

**AN ORDINANCE AMENDING BEAVERTON CODE SECTION 6.02.803  
RELATING TO COURT PROCEDURES ON PARKING, AND  
DECLARING AN EMERGENCY**

**Whereas**, the City of Beaverton would like to establish Court procedures on parking that provide adequate notice to persons who have received parking citations yet still make efficient use of City resources;

**Whereas**, the City's Municipal Court electronic system has a firm deadline of June 2019 and a failure to meet that deadline could severely burden the City's resources; and

**Whereas**, the City requires these procedures to take effect to meet the June deadline.

**NOW, THEREFORE,**

**THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:**

**Section 1.** Beaverton Code Section 6.02.803 is amended as follows:

**6.02.803 Procedures without a Hearing for Parking Violations**

A. A Beaverton municipal judge may proceed to make a determination and enter a judgment on a parking citation without a hearing if:

1. None of the registered owners of the vehicle appear within the time allowed in the Beaverton Municipal Court;
2. Notice of the parking citation and the provisions of this section are mailed to the registered owner or owners of the vehicle at the address or addresses reflected in the records of the Department of Transportation; and
3. No request for a hearing is filed with the court within the time provided on the citation.

In no event shall a judgment be taken sooner than 60 days from the date of the citation and without prior notice by mail to the person against whom the judgment is taken.

B. A Beaverton municipal judge may proceed to make a determination and enter a judgment without a hearing if at least one of the registered owners appears within the time allowed in Beaverton Municipal Court and requests a hearing, but thereafter fails to appear at the time and date set for any subsequent hearing in the matter. If a determination is made under this subsection and a judgment is entered, the Beaverton Municipal Court shall then mail notice of any sentence and judgment to the registered owner or owners of the vehicle at the address or addresses reflected in the records of the Department of Transportation or the most recent address on file with Beaverton Municipal Court.

C. A determination under this section shall be on the citation and on any evidence that a Beaverton municipal judge may, in his or her discretion, determine to be appropriate.

D. Upon making a determination under this section, a Beaverton municipal judge may enter judgment, and, if the determination is one of conviction, may impose a sentence of a fine within the limits established for the parking violation along with a money award for costs, assessments, and other amounts authorized by law.

E. On motion and upon such terms as are just, a Beaverton municipal judge may relieve a person from a judgment entered in this section upon a showing that the failure of the person to appear was due to mistake, inadvertence, surprise or excusable neglect. The motion must be made within a reasonable time, and in no event more than one year after entry of judgment in the matter.

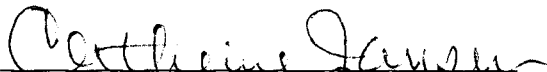
**Section 2.** This ordinance being necessary for the immediate preservation of the public health, peace and safety, an emergency is declared to exist and this ordinance takes effect on its passage.

First reading this 16<sup>th</sup> day of April, 2019.


Second reading and passage by this Council this 7<sup>th</sup> day of May, 2019.

Approved by the Mayor this 8<sup>th</sup> day of May, 2019.

ATTEST:

  
CATHERINE L. JANSEN, City Recorder

APPROVED:

  
DENNY DOYLE, Mayor