

## **ORDINANCE No.**

Amend Towing and Disposition of vehicles Code to clarify when a vehicle may be towed (Ordinance; amend Code section 16.30.210)

The City of Portland ordains:

Section 1. The Council finds:

1. The purpose of the Portland Bureau of Transportation's Parking Enforcement Division is to ensure equitable and convenient access to parking in the public right-of-way.
2. The Parking Enforcement Division relies on the authority vested in City Code to enforce temporary street use permits to reserve on-street parking to facilitate, for example, loading/unloading for events, short term construction/utility work, tree trimming.
3. The Parking Enforcement Division also works closely with other City of Portland groups to complete official City business, such as Leaf Day Pickup which begins in November.
4. The proposed amendment is intended to clarify to the public when a vehicle may be towed within the meter district if the proper device or signage is installed that reserves parking spaces.
5. The proposed amendment is also intended to clarify to Parking Enforcement under what conditions a valid tow can be ordered on a vehicle in the meter district.

NOW, THEREFORE, the Council directs:

- a. Amend Code section 16.30.210, as set forth in Exhibit A.

Passed by the Council,

Commissioner Chloe Eudaly  
Prepared by: Donald Hunter  
Date Prepared: 10/28/2019

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

Deputy

## Exhibit A

### 16.30.210 When a Vehicle May be Towed.

(Amended by Ordinance Nos. 172788, 179141 and 187261, effective July 15, 2015.) A vehicle may be towed and held at the expense of the owner or person entitled to possession thereof from:

#### A. – D. – No Change

E. Temporary parking restrictions may be enforced by tow in any meter district if the space reservation device ~~and/or~~ signs are in place, and verified, ~~during the prior day before or:~~

1. By 12:30 p.m. the prior day if the meters are in effect until 6 p.m. within the meter district; ~~or;~~ Towing may continue each day for the duration of the temporary parking restrictions days and times, and no additional verification is required; or,
2. By 1:30 p.m. the prior day if the meters are in effect until 7 p.m. or later within the meter district. Towing may continue each day for the duration of the temporary parking restrictions days and times, and no additional verification is required.

## IMPACT STATEMENT

**Legislation title:** \*Amend Towing and Disposition of vehicle Code to clarify when a vehicle may be towed (Ordinance; amend Code section 16.30.210)

**Contact name:** Donald Hunter Sr.

**Contact phone:** 503-823-6834

**Presenter name:** Donald Hunter Sr.

### **Purpose of proposed legislation and background information:**

- The proposed amendment is intended to clarify when a vehicle can be towed from the public right-of-way in the meter district. Code requires that parking spaces be properly equipped with a reservation device or sign at least the day prior before a tow can be ordered.
- Properly reserved parking spaces specify a period of time that the reservation is for. For example, a temporary parking sign that says, "no parking from 10/28/19 to 11/1/19 from 8 a.m. to 5 p.m.," has historically been understood (and standard practice has reinforced) to mean that the reservation and ability to tow a vehicle extends throughout the period specified.
- It is important to clarify that the reservation stays in effect for the duration of the specified time, that towing may continue each day for the duration of the posted days and times, and that devices and signs only need to be posted once before the reservation period and not each day of the reservation for tows to be valid.

### **Financial and budgetary impacts:**

- As proposed, the changes to Chapter 16.30.210 has no financial and Budgetary impacts.

### **Community impacts and community involvement:**

- This proposal has no community impacts. There was no community involvement.

### **Budgetary Impact Worksheet**

#### **Does this action change appropriations?**

- YES:** Please complete the information below.  
 **NO:** Skip this section

KK 10-30-19