



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

NOTICE OF HEARING

February 10, 2026

Joyce Lee Wheeler
6519 SE Monroe St.
Milwaukie, OR 97222

RE: County of Clackamas v. Joyce Lee Wheeler
File: V0002124

Hearing Date: March 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 Kimberly Benthin, Code Compliance Specialist for Clackamas County at (503) 742-4457, 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.

You must have access to the internet or to a telephone line to use the Zoom platform. A copy of the link is provided below. A Zoom invite has been emailed to jlwkiowa@AOL.com. Once you have joined the meeting, please **allow the moderator to promote you to a panelist.**

If you would like to present evidence at the Hearing please email Kimberly Benthin at Kimbjen@clackamas.us or mail your evidence to Kimberly Benthin at 150 Beavercreek 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 Kimberly Benthin at 503-742-4457 **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/84267823771?pwd=0xfFsREZbFCV6WNHHYWMJ4lzbpJouR.1>

Passcode: 547776

Phone one-tap:

+13462487799,,84267823771# US (Houston) +14086380968,,84267823771# US (San Jose)

Join via audio:

+1 346 248 7799 US (Houston)	+1 360 209 5623 US
+1 408 638 0968 US (San Jose)	+1 386 347 5053 US
+1 669 444 9171 US	+1 507 473 4847 US
+1 669 900 6833 US (San Jose)	+1 564 217 2000 US
+1 719 359 4580 US	+1 646 876 9923 US (New York)
+1 253 205 0468 US	+1 646 931 3860 US
+1 253 215 8782 US (Tacoma)	+1 689 278 1000 US
+1 305 224 1968 US	+1 301 715 8592 US (Washington DC)
+1 309 205 3325 US	
+1 312 626 6799 US (Chicago)	Webinar ID: 842 6782 3771

International numbers available: <https://clackamascounty.zoom.us/u/kcU8Lo5S1x>

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 the
CLACKAMAS COUNTY BOARD OF COMMISSIONERS

COUNTY OF CLACKAMAS,

Petitioner,

v.

JOYCE LEE WHEELER,

Respondent.

File No: V0002124

COMPLAINT AND REQUEST FOR HEARING

I, Kimberly Benthin, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondent Joyce Lee Wheeler's mailing address is: 6519 SE Monroe St, Milwaukie, OR 97222.

2.

The address or location of the violation(s) of law alleged in this Complaint is: 6519 SE Monroe St, Milwaukie, OR 97222, also known as T1S, R2E, Section 32BB, Tax Lot 04400, and located in Clackamas County, Oregon.

3.

On or about the 25th day of June 2024 and on or about the 31st day of October 2024, the Respondent violated the following laws, in the following ways:

Respondent violated Title 10 of the Clackamas County Code Chapter 10.03, Solid Waste and Wastes Management Code Chapter by allowing an accumulation of waste and an inoperable vehicle on the subject property.

This violation is a Priority 4 violation pursuant to the Clackamas County Violation Priorities.

4.

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

5.

Notice of the violation was given to Respondents in the following manner: Violation notice dated June 25, 2024, and Administrative Citation #24021-1, dated November 12, 2024. A copy of the notice documents is attached to this Complaint as Exhibits D and G respectively and incorporated by this reference.

6.

Based on these allegations, petitioner requests that a hearing be set on this matter. Petitioner seeks an Order from the Hearings Officer granting the following relief:

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

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondent for each violation, within the range established by the Board of County Commissioners. Said range for the Title 10 Priority 4 violation being \$250.00 to \$1000.00 per occurrence as provided by Appendix B to the Clackamas County Code.

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

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

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

DATED THIS 10th day of February 2026.



Kimberly Benthin
Code Enforcement Specialist
For Clackamas County

COUNTY OF CLACKAMAS,

Petitioner,

v.

JOYCE LEE WHEELER,

Respondent.

File No.: V0002124

STATEMENT OF PROOF

History of Events and Exhibits:

February 6, 2024 Exhibit A	Clackamas County Animal Control responded to a complaint at this address. Animal Control Officer Carmen Hildebrand submitted photos and a complaint regarding an accumulation of waste and an inoperable vehicle.
February 8, 2024 Exhibit B	Correspondence was mailed to the Respondent regarding the alleged violation of the Solid Waste and Wastes Management Code.
February 22, 2024 Exhibit C	Code Enforcement Specialist (CES) Kimberly Benthin performed a site inspection. The inspection revealed an accumulation of waste and an inoperable vehicle.
June 25, 2024 Exhibit D	Facts of the alleged violation were reviewed, the violation verified and Notice of Violation mailed regarding the violation on the property. The Notice of Violation was mailed via first class mail. This mail was returned to the County.
August 1, 2024 Exhibit E	CES Benthin conducted a site inspection of the property and left the returned Violation Notice on the top step.
October 21, 2024 Exhibit F	CES Benthin performed a site inspection. The inspection revealed the property remains in violation.
November 12, 2024 Exhibit G	Citation #24021-1 was issued to the Respondent for \$200.00 for a violation of the Solid Waste and Wastes Management Code. This citation was mailed first class mail. This citation has not been paid.
November 12, 2024 Exhibit H	CES Benthin sent an email to the Respondent with a copy of the citation attached. There was no reply from the Respondent.

November 26, 2024 Exhibit: I	Citation # 24021-1 was returned by the Postal Service. CES Benthin found that this property had been in violation for an accumulation of waste in 2018. The 2018 violation file contained a note from the Post Office regarding receipt of mail.
January 16, 2025 Exhibit: J	CES Benthin performed an inspection. Photos were taken and Citation # 24021-1 was left on the porch.
October 9, 2025 Exhibit: K	CES Benthin performed an inspection and found the solid waste code violation remained.
February 2, 2026 Exhibit: L	CES Jennifer Kauppi performed an inspection and the property remains in violation of the Solid Waste and Wastes Management Code.
February 10, 2026	The County referred this matter to be set for a Hearing.

If the Hearings Officer affirms the County's position that a violation of the Solid Waste and Wastes Management Code exists on the subject property, the County requests a Final Order be issued with the following recommendations:

- Payment of Citation No. 24021-1 of \$200.00 for the Priority 4 solid waste code violation.
- Assessment of a civil penalty between \$100.00 and \$1,000.00 for the Priority 4 violation.
- Assessment of an administrative compliance fee calculated at the rate of \$75 per month starting June 2024 through end of June 2025 (12 months), subtotaling \$900.00.
- The County is requesting a reduction of \$75.00 in the assessed administrative compliance fee due to 1 of month of inactive code enforcement activity and is seeking a subtotal administrative compliance fee of \$ 825.00.
- Assessment of an administrative compliance fee calculated at the rate of \$100 per month starting July 2025 through date of abatement or date of final order subtotaling \$ 800.00. The grand total of Administrative Compliance Fees would be \$1625.00.
- If the violations are not abated the County may request authorization for further enforcement action including proceeding to Circuit Court.
- The County requests the Hearing's Officer to permanently enjoin the Respondent from violating these laws in the future.
- If the Compliance Hearings Officer imposes penalties, fines and fees. The County would also ask the Hearings Officer to order reimbursement for any expense the County incurs in collection of those monies, per Clackamas County Code Chapter 2.07.090(6)

Should mitigating factors be presented in the hearing, which the Hearings Officer determines warrants a Continuing Order, the County would request:

That the subject property be brought into full compliance with the Solid Waste and Wastes Management Code not later than 30 days of the date of the Continuing Order.

The County will submit a timely Post Hearing Status Report. The report may include fines and fees as recommended above. The report will be sent to the Compliance Hearings Officer and to the Respondent.







DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

February 8, 2024

Joyce Wheeler
6519 SE Monroe St.,
Milwaukie, OR 97222

**Subject: Alleged Violation of the Solid Waste Code, Title 10.03.060
of the Clackamas County Code**

Site Address: 6519 SE Monroe St., Milwaukie, OR 97222
Legal Description: T1S, R2E, Section 32BB, Tax Lot 04400

It has come to the attention of Clackamas County Code Enforcement that there may be an accumulation of solid waste including putrescible (household) waste on the above referenced property.

This may constitute a violation of the Solid Waste Code, Title 10.03.060 of the Clackamas County Code.

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

E-mail address is kimben@clackamas.us

Telephone number is 503-742-4457

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

Department of Transportation and Development

Nondiscrimination Policy:

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

¡LE DAMOS LA BIENVENIDA! Spanish

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ДОБРО ПОЖАЛОВАТЬ! Russian

Департамент транспорта и развития инфраструктуры стремится к соблюдению политики недопущения дискриминации. Для получения дополнительной информации посетите веб-сайт: www.clackamas.us/transportation/nondiscrimination, отправьте письмо на адрес эл. почты JKauppi@clackamas.us или позвоните по телефону 503-742-4452.

欢迎! Chinese (Manderin)

交通和发展部致力于实现非歧视。如需了解更多信息, 请访问 www.clackamas.us/transportation/nondiscrimination, 发送电子邮件至 JKauppi@clackamas.us 或致电 503-742-4452。

CHÀO MỪNG! Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng: www.clackamas.us/transportation/nondiscrimination, gửi email đến JKauppi@clackamas.us hoặc gọi điện thoại theo số 503-742-4452.

환영합니다. Korean

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DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

June 25, 2024

Violation File #:V0002124

Joyce Lee Wheeler
6519 SE Monroe St
Milwaukie, OR 97222

Subject: Violation of the Clackamas County Solid Waste and Wastes Management Code Chapter 10.03.060 (A, B, C)

Site Address: 6519 SE Monroe St., Milwaukie, OR 97222

Legal Description: T1S, R2E, Section 32BB, Tax Lot 04400

You were notified by correspondence dated February 8, 2024, concerning the complaint of an accumulation of solid waste, on the above referenced address.

In response to the complaint an inspector conducted an inspection of the subject property.

During this inspection, it was confirmed that an accumulation of solid waste is on site, in addition to what appears to be an inoperable vehicle. This accumulation of solid waste causes a condition of unsightliness and may be a safety and health hazard and, therefore, violates the Clackamas County Code, Chapter 10.03, Solid Waste and Wastes Management. (See enclosed photos)

Please abate vehicle violations of the Solid Waste and Wastes Management Code, by utilizing the following options for all inoperable and/or not currently licensed vehicles that includes motorcycles, boats and/or boat trailers, and/or motor-homes, travel trailers, recreational vehicles etc., **no later than July 25, 2024:**

1. Remove the inoperable and/or not currently licensed vehicles from the subject property, **and/or**,
2. Render the inoperable and/or not currently licensed vehicles, operable and licensed. (Please note that vehicles stored on site that are not licensed to persons currently residing on the subject property may be a separate violation of the Zoning and Development Ordinance), **and/or**,

3. Place the inoperable and/or not currently licensed vehicles inside a structure permitted for such use, ***and/or***,
4. Screen no more than two vehicles from view of the road and surrounding properties, in accordance with the minimum screening requirements of the code (see Chapter 10.03.060 (C) excerpt enclosed).

Please abate the violation of the remaining solid waste on the subject property that is not a vehicle by completing one or a combination of the following **no later than April 30, 2024**:

1. Remove all putrescible waste, solid waste including but not limited to plastics, cardboard and miscellaneous debris to an authorized disposal facility ***and/or***,
2. Place the non-putrescible items that you wish to keep, screened from view either with a code compliant screen or within a code compliant structure for such use.

It is important to note that all putrescible waste must be stored in a rodent-proof container with a tight-fitting lid and removed to an authorized disposal facility a minimum of once every seven (7) days. Covering solid waste with a tarp does not remove the items from violation.

If you have any questions, my direct telephone number is 503-742-4457 and my email is kimben@co.clackamas.or.us.



Kimberly Benthin
Code Enforcement Specialist
Code Enforcement Section

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beavercreek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
6. **Non-Compliance may result in a lien upon your property:** Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.

8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.



Clackamas County Code Chapter 10.03 Solid Waste and Wastes Management
(The code in its entirety can be found on the Clackamas County website)

Excerpts:

10.03.060 Solid Waste or Wastes Accumulation Prohibited

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

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

1. Placing a tarp, plastic, cloth, or similar screening apparatus over or around solid waste or wastes for purposes of keeping it out of sight from the road or surrounding properties.
2. Placing a tarp, plastic, cloth, or similar screening apparatus over or around solid waste or wastes that is stored in a utility trailer, pickup truck, semi-trailer or similar device for purposes of keeping it out of sight from the road or surrounding properties.
3. Constructing a tire fence for any purpose.
4. Storing waste tires except as permitted pursuant to OAR Chapter 340.
5. Storing putrescible waste, whether it is visible or not visible from the road or adjacent properties, that is not kept in a rodent proof container with a tight fitting lid, and not removed from the property to an authorized disposal facility within seven (7) days.
6. Composting which causes offensive odors, or creates a health hazard, or which is capable of attracting or providing food for potential disease carriers such as birds, rodents, flies and other vectors.
7. Storing, collecting, maintaining, or displaying any licensed or unlicensed special vehicle or equipment that is immobile, inoperable, partially dismantled or dismantled, dilapidated, or fire damaged and is visible from the road or surrounding properties.
8. Storing, collecting, maintaining, or displaying a mobile home or trailer house, which is dilapidated or partially dismantled, or fire damaged, and is visible from the road or surrounding properties.
9. Storing, collecting, maintaining or displaying: residential, commercial and industrial appliances, equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded material, or other similar non-putrescible solid waste or wastes, that is visible from the road or surrounding properties.
10. Storing, collecting, maintaining or displaying any antique, classic, race car or collectible vehicle that is inoperable and is visible from the road or surrounding properties.
11. Storing any inoperable vehicle or vehicles unless said vehicle or vehicles are housed within a permitted structure or development, except up to two vehicles per premise may be stored behind a sight-obscuring screen, in accordance with 10.03.060 C, and shall not be visible from the road or surrounding properties. For purposes of this Subsection 11, two or more contiguous tax lots that are under common ownership shall be considered one premises.
12. When commercial, industrial, multi-family or residential developments that use a compactor or compactors for on-site waste management, do not keep the areas around the compactor free of solid waste and debris, and washed down on a regular basis.

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

1. Construct a wood fence unpainted or painted with neutral or earth tone colors of which the upright posts shall consist of a decay resistive material a minimum of four (4) inches in diameter and anchored a minimum of two (2) feet below ground level. There shall be a maximum post separation of eight (8) feet. The railings shall be a minimum of 2-inch by 4-

inch lumber with the 4-inch side attached vertically to the posts. The attached vertical or horizontal fence boards shall be set with a maximum separation of 1/4 inch.

2. Construct a metal fence consisting of chain link or woven fabric with metal upright posts anchored a minimum of two (2) feet below ground level with metal railings and connectors. Water and insect resistive wood or plastic slats shall be inserted in the chain link or woven fabric, with a maximum separation of 3/8 inch between slats.
3. Construct a combination fence consisting of metal sheeting attached to wood framing as defined in Section C 1 above, or durable metal framing, which is painted a neutral or earth tone color.
4. Construct a wall consisting of solid material, built of concrete, masonry, brick, stone or other similar materials or combinations thereof.
5. Construct an earthen berm consisting of dirt, soil, sand, clay or any combination thereof and shall be planted with grass and/or ornamental plantings and shall be maintained at all times.
6. Plant a hedge consisting of evergreen plantings or other ornamental plantings a minimum of six (6) feet in height, planted not more than two (2) feet on center and which is maintained at all times.

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

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

10.03.030 Definitions

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

...

"47. PUTRESCIBLE MATERIAL means solid waste or wastes, including: bones; meat and meat scraps; fat; grease; fish and fish scraps; food containers or products contaminated with food wastes, particles or residues; prepared vegetable and fruit food wastes or scraps; manure; feces; sewer sludge; dead animals or similar wastes which cause offensive odor or create a health hazard, or which are capable of attracting or providing food for potential "

...

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



CLACKAMAS
C O U N T Y

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

NIXIE

971

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8885/38/24

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RETURN TO SENDER
VACANT
UNABLE TO FORWARD

BC: 97045-430250

1579-04668-30-21

RST-CLASS
JTO LETTER



US POSTAGE
MAYNARD BOWERS
ZIP 97045
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JUN 25 2024

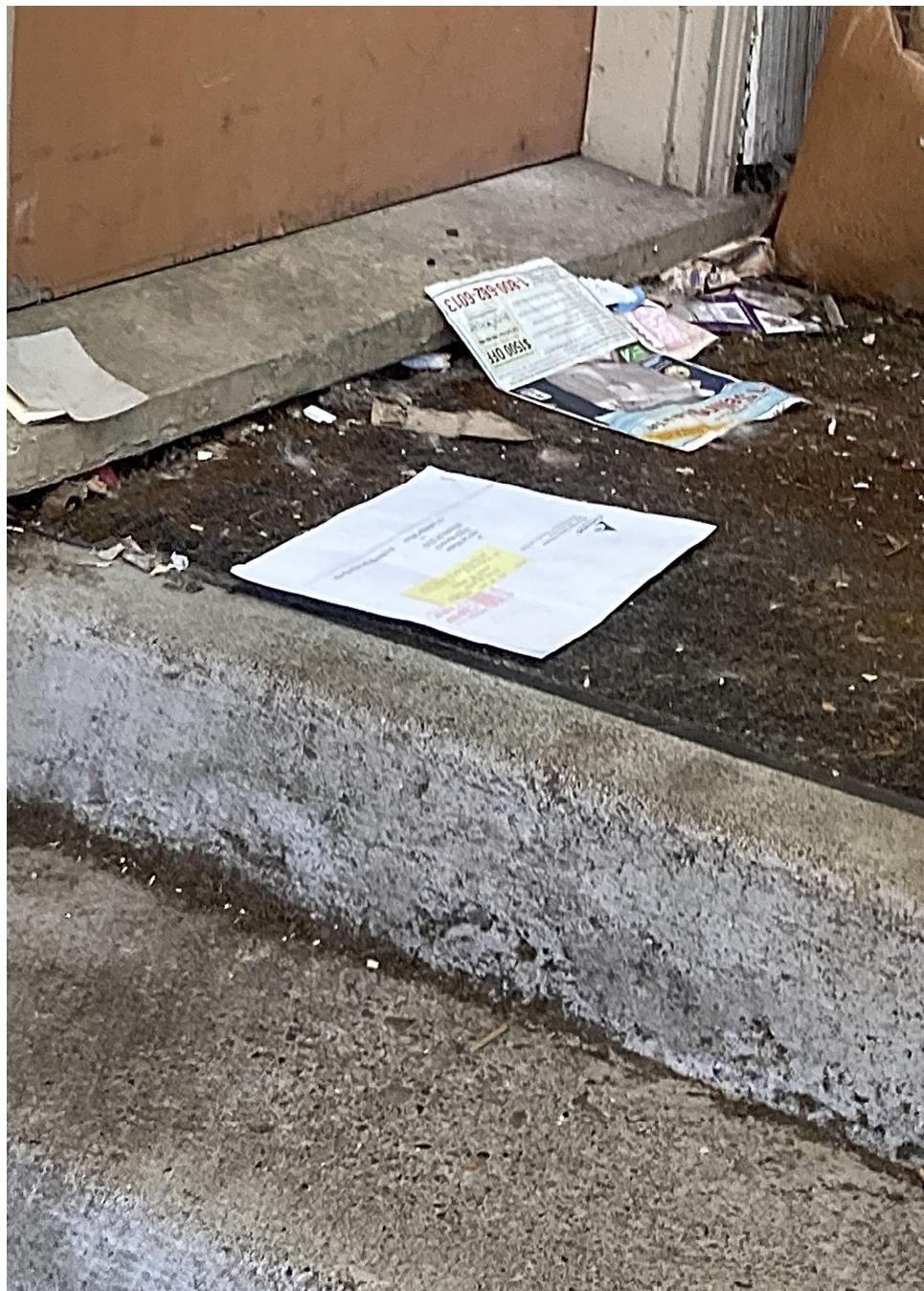
Joyce Lee Wheeler
6519 SE Monroe St
Milwaukie, OR 97222

VAC

120 ERAZM45B434222

Exhibit D Page 7 of 7











Citation No. 24021-1

Case No. V0002124

ADMINISTRATIVE CITATION

Date Issued: November 12, 2024

Name and Address of Person(s) Cited:

Name: Joyce Lee Wheeler
Mailing Address: 6519 SE Monroe St
City, State, Zip: Milwaukie, OR 97222

Date Violation(s) Confirmed: On the 31st day of October, 2024, the person(s) cited committed or allowed to be committed, the violation(s) of law described below, at the following address:

Address of Violation(s): 6519 SE Monroe St., Milwaukie, OR 97222

Legal Description: T1S, R2E Section 32BB, Tax Lot(s) 04400

Law(s) Violated

- Chapter 7.03 of Clackamas County Code, Road Use, Section
- Chapter 9.01 of CCC Uniform Code for the Abatement of Dangerous Buildings, Section
- Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040,
- Chapter 9.03 of CCC Excavation and Grading, Section
- Chapter 10.03 of CCC Solid Waste and Wastes Management, Section 10.03.060 (A,B,C)
- Title 12 and 13 of CCC Zoning and Development Ordinance, Section
- Other law:

Description of the violation(s):

- 1) There remains on the subject property an accumulation of waste and an inoperable vehicle in violation of the Solid Waste and Wastes Management Code.

Maximum Civil Penalty \$1,000.00 Fine \$200.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$200.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

Citation issued by: Kimberly Benthin
Telephone No.: 503-742-4457

Date: November 12, 2024
Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

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

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

Options:

1. Abate the violation and pay the fine. Sign the statement of Understanding below and deliver or mail this form, together with a check or money order payable to Clackamas County in the amount of the fine to:
Clackamas County Code Enforcement Section
150 Beavercreek Rd.
Oregon City, OR 97045
2. Request a hearing in writing. You may request a hearing to contest the violation(s) alleged. A written request for a hearing must be mailed to Clackamas County at the address listed above or sent to codeenforcement@clackamas.us.

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

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

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

STATEMENT OF UNDERSTANDING

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

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

Signature: _____ Date: _____

Address: _____ City, State, Zip _____

Contact Number: _____ Email: _____

Violation File # : V0002124

Benthin, Kim

From: Benthin, Kim
Sent: Tuesday, November 12, 2024 10:17 AM
To: 'jlwkiowa@aol.com'
Subject: Violation File # V0002124
Attachments: 24-11-12 Citation 1 V0002124.pdf

6519 SE Monroe St, Milwaukie, OR 97222

Joyce,

I have been trying to contact you regarding the violation of an accumulation of solid waste on your property. Your mail gets returned on occasion when your mail box is full. I have left a violation notice on your step. I also attempted calling you.

The violation continues on your property. A citation is going in the mail. It is also attached to this email.

In order to avoid \$1,000.00 civil penalties or more.

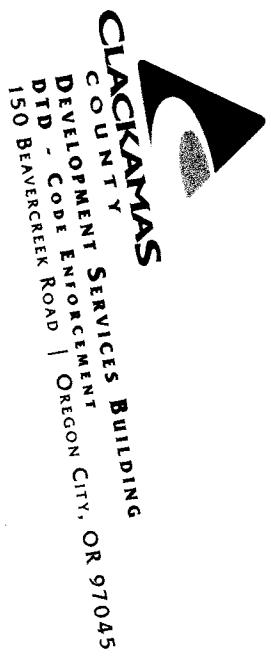
If you have any questions please contact me!

Kimberly Benthin, Code Enforcement Specialist
Clackamas County Department of Transportation and Development
Code Enforcement
150 Beavercreek Road, Oregon City, OR 97045
Primary phone: 503.742.4457
Hours: M-F from 7:00 a.m. until 4:30 p.m.
Lobby hours 8 a.m. to 4 p.m. Monday to Thursday
www.clackamas.us

Were you happy with the service you received today?



Follow Clackamas County: [Facebook](#) | [Twitter](#) | [YouTube](#) | [Nextdoor](#)



Joyce Lee Wheeler
6519 SE Mon ~~WIXIE~~
Milwaukie, OR

RECEIVED
DE 1
RETURN TO SENDER
UNABLE TO FORWARD
*2289-03202-12-47

57222839V0542
97045>4092



OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING

2051 KAEN ROAD | OREGON CITY, OR 97045

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County Counsel

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Andrew R. Naylor
Andrew Narus
Sarah Foreman
Assistants

September 15, 2021

Postmaster
Milwaukie, OR 97222

REQUEST FOR CHANGE OF ADDRESS OR BOXHOLDER INFORMATION
NEEDED FOR SERVICE OF LEGAL PROCESS

Please furnish the new address or the name of the current street address (if a box holder) for the following:

Name: Joyce Lee Wheeler
Address: 6519 SE Monroe St. Milwaukie, OR 97222

NOTE: The name and last known address are required for change of address information. The name, if known, and post office address are required for box holder information.

The following information is provided in accordance with 39 CFR 265.6(d)(5)(ii). There is no fee for providing box holder or change of address information.

1. The capacity of the requester is attorney.
2. Statute or regulation that empowers me to serve process: Clackamas County Code 2.07.050
3. The names of all known parties to the litigation: Clackamas County v. Joyce Lee Wheeler.
4. The court in which the case will be heard is before the Code Enforcement Hearings Officer.
- a. The docket number or other identifying number: V0017718.
- b. Docket number has not been issued.
6. The capacity in which this individual is to be served (e.g., defendant or witness): Respondent.

WARNING

THE SUBMISSION OF FALSE INFORMATION EITHER (1) TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION OR (2) TO AVOID PAYMENT OF THE FEE FOR CHANGE OF ADDRESS INFORMATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO \$10,000 OR IMPRISONMENT OF NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001)

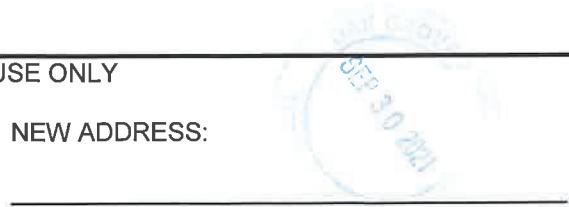
I certify that the above information is true and that the name and/or street address of the box holder is needed and will be used solely for service of legal process in connection with the litigation as stated above.

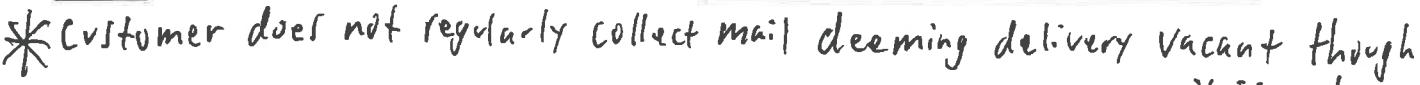

Jeffrey D. Munns, Assistant County Counsel
2051 Kaen Rd., Oregon City, OR 97045

POST OFFICE USE ONLY

No Change of Address Order on file.
 Moved, left no forwarding address.
 No such address.

NEW ADDRESS:

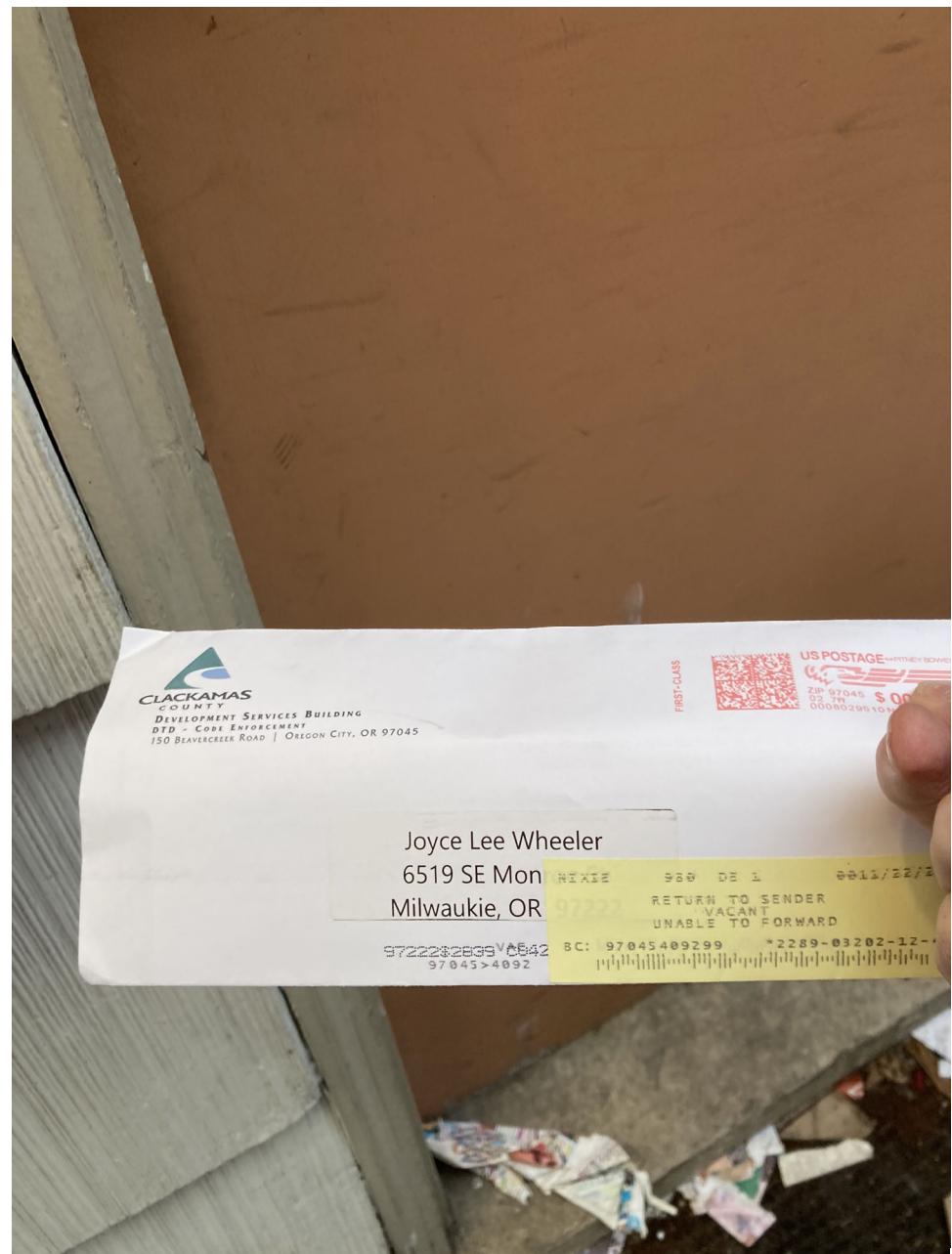




P. 503.655.8362

F. 503.742.5397

www.CLACKAMAS.US







12/01/2012 00:01

Photo taken 10-9-2025



12/01/2012 00:00

Photo taken 10-9-2025



