



Pursuant To Multnomah County Code (MCC) Sections 39.1510, 39.1535, and 39.1540:

## All Persons Are Hereby Ordered To

# STOP WORK IMMEDIATELY

**Date:** January 8, 2021

Due to:  Environmental Harm    Work Outside of Permit    Danger to Health & Safety    Work Without Permit

**Property Address/Location:** 645 SE Pounder Road, Corbett, OR 97109 State ID: 1S 4E 02BA-00700

**Violation(s):** Extensive ground disturbance, grading, site clearing and excavation work.

Multnomah County Code (MCC) 39.4065 Uses [Commercial Forest Use (CFU) zone].

Multnomah County Code (MCC) 39.5510 Uses; SEC Permit Required.

Multnomah County Code (MCC) 39.6210 Permits Required [Ground Disturbing Activity].

### You are further ordered to comply with the following as noted below:

- Immediately install and maintain adequate erosion control measures.
- Contact the Land Use Planning Division (503-988-0184) within one working day to determine all permits required.
- Submit the necessary permit applications to correct the above listed violation(s).
- Other \_\_\_\_\_

Failure to submit necessary land use or other permit applications and/or correct the violation(s) within 14 days may result in civil penalties: MCC 39.1510.

By: Joreen Whitson  
Code Compliance Specialist

Digitally signed by Joreen Whitson  
Date: 2021.01.08 08:56:35 -08'00'

Failure to comply with this Stop Work Order will result in a Notice of Violation. A civil penalty will be assessed as part of the Notice of Violation: MCC 39.1530(A). Penalties may be imposed for each 24-hour period in which work continues in violation of this Order: MCC 39.1560.



01/08/2021



01/08/2021

**January 8, 2021**

Heather Moon  
645 SE Pounder Road  
Corbett, OR 97019

**RE: Stop Work Order**

Location: 645 SE Pounder Road, Corbett, OR 97019  
State ID: 1S 4E 02BA -00700  
Alt. Tax Account #: R994020700  
Zoning: Commercial Forest Use (CFU)-4  
Zoning Overlays: Significant Environmental Concern-streams (SEC-s)  
Case#: Under Review (UR)-2020-13222

Dear Property Owner,

This communication serves as an official **Stop Work Order**, which is being issued for your 645 SE Pounder Road property. The Stop Work Order is being issued for non-permitted development activity being conducted on the property, specifically extensive non-permitted ground disturbance, grading, site clearing and excavation work, and non-permitted development activity within a stream overlay area.

Your property is currently zoned *Commercial Forest Use (CFU)-4* with an overlay of *Significant Environmental Concern for streams (SEC-s)*. The *CFU-4* zone and the *SEC* overlay area have specific regulations governing the use and development of the property, which requires County review and approval prior to any development activity occurring or change of use. However, the County has no record of any recent permits issued or any land use decisions approved that would authorize the type and extent of development occurring on the property, specifically the extensive ground disturbance, grading, site clearing and excavation work.

Therefore the development activity occurring on the property, without prior County authorization or review, is a violation of the following:

- ***Multnomah County Code (MCC) 39.4065 Uses [Commercial Forest Use (CFU) zone].***
- ***Multnomah County Code (MCC) 39.5510 Uses; SEC Permit Required.***
- ***Multnomah County Code (MCC) 39.6210 Permits Required [Ground Disturbing Activity].***

Copies of the above referenced code sections are enclosed with the copy of this letter sent via standard mail. Additional copies are available upon request.

This office would like to be able to close the land use complaint case on file for your property. In order to do this, the following corrective actions need to be completed.

## Required Corrective Actions

**1. Immediately** cease all non-permitted development activity being conducted on the property, specifically the extensive non-permitted ground disturbance, grading, site clearing and excavation work and **immediately** install adequate erosion control measures (silt fencing, plastic covering, straw bales, etc.) to prevent any mud, debris or sediment run-off from entering the public right-of-way or adjacent properties. *Failure to comply with this Stop Work Order, failure to cease all development and construction activity and failure to install erosion control measures will result in the issuance of a Notice of Violation and associated civil penalties.*

**1.1.** A site inspection will be conducted no later than **January 21, 2021**, to verify that the development and construction activity has stopped, and to verify that erosion control measures have been installed.

**2. By February 20, 2021**, schedule and attend a Pre-Filing Meeting with the Land Use Planning (LUP) office to prepare for the submission of a *Significant Environmental Concern (SEC)* permit application and an *Erosion & Sediment Control (ESC)* permit application to potentially authorize the development and construction activity occurring on the property. *Please contact the Land Use Planning office, at (503)-988-3043, to schedule the required Pre-Filing Meeting and to determine what materials or documents are required for the meeting.*

**2.1. Within 90 days** of the Pre-Filing Meeting, submit to the LUP office your *SEC* and *ESC* permit applications.

**2.2.** In the event your *SEC* and *ESC* permit application(s) are deemed incomplete by staff, **within 60 days** of receiving an incomplete application notification letter from the LUP office, make the permit application(s) complete.

**2.3.** If the required *SEC* and *ESC* permit application(s) are approved: **Complete** all work and conditions of approval required by the permit application(s) approvals in the timelines specified by the approvals.

**-OR-**

**2.4.** If the required *SEC* and *ESC* permit application(s) are not approved and you have either accepted the decision or have utilized all appeal rights provided by relevant code and statute, then the following needs to be under taken: **Within 15 days** of the final decision, schedule and attend a meeting with the Code Compliance office and the LUP office to discuss the options available for moving forward with the resolution of this compliance case.

## Voluntary Compliance

The Voluntary Compliance process is designed to encourage voluntary correction of violations of Multnomah County Code. This process serves as an alternative to enforcement measures as it provides you the opportunity to work with the Code Compliance office to satisfy code requirements. Once you have satisfied code requirements, the case will be closed and no further action will be necessary as long as you continue to comply with Multnomah County Code.

Please keep in mind that if a matter no longer appears to be progressing towards resolution through the voluntary compliance process, you will be subject to enforcement action. Such action may include demanding compliance and imposing civil fines of up to *\$3,500.00 per day, per violation* until the violations are corrected.

Please contact me at (503) 988-0184, if you have any questions regarding this *Stop Work Order* letter. Please contact the Land Use Planning office, at (503) 988-3043, with specific questions you may have on land use or permit requirements for your property.

Sincerely,

*Joreen Whitson*

Joreen Whitson  
Code Compliance Specialist

Attachments: Site photographs

Land Use Planning Division  
Code Compliance Office



**FIELD INSPECTION REPORT**

<b>Property Address:</b>	645 SE Pounder Rd		
<b>Property Owner:</b>	Heather Moon		
<b>Tax Account #:</b>	R994020700	<b>Zone:</b>	CFU4
<b>Case File:</b> UR-2020-13222			
<b>Permits on File for property:</b> None			
<b>Other agencies/departments to notify:</b> Mult Co. Sheriff			
<b>Site Visit REMARKS</b>			
<b>Date/Time:</b>	__1__ / __8__ / __2021__	<b>Inspected By:</b>	Robert Hyde
<b>Permits on Location:</b> None			
<b>Measurements Taken:</b>			
<b>Witnesses Interviewed:</b>			
<b>I. Case Background:</b> The initial complaint was received on __4__ / __27__ / __2020__.			
<p>Non-permitted property development activity, including significant ground disturbance, excavation and site clearing work. A portion of the activity has occurred in an SEC overlay area. Environmental harm. Equipment (backhoe) usage next to the roadway and nearby creek. Strong smell of diesel and sheen on the roadway. Plugged culvert with water spilling over the roadway.</p>			

**II. Site Visit Results:**

While I was taking pictures from the roadway the owner, Heather Moon came out and talked to me about the plugged culvert and complaints by neighbors. She says she wants to cooperate and she's only doing work on the ground at the slope so she can plant grass. A quad track was mentioned. She also mentioned her husband passed away 5 years ago so she's taking care of the property herself. The silt fencing was in place and torn up with a lot of sections down. An excavator was on site on the shoulder of the road.

**III. Land Use Code Violations, to be verified by the Land Use Planning office:**

**IV. Required Corrective Actions To be Determined by the Land Use Planning office:**

**V. Photographs Taken on site:**

**Photos located in the Photos/Reports- 2021 folder**

## Site photographs



**1.** View of the non-permitted development activity being conducted on the property, specifically the extensive non-permitted ground disturbance, grading, site clearing and excavation work, and non-permitted development activity within a stream overlay area.



**2.** Another view of the non-permitted development activity being conducted on the property, specifically the extensive non-permitted ground disturbance, grading, site clearing and excavation work, and non-permitted development activity within a stream overlay area.