

1 **BEFORE THE PLUMBING BOARD OF THE STATE OF OREGON**

2 **IN THE MATTER OF:** )  
3 **DAVE FEUHR,** ) **NOTICE OF PROPOSED**  
4 **A INDIVIDUAL** ) **ASSESSMENT OF A CIVIL PENALTY,**  
5 **RESPONDENT** ) **AND FINAL ORDER UPON DEFAULT**  
 ) **CASE NO. 2006-0234**

6 Pursuant to ORS 455.895(1)(a) and OAR 918-001-0036, the Plumbing Board proposes to impose a  
7 civil penalty against you in the amount of \$1,000.

8 **FINDINGS OF FACT**

- 9 1. On or about June 1, 2006, at 1001 Providence Drive, Newberg, Oregon, Respondent  
10 engaged in the business of making a plumbing installation by installing a "tee" fitting to  
11 provide potable water for a soap dispensing system, for the account of another, without an  
12 Oregon journeyman plumber's certificate of competency.

13 **CONCLUSIONS OF LAW**

- 14 1. Installing a "tee" fitting to provide potable water for a soap dispensing system is a plumbing  
15 installation as defined in ORS 447.010(6).  
16 2. By engaging in the business of making a plumbing installation, as set forth in Finding of  
17 Fact (1), Respondent violated ORS 693.030(1).

18 **ORDER**

19 The Board, acting pursuant to ORS 455.775(2) hereby ORDERS that the Respondent shall:  
20 **CEASE AND DESIST** from further violations of the Oregon Building Codes, statutes,  
21 administrative rules, specialty codes, or any Order issued by a State Building Codes Advisory  
22 Board.

23 Pursuant to ORS 455.895(1)(a) and OAR 918-001-0036, Respondent is found in violation of ORS  
24 693.030(1) and assessed a \$1,000 civil penalty.

25 **NOTICE OF HEARING**

You are entitled to a hearing as provided by the Administrative Procedures Act, Oregon  
Revised Statutes, Chapter 183. If you wish to receive a hearing you must file a written request for a  
hearing with the Board no later than 20 days from the date of service of this notice. If a request for  
hearing is not received within the 20 day period your right to a hearing shall be considered waived  
unless the failure to request a hearing was beyond your reasonable control. Hearing requests shall  
be mailed to Building Codes Division, Enforcement and Licensing Section, PO Box 14470, Salem,  
Oregon, 97309.

1 You have the right to be represented by legal counsel. ORS 183.457 provides a corporation  
2 may be represented by an authorized representative at the hearing. If you request a hearing the  
3 Board and Director will notify you of the time and place of the hearing. The Board and Director  
4 will give you information on the procedures, right of representation and other rights of parties  
5 relating to the conduct of the hearing before commencement of the hearing.

6 **NOTICE OF FINAL ORDER**

7 If you do not request a hearing within 20 days, this notice will become a final order, effective 21  
8 days after it was served on you. If you do not request a hearing or fail to appear at a scheduled  
9 hearing, the Division's file on the matter becomes record. You are entitled to judicial review of this  
10 order. Judicial review may be obtained by filing for review within 81 days from the date this order  
11 was served. Judicial review is pursuant to the provisions of ORS 183.482 to the Court of Appeals.

12 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2006

13 \_\_\_\_\_  
14 BY HEATH M. LAWSON, Enforcement Officer  
15 Building Codes Division / Enforcement and Licensing Section  
16 PO Box 14470  
17 Salem, Oregon 97309-0404  
18 (503) 378-3102  
19 FAX: (503) 378-2322  
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