

**ORDINANCE No. 187925**

Amend Towing Code to allow immobilization of vehicles to give owners an opportunity to pay outstanding parking fines before a tow (Ordinance; amend Code Chapter 16.30).

The City of Portland ordains:

Section 1. The Council finds:

1. Traditionally, Parking Enforcement Division of the Bureau of Transportation tows vehicles that have outstanding unpaid parking citations.
2. Towing adds potentially hundreds of dollars to the costs borne by the vehicle owner responsible for the delinquent parking citations.
3. Vehicle immobilization will give a vehicle owner an opportunity to pay delinquent parking citations without incurring the cost of towing and storage.
4. Vehicle immobilization provides the City of Portland an additional tool to address the significant number of vehicles that have delinquent parking citations.
5. City Code Section 16.30.100.A, which authorizes city officials to order tows of vehicles should be amended to clarify the authority of police officers and parking enforcement officers to order vehicle tows.
6. City Code Section 16.30.240, which authorizes tows pursuant to a court order, should be amended to allow city officials to immobilize vehicles to give the vehicle owner an opportunity to pay outstanding parking fines before an official orders a tow.
7. City Code Section 16.30.450.D should reference Multnomah County Circuit Court and not the District Court.

NOW, THEREFORE, the Council directs:

a. Code Subsection 16.30.100 A. is amended as follows:

- A. Any parking enforcement officer, police officer, or other officer authorized by the City Council or by City Code may order a vehicle towed as provided in this Title.

b. Code Section 16.30.240 is amended as follows:

16.30.240 Towing and immobilization upon Order of Circuit Court.

- A. Vehicles that have been used in the commission of a traffic or parking violation, for which an unserved warrant or citation is on file with the

Multnomah County Circuit Court clerk, may be immobilized and towed upon order of the court Circuit Court.

B. For the purposes of this Section, "immobilized" means the application of a device commonly known as a "boot", which clamps and locks on to the wheel and impedes vehicle movement.

C. Any officer authorized by the City Council or by City Code to order a vehicle tow is authorized to immobilize a vehicle or order a vehicle immobilized as provided in this Section.

c. Code Subsection 16.30.450 D. is amended as follows:

D. Owners of vehicles towed or immobilized by order of the District Multnomah County Circuit Court pursuant to Subsection 16.30.240 are not entitled to a hearing pursuant to this Chapter.

Passed by the Council, **AUG 03 2016**  
Commissioner Steve Novick  
Prepared by: Donald Hunter: tlick  
Date Prepared:

Mary Hull Caballero  
Auditor of the City of Portland  
By *Gayle Jennings*

Deputy

Agenda No.  
**ORDINANCE NO. 187925**

Title

Amend Towing Code to allow immobilization of vehicles to give owners an opportunity to pay outstanding parking fines before a tow (Ordinance; amend Code Chapter 16.30).

INTRODUCED BY Commissioner/Auditor: <b>COMMISSIONER STEVE NOVICK</b>	CLERK USE: DATE FILED <u>JUL 19 2016</u>
COMMISSIONER APPROVAL	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
Mayor—Finance and Administration - Hales	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	<p>ACTION TAKEN:</p> <p><i>Steve Tomlin FOR LEAH TREAT 7/7/16</i></p> <p><b>JUL 27 2016 PASSED TO SECOND READING AUG 03 2016 9:30 A.M.</b></p>
Position 4/Safety - Novick <i>aw</i>	
BUREAU APPROVAL	
Bureau: <b>Transportation</b> Transportation Systems Management Group Manager: Dave Benson Director: Leah Treat	
Prepared by: Dave Benson/tick Date Prepared: 06/27/2016	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances <i>Toni</i>	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>64</i>	
Council Meeting Date <b>July 27, 2016</b>	

**AGENDA**

**TIME CERTAIN**   
Start time: 3pm

**Total amount of time needed: 15**  
(for presentation, testimony and discussion)

**CONSENT**

**REGULAR**   
Total amount of time needed: 15 minutes  
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick <i>→</i>	4. Novick	✓	
Hales	Hales	_____	