



CITY OF  
**PORTLAND, OREGON**  
HEARINGS OFFICE

1900 S.W. 4<sup>th</sup> Avenue, Room 3100  
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**HEARINGS OFFICER'S ORDER**

**APPEAL OF CHARLES AND JULIE CAMP**

CASE NO. 1080307

DESCRIPTION OF VEHICLE: CYG RUN (Boat) OR 657SA

DATE OF HEARING: October 21, 2008

**APPEARANCES:**

Charles and Julie Camp, Appellants

HEARINGS OFFICER: Mr. Gregory J. Frank

Mr. Charles Camp and Ms. Julie Camp appeared and testified on their own behalf. The Hearings Officer makes this decision based upon the testimony of Mr. and Ms. Camp, and the exhibits admitted into the evidentiary record (exhibits 1 through and including 10).

Ms. Camp testified that her boat was on the public right-of-way and was towed from the public right-of-way. Ms. Camp testified that the boat was parked in front of her residence and that she observed no tow warning placed anywhere on the boat or boat trailer. Mr. Camp testified that the day prior to the boat being towed he received a telephone call from a neighbor informing him that "Multnomah County had been out looking at his boat." Mr. Camp stated that immediately following the telephone call he went out to the boat/trailer and inspected it. He stated that he even took off the tarp and looked at the boat carefully. Mr. Camp stated that nowhere on the boat or trailer did he find a tow warning notice. Mr. Camp stated that because of the proximity of the boat/trailer to his residence he had ample opportunity to view the boat/trailer and at no time did he observe a tow warning.

The Hearings Officer found Mr. and Ms. Camp to be credible witnesses. Although reluctant to make a finding contrary to the officer's report (Exhibit 5) the Hearings Officer does find that the City failed to carry its burden that a tow warning notice was placed on the boat/trailer. The Hearings Officer finds that the tow 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: October 23, 2008  
GJF: cb

  
Gregory J. Frank, Hearings Officer

Bureau: Abandoned Autos  
Tow Number: 26762

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	Camp, Charles & Julie	Received
2	Tow desk printout	Hearings Office	Received
3	Hearing notice	Hearings Office	Received
4	Tow hearing info. sheet	Hearings Office	Received
5	Tow Hearing Report	Abandoned Autos	Received
6	Tow Detail	Abandoned Autos	Received
7	Request for hearing with updated info.	Camp, Charles & Julie	Received
8	Photos (2)	Camp, Charles & Julie	Received
9	Title for boat &/or boat trailer	Camp, Charles & Julie	Received
10	Registration/Title for boat &/or boat trailer	Camp, Charles & Julie	Received
11	Receipt	Camp, Charles & Julie	Received