



CITY OF  
**PORTLAND, OREGON**  
HEARINGS OFFICE

1900 S.W. 4<sup>th</sup> Avenue, Room 3100  
Portland, Oregon 97201  
Telephone: (503) 823-7307  
FAX: (503) 823-4347  
TDD (503) 823-6868

**HEARINGS OFFICER'S ORDER**

APPEAL OF GRANT KERBER

CASE NO. 1080200

DESCRIPTION OF VEHICLE: Toyota Corolla (CA 3BSF600)

DATE OF HEARING: July 15, 2008

APPEARANCES:

Mr. Grant Kerber, Appellant

HEARINGS OFFICER: Mr. Ian Simpson

The Hearings Officer, on substantial evidence and based upon the record as a whole, and receiving Exhibits 1 through 5 into the record without objection, finds as follows:

The towing officer's report stated that a warning was placed on the subject vehicle on July 2, 2008 because it was considered to be abandoned (Exhibits 4 and 5). The vehicle had expired tags dated 11/07, and had no trip permit. It was towed on July 9, and more than the required 72 hours warning period had passed.

The appellant admitted that his vehicle had expired tags.

Given these circumstances, this was a valid tow. Please note the relevant city code sections below concerning this matter.

**Portland City Code 16.20.120 Prohibited Parking or Stopping of a Vehicle.**

(Amended by Ordinance Nos. 165594, 166575, 170923, 173369, 176394 and 176955 effective October 9, 2002.) Except when specifically directed by authority of this Title or when necessary to avoid conflict with other traffic, it is unlawful to park or stop a vehicle:

**P.** In the public right-of-way, public park, or city-owned or operated property if the vehicle is abandoned.

**Portland City Code 16.90.005 Abandoned Vehicle.**

A vehicle that remains in the same location for more than 24 hours and one or more of the following conditions exist:

**A.** The vehicle does not have a lawfully affixed, unexpired registration plate.

**B.** The vehicle appears to be inoperative or disabled.

C. The vehicle appears to be wrecked, partially dismantled or junked.

**16.30.225 Towing with 24 Hour or 72 Hour Notice.**

(Added by Ordinance No. 166947; amended by 170923, 172788 and 179141, effective March 23, 2005.)

B. A vehicle may be towed 72 hours after notice of intent to tow has been affixed to or placed on the vehicle if the vehicle is an abandoned vehicle; or

Therefore, it is ordered that all towing and storage charges against the vehicle shall remain the responsibility of the vehicle's owner.

This order may be appealed to a court of competent jurisdiction pursuant to ORS 34.010 et seq.

Dated: July 16, 2008  
IS: cb/rs

  
Ian Simpson, Hearings Officer

Bureau: Abandoned Autos  
Tow Number: 19454

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Letter	Kerber, Grant	Received
2	Hearing notice	Hearings Office	Received
3	Tow hearing info. sheet	Hearings Office	Received
4	Tow hearing report	Abandoned Autos	Received
5	Case detail report	Abandoned Autos	Received