



CITY OF
PORTLAND, OREGON
HEARINGS OFFICE

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HEARINGS OFFICER'S ORDER

APPEAL OF GARRET W. POTTER

CASE NO. 1080207

DESCRIPTION OF VEHICLE: Chevrolet S10 (OR CU22479)

DATE OF HEARING: July 29, 2008

APPEARANCES:

Mr. Garret Potter, 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 8 into the record without objection, finds as follows:

The towing officer's report stated that the appellant's vehicle was towed because it was parked in a parking restricted zone during the restricted time (Exhibit 7).

The appellant stated that he did not see any parking restriction signs that applied to where he parked. The appellant provided photographs of the site (Exhibit 8). However, the Hearings Officer found the photographs did not provide much useful information. The Hearings Officer examined the site of the tow and found that the signs were clearly posted.

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

16.30.220 Towing Without Prior Notice.

(Amended by Ordinance Nos. 165980, 170912, 176352, and 176442, effective May 1, 2002.) Any authorized officer may, without prior notice, order a vehicle towed, when:

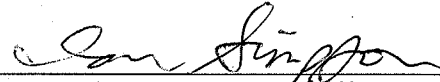
B. The vehicle is illegally parked in a conspicuously posted restricted space, zone, or traffic lane where parking is limited to designated classes of vehicles or is prohibited in excess of a designated time period, or during certain hours, or on designated days, or at any time and place the vehicle is interfering or reasonably likely to interfere with the intended use of such a space, zone, or traffic lane;

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 30, 2008

IS: cb/rs



Ian Simpson, Hearings Officer

Bureau: Police
Tow Number: 19182

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Hearing request letter	Potter, Garret W.	Received
2	Tow receipt	Potter, Garret W.	Received
3	Tow desk report	Hearings Office	Received
4	Hearing notice	Hearings Office	Received
5	Tow hearing info. sheet	Hearings Office	Received
6	Towed vehicle record	Police Bureau	Received
7	Investigation report	Police Bureau	Received
8	Photos (9 pgs) 8 1/2 x 11	Potter, Garret W.	Received