



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

NOTICE OF RESET HEARING

June 25, 2025

Peter J Lakin
17610 Little Rock Rd.
Rochester, WA 98579

Peter J Lakin
6625 SE Tuscany Ct.
Milwaukie, OR 97268

RE:: County of Clackamas v. Peter J Lakin
File: V0044124

Hearing Date: ~~Thursday, July 10, 2025~~ Tuesday July 22, 2025

Time: This item will begin at 10:30 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



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June 18, 2025

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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.



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

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

If you do not know how to use Zoom, please Google “how to use Zoom” and there are many interactive guides on the internet. **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 503-830-9960 for assistance.

Zoom Invite:

Topic: Code Enforcement Hearing - Peter J. Lakin - V0044124

Join from PC, Mac, iPad, or Android:

<https://clackamascounty.zoom.us/j/81537917981?pwd=HIK8zxAJU81L3E49rINKLyUiLqWDVu.1>

Passcode:810032

Phone one-tap:

+16699006833,,81537917981#,,,,*810032# US (San Jose)

+17193594580,,81537917981#,,,,*810032# US

Join via audio:

+1 669 900 6833 US (San Jose)

+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)



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150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

+1 669 444 9171 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
+1 386 347 5053 US
+1 507 473 4847 US
+1 564 217 2000 US

Webinar ID: 815 3791 7981

Passcode: 810032

International numbers available: <https://clackamascounty.zoom.us/j/81537917981>

Join from an H.323/SIP room system:

H.323:

144.195.19.161 (US West)
206.247.11.121 (US East)
115.114.131.7 (India Mumbai)
115.114.115.7 (India Hyderabad)
159.124.15.191 (Amsterdam Netherlands)
159.124.47.249 (Germany)
159.124.104.213 (Australia Sydney)
159.124.74.212 (Australia Melbourne)
170.114.180.219 (Singapore)
64.211.144.160 (Brazil)
159.124.132.243 (Mexico)
159.124.168.213 (Canada Toronto)
159.124.196.25 (Canada Vancouver)
170.114.194.163 (Japan Tokyo)
147.124.100.25 (Japan Osaka)

Meeting ID: 815 3791 7981

Passcode: 810032

SIP: 81537917981@zoomcrc.com

Passcode: 810032

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

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 www.clackamas.us/transportation/nondiscrimination을 참조하거나 이메일 JKauppi@clackamas.us, 또는 전화 503-742-4452번으로 연락 주십시오.

BEFORE THE COMPLIANCE HEARINGS OFFICER
For
COUNTY OF CLACKAMAS

CLACKAMAS COUNTY,

Petitioner,

v.

PETER J. LAKIN,

Respondent.

File No: V0044124

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent Peter J. Lakin's mailing address is: 6625 SE Tuscany Ct., Milwaukie, OR 97267.

2.

The Respondent owns the address or location of the violation of law alleged in this Complaint 6625 SE Tuscany Ct., Milwaukie, OR 97267, also known as T2S, R2E, Section 08BB, Tax Lot 00105, and is located in Clackamas County, Oregon. The property is zoned Urban Low Density Residential R-10 Section 315 and is the location of the violation asserted by the County.

3.

On or about the 12th day of November, 2024 and on or about the 11th day of February, 2025, the Respondent violated the following laws, in the following ways:

Respondent violated the Clackamas County Code Solid Waste and Wastes Management, Chapter 10.03.060 (A, B, C) by allowing an accumulation of waste.

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 November 12, 2024 and Administrative Citation #2400441. A copy of the notice documents are attached to this Complaint as Exhibits C and E 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 Priority 4 violation being \$100.00 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 18th day of June, 2025.



Kimberly Benthin
Code Enforcement Specialist
For Clackamas County

COUNTY OF CLACKAMAS,

Petitioner,

v.

PETER J LAKIN,

Respondent.

File No.: V0044124

STATEMENT OF PROOF

History of Events and Exhibits:

October 15, 2024	Clackamas County received complaints regarding an accumulation of waste and inoperable vehicles on the subject property.
October 16, 2024 Exhibit A	Correspondence was mailed to the Respondent requesting contact to discuss the violations of the Solid Waste and Wastes Management Code.
November 7, 2024 Exhibit B	There was no contact from the Respondent. Code Enforcement Specialist (CES) Kimberly Benthin performed an inspection. The property was found to be in violation with an accumulation of waste and two inoperable vehicles.
November 12, 2024 Exhibit C	A Violation Notice was mailed to the Respondent requesting the violation be resolved not later than December 16, 2024, The correspondence was mailed via first class mail and was not returned.
February 11, 2025 Exhibit D	CES Benthin performed a site inspection and found the property remained in violation of the Solid Waste and Wastes Management Code.
February 18, 2025 Exhibit E	Citation #2400441 issued for the Solid Waste and Wastes Management Code violation sent via first class mail. The first class mail was not returned. This citation has not been paid.
March 6, 2025 Exhibit F	CES Benthin performed a site inspection and found the property remained in violation of the Solid Waste and Wastes Management Code,
June 10, 2025 Exhibit G	A review of the Deed associated with this property revealed another address for the Respondent. The Washington State

address is not the address of record with the Clackamas County Assessment and Taxation Record.

June 10, 2025 Exhibit H	A copy of the Violation Notice, the Citation and a letter of explanation was mailed to the Respondent at the Washington State address.
June 18, 2025	The County referred this matter to the Code Enforcement Hearings Officer.

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 would request a Final Order be issued.

The County recommends the following:

- Payment of Citation #2400441-1 for \$100.00.
- The imposition of civil penalties of up to \$1,000.00.
- The administrative compliance fee to be imposed beginning in October 2024, after waiving inactive months, the total is \$450.00 currently.
- If the violations are not abated the County may request authorization for further enforcement action including to proceed 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)



October 16, 2024

Peter Lakin
6625 SE Tuscany Ct.
Milwaukie, OR 97267

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

Site Address: 6625 SE Tuscany Ct., Milwaukie, OR 97267
Legal Description: T2S, R2E, Section 8BB, Tax Lot 105

It has come to the attention of Clackamas County Code Enforcement that there may be an accumulation of solid waste on the above referenced property, including but not limited to construction debris, an inoperable and/or non-currently licensed vehicle and other miscellaneous debris.

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

Please contact me within ten (10) days of the date of this letter in order to discuss this matter. My e-mail address is kimben@clackamas.us and my telephone number is 503-740-4457.

Kimberly Benthin
Code Enforcement Specialist
Clackamas County Code Enforcement

**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.*

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欢迎! Chinese (Mandarin)

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CHÀO MỪNG! Vietnamese

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환영합니다. Korean

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November 12, 2024

File # V0044124

Peter J Lakin
6625 SE Tuscany Ct
Milwaukie, OR 97267

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

Site Address: 6625 SE Tuscany Ct, Milwaukie, OR 97267
Legal Description: T2S, R2E, Section 08BB, Tax Lot 00105

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 a couple inoperable vehicle(s) are all 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 December 16, 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 December 16, 2024**:

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 from all surrounding properties 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 administrative 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 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, 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 \$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 parties to voluntarily come into compliance with the code 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 violation, the County may, in its discretion waive all or part of the \$75 per month administrative compliance fee.
6. **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.
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. "...







Citation No. 2400441

Case No. V0044124

ADMINISTRATIVE CITATION

Date Issued: February 18, 2025

Name and Address of Person(s) Cited:

Name: Peter J Lakin
Mailing Address: 6625 SE Tuscany Ct,
City, State, Zip: Milwaukie, OR 97267

Date Violation(s) Confirmed: On the 11th day of February, 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(s): 6625 SE Tuscany Ct, Milwaukie, OR 97267

Legal Description: T2S, R2E Section 08BB, Tax Lot(s) 00105

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) A violation of waste remains on the subject property to include but not limited to: inoperable vehicle, wood, metal, construction material and miscellaneous debris.

Maximum Civil Penalty \$1,000.00

Fine \$100.00

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

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

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

Date: February 13, 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. 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 # : V0044124



Clackamas County Official Records
Sherry Hall, County Clerk

2018-067487



\$103.00

02187472201800674870020028

11/05/2018 11:55:47 AM

M-SUBT Cnt=2 Stn=75 CONNIE
\$10.00 \$5.00 \$16.00 \$62.00 \$10.00

WHEN RECORDED, MAIL TO:
Carrington Mortgage Services
C/O Nationwide Title Clearing, Inc.
2100 Alt. 19 North
Palm Harbor, FL 34683

Loan Number 6000008874

SUBSTITUTION OF TRUSTEE and FULL RECONVEYANCE


MERS Address: Mortgage Electronic Registration Systems, Inc., P.O. Box 2026, Flint, Michigan, 48501-2026

WHEREAS, PETER J LAKIN whose address is 17610 LITTLE ROCK RD ROCHESTER, WA 98579 was the original Trustor, PACIFIC NORTHWEST TITLE OF OREGON, INC. was the original Trustee, and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS DESIGNATED NOMINEE FOR TAYLOR, BEAN & WHITAKER MORTGAGE CORP, BENEFICIARY OF THE SECURITY INSTRUMENT, ITS SUCCESSORS AND ASSIGNS was the designated nominee of the original beneficiary under that certain Deed of Trust dated 10/15/2008 in CLACKAMAS County, Oregon, under Doc # 2008-072163, recorded on 10/20/2008.

Property is commonly known as: 6625 SE TUSCANY COURT, MILWAUKIE, OR 97267.

WHEREAS, the undersigned, acknowledging full payment of said Deed of Trust and debt, desires to substitute a new Trustee under said Deed of Trust in place and stead of said original Trustee thereunder. NOW, THEREFORE, the undersigned hereby substitutes George W. Mead, as Trustee under said Deed of Trust and directs said George W. Mead to reconvey, without warranty, to the parties entitled thereto the estate now held by him under said Deed of Trust.

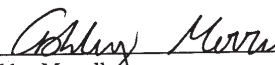
Dated on 10 / 10 /2018 (MM/DD/YYYY)
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS DESIGNATED NOMINEE FOR TAYLOR, BEAN & WHITAKER MORTGAGE CORP, BENEFICIARY OF THE SECURITY INSTRUMENT, ITS SUCCESSORS AND ASSIGNS

By: 
Tiffany Floyd VICE PRESIDENT

All persons whose signatures appear above have qualified authority to sign and have reviewed this document and supporting documentation prior to signing.

STATE OF FLORIDA COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me on 10 / 10 /2018 (MM/DD/YYYY), by Tiffany Floyd as VICE PRESIDENT of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS DESIGNATED NOMINEE FOR TAYLOR, BEAN & WHITAKER MORTGAGE CORP, BENEFICIARY OF THE SECURITY INSTRUMENT, ITS SUCCESSORS AND ASSIGNS, who, as such VICE PRESIDENT being authorized to do so, executed the foregoing instrument for the purposes therein contained. He/she/they is (are) personally known to me.


Ashley Morrell
Notary Public - State of FLORIDA
Commission Expires: 04/29/2022



ASHLEY MORRELL
Notary Public - State of Florida
Commission # GG 212021
My Comm. Expires: Apr 29, 2022
Bonded Through National Notary Assn.

Document Prepared By: Dave LaRose/NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683 (800)346-9152
CMS01 404673272 RECON MIN 100029500029284555 MERS PHONE 1-888-679-6377 MERS Mailing
Address: P.O. Box 2026, Flint, MI 48501-2026 DOCR T081810-02:19:55 [C-2] RCNOR1

PAGE (1 of 2)



D0033117794

Loan Number 600008874

George W. Mead Whose address is 7455 SW Bridgeport Rd. STE 205 Tigard, OR 97224, hereby accepts the foregoing appointment as Trustee under said Deed of Trust and as successor Trustee, pursuant to a written request from the designated nominee of the present Beneficiary and in accordance with the provisions of said Deed of Trust, DOES HEREBY CONVEY to the person or persons legally entitled thereto, without warranty, the estate, title and interest now held by the undersigned in and to the premises more fully described in said Deed of Trust.

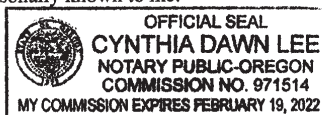
Dated on 10/24 /2018 (MM/DD/YYYY)

By: [Signature], as Trustee

George W. Mead Trustee
Whose address is: 7455 SW Bridgeport Rd. STE 205, Tigard, OR 97224

STATE OF OREGON COUNTY OF WASHINGTON
This instrument was acknowledged before me on 10/24 2018 (MM/DD/YYYY) by George W. Mead as Trustee of George W. Mead. He/she/they is (are) personally known to me.

[Signature]
Notary Public - State of OREGON
Commission Expires 2/19/2022



Document Prepared By: Dave LaRose/NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683 (800)346-9152
CMS01 404673272 RECON MIN 100029500029284555 MERS PHONE 1-888-679-6377 MERS Mailing
Address: P.O. Box 2026, Flint, MI 48501-2026 DOCR T081810-02:19:55 [C-2] RCNOR1

PAGE (2 of 2)



D0033117794

④



June 10, 2025

Violation File # V0044124

Peter J Lakin
17610 Little Rock Rd
Rochester, WA 98579

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

Site Address: 6625 SE Tuscany Ct., Milwaukie, OR 97267
T2S, R2E, Section 08BB, Tax Lot 00105

There exists and continue to exist a Solid Waste and Wastes Management Code violation on the above referenced property. Your mailing address recorded with Clackamas County is the same address as the subject property. Please review the enclosed Violation Notice and the Citation issued for the violations.

Please contact me to discuss resolving these violations, my desk telephone number is 503-742-4457 and my email is kimben@co.clackamas.or.us.

Kimberly Benthin
Code Enforcement Specialist
Code Enforcement Section

Enclosures.



November 12, 2024

File # V0044124

Peter J Lakin
6625 SE Tuscany Ct
Milwaukie, OR 97267

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

Site Address: 6625 SE Tuscany Ct, Milwaukie, OR 97267
Legal Description: T2S, R2E, Section 08BB, Tax Lot 00105

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 a couple inoperable vehicle(s) are all 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 December 16, 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 December 16, 2024**:

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 from all surrounding properties 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 administrative 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 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, 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 \$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 parties to voluntarily come into compliance with the code 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 violation, the County may, in its discretion waive all or part of the \$75 per month administrative compliance fee.
6. **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.
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. "

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Citation No. 2400441

Case No. V0044124

ADMINISTRATIVE CITATION

Date Issued: February 18, 2025

Name and Address of Person(s) Cited:

Name: Peter J Lakin
Mailing Address: 6625 SE Tuscany Ct,
City, State, Zip: Milwaukie, OR 97267

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Legal Description: T2S, R2E Section 08BB, Tax Lot(s) 00105

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- ☐ 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) A violation of waste remains on the subject property to include but not limited to: inoperable vehicle, wood, metal, construction material and miscellaneous debris.

Maximum Civil Penalty \$1,000.00

Fine \$100.00

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

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

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

Date: February 13, 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. 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.

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Oregon City, OR 97045
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- a. Your name and address;
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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 # : V0044124