



CITY OF  
**PORTLAND, OREGON**  
HEARINGS OFFICE

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**HEARINGS OFFICER'S ORDER**

APPEAL OF AMANDA FORD

CASE NO. 1080260

DESCRIPTION OF VEHICLE: Subaru Outback (OR 638CRB)

DATE OF HEARING: August 29, 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. Ford was mailed a Notice of Hearing on August 25, 2008. The Notice was not returned by the U.S. Mail Service and Ms. Ford did not contact the Hearings Office prior to the hearing requesting that the hearing be rescheduled. Ms. Ford 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 11) and a site view by the Hearings Officer of the location where Ms. Ford's vehicle was towed.

Ms. Ford submitted a letter describing the evening of August 9, 2008 and her activities related to parking her vehicle in the vicinity of NW 3<sup>rd</sup>/NW Couch. (Exhibit 1). Ms. Ford also submitted four photos of the location where her vehicle was towed. (Exhibit 8). Ms. Ford suggested, in her letter, that the signage at the location where her vehicle was towed is not adequate to give her notice that parking is restricted to police vehicles only.

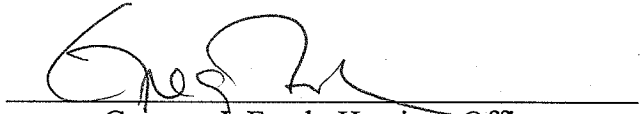
The Hearings Officer, immediately following the scheduled hearing time, conducted a site view to confirm the signage where Ms. Ford's vehicle was towed. The Hearings Officer noted that the area where Ms. Ford parked, on the street right-of-way, is striped with 6 inch wide white paint creating a rectangular area. Further, the Hearings Officer noted that 3<sup>rd</sup> Avenue, in this area, is a one-way street traveling south. At the north end of the white painted area is a sign stating that parking is restricted to police vehicles only with an arrow pointing south. At the corner, the south end of the white painted area, is another sign stating parking is restricted to police vehicles only and this sign has an arrow pointing to the north. There were no signs in the "middle" of the white painted area.

The Hearings Officer finds that the white painted area with a sign at both ends is clear and conspicuous notice that parking is restricted. The Hearings Officer finds that the person ordering the tow followed the relevant rules/laws. The Hearings Officer finds Ms. Ford's vehicle was parked in an area clearly and conspicuously marked as being restricted to police vehicles only. The Hearings Officer 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 29, 2008

GJF: rs

  
Gregory J. Frank, Hearings Officer

Bureau: Police  
Tow Number: 22329

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Hearing request letter	Ford, Amanda	Received
2	Tow Receipt (partially obscured) and Parking Violation	Ford, Amanda	Received
3	Tow Desk printouts	Hearings Office	Received
4	Hearing Notice	Hearings Office	Received
5	Tow Hearings Process Info. sheet	Hearings Office	Received
6	Duplicate of exh. 1	Ford, Amanda	Received
7	Duplicate of exh. 2, but legible	Ford, Amanda	Received
8	Photos - 2 pages	Ford, Amanda	Received
9	Investigation Report	Police Records	Received
10	Towed Vehicle Record	Police Records	Received
11	LEDS printout	Police Records	Received