



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 CATHERINE R. SEWARD

CASE NO. 1080231

DESCRIPTION OF VEHICLE: Chevrolet Blazer (OR 435CVG)

DATE OF HEARING: August 14, 2008

APPEARANCES:

None

HEARINGS OFFICER: Mr. Gregory J. Frank

The Hearings Officer, on substantial evidence and based upon the record as a whole, finds as follows:

Ms. Seward was mailed a Notice of Hearing on August 5, 2008. The Notice was not returned by the U.S. Mail Service and Ms. Seward did not contact the Hearings Office prior to the hearing requesting that the hearing be rescheduled. Ms. Seward did not appear at the hearing. The Hearings Officer makes this decision based upon the exhibits admitted into the evidentiary record (Exhibits 1 through and including 7).

Ms. Seward, in her request for hearing (Exhibit 1) stated that "this is a request for a hearing on what I find to be a unjust tow. Please help me to resolve this matter." The officer ordering the tow stated, in an Investigation Report (Exhibit 6), in the narrative section, the following:

"I observed listed vehicle parked on SE 160<sup>th</sup> between two no parking signs. It was unoccupied. I ran the plates and verified the VIN – the vehicle was not stolen. I ordered a tow and cited the vehicle for being illegally parked. Vehicle towed by Beaver Towing. The vehicle did not appear to have any valuables."

In addition, the officer ordering the tow submitted a copy of the Parking Violation and a hand drawn diagram (Exhibit 7). The diagram showed SE 160<sup>th</sup> between Stark and Burnside with the subject vehicle parked between two No Parking signs – across from 312 SE 160<sup>th</sup>.

The Hearings Officer finds, based upon the admitted exhibits, that it is more probable than not that the vehicle subject to this hearing was parked in a conspicuously posted/signed area restricting parking. The Hearings Officer finds that the officer ordering the tow followed the relevant laws/rules (in particular Portland City Code 16.30.220 B). The Hearings Officer, therefore, finds the tow valid.

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: August 15, 2008

GJF: rs/cb



Gregory J. Frank, Hearings Officer

Bureau: Police  
Tow Number: 20698

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Hearing request letter	Seward, Catherine R.	Received
2	Tow Desk printout	Hearings Office	Received
3	Hearing Notice	Hearings Office	Received
4	Tow Hearings Process Info. sheet	Hearings Office	Received
5	Towed Vehicle Record	Police Records	Received
6	Investigation Report	Police Records	Received
7	Parking Violation with diagram	Police Records	Received