



## COMMUNITY DEVELOPMENT

DESCHUTES COUNTY  
C/O PROPERTY MANAGEMENT  
PO BOX 6005  
BEND, OR 97708-6005

**Date:** 5/31/2023

**Case #:** 247-23-000099-CE

**Case Specialist:** Carolyn Young

**Phone #:** 541-617-4736

**Email:**

Carolyn.Young@Deschutes.org

## Deschutes County Code Violation

### Pre-Enforcement Notice

**Location of Violation:** 64295 HWY 97 BEND, OR 97701 ("The Property")

Dear DESCHUTES COUNTY,

You are receiving this notice because Deschutes County's Code Compliance Program has determined that one or more violations of Deschutes County Code (DCC) exist on your Property identified above. You are required to take corrective action(s) in order to cure the violation(s) and bring the Property into compliance with DCC. Due to imminent public health and safety, all violations must be brought into compliance without delay.

### Violations and Required Action Summary

The specific violation(s) existing on the Property, and the actions you must take to correct them, are set out below. Your code compliance case specialist is available to answer any questions you may have regarding the violations or the required corrections. Please note that your failure to make all necessary corrections within the time frame will result in the County's initiation of formal legal and/or administrative code compliance proceedings.

#### Violation 1: Work/Change w/o Permit (Residential)

##### Corrections:

**The property has multiple unpermitted structures being used as dwellings, storage, etc. onsite. Please remove all unpermitted structures off of the property. The property also has substantial unpermitted woodstove installations which pose a fire hazard. Please cease and remove all unpermitted mechanical installations. All unpermitted structural, mechanical, electrical, plumbing work onsite will be required to come into compliance.**

##### Deschutes County Code:

**15.04.010** - In the areas under the jurisdiction of the County, the County shall administer and enforce pursuant to ORS 455.153, the following specialty codes and building requirements as though the specific specialty codes and building requirements were ordinances of the County:

- A. The specialty codes under ORS 447 (Plumbing; Access by Disabled Persons), 455 (Building Code) and ORS 479.510 to 479.945 (Electrical Safety Law).
- B. Mobile or manufactured dwelling parks requirements adopted under ORS 446.062.
- C. Temporary parks requirements adopted under ORS 446.105.
- D. Manufactured dwelling installation, support and tiedown requirements adopted under ORS 446.230.
- E. Park and camp requirements adopted under ORS 455.680.

## Violation 2: Nuisance - Solid Waste

### Corrections:

**There is an excessive amount of solid waste on the property. Please remove all solid waste and dispose of the waste properly.**

### Deschutes County Code:

- 13.12.041** - "Abandoned Vehicle" means any vehicle which reasonably appears to be inoperable, wrecked, discarded, abandoned or totally or partially dismantled.
- 13.12.126** - "Inoperable Vehicle" means any vehicle that has broken or missing windows, windshield, inoperative wheels or tires, lacks an engine or has an inoperable engine or lacks a transmission or has an inoperable transmission.
- 13.12.205** - "Solid Waste" means all useless or discarded putrescible and non-putrescible materials, including but not limited to garbage, rubbish, refuse, ashes, paper and cardboard, sewage sludge, septic tank and cesspool pumpings or other sludge, useless or discarded commercial, industrial, demolition and construction materials, discarded or abandoned vehicles or parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid materials, dead animals and infectious waste, or other discarded solid material.
- 13.36.010** - Except as otherwise authorized under DCC 13.36, no person shall create or maintain a nuisance on private property. Such nuisances are declared to be public nuisances which may be abated as provided under DCC 15.04.070, DCC 1.16 or by instituting judicial proceedings.
- 13.36.012** - A. "Nuisance" includes:
  1. All open holes, wells, cisterns, cesspools, or unsanitary septic tanks, foundations or nonoperating refrigerators, freezers, or iceboxes with attached doors;
  2. Accumulations of solid waste on private property in such a manner as to create a nuisance, hazard to health, or condition of unsightliness;
  3. Solid waste; as defined under DCC 13.12.205;
  4. Those definitions of nuisance pursuant to DCC 1.16.100, DCC 1.16.150, DCC 12.35.160, DCC 15.04.190, and DCC 18.144.040; or
  5. Land that as a result of grading operations, excavation or fill causes erosion, subsidence or surface water drainage problems of such magnitude as to be injurious or potentially injurious to adjacent properties or to the public health, safety and welfare.
 B. Except as to regulations allowed by ORS 475B.486, and/or ORS 475B.928, generally accepted, reasonable and prudent farming and forest practices as described in ORS 30.930 to 30.937 and DCC 9.12 do not constitute nuisances under DCC 13.36.012.

## Violation 3: RV Occupancy

### Corrections:

**There are multiple RVs on the property that are occupied without a permit. Please halt all unpermitted RV occupancy on the property.**

### Deschutes County Code:

- 18.116.095** - A. A single recreational vehicle, as defined in DCC Title 18, may be located on a lot or parcel not containing a dwelling and used as a temporary dwelling unit:
  1. For a period totaling not more than 30 days in any consecutive 60-day period without obtaining a land use permit from the Deschutes County Planning Division; or
  2. For a total period not to exceed six months in a calendar year by obtaining a temporary use permit under the terms of DCC 18.116.095 from the Deschutes County Planning Division. A temporary use permit may be renewed annually for use of a recreational vehicle under the terms of DCC 18.116.095 on the same lot or parcel.
 B. All necessary permits shall be obtained from the Deschutes County Building Safety Division before connecting a recreational vehicle to sewer, water and/or electric utility services.
 C. A permit shall be obtained from the Deschutes County Environmental Health Division before disposing any wastewater or sewage on-site.
 D. A recreational vehicle used as a temporary dwelling unit shall meet the same setbacks required of a permanent dwelling on the subject lot.
 E. A recreational vehicle shall be fully licensed and ready for highway use, on its wheels or jacking system, shall be attached to the site only by quick disconnect type utilities and security devices, and shall have no permanently attached additions.

## Violation 4: Non-Approved Onsite Waste Disposal

### Corrections:

**There are multiple RVs and structures on the property that do not have a permit with an approved disposal method to dispose of the waste. Please cease all unpermitted waste disposal on the property.**

### Deschutes County Code:

**13.08.010** - A certain book or publication, a copy of which is on file with the County Clerk, marked and entitled On-Site Sewage Disposal Rules (dated September 16, 1986, as amended by enactments dated March 11, 1988 and June 14, 1991 and as subsequently amended), hereinafter referred to as "sewage disposal rules" is adopted in its entirety as the sewage disposal rules for the unincorporated areas of the County, for regulating and controlling the construction, alteration, repair, operation and maintenance of on-site sewage disposal systems in the unincorporated areas of the County. The sewage disposal rules so adopted and on file in the office of the County Clerk are referred to and by this reference made a part of DCC 13.08 as though fully set out in DCC 13.08.

## Violation 5: Camping in Open Space and Conservation

### Corrections:

**There are multiple tents, RVs, and structures being used for camping on the property. Please halt all camping on the property.**

### Deschutes County Code:

#### **18.48.020 - Uses Permitted Outright**

The following uses and their accessory uses are permitted outright:

1. Farm use as defined in ORS 215.203(2).
2. Public and nonprofit agencies, museums and exhibits on lands where an exception has been granted in accordance with Oregon Administrative Rules chapter 660, Division 4.
3. Public wildlife reserve or management area, not including structures.
4. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
5. Class III road or street project.
6. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
7. Construction, operation, and maintenance of small hydroelectric facilities, including transmission lines serving such facilities, subject to DCC 18.48.070.

## Photo Evidence

The photos below are not necessarily inclusive of all violations on this property.



## FAQS Regarding Code Compliance Program

### **What is Code Compliance?**

Deschutes County's Code Compliance program is responsible for protecting the health and safety of county residents, visitors, and communities by ensuring compliance with county code (DCC chapter 1.16). Code compliance specialists investigate code violation complaints associated with building, land use, onsite wastewater disposal and solid waste. Voluntary compliance is the Code Compliance program's core objective. When voluntary compliance is not achieved, the County will pursue legal and/or administrative remedies.

### **What if I decide to do nothing?**

In the event you do not voluntarily take necessary corrective action, Deschutes County may initiate formal legal and/or administrative code enforcement proceedings against you. Such proceedings may result in the imposition of a fine of up to \$2,000.00 per violation, and/or imposition of a daily fine for each day the violation(s) is allowed to remain on the Property. In addition, the County may pursue injunctive relief and/or an order permitting the County to abate the violation(s) at your expense, as well as other remedies. Any monetary judgment the County obtains, including any judgment for the costs of abating a violation, shall become a lien against the Property and any other property you own in Deschutes County.