



CITY OF
PORTLAND, OREGON
HEARINGS OFFICE

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HEARINGS OFFICER'S ORDER

APPEAL OF MARY DANGERFIELD

CASE NO. 1080378

DESCRIPTION OF VEHICLE: Chrysler PT Cruiser (CA 5WPT739)

DATE OF HEARING: December 23, 2008

APPEARANCES:

None

HEARINGS OFFICER: Mr. Gregory J. Frank

A Notice of Hearing was sent to Ms. Dangerfield, at the address she provided, on December 18, 2008. The Notice of Hearing indicated the date/time/place of the hearing and also gave instructions for requesting a postponement. Ms. Dangerfield did not contact the Hearings Office following the sending of the Notice of Hearing. Ms. Dangerfield did not request a postponement. Ms. Dangerfield did not appear at the hearing. The Hearings Officer makes this decision based upon the exhibits in the evidentiary record (exhibits 1 through and including 5).

Ms. Dangerfield, in her letter requesting a hearing (exhibit 1) stated that she did not believe the tow of her vehicle on December 5, 2008 was valid because (1) she did not receive written and/or mailed notice of the street cleaning, and (2) that she did not see the signs "posted on the curb."

A vehicle may be towed for violation of a temporary no parking sign if the sign was placed/verified at least 24 hours prior to the tow (Portland City Code 16.30.210 D.). A vehicle may be towed without prior notice if the vehicle is parked in a conspicuously posted restricted space (Portland City Code 16.30.220 B.) The Hearings Officer finds there is no Portland City Code requirement that a mailed notice be sent to vehicle owners. The Hearings Officer finds that generally notice of "Sweep Tows" is sent to area residents; but that notice is not required.

The Hearings Officer finds that Ms. Dangerfield's statement indicated that she did not see the signs posted at the curb. The Hearings Officer finds that temporary no parking signage was posted in a timely manner and that the tow of Ms. Dangerfield's vehicle on December 5, 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: December 30, 2008
GJF: rs



Gregory J. Frank, Hearings Officer

Bureau: Parking Enforcement
Tow Number: 32499

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Hearing request letter	Dangerfield, Mary	Received
2	Tow Receipt	Dangerfield, Mary	Received
3	Tow Desk printout	Hearings Office	Received
4	Hearing Notice	Hearings Office	Received
5	Tow Hearings Process Info. sheet	Hearings Office	Received