



CITY OF
PORTLAND, OREGON
HEARINGS OFFICE

1900 S.W. 4th Avenue, Room 3100
Portland, Oregon 97201
Telephone: (503) 823-7307
FAX: (503) 823-4347
TDD (503) 823-6868

www.portlandonline.com/auditor/hearings

HEARINGS OFFICER'S ORDER

APPEAL OF PATRICK BUTTERFIELD

CASE NO. 1080340

DESCRIPTION OF VEHICLE: Honda Accord (OR 355AQZ)

DATE OF HEARING: December 2, 2008

APPEARANCES:

Appellant did not appear

HEARINGS OFFICER: Mr. Ian Simpson

The Hearings Officer, on substantial evidence and based upon the record as a whole, and receiving Exhibits 1 through 8 into the record without objection, finds as follows:

The towing officer's report (Exhibit 6) stated that the appellant's vehicle was towed because the appellant's driver's license was suspended for failure to appear at court.

The appellant admitted in his request for a hearing (Exhibit 1) that he was driving while suspended.

Given these circumstances, the Hearings Officer finds that this was a valid tow. Please note the relevant City Code sections below concerning this matter.

16.30.220 Towing Without Prior Notice.

(Amended by Ordinance Nos. 165980, 170912, 176352, and 176442, effective May 1, 2002.) Any authorized officer may, without prior notice, order a vehicle towed, when:

K. A police officer has probable cause to believe that the vehicle's operator has committed any of the following offenses:

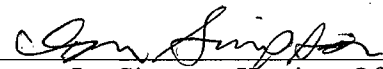
2. Driving while suspended or revoked (ORS 811.175 or ORS 811.182);
license within the previous 60 days.

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: December 5, 2008

IS: rs/cb



Ian Simpson, Hearings Officer

Bureau: Police
Tow Number: 30579

Enclosure

| Exhibit # | Description | Submitted by | Disposition |
|-----------|----------------------------------|----------------------|-------------|
| 1 | Hearing request letter | Butterfield, Patrick | Received |
| 2 | Tow Desk printout | Hearings Office | Received |
| 3 | Hearing Notice | Hearings Office | Received |
| 4 | Tow Hearings Process Info. sheet | Hearings Office | Received |
| 5 | Towed Vehicle Record | Police Records | Received |
| 6 | Traffic Violation Tow Report | Police Records | Received |
| 7 | Notice of Impoundment Towing | Police Records | Received |
| 8 | Citation | Police Records | Received |