



CITY OF
PORTLAND, OREGON
HEARINGS OFFICE

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

HEARINGS OFFICER'S ORDER

APPEAL OF JIMMY BROWN

CASE NO. 1080250

DESCRIPTION OF VEHICLE: Dodge Stratus (OR 401CRW)

DATE OF HEARING: August 26, 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:

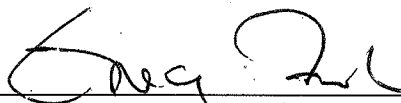
The Hearings Officer admits exhibits 1 through and including 8 into the record of this case.

The Office of Transportation Parking Enforcement Division submitted a "Tow Hearing Report" which stated, in relevant part, "Please dismiss." (Exhibit 7). The Hearings Officer, based upon the City's request to dismiss and the fact that the temporary No Parking signs were not placed at least 24 hours prior to the tow (as required by Portland City Code 16.30.210 D), finds that the tow of Mr. Brown's vehicle is not valid.

The owner or other persons who have an interest in the vehicle are not liable for the towing and/or storage charges. Therefore, it is ordered that the vehicle shall be immediately released, if still held, and any money heretofore paid for towing and/or storage charges shall be returned to the vehicle owner.

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

Dated: August 28, 2008
GJF: rs/cb



Gregory J. Frank, Hearings Officer

Bureau: Parking Enforcement
Tow Number: 21576

Enclosure

If a refund has been authorized, it will be sent from the City's Accounts Payable Office. Please allow at least 2 weeks.

Exhibit #	Description	Submitted by	Disposition
1	Hearing request letter	Brown, Jimmy	Received
2	Receipt for appellant's tow	Tom Bugas	Received
3	Tow desk report	Hearings Office	Received
4	Hearing Notice	Hearings Office	Received
5	Tow Hearings Process Info. sheet	Hearings Office	Received
6	Hearings Officer's Order from case # 1080233	Hearings Office	Received
7	Tow Hearing Report	Parking Enforcement	Received
8	Parking Violation	Parking Enforcement	Received