



CITY OF  
**PORTLAND, OREGON**  
HEARINGS OFFICE

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**HEARINGS OFFICER'S ORDER**

APPEAL OF JOY EGGERICHS

CASE NO. 1080265

DESCRIPTION OF VEHICLE: Mazda 3 (OR 885DNS)

DATE OF HEARING: August 29, 2008

APPEARANCES:

Joy Eggerichs, Appellant

Debra Barklay, for the City

HEARINGS OFFICER: Mr. Gregory J. Frank

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

Ms. Eggerichs appeared and testified on her own behalf. Parking Patrol Deputy Barklay appeared and testified on behalf of the City. The Hearings Officer makes this decision based upon the testimony of Ms. Eggerichs and Deputy Barklay, and the exhibits admitted into the evidentiary record (Exhibits 1 through and including 9).

Deputy Barklay testified that she cited, multiple times, Ms. Eggerichs' vehicle for being parked in a 1 hour limit zone for more than 1 hour. Deputy Barklay acknowledged that Ms. Eggerichs' vehicle had an "L" zone parking permit displayed. However, Deputy Barklay testified that the "L" zone permit (stated on the back of the permit) does not allow parking in violation of posted parking restrictions, such as the 1 hour time limit.

The Hearings Officer finds that Ms. Eggerichs did not intentionally violate any City of Portland parking restriction. However, it appears to the Hearings Officer, that Ms. Eggerichs was not fully informed of the limitations of the "L" zone area parking permit; in particular that she could not park her vehicle, even with the "L" zone permit, in the 1 hour limit area for an excess of 1 hour.


The Hearings Officer finds that Deputy Barklay followed the relevant laws/rules when ordering the tow of Ms. Eggerichs' vehicle on August 12, 2008. 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: September 4, 2008

GJF: rs/cb



Gregory J. Frank, Hearings Officer

Bureau: Parking Enforcement

Tow Number: 22509

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Hearing request letter	Eggerichs, Joy	Received
2	Circuit Court Judgment	Eggerichs, Joy	Received
3	Tow Receipts	Eggerichs, Joy	Received
4	Order to Tow Vehicle	Eggerichs, Joy	Received
5	Tow Desk printout	Hearings Office	Received
6	Hearing Notice	Hearings Office	Received
7	Tow Hearings Process Info. sheet	Hearings Office	Received
8	Tow Hearing Report	Parking Enforcement	Received
9	Parking Violation	Parking Enforcement	Received