

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

In the Matter of the Appeal of James
Weaver, dba Abes Second Hand Store

RESOLUTION
AND ORDER
91-82

WHEREAS, pursuant to MCC 6.81, James Weaver, dba Abes Second Hand Store, applied for a permit to do business, and

WHEREAS, the permit request was denied by the City Bureau of Licenses, acting as agent for the County, and

WHEREAS, Mr. Weaver appealed the denial to the Board, and

WHEREAS, the record supporting the denial is voluminous, consisting of nearly 3,000 pages, and

WHEREAS, in the interests of fairness and efficient use of Board resources, the Board wishes to remand this matter to a Hearings Officer to afford Mr. Weaver the opportunity to respond to the record and to have prepared for Board review a Proposed Final Order, and

WHEREAS, the Board is advised that the City of Portland is considering procedural and other amendments to the City's second hand dealer regulations, which regulations parallel the County Code, and

WHEREAS, the Board desires to maintain uniform regulations with the City on this subject,

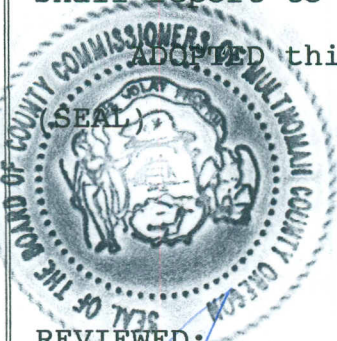
THEREFORE, BE IT RESOLVED AND ORDERED:

1. The appeal by Mr. Weaver is remanded to a Hearings Officer who shall review the record, conduct further proceedings as necessary to comply with legal requirements, and prepare a proposed Final Order, Findings of Fact, and Conclusions of Law and submit them to the Board as soon as is reasonably practical; the Chair is authorized to designate a Hearings Officer; and

2. The Sheriff's Office shall prepare and submit to the Board as soon as possible amendments to MCC Chapter 6.81, which shall take into account legal requirements stemming from recent

1 court decisions, the Board's desire for uniformity with City
2 regulations, and efficient use of County resources. The Sheriff
shall report to the Board within 60 days of this Order.

3 ADOPTED this 6th day of June, 1991.



4 By Gladys McCoy
5 Gladys McCoy, Chair
6 Multnomah County, Oregon

7 REVIEWED:

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9 By Laurence Kressel
10 Laurence Kressel, County Counsel
For Multnomah County, Oregon

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