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Щоб попросити переклад або спеціальні послуги для осіб з особливими потребами, зверніться до нас, скориставшись такими контактними даними:
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DTDcompliance@clackamas.us | 503-742-4400。

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Clackamas County
www.clackamas.us



NOTICE OF HEARING

Donald Arthur Rea Jr.
14218 SE Laurie Ave.
Milwaukie, OR 97267

RE: County of Clackamas v. Donald Arthur Rea Jr.
File: V0017225

Hearing Date: September 22, 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 telephone to use the Zoom platform. The link is provided on the next page. Once you have joined the meeting, you will be prompted to **JOIN AS PANELIST**. Please accept the request to **JOIN AS PANELIST**.

If you would like to present evidence at the hearing, please email Kimberly Benthin at KimBen@Clackamas.us or mail your evidence, **no later than 4 working days prior to the hearing** to:

Kimberly Benthin
150 Beavercreek Rd.
Oregon City, OR 97045

Staff will process your evidence for the hearing and provide the numbered documents to the Hearings Officer and send them back to you for your reference.

If you are unable to participate in the hearing through the Zoom platform, please contact Kimberly Benthin at 503-742-4457 **within 3 calendar days of the receipt of the Notice of Hearing**.

If you are unfamiliar with using the Zoom platform, please perform an internet search "How to use Zoom" prior to the hearing date. There are many interactive guides available.

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

Zoom information is listed on the following page.

Zoom Information:

Join from PC, Mac, iPad, or Android:

<https://clackamascounty.zoom.us/j/85217301958?pwd=vpbRlyMat2tACa62i4xoaJhlnNLq13.1>

Passcode: 814435

+19712471195,,85217301958# US (Portland) 12532050468,,85217301958# US

Join via Audio:

+1 971 247 1195 US (Portland)	+1 786 635 1003 US (Miami)
+1 253 205 0468 US	+1 267 831 0333 US (Philadelphia)
+1 253 215 8782 US (Tacoma)	+1 301 715 8592 US (Washington DC)
+1 346 248 7799 US (Houston)	+1 305 224 1968 US
+1 408 638 0968 US (San Jose)	+1 309 205 3325 US
+1 602 753 0140 US (Phoenix)	+1 312 626 6799 US (Chicago)
+1 669 219 2599 US (San Jose)	+1 360 209 5623 US
+1 669 444 9171 US	+1 386 347 5053 US
+1 669 900 6833 US (San Jose)	+1 470 250 9358 US (Atlanta)
+1 719 359 4580 US	+1 470 381 2552 US (Atlanta)
+1 720 928 9299 US (Denver)	+1 507 473 4847 US
+1 206 337 9723 US (Seattle)	+1 564 217 2000 US
+1 213 338 8477 US (Los Angeles)	+1 646 518 9805 US (New York)
+1 689 278 1000 US	+1 646 876 9923 US (New York)
	+1 646 931 3860 US
	+1 651 372 8299 US (Minnesota)

Webinar ID: 852 1730 1958

International number available: <https://clackamascounty.zoom.us/j/kcXdA26Bv6>

Department of Transportation and Development

Non-Discrimination Policy:

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

CLACKAMAS COUNTY,

Petitioner,

v.

DONALD A. REA, JR,

Respondent.

File No: V0017225

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent Donald A. Rea Jr., mailing address is: 14218 SE Laurie Ave., Milwaukie, OR 97267.

2.

The Respondent owns the address or location of the violation(s) of law alleged in this Complaint 14218 SE Laurie Ave., Milwaukie, OR 97267, also known as T2S, R1E, Section 02DC, Tax Lot 09500, and is located in Clackamas County, Oregon. The property is zoned Urban Low Density Residential R-7 Section 315 and is the location of violations asserted by the County.

3.

On or about the 9th day of June, 2025, And on or about the 5th day of August, 2025, the Respondent violated the following laws, in the following ways:

Respondent violated the Solid Waste and Wastes Management Code Chapter 10.03 of the Clackamas County Code by allowing an accumulation of waste and inoperable vehicles to remain 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 Respondent in the following manner: Violation notice dated June 9, 2025 and Administrative Citation #2500172-1 dated August 5, 2025. A copy of the notice documents are attached to this Complaint as Exhibits E and G respectively, and incorporated by this reference.

6.

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

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

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondent for each violation, within the range established by the Board of County Commissioners. Said range for the Title 10 Priority 1 violation being \$250.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code;

3. Pursuant to Clackamas County Code Section 2.07.090, ordering 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 21st day of August, 2026.



Kimberly Benthin
Code Enforcement Specialist
For Clackamas County

COUNTY OF CLACKAMAS,

Petitioner,

v.

DONALD A. REA JR,

Respondent.

File No.: V0017225

STATEMENT OF PROOF

History of Events and Exhibits:

April 18, 2025 Exhibit A	Clackamas County received a complaint regarding two inoperable sedans, truck cap and camp trailer.
April 23, 2025 Exhibit B	Correspondence was mailed to the Respondent requesting they contact the County within 10 days. The envelope was mislabeled and was returned. The letter was mailed to the correct address for the Respondent on May 7, 2025.
May 14, 2025 Exhibit C	Code Enforcement Specialist (CES) Kimberly Benthin completed an inspection and took photos.
June 4, 2025 Exhibit D	Matt Hemmerich, neighbor, sent CES Benthin an email and a photo of the property.
June 9, 2025 Exhibit E	Facts of the alleged violation were reviewed, the violation verified, and Notice of Violation mailed providing a deadline of July 9, 2025 to bring the property into compliance.
July 31, 2025 Exhibit F	CES Benthin performed a site inspection and took photos from Mr. Hemmerich's residence and from Laurie Ave.
August 5, 2025 Exhibit G	Citation #2500172-1 was issued for the Priority 4 Solid Waste and Wastes Management Code violation. The citation was sent via first class mail; it was not returned. This citation has not been paid.
November 10, 2025 Exhibit H	Violation notice was mailed to the Respondent with attached photos. The deadline provided was December 10, 2025.
August 11, 2026 Exhibit I	Mr. Hemmerich provided photos and testimony that the inoperable vehicles remain on site, and more miscellaneous debris has been brought onto the property.

August 21, 2026

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

If the Hearings Officer affirms the County's position that a violation of a 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.2500172-1 for \$205.00 for the Priority 4 of the Solid Waste and Wastes Management Code violation.
- Assessment of a civil penalty between \$250.00 and \$1,000.00 for the Priority 4 violation for August 5, 2025.
- Assessment of an administrative compliance fee calculated at the rate of \$75 per month for the month of June 2025, subtotaling \$75.00.
- Assessment of an administrative compliance fee calculated at the rate of \$100 per month starting July 2025 through June 2026 subtotaling \$1,200.00.
- Assessment of an administrative compliance fee calculated at the rate of \$102 per month starting July 2026 through date of abatement or date of final order. As of August 2026 the subtotal is \$204.00.
- 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 property be made compliant with the Solid Waste and Wastes Management Code not later than 30 days of the date of the Continuing Order by completing the following:

- Remove the inoperable and/or not currently licensed vehicles from the subject property, and/or,
- Render the inoperable and/or not currently licensed vehicles, operable and licensed, and/or,
- Place the inoperable and/or not currently licensed vehicles inside a structure permitted for such use, and/or,
- Screen no more than two vehicles from view of the road and surrounding properties, in accordance with the minimum screening requirements of the code, and
- Remove all putrescible waste, miscellaneous debris to an authorized disposal facility and,
- 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.

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.



Page 1 of 122 > 01/15/2025

EXHIBIT A Page 1 of 1



April 23, 2025

Donald A Rea Jr.
14218 SE Laurie Ave
Milwaukie, OR 97267

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

Site Address: 14218 SE Laurie Ave. Milwaukie, OR 97267
Legal Description: T2S, R1E, Section 02DC, Tax Lot 9500

It has come to the attention of Clackamas County Code Enforcement that there may be numerous inoperable or non-currently licensed vehicles 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

El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: www.clackamas.us/transportation/nondiscrimination, envíe un correo electrónico a JKauppi@clackamas.us o llame al 503-742-4452.

ДОБРО ПОЖАЛОВАТЬ! Russian

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

欢迎! Chinese (Mandarin)

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

CHÀO MỪNG! Vietnamese

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

환영합니다. Korean

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Benthin, Kim

From: Matt Hemmerich <mhemmerich415@gmail.com>
Sent: Wednesday, June 4, 2025 9:48 AM
To: Benthin, Kim
Subject: Re: 14218 SE Laurie Av
Attachments: IMG_6785.jpeg

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



This message needs your attention

• This is a personal email address.

Report this Email or Mark as Safe

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Morning Kim,

No worries at all. I appreciate the detailed update on this matter. I've attached a photo of the view from the second story of my home. The whole mess in their front yard is obscured by some trees, but you can see clearly both the trailer and truck cap in the bottom third of the photo. I hope this is helpful. Thanks again and please let me know if there's anything else I can do! Have a great rest of the week.

Cheers,
Matt

On Tue, Jun 3, 2025 at 3:51 PM Benthin, Kim <KimBen@clackamas.us> wrote:

Violation File # V0017225

Hello Matt,

I apologize for the delay in responding to your email. We have sent correspondence but it was mislabeled and sent again. That caused a delay. I have also confirmed the violation from the street.





June 9, 2025

Violation File: V0017225

Donald A. Rea, Jr.
14218 SE Laurie Ave
Milwaukie, OR 97222

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

Site Address: 14218 SE Laurie Avenue, Milwaukie, OR 97222
Legal Description: T2S, R1E, Section 02DC, Tax Lot 09500

In response to a complaint alleging an accumulation of solid waste an inspector recently conducted an inspection of the subject property.

During this inspection, it was confirmed that an accumulation of solid waste, and inoperable vehicles are on site, which appears to be in violation of the Clackamas County Code.

This accumulation of solid waste causes a condition of unsightliness and may be a safety and health hazard, therefore, violates the Clackamas County Code, Chapter 10.03 Solid Waste and Wastes Management. Your cooperation is solicited to store out of sight all articles of solid waste that you wish to keep and to remove the remainder to an authorized disposal facility. Covering solid waste with a tarp does not remove the items from violation.

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 9, 2025:**

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 July 9, 2025**:

1. Remove all putrescible waste, solid waste including but not limited to automotive parts, tires 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 Code Enforcement to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 (\$100 beginning July 1, 2025) 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 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, 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. **Non-Compliance may result in a lien upon your property:** Fines, penalties and fees are payable upon the effective date of the final order imposing them. Such fines, penalties and fees are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt. If fines, penalties and fees 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 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.

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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. "

...

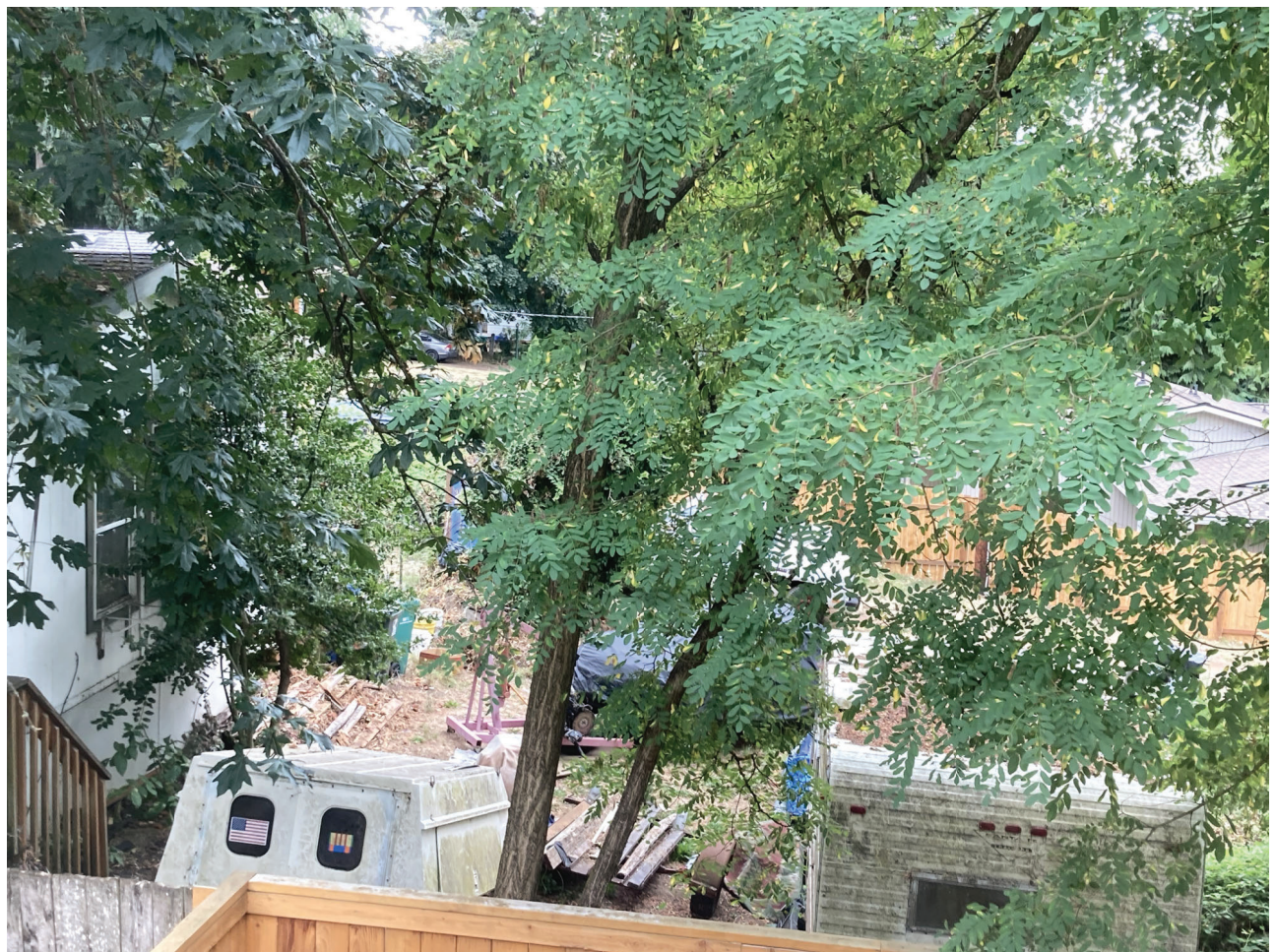
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Citation No. 2500172-1

Case No. V0017225

ADMINISTRATIVE CITATION

Date Issued: August 5, 2025

Name and Address of Person(s) Cited:

Name: Donald A. Rea
Mailing Address: 14218 SE Laurie Ave.,
City, State, Zip: Milwaukie, OR 97267

Date Violation Confirmed: On the 31st day of July, 2025 the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation: 14218 SE Laurie Ave., Milwaukie OR 97267

Legal Description: T2S, R1E, Section 02DC, Tax Lot: 09500

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)
- ☐ Title 12 and 13 of CCC Zoning and Development Ordinance, Section
- ☐ Other law: _____

Description of the violation(s):

- 1) An accumulation of waste, inoperable vehicles continues to be on site in view of surrounding properties.

Maximum Civil Penalty \$1,000.00

Fine \$205.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$205.00. 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 \$100.00 monthly administrative fee is being assessed.

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

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

Date: August 5, 2025
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. If you fail to exercise one of the following 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 including the administrative compliance fees that have accrued. 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 number and Case number; 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. Until the violation is abated a monthly administrative compliance fee is being assessed.
4. 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: _____

Case No.: V0017225



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

November 10, 2025

Violation File: V0017225

Donald A. Rea, Jr.
14218 SE Laurie Ave
Milwaukie, OR 97222

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

Site Address: 14218 SE Laurie Avenue, Milwaukie, OR 97222
Legal Description: T2S, R1E, Section 02DC, Tax Lot 09500

As you are aware the complaint regarding the accumulation of inoperable vehicles (solid waste) remains on the above referenced property

During a recent inspection, it was confirmed that there remains a violation of the solid waste code there are three inoperable vehicles on site, which is a violation of the Clackamas County Code. 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 December 10, 2025:**

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 December 10, 2025:**

1. Remove all putrescible waste, solid waste including but not limited to automotive parts, tires 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.

A handwritten signature in black ink, appearing to read 'Kimberly Benthin', is positioned above the printed name and title.

Kimberly Benthin
Code Enforcement Specialist
Code Enforcement Section

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact Code Enforcement to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 (\$100 beginning July 1, 2025) 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 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, 150 Beaver Creek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Non-Compliance may result in a lien upon your property:** Fines, penalties and fees are payable upon the effective date of the final order imposing them. Such fines, penalties and fees are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt. If fines, penalties and fees 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 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.

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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.

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BEFORE THE COMPLIANCE HEARINGS OFFICER
for the
CLACKAMAS COUNTY BOARD OF COMMISSIONERS

COUNTY OF CLACKAMAS,

Petitioner,

v.

DONALD A REA,

Respondent.

File No.: V0017225

DECLARATION OF TESTIMONY and
PHOTOS IN SUPPORT OF
PETITIONER

I, Matt Hemmerich, declare, under the penalty of perjury, the following
to be true to the best of my personal knowledge and belief:

1. I am submitting these photos voluntarily and I make this declaration in support
of Plaintiff.

2. The photos attached to the Petitioner's Statement of Proof were taken by me
on August 11, 2026

3. I took the attached photos from 1517 SE Madrona Ln, Milwaukie
(Location)

4. My Testimony:

These photos were taken from my back yard.
(Further description if necessary)

I HEREBY DECLARE THAT THE ABOVE STATEMENTS ARE TRUE TO THE
BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE
FOR USE AS EVIDENCE IN AN ADMINISTRATIVE HEARING OR COURT AND IS
SUBJECT TO PENALTY FOR PERJURY.

Dated this 11 day of 08, 2026

Matt Hemmerich

Matt Hemmerich