
To: Dieseltruckandfleet7@gmail.com
Cc: Macleod; ian@timbertechnologiesllc.com; Carlson, Richard; Kauppi, Jennifer; Dan Symons; Rozzell, Matt
Subject: RE: TI Permit

Richard good afternoon.

I was asked to reach out to you in regards to tenant improvement permits and architectural design.

Here is what I know about the building:

- The building permit for the shell is: B0421317
- The record of completion for the shell is: B0421417
- No C of O has ever been issued for a TI in building D.
- The building is VB construction
- The *intended* occupancy classification for the building was being proposed as S-1 although some TI's in the complex are designated as S-2 & F1. (This will not be determined until the TI permit is established and then it will be assigned)
- The area is 5,000 sq ft
- 1 Story

Not sure of your specific question although I am happy to provide 28 years of code experience to help you get started in the process for your diesel truck and fleet repair business.

1. A permit application shall be submitted to the building department for a tenant improvement per the Oregon Structural Specialty Code (OSSC) section 104.2 and 105.1
2. Under the OSSC section 102.1.1 it mentions that statutory references take precedence over the code.
3. Under the OSSC section 107.1 it mentions Oregon Revised Statute (ORS) 671. This statute establishes when an architect is required for fire and life safety, and the specific section is under ORS 671.030 (2) (b) (C) and this building triggers that requirement for a licensed design professional.
4. The submittal requirements are in section 107.1 through 107.5 of the OSSC
5. This also requires a fire and life safety review. OSSC 107.3.5 (9)
6. With your business there are going to be requirements from chapter 4 of the OSSC as well as other chapters.
7. Requirements to the Oregon Mechanical Specialty Code (OMSC).

(The building may not be occupied until a certificate of occupancy is issued per the OSSC 111.1)

If you have general questions I am happy to answer them, for specific questions we will need you to provide: code sections, referenced standard sections, State law with the chapter, division, section.

Thank you,

Travis Wright, Commercial Plans Examiner

Department of Transportation and Development

Clackamas County Building Codes Division

150 Beaver Creek Rd, Suite 225

Oregon City, OR. 97045

Cell: 503-347-9224

Hours of Operation: Mon – Fri, 7:00 a.m. – 3:30 p.m.

www.clackamas.us

From: [Richard Watkins](#)
To: [Kauppi, Jennifer](#)
Cc: [Ian Walsh](#)
Subject: Re: Violation letter - V0048225 - 43227 SE Wall Way
Date: Tuesday, December 23, 2025 8:19:31 AM
Attachments: [image001.jpg](#)
[image001.jpg](#)

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



ATTORNEY-CLIENT PRIVILEGED & CONFIDENTIAL

Richard Watkins
Diesel Truck and Fleet Services 2
43227 SE Wall Way
Sandy, OR 97055
(503)887-4667

December 26, 2025

VIA CERTIFIED MAIL AND EMAIL

Jennifer Kauppi, Code Enforcement Permit Specialist
Clackamas County Building Codes Division
150 Beavercreek Road
Oregon City, OR 97045
[Email: jkauppi@clackamas.us](mailto:jkauppi@clackamas.us)

RE: NOTICE OF VIOLATION – V0048225 | SITE: 43227 SE Wall Way, Sandy, OR 97055
LEGAL: T2S, R5E, Section 20, Tax Lot 03900

Dear Ms. Kauppi,

This letter serves as a formal written request for a hearing before the Code Enforcement Hearings Officer regarding the Notice of Violation dated December 23, 2025, pursuant to the notice's section 3.

We dispute the existence of the alleged violations on the following grounds:

1. No Tenant Improvement (TI) Triggering Event Has Occurred.

The Notice alleges a "Failure to obtain a tenant improvement building permit." This allegation is factually incorrect. A tenant improvement permit is required when a tenant makes physical modifications to the interior of a building shell or changes its occupancy classification.

Diesel Truck and Fleet Services 2 has not performed any construction, alteration, or modification to the interior of the building at 43227 SE Wall Way. The business is operating

within the existing, unfinished shell space exactly as it was delivered by the landlord. No walls have been erected, no plumbing or electrical has been added or altered, and no interior build-out has taken place.

Therefore, there is no "tenant improvement" for which a permit could or should have been obtained. The County must identify the specific work performed that triggers the TI permit requirement under OSSC 105.1. Absent any such work, this portion of the violation is invalid.

2. The Certificate of Occupancy (C of O) Requirement is a Pre-Existing Deficiency of the Shell Permit, Not a Tenant-Created Violation.

The County's own records (Permit B0421417) and the email from Travis Wright (Dec. 9, 2025) confirm: (a) the building was constructed as a shell in 2017, and (b) a Certificate of Occupancy has never been issued for the building.

- This is a deficiency in the closure of the original shell building permit (B0421417), issued to the property owner (Firwood Industrial Park LLC) and their contractor.
- The responsibility to obtain the initial Certificate of Occupancy for a newly constructed shell building lies with the property owner and the original permit holder, not with a subsequent tenant who merely occupies the unmodified space.
- The Notice improperly attempts to transfer the owner's eight-year-old permitting obligation onto a new tenant. Enforcing this against the tenant for the owner's historical failure is an error in the application of the code.

3. The Notice Incorrectly Identifies the Responsible Party.

The Notice is addressed to "Diesel Truck and Fleet Services 2" as if it were the owner. The legal owner of the real property, according to Clackamas County records, is Firwood Industrial Park LLC. The tenant cannot obtain a Certificate of Occupancy for a building it does not own. The C of O is a document applied for by the owner or owner's agent, certifying the building's compliance for a specific use. The tenant's role is to provide information about its use for that application.

REQUEST FOR HEARING & PROPOSED RESOLUTION

We hereby request a hearing before the Hearings Officer to present evidence that:

1. No TI Permit is Required: The tenant has conducted no improvement work.
2. The C of O is an Owner Obligation: The lack of a C of O is a pre-existing condition stemming from Permit B0421417, and the primary legal duty to resolve it rests with Firwood Industrial Park LLC.
3. The Violation is Mis-Targeted: The Notice should be re-issued to the correct, responsible party for the C of O violation.

To resolve the underlying code issue practically, we propose the following path forward:

- Withdrawal of TI Violation: The County shall withdraw the "failure to obtain a TI permit" violation, as no trigger exists.
- Corrected Notice for C of O: A corrected notice regarding the Certificate of Occupancy deficiency shall be issued to the property owner, Firwood Industrial Park LLC.

- Tenant's Cooperation: Diesel Truck and Fleet Services 2 will cooperate with the property owner by providing all necessary information regarding its business operations (e.g., storage of flammable liquids, waste oil processes, vehicle repair activities) to assist the owner and their licensed design professional in determining the correct occupancy classification (S-2, F-1, etc.) and applying for the appropriate C of O.
- Stay of Penalties: All administrative fees and penalties against the tenant should be abated immediately, as the tenant is not the responsible party for the core violation.

We seek a fair and legal resolution based on the actual facts and proper allocation of responsibility under the code.

Respectfully,

Richard Watkins
Owner, Diesel Truck and Fleet Services 2

CC (via certified mail/email):
Firwood Industrial Park LLC
Travis Wright, Commercial Plans Examiner
Clackamas County Counsel

On Tue, Dec 23, 2025, 8:00 AM Kauppi, Jennifer <JKauppi@clackamas.us> wrote:

Hello,

Attached is a copy of the Notice of Violation that is being mailed today.

Thank you

Jennifer Kauppi – Code Enforcement Specialist
Code Enforcement
Department of Transportation and Development
[150 Beavercreek Rd.](#)
Primary Phone: [503-742-4759](tel:503-742-4759)
www.clackamas.us

Hours: M-F from 7:30 a.m. until 4:00 p.m.

Lobby hours 8:00 a.m. until 4:00 p.m. Monday – Thursday. Offices are closed to the public on Fridays.