

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Assessment of the)
Nuisance Abatement Cost for the)
Property of Samuel A. Owen at 26623) RESOLUTION NO. 10-2025
Cannon Road Rainier, Oregon, Tax)
No. 7314-DO-01400)

WHEREAS, Samuel A. Owen (the "Owner") is the owner of certain property located at 26623 Cannon Road Rainier, Oregon, having assigned Tax No. 7314-DO-01400 (the "Property"); and

WHEREAS, Section 7.01 of the Columbia County Solid Waste Management Ordinance (the "Ordinance") prohibits the storage, collection, maintenance or display of or wastes or solid wastes on private property in a manner that is offensive or hazardous to the health and safety of the public, or which creates odors or a condition of unsightliness; and

WHEREAS, Ordinance Section 7.01 further makes such storage, collection, maintenance or display of or wastes or solid wastes on private property a public nuisance subject to abatement under Section 7.04 of the Ordinance; and

WHEREAS, under Section 7.04(A) of the Ordinance, County staff is authorized to make an investigation to determine whether or not the storage, collection, maintenance or display of wastes or solid wastes violates Ordinance Section 7.01; and

WHEREAS, pursuant to Ordinance Section 7.04(A), County staff conducted an investigation and determined that a nuisance exists at the Property; and

WHEREAS, after determining that a nuisance exists at the property, and in accordance with Ordinance Section 7.04(B), on March 27, 2023 County staff caused a notice to be mailed via Certified Mail, to the Owner, the Property, and to the Owner's daughter, giving the Owner 60 days to abate the nuisance; and

WHEREAS, following the 60 day period granted by County staff for abating the nuisance, County staff determined that the nuisance at the Property continued to exist; and

WHEREAS, pursuant to Ordinance Section 7.04(C), notice was forwarded to the Board of Commissioners (the "Board") of the continuing nuisance at the Property; and

WHEREAS, on August 11, 2023, in accordance with Ordinance Section 7.04(C), the Board caused a notice for a hearing on August 30, 2023 to be issued, for the Board to receive evidence and testimony on the question of whether a nuisance exists at the Property, and for the Owner to show cause why a nuisance should not be declared to exist; and

RESOLUTION NO. 10-2025

WHEREAS, on August 12, 2023, County staff caused the notice of the August 30, 2023 hearing to be mailed via Certified Mail, to the Owner, the Property, and to the Owner's daughter; and

WHEREAS, on August 30, 2023, the Board held a public hearing on the question of whether a nuisance exists at the Property, and to provide an opportunity for the Owner, Owner's representatives, or members of the public to show cause why a nuisance should not be declared to exist on the Property; and

WHEREAS, at the August 30, 2023 hearing, the Board received evidence and testimony into the record, including substantial evidence of an unlawful accumulation of wastes and solid wastes at the Property; and

WHEREAS, following the hearing, the Board deliberated on the matter and voted unanimously in finding a nuisance to exist at the Property, and accordingly directed staff to prepare an appropriate order; and

WHEREAS, on September 30, 2023, the Board adopted Order No. 45-2023, declaring a nuisance at the property and giving the Owner of the Property 30 days to abate the nuisance and, if not abated within that time, directing staff to abate the nuisance pursuant to Ordinance Section 7.04(D); and

WHEREAS, following 30 days of the adoption of Order No. 45-2023, the nuisance at the Property had not been abated, and so abatement was undertaken by County staff at the direction of the Board; and

WHEREAS, staff provided periodic progress reports to the Board while the nuisance was being abated, including costs being incurred as part of the abatement process; and

WHEREAS, pursuant to Ordinance Section 7.04(E), County staff maintained an accurate record of the expenses incurred as part of the nuisance abatement undertaking, a copy of which is attached hereto as "Exhibit A; and

WHEREAS, in accordance with Ordinance Section 7.04(F), on January 31, 2025, after the nuisance at the Property had been abated, County staff caused a notice to be mailed to the Owner via Certified Mail, stating the total cost of the abatement; and

WHEREAS, in accordance with Ordinance Section 7.04(F), the notice also stated that the cost incurred by the County will be assessed and become a lien against the Property unless paid within 30 days, and

WHEREAS, also in accordance with Ordinance Section 7.04(F), the notice stated that the Owner had the right to file a notice objecting to the cost of the abatement within 10 days of the date of the notice; and

WHEREAS, no notice of objection to the cost of the abatement was received from the Owner; and

RESOLUTION NO. 10-2025

WHEREAS, pursuant to Ordinance Section 7.04(H), if no objection to cost is filed and the cost of the nuisance abatement is not paid within 30 days, an assessment of the cost as stated is to be made by Resolution of the Board; and

WHEREAS, payment for the cost of the nuisance abatement has not been received and more than 30 days have passed since the date of the of the notice; and

WHEREAS, pursuant to Ordinance Section 7.04(H), upon adoption of a Resolution assessing the cost of the nuisance abatement, such cost shall be entered in the docket of County liens as provided in Ordinance Section 7.04(E); and

WHEREAS, pursuant to Ordinance Section 7.04(H), the amount assessed by Resolution and so docketed shall constitute a first lien upon the Property, except as to taxes; and

WHEREAS, pursuant to Ordinance Section 7.04(H), when such assessment is not paid by the Owner within 90 days from the date the lien is docketed, the County Clerk shall certify the same to Tax Collector; and

WHEREAS, pursuant to Ordinance Section 7.04(H), upon such certification by the County Clerk, the Tax Collector shall extend such assessment upon the current tax rolls; and

WHEREAS, when so extended, such assessment shall constitute a valid lien against the Property and shall be collected by the Tax Collector in the same manner as taxes are collected;

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:


1. The Board hereby assesses the amount of \$66,964.31, as reflected in "Exhibit A", which is attached hereto and incorporated herein by this reference, as the cost of nuisance abatement at the property owned by Samuel A. Owen, located at 26623 Cannon Road Rainier, Oregon, and having assigned Tax No. 7314-DO-01400.
2. In accordance with Ordinance Section 7.04(H), the Office of County Counsel is directed to forward this Resolution to the County Clerk. The assessment imposed by this Resolution shall be entered in the docket of County liens without cost, and shall constitute a first lien on the above-referenced property, except as to taxes.
3. If the assessment imposed by this Resolution is not paid within 90 days from the date the lien is so docketed, the County Clerk is directed to certify the same to the Tax Collector who, upon such certification by the County Clerk, shall extend such assessment upon the current tax rolls.


4. In the event the assessment is so extended, pursuant to Ordinance Section 7.04(H) it shall constitute a valid lien against the Property and shall be collected by the Tax Collector in the same manner as taxes are collected.

DATED this 19 day of March, 2025.

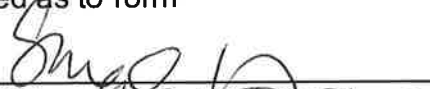
BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Kellie Jo Smith, Chair

By: 
Casey Garrett, Commissioner

By: 
Margaret Magruder, Commissioner

Approved as to form

By: 
Office of County Counsel



COLUMBIA COUNTY, OREGON

Public Works Department - Solid Waste

1054 Oregon Street

St. Helens, OR 97051

Ph: (503) 397-5090

Email: publicworks@columbiacountyor.gov

Web Page: www.columbiacountyor.gov

INVOICE

BILL TO:

**Samuel A. Owen
26623 Cannon Road
Rainier, OR 97048**

Instructions		
The total amount due listed below will be assessed to and become a lien against the property unless paid within 30 days of the date of Nuisance Abatement notice. Please see below for the line-item breakdown of all cleanup costs incurred on the property. Each material line-item includes haul fees in the cost.		
Description	Units	Cost
Garbage FY 23-24 (\$111.70 per ton)	32.68 tons	\$6,820.80
Garbage FY 24-25 (\$115.73 per ton)	23.86 tons	\$4,894.22
Tires -- On Rim (\$4.93 per tire)	163	\$1,147.30
Tires -- Off Rim (\$2.59 per tire)	1252	\$5,226.90
Extra Tires from Vehicle Disposal	45	\$660.00
Vehicle Disposal	20 Vehicles	\$24,950.00
Work Crew Labor Cost	28 Days	\$10,500.00
Administrative Cost	149.92 hrs	\$7,456.59
Asbestos Testing	10 RVs	\$1,084.50
Asbestos Abatement	3 RVs	\$4,224.00

PLEASE REMIT PAYMENT TO:

Columbia County Public Works
1054 Oregon Street
St. Helens, OR 97051

Material Charge	\$ 11,538.71
Haul Charge	\$ 7,210.51
Labor Charge	\$ 48,215.09
Total Amount Due	\$ 66,964.31