

## **Illegal Structures and Dwellings Policy**

### **I. Background:**

There are many illegal structures and dwellings in Wasco County; from the small cabin-like shack built last year to a large house that has been on the property for 20 years. This policy guides how far the enforcement process will be taken in each situation.

**NOTE:** The first step in any illegal structure enforcement is to involve the Planning Department to determine if there is provision in the County ordinance to permit the structure/dwelling.

### **II. Enforcement should be pursued in an equitable, sustainable, manner while fostering respect for the County ordinance.**

- A. Equitable: takes all factors into consideration, case by case
- B. Sustainable: cost to the County, a process that can be followed long term
- C. Foster respect: hesitancy to break rules

### **III. Factors to consider:**

- A. How long ago was it erected?
- B. Was it there when property was purchased or was it built by current owner?
- C. How is it being used: dwelling or just storage?
- D. What is the impact on the natural resources and surrounding properties: sewage, fire hazard, unsightliness?
- E. How large is the structure?

### **IV. Possible consequences:**

- A. Property put on-hold: no planning approvals until removed
- B. Record Notice of Violation with property deed
- C. Fines up to value; dropped if removed
- D. County abatement
- E. Liens for abatement and fine

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**V. How to deal with the issue:**

- A. CCO or a committee will use a guidance tool based on set criteria to determine or guide the level of enforcement for each case.
- B. Structure Worksheet (copy attached) will be the guidance tool
  - 1. All violations have consequences
  - 2. The consequences are cumulative
  - 3. Possible movement from a higher level to a lower level of enforcement

**VI. Issue: Housing for temporary homelessness**

Wasco County is concerned that the current economic situation could produce more residents living in RVs or illegally placed dwellings. Rather than lowering the standards of the WCCCNAO, Wasco County believes that this issue can best be addressed in the CCO's application of the ordinance. The following steps will guide the process of applying the standards of the WCCCNAO:

- A. Make it clear that the current situation is in violation of WCCCNAO<sup>1</sup>
- B. Determine and document the need of the individual
- C. Based on the determined need, work with the individual to create a written abatement plan that includes:
  - 1. Limits on what is allowed during the temporary housing situation (sewage, trash, fire safety, etc.)
  - 2. A reasonable timeline for resolving their current situation
  - 3. A statement that the County will pursue the violation pursuant to the WCCCNAO if the individual does not adhere to the conditions and timeline in the abatement plan

Adopted this 26th day of August, 2009.

WASCO COUNTY COURT

APPROVED AS TO FORM:

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Dan Ericksen, Judge

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Eric J. Nisley  
Wasco County District Attorney

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Sherry Holliday, Commissioner

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Bill Lennox, Commissioner

<sup>1</sup> Wasco County has prosecutorial discretion in all code compliance enforcements