



MULTNOMAH COUNTY

Procedure for Code Compliance Case Investigation and Voluntary Compliance

Land Use and Transportation Program – Code Compliance Section - (503) 988-5050, ext. 29604 – 1600 SE 190th Ave, Portland, OR 97233

Revised February 2007

1. Complaint of possible code violation received by Code Compliance Office. Case complaint priority level determined. Priority complaint cases are those regarding 1) public health, safety and welfare activities; 2) activities that present an imminent threat to the environment; or 3) a property owner request to resolve a complaint on file.



2. Code Compliance Office conducts a document investigation of the complaint – to verify jurisdiction, zoning, permit status, property ownership, other responsible person(s), identification of applicable code provisions, prior complaint history.

3. Field investigation conducted to establish the elements of the alleged violation.



4. If no evidence of violation found, the case will be closed.



5. If Code Violation verified:



6. STOP WORK ORDER posted if needed.

7. Reason to Believe Notice, or letter to support Stop Work Order, sent to property owner(s) and person(s) who is or may be responsible for the alleged violation.

If voluntary compliance is not initiated, then:



8. Request for Voluntary Compliance letter sent. Person(s) responsible are provided corrective actions required and a timeline to complete the corrective actions to bring property into compliance.



If compliance is reached, then the case is closed. If not, an Order to Comply letter is sent.



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Procedure for Code Compliance Violation Notice and Appeal

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9. **Order to Comply** letter sent. Person(s) responsible is ordered to contact the Land Use Planning Office to initiate permit application process or otherwise resolve the code violation.

If no voluntary compliance gained, then:

10. **Notice of Violation** letter issued, which includes an assessment of a civil fine.

10.a - The civil fine amount is calculated using a formula that considers:

1. **History** of steps to correct violation(s);
2. **Prior Violation(s)** of same code;
3. If violation(s) is **Repeated** or a single occurrence;
4. If the **Cause** of the violation(s) was inadvertent, negligent, reckless, or intentional;
5. The **Efforts to Correct** made by the person(s) responsible.

11. There is an Opportunity to file an Appeal of the Notice of Violation within 14 days of receipt of Notice. Appeal fee is \$250.00.

12. If no appeal filed, Hearings Officer will issue order of civil fine.

12.a - Fines and costs are payable upon effective date of final order declaring fine and costs.

12.b - Fines and costs not paid within 60 days result in the Hearings Officer's order of civil fine to be recorded as a property lien in the County Clerk Lien Record.

13. If a request for Appeal Hearing is filed:

14. The Hearings Officer affirms or dismisses violation and fine.

15. An Appeal of a Hearings Officer's final order shall be reviewed in Oregon Circuit Court or by the Columbia River Gorge Commission.