



CITY OF  
**PORTLAND, OREGON**  
HEARINGS OFFICE

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**HEARINGS OFFICER'S ORDER**

APPEAL OF JESSICA JAEGER

CASE NO. 1080357

DESCRIPTION OF VEHICLE: Toyota Corolla (OR VFF168)

DATE OF HEARING: December 18, 2008

APPEARANCES:

None

HEARINGS OFFICER: Mr. Ian Simpson

The Hearings Officer, on substantial evidence and based upon the record as a whole, and receiving Exhibits 1 through 7 into the record without objection, finds as follows:

The appellant submitted a letter (Exhibit 8) after the record closed, and so it was not received into the record.

The towing officer's report (Exhibit 5) stated that the appellant's vehicle was towed on December 5, 2008 at about 8:30 a.m. because it was parked where no parking barricade signs for street sweeping were posted on the curb. The signs had been verified as being in place on December 3 at 2:17 p.m., and the required 24-hour notice period had passed. There were about five to seven signs on the block. The officer provided a photograph (Exhibit 6) showing the vehicle next to one of the signs.

The appellant stated in her request for a hearing (Exhibit 1) that she saw one of the street sweeping signs when she parked. The sign was facing away from the appellant, and so she did not see the information about not parking the next morning.

In examining the photograph provided by the officer, the Hearings Officer finds that one of the signs was posted very closely to the appellant's vehicle. The appellant could have easily read the sign to see what the restriction was.

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

**16.30.210 When a Vehicle May be Towed.**

(Amended by Ordinance Nos. 172788 and 179141, effective March 23, 2005.) A vehicle may be towed and held at the expense of the owner or person entitled to possession thereof from:

A. Any public right-of-way, public park or other public place or property, when:

1. The vehicle is parked in violation of a temporary or permanent parking restriction;

D. Temporary parking restrictions may be enforced by tow 24 hours after placement in any non meter area.

E. Temporary parking restrictions may be enforced by tow if the space reservation device and/or signs are in place by 12:30 p.m. the prior day in any meter district.

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 19, 2008  
IS: rs

  
Ian Simpson, Hearings Officer

Bureau: Parking Enforcement  
Tow Number: 32481

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Hearing request letter	Jaeger, Jessica	Received
2	Tow Desk printout	Hearings Office	Received
3	Hearing Notice	Hearings Office	Received
4	Tow Hearings Process Info. sheet	Hearings Office	Received
5	Tow Hearing Report	Parking Enforcement	Received
6	Parking Violation and photo	Parking Enforcement	Received
7	12/14/08 letter	Jaeger, Jessica	Received
8	12/14/08 letter	Jaeger, Jessica	Submitted After Record Closed