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BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the application and violation by:)

Joseph, Michael and/or Alfred Terramagra) ORDER

VIOLATION NUMBER 90-98

1. NATURE OF THE ASSERTED VIOLATION/CUP

Respondents are alleged to have been camping as defined by Article 11.

2. NAMES OF PARTICIPANTS

The hearings officer reviewing this violation is Joan-Marie Michelsen. The Respondents failed to appear. The planning department was represented by Kim Lundahl. The recording secretary Karen Burg. Testimony was received by some of the neighbors.

3. LOCATION OF PROPERTY INVOLVED

The property is located at 13127 Night Owl Drive, Bly Mountain 3711-22C - 2200

4. EVIDENCE RECEIVED

All evidence consisted of the oral testimony given October 18, 1998 and the staff report.

5. FINDINGS OF FACT

The Hearings officer FINDS AS FOLLOWS:

- a. The respondents failed to appear.
- b. Respondents have either been living in the premises or have been allowing others to live in the premises without proper sanitation and therefore have allowed camping on the subject property.

6. ORDER

THEREFORE, IT IS HEREBY ORDERED THAT:

- a. The hearings officer finds that as a matter of law the Respondent is in violation of the Klamath County Land Development Code.
- b. The enforcement officer is directed to cite the Respondent to appear in the Wood River Justice Court with bail to be set by the court, but to be no less than \$750, if the violation continues.
- c. The Respondent is ordered to cease camping immediately and allow NO occupancy of the dwelling which is located on the property until it has proper and approved septic facilities.

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- d. The respondent may apply to the county for approval for a septic system, but shall not allow occupancy while that application is pending without approval from the Hearings Officer.

Dated this 16th day of October, 1998

[Signature]
 Jean Marie Michelsen
 Hearings Officer

NOTICE OF APPEAL RIGHTS

You are hereby notified this application may be appealed to the Klamath County Board of Commissioners by filing with the Klamath County Planning Department a Notice of Appeal as set out in Section 33.004 of the Klamath County Land Development Code together with the fee required within SEVEN DAYS (7) following the mailing date of this order.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 20th day
 of October A.D., 19 98 at 10:35 o'clock A. M., and duly recorded in Vol. M98
 of Deeds on Page 38369

Return: Commissioners Journal

FEE No Fee

By *[Signature]* Bernetha G. Letsch, County Clerk