



CITY OF  
**PORTLAND, OREGON**  
HEARINGS OFFICE

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**HEARINGS OFFICER'S ORDER**

APPEAL OF JUDY HANEY

CASE NO. 1080305

DESCRIPTION OF VEHICLE: Infiniti J30 (OR WQU398)

DATE OF HEARING: October 21, 2008

APPEARANCES:

Judy Haney, Appellant

HEARINGS OFFICER: Mr. Gregory J. Frank

Ms. Haney appeared and testified on her own behalf. The Hearings Officer makes this decision based upon the testimony of Ms. Haney and exhibits 1 through and including 9 which were admitted into the evidentiary record with no objection by Ms. Haney.

The towing officer's report (Exhibit 7) stated that a complaint was received about the Ms. Haney's vehicle blocking a bike lane and traffic flow, and that the vehicle was completely blocking the bike lane and extending into the traffic lane to point that traffic was crossing the center line into oncoming traffic to pass the car. The officer provided photographs showing what was described (Exhibit 8).

Ms. Haney testified that she does not live in Portland and was in town to visit her daughter. Ms. Haney stated that a number of vehicles were parked on the blockface where she eventually parked (NW Vaughn); only one spot remaining. Ms. Haney stated that she parked her vehicle at this location because of the other cars parked, and also because she saw no restrictive parking signs or street markings (such as Bike Lane). Ms. Haney stated that she did not know that the location where she parked was in a bike lane.

The Hearings Officer finds that Ms. Haney's testimony is credible. However, the Hearings Officer also finds that the written report (Exhibit 7) provided by the officer ordering the tow is credible. The Hearings Officer finds that Ms. Haney identified the vehicle pictured in Exhibit 8 as her vehicle. The Hearings Officer finds that Ms. Haney acknowledged the white painted line running midway under her vehicle.

The Hearings Officer finds that Ms. Haney was parked in a bike lane in violation of Portland City Code 16.30.220 and subject to being towed, without prior notice. The Hearings Officer finds that the location where Ms. Haney parked her vehicle impeded the normal flow of vehicular and bicycle traffic. The Hearings Officer finds that the tow of Ms. Haney's vehicle on October 10, 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: October 22, 2008  
GJF: rs/cb

  
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Gregory J. Frank, Hearings Officer

Bureau: Parking Enforcement  
Tow Number: 26940

Enclosure

<b>Exhibit #</b>	<b>Description</b>	<b>Submitted by</b>	<b>Disposition</b>
1	Hearing request letter	Haney, Judy	Received
2	Tow receipt	Haney, Judy	Received
3	Tow Desk printout	Hearings Office	Received
4	Hearing Notice	Hearings Office	Received
5	Tow Hearings Process Info. sheet	Hearings Office	Received
6	Request to reschedule	Haney, Judy	Received
7	Tow Hearing Report	Parking Enforcement	Received
8	Parking Violation and Photos	Parking Enforcement	Received
9	Hearing Notice	Hearings Office	Received