



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 KODY J. BOSCH

CASE NO. 1080254

DESCRIPTION OF VEHICLE: Volvo 240 (OR SL26268)

DATE OF HEARING: August 28, 2008

APPEARANCES:

Mr. Kody Bosch, Appellant

HEARINGS OFFICER: Mr. Gregory J. Frank

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

Mr. Bosch appeared and testified on his own behalf. The Hearings Officer makes this decision based upon the testimony of Mr. Bosch and the exhibits admitted into the evidentiary record (Exhibits 1 through and including 7).

Mr. Bosch stated that he disagreed with portions of the narrative contained in the Tow Hearing Report (Exhibit 6). Mr. Bosch testified that he did not receive adequate notice of the tow. Mr. Bosch stated that he was on vacation for a week and was not aware of the scheduled street sweeping.

The parking patrol deputy who ordered the tow of Mr. Bosch's vehicle provided a written report (Exhibit 6). In the report the deputy states, in relevant part, that the temporary no parking barricades were posted and verified on August 1, 2008 at 12:56 pm. The deputy's report states that Mr. Bosch's vehicle was towed on August 4, 2008 at approximately 8:00 am. The deputy stated that the signs/barricades were rechecked on August 3, 2008; the deputy provided a picture of the sign (Exhibit 8).

The Hearings Officer finds that a vehicle may be towed if temporary no parking signs are placed and verified more than 24 hours before a vehicle is towed. The Hearings Officer finds, based primarily upon Exhibits 6 and 8, that the barricades (temporary no parking signs) were placed, at the location where Mr. Bosch's vehicle was towed, more than 24 hours before the tow. Further, the Hearings Officer finds that the signs/barricades were in place at the time Mr. Bosch's vehicle was towed.

The Hearings Officer finds that the tow of Mr. Bosch's vehicle on August 4, 2008 is 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 29, 2008  
GJF: rs

  
Gregory J. Frank, Hearings Officer

Bureau: Parking Enforcement  
Tow Number: 21684

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Hearing request letter	Bosch, Kody J.	Received
2	Tow receipt	Bosch, Kody J.	Received
3	Tow Desk printout	Hearings Office	Received
4	Hearing Notice	Hearings Office	Received
5	Tow Hearings Process Info. sheet	Hearings Office	Received
6	Tow hearing report	Parking Enforcement	Received
7	Parking Violation w/photo	Parking Enforcement	Received
8	Parking Violation and color photo	Parking Enforcement	Submitted After Record Closed