

**The Ordinance Regulating  
Traffic and Parking  
On the Campus of  
Fayetteville State University**

**INTRODUCTION**

This Ordinance defines the general operations and policies for traffic and parking on the campus of Fayetteville State University. The provisions set forth in this Ordinance are designed to ensure the safety and protection of all users of the system.

**Effective Date**

**January 1, 2000**

**Be it ordained by the Board of Trustees of Fayetteville State University, pursuant to Chapter 116, Article 1, Part 6 of General Statutes of North Carolina:**

## **ARTICLE I. GENERAL PROVISIONS**

All students and employees of the university are required to purchase parking decals that operate motor vehicles on the Campus of Fayetteville State University.

### **Sec. 1-1. Definitions**

The words and phrases defined in this section have the meaning indicated when used in this Ordinance, unless the context clearly requires another meaning:

1. "Campus" means all property that (i) is owned or leased in whole or in part by the State of North Carolina, (ii) is subject to the general oversight of the Board of Trustees of Fayetteville State University, and (iii) is located within Fayetteville, Cumberland Co., North Carolina, excepting and excluding:
  - a. property leased to another not located within one of the areas set out in Sec.3-3;
  - b. the university donated property;
  - c. property held for use as an official residence for administrative officers of Fayetteville State University.
2. "Motor vehicle" means every licensed vehicle that is self-propelled and every vehicle designed to run upon the highway that is pulled by a self-propelled vehicle. This includes automobiles, trucks, motorcycles and any other licensed motor-powered, passenger-carrying device.
3. "Park" means to leave a motor vehicle unattended by any person authorized to, or capable of, moving it immediately upon the direction of a law or traffic enforcement officer. Notes in vehicles, activated hazard lights, or a running engine do not render the vehicle "attended."
4. "Chancellor" means the Chancellor of Fayetteville State University or his/her delegate.
5. "Visitor" means any individual other than a student or employee of Fayetteville State University.

6. "Moped/Motorbike", that means every two-wheeled vehicle that is self propelled by means of a motor and that is not licensed by the State of North Carolina, and is capable of carrying passenger(s).
7. "Bicycle" means every device propelled by human power upon which any person may ride, and supported by either two tandem or three wheels, one of which is sixteen inches or more in diameter. "Abandoned bicycles" are those which have not been moved from the same location for a period of two weeks or longer.
8. "Booting" means to immobilize a vehicle through the use of a device designed to be attached to the rear tire / wheel that renders the vehicle inoperable.
9. "Parking Coordinator" means a department-assigned staff member who acts as a liaison with the Fayetteville State Police Department.
10. "Parking Permit" means any identification assigned by the Fayetteville State University Police Department.
11. "State-owned Vehicles" are all vehicles, Service and Non-service, owned by the State of North Carolina.
12. "State-owned Non-Service Vehicles" are vehicles owned by the State of North Carolina and used by campus departments for the purposes of intercampus travel (i.e., attending meetings, processing paperwork, etc.), off-campus destination travel, and not used to provide special services as part of their ongoing work responsibilities as defined by the definition of State-owned Service Vehicles.
13. "State-owned Service Vehicles" are vehicles owned by the State of North Carolina that are used by campus departments to perform clearly defined special services (e.g., mail services, repair/maintenance services, police services, security services, grounds services, computer support services, etc.) as part of their ongoing work responsibilities for Fayetteville State University.
14. "Employee" means all full-time and part-time employees who hold permanent, probationary, trainee, temporary, time-limited or intermittent appointments with the university.
15. "Student" includes any person who is currently enrolled at the university.

**Sec. 1-2. Regulating and Delegating of Authority**

1. The Chief of Police is authorized to adopt and promulgate such rules and regulations and to establish such administrative procedures as he/she may deem necessary or advisable for the administration, interpretation, and enforcement of this Ordinance.
2. The Chief of Police may delegate administrative responsibilities imposed on him/her by this Ordinance to the Administrative and Patrol Captain or other personnel of the university that he may designate.
3. The Police Department operates twenty-four hours a day, seven days a week. In-office customer service is available from 8:00 a.m. until 5:00 p.m., Monday through Friday, except on university-recognized holidays. Regulations are enforced 24 hours a day.

**Sec. 1-3. Posting Notice of Ordinance and Regulations**

The Chief of Police, through his designated administrative officers, shall cause to be posted a public notice of traffic and parking restrictions imposed by or pursuant to the authority of this Ordinance and by Chapter 116, Article 1, Part 6 of the General Statutes of North Carolina. Once posted, these restrictions are in effect at all times unless otherwise stated.

**Sec. 1-4. Publications of Ordinance and Regulations**

The Chief of Police, through his administrative personnel, shall cause copies of this Ordinance and regulations issued pursuant hereto to be printed and made available to students, faculty, and employees of the university.

**Sec. 1-5. Filing of Ordinance and Regulations**

A certified copy of this Ordinance and all regulations issued hereunder, except temporary police regulations, shall be filed in:

1. the Office of the Chancellor of Fayetteville State University;

2. the Office of the Vice Chancellor for Business Affairs of Fayetteville State University;
3. the Office of the Secretary of the State of North Carolina;
4. the Office of the FSU Chief of the Police Department, and
5. the Office of Student Affairs.

#### **Sec. 1-6. Liability**

Fayetteville State University assumes no liability or responsibility for damage or theft to any vehicle parked in or on university properties subject to the jurisdiction or control of the Board of Trustees of the university. The provisions of this Ordinance shall apply to all operators of all vehicles, public and private, and they shall be enforced twenty-four hours a day except as otherwise specified by this Ordinance. It shall be unlawful for any operator to violate any of the provisions of this Ordinance except as otherwise permitted by The Ordinance or General Statutes of North Carolina.

The operator of any vehicle shall obey the lawful instruction of any law enforcement officer, parking control officer, official traffic signs or control devices appropriately placed and in accordance with provisions of these regulations.

#### **Sec. 1-7. Cooperation with Civil Authorities**

The Chief of Police shall cooperate with all law enforcement authorities of the State of North Carolina and its political subdivisions in enforcing this Ordinance and issuing regulations hereunder. When the City of Fayetteville enacts an Ordinance that, pursuant to G.S.116, 44.5, supersedes any portion of this Ordinance or any regulation issued hereunder, the Chief of Police shall, upon receiving a certified copy of such Ordinance from the town clerk, immediately cause to be removed all parking meters, signs and other devices or markings erected or placed on a public street by authority of the superseded Ordinance or regulations.

#### **Sec. 1-8. Rules of Evidence**

When a vehicle is found to be in violation of this Ordinance it shall be considered prima facie evidence that the vehicle was parked by:

1. The person to whom a university parking permit for the vehicle is registered.
2. (If no parking permit has been issued for the vehicle), the person, company, corporation or firm in whose name the vehicle is registered with the North Carolina Division of Motor Vehicles or the corresponding agency of another state or nation; or
3. The son, daughter, spouse, or ward of the registered owner enrolled in or employed with Fayetteville State University.

The prima facie rule of evidence established by Sec. 1-8 shall not apply to the registered owner of a leased or rented vehicle when said owner can furnish evidence that the vehicle was, at the time of the parking violation, leased or rented, to another person. In such instances, the owner of the vehicle shall, within reasonable time after notification of the parking violation, furnish the Police Department with the name and address of the person or company who leased or rented the vehicle.

**Sec. 1-9. Trust Accounts**

All monies received from parking fees and penalties imposed by this Ordinance, as well as any parking impact fees, shall be placed in trust accounts and may be used for the following purposes:

1. to defray the cost of administering and enforcing this Ordinance and Chapter 116, Article 1, Part 6 of the General Statutes of North Carolina;
2. to develop, maintain, and supervise parking lots, areas and facilities;
3. to provide escort service on the campus to students, faculty, and staff;
4. for any other purpose related to parking, traffic, transportation, on the campus.

**Sec. 1-10. Parking on Streets or Roads of the City of Fayetteville**

Except as expressly permitted by this Ordinance, it is unlawful for any person to park a motor vehicle:

1. on the campus of Fayetteville State University; and
2. on those portions of the following streets in the City of Fayetteville where parking is not prohibited by The Ordinance of the City of Fayetteville.
  - a. Both sides of Edgecomb Avenue
  - b. Both sides of Langdon Street
  - c. Both sides of Murchison Road
  - d. All Sidewalks
  - e. Any Landscape

Nothing in this Ordinance shall be construed as a recognition by the Board of Trustees of Fayetteville State University as a prescriptive easement in any street specifically named herein.

## **ARTICLE II. PAYMENTS AND COLLECTIONS**

### **Sec. 2-1. Payment Methods**

Payments owed to FSU Police Department for permits, citations, bus passes, visitor parking, etc. may be made in the following ways (the Department reserves the right or the ability to change payment for operational efficiency):

1. Checks or money orders (payable to FSU Police Department);
2. FSU Payroll Deduction (requires completed signed form);
3. University Account Adjustment Request (AJ-1) (to be used by university departments for transferring funds);
4. MasterCard/VISA;

### **Sec. 2-2. Replacement Fee**

A lost or stolen parking permit must be reported immediately to the Police Department. A lost permit will be replaced at a charge of \$15.00 or the face value of the permit, whichever is less. The replacement fee shall be refunded if the missing permit is found and returned to the Police Department.

A reported stolen permit will be replaced free of charge on a one time only basis. Permits reported lost or stolen may not be replaced without the approval of the Chief of Police.

### **Sec. 2-3. Returned Checks**

Any payment made by a check that is returned by the bank and not cleared upon notification shall necessitate that a hold be placed with the Business Office or that the amount be deducted from an employee's paycheck. Returned checks of non-affiliated individuals or companies will be forwarded to a collection agency if not cleared upon notification. A \$25.00 service charge shall be imposed for all returned checks.

### **Sec. 2-4. Collection Methods**

No Parking permits may be issued to any individual who has outstanding debts to the Police Department. Failure to pay debts within the required time frame can result in the university arranging for the collection of fees assessed against faculty, staff, students, and visitors in the following manner:

1. Debts owed by employees of the university may be deducted from payroll checks.
2. Debts owed by students necessitate that a "hold" status be placed with the University Registrar and the Business Office.
3. The Attorney General for the State of North Carolina may recommend the use of a collection agency to collect debts from individuals whose debts may not be collected by payroll deduction or by other means.
4. Debts owed by employees and students shall be forwarded to FSU Business Office for collection.
5. Failure to pay civil penalties or other just debts owed to the Department of Public Safety within 72 hours of the date of the citation(s) or incurrence of the debt will result in a late payment fee being assessed on each unpaid citation or other transaction that is equal to the assessed fine.
6. Debts owed by individuals not eligible for payroll deduction may be subject to garnishment of North Carolina State income tax refund.

### **Sec. 2-5. Civil Suits for Recovery of Penalties**

When the Chief of Police, in his sole judgment, determines that civil penalties validly imposed for violation of this Ordinance cannot or will not be collected through

normal administrative procedures, he may request the Attorney General of North Carolina to bring a civil action against the offender in the name of the State for the recovery of the penalty. The request on behalf of the university will be submitted by the Business Office.

## **ARTICLE III. PARKING**

### **Sec. 3-1. Method of Parking**

The Chief of Police shall cause each area in which parking is permitted by this Ordinance to be surveyed and developed for parking. Each parking space shall be defined by appropriate signs and painted lines (when the parking area is paved). When parking spaces have been marked off in the area in which parking is lawful, vehicles shall be parked within the spaces so designated at all times.

1. It is unlawful at any time to occupy portions of more than one space when such is defined by painted lines or to park in any portion of the area not clearly designated parking.
2. When spaces are designated at an angle (diagonally) to a street curb or dividing median, vehicles shall be parked therein with the front of the vehicle next to the curb or median. When parking spaces are parallel to a curb or dividing median, vehicles shall be parked with the front of the vehicle facing the direction of travel authorized for that side of the street or driveway.
3. It shall be unlawful to park a vehicle in a lot that is not designated for use by the appropriate permit.
4. It shall be unlawful to park any vehicle in any manner that blocks a dumpster from being reached by Physical Plant Personnel.
5. It shall be unlawful to cause any vehicle to block a driveway or a roadway on the campus of FSU.

### **Sec. 3-2. Disabled Vehicles**

It is unlawful to leave a disabled vehicle parked in violation of this Ordinance without immediately notifying the University Police. If the vehicle is obstructing traffic, in a reserved space, or creating a hazard, it must be moved immediately.

No vehicle will be placed on the disabled vehicle list more than one time per month unless the operator will accept assistance from the University Police Personnel or a tow firm. Persons who exceed the limitations for placing their vehicle on the disabled list and do not accept assistance shall be subject to the appropriate penalty if the vehicle remains parked in violation of this Ordinance. If the Police Department has permits available for the lot in which the vehicle is parked, the operator may be required to purchase a permit rather than be placed on the disabled list.

**Sec. 3-3. Parking Zones**

Any person parking a motor vehicle in the parking lots and areas described in this section (3-3) must display the appropriate permit for that lot or parking area during those days and hours specified at the entrance to such lots or areas. Any vehicle parked without displaying a valid permit is subject to the issuance of a civil penalty, vehicle immobilization/booting, and/or towing.

If the assigned lot is full, a temporary permit for an alternate zone may be obtained from the Police Department.

It is unlawful to park a motor vehicle within any lot other than the one authorized by permit, as displayed on the registered motor vehicle. Vehicles displaying a valid Service Permit obtained through the FSU Police Department may park as indicated by use of those special permits and their related restrictions.

A guide that summarizes the regulations and a map depicting the parking zones is available at the Police Department. Parking lots are described as follows:

**East Campus Parking Lots**

- Lot A - Staff
- Lot A-1 - Admin
- Lot B - Staff
- Lot C - Staff
- Lot C-1 - Commuting
- Lot D - Staff
- Lot E - Staff
- Lot E-1 - Resident
- Lot F - Commuting
- Lot F-1 - Commuting
- Lot G - Resident

**West Campus Parking Lots**

- Lot H - Resident/Commuting
- Lot I - Staff
- Lot I-1 - Commuting
- Lot J - Staff
- Lot K - Commuting
- Lot L - Staff
- Lot M - Staff
- Lot N - Commuting
- Lot P - Visitor/Staff
- Lot Q - Resident
- Lot R - Staff

Lot W - Commuting

Lot R-1 - Resident

Lot X - Commuting

Lot S - Faculty/Staff

**West Campus Parking Lots**

Lot S-1 - Commuting

Lot U - Staff

Lot U-1 - Resident

Police

Infirmary

Hood Hall

**Sec. 3-4 Lot Permit Fees**

<b>Lot</b>	<b><u>Employee Fee</u></b>	<b><u>Student Fee</u></b>
B, R (Gated)	\$ 80.00	N/A
A, A-1, C, D, E, I, L, M, S, U	60.00	N/A
C-1, E-1, F, F-1, G, W, X, H, I-1, K, N, Q, R-1, S-1, U-1	N/A	\$ 45.00
Daily Temporary Permit	\$ 1.00	\$ 1.00

**Sec. 3-5 Special Event Parking**

The Chief of Police may cause any lot to be reserved Monday through Friday, after 5:00 p.m. and on selected weekends to accommodate special event parking, i.e., for concerts plays, athletics, and other events. A charge of \$2.00 per automobile and \$25 per bus may be charged for use of these lots. Excluded from this fee are lots approved for use under Section 3-5 (2,3), football and basketball parking.

Parking in certain lots or areas will be reserved for athletic events held in Bronco Stadium and the Capel Arena for specifically authorized persons. Management of the

lots or areas is the responsibility of the Police Department. Special permits are required and shall be issued and controlled by the FSU Police Department. Sample permits shall be provided to the Chief of Police.

The Chief of Police is authorized to remove and/or cite vehicles parked in reserved spaces prior to football and basketball games pursuant to Section 3-20. On the day that the relocation occurs, a list of all vehicles moved will be forwarded to the University Police.

1. Notification of Permit Holders – The Chief of Police will take one or more of the following steps to inform permit holders of special event parking policies:
  - a. Information mailed to all permit holders affected by special event parking,
  - b. Notices placed on vehicles at the beginning of football and basketball seasons,
  - c. Informational signs posted at the entrances to lots reserved for football, basketball, and other special events,
  - d. Press releases, and
  - e. Other methods as appropriate.
2. Football Parking
  - a. Parking in the following lots or areas, during football home game days, is Reserved for specifically authorized persons. Special permits issued and controlled by the Police Department are required for the following lots: (Sec 3-5 (4a).
  - b. Parking spaces in the following lots will be reserved for working employees with permits and others as defined by the Chief of Police. Those vehicles already parked in lots reserved for working employees will not be required to move:
  - c. Parking in the following lots is reserved for the Chancellor’s Office on football home game days. Vehicles already parked in these lots will be required to move.

3. Basketball Parking

- a. Parking is reserved for specifically authorized persons in the following lots or areas, Monday through Friday after 5:00 p.m. and on Saturdays and Sundays during basketball games held in the Capel Arena. Special permits issued and controlled by the Police Department are required for the following lots: (3-5, 4a).
- b. Parking spaces in the following lots will be reserved for working employees with permits and others as defined by the Chief of Police. Those vehicles already parked in these lots will not be required to move.
- c. The Chief of Police is authorized to designate other parking areas as public pay parking.

4. Concerts

- a. The following lots are reserved for pay parking for the public during concerts and other non-athletics events in the Capel Arena. Those vehicles already parked in these lots are not required to move:

Lot K

Lot S

Lot S-1

**Sec. 3-6 ~~Controlled-access~~ Lots**

The Chief of Police shall cause to be erected at the entrance and exit of each controlled-access lot or area defined in Sec. 3-3 a gate that can be opened and closed either by assigned methods of gate-control (gate card, access code, remote control) or by a gate attendant.

It is unlawful for vehicles to enter or park in controlled-access lots during the posted hours without paying the appropriate fee or displaying a valid permit for that parking zone. Whether or not a gate is open during the hours of parking is not an indication that an unauthorized vehicle may legally drive through and park in the gated lot.

It is unlawful for any person to deface, damage, tamper with, willfully break, destroy, impair the usefulness of, or open without lawful authority an entry or exit gate or equipment.

1. (Controlled-access lots: Gate-control access will be needed for entry into the designated controlled-access lot as specified at the entrance of such lots. It shall be unlawful to transfer or to use assigned access for vehicles not registered for that controlled area and for that card. A \$10.00 fee will be charged for replacing access card.

A sufficient number of parking spaces shall be reserved to accommodate Service Vehicles, State-owned Vehicles, motorcycles, visitors, and to meet special needs as they arise. The Chief of Police shall determine the precise location and status of reserved spaces. Reserved spaces for individuals or departments must be approved by the Chief of Police. The annual fee for reserved spaces shall be defined in Section 3-4.

It is unlawful for any unauthorized person to park a motor vehicle in a reserved space. Notice of the reserved status of a parking space shall be prominently posted at the space. Once posted, such spaces are reserved at all times unless otherwise indicated.

1. a. It is unlawful for non-disabled, affiliated individuals to display a disability State plate, State disability permit, or disabled veteran license plate.

Misuse of such plates or permits shall result in the issuance of a parking citation, immobilization, and/or imprisonment.

- b. A sufficient number of parking spaces shall be reserved to meet the needs of the disabled. It is unlawful to park a vehicle in a space posted for disability parking or in a manner denying access to a disability parking space or handicap access. Public disability spaces are reserved at all times unless otherwise indicated.
2. Sufficient areas shall be set aside for two-hour service zones for the use of persons making deliveries to and pick-ups from University buildings. The Chief of Police shall decide the precise size and location of each two-hour service zone. It is unlawful for any person to cause a motor vehicle to occupy a two-hour service zone for any purpose other than that for which the area is designated or without the appropriate permit.

3. A sufficient number of parking spaces shall be reserved to meet the needs of FSU affiliated disabled persons. It will be considered unlawful for any unauthorized person to cause a motor vehicle to occupy these designated spaces.

### **Sec. 3-7. Visitor and Conference Parking**

Departments may request parking spaces in one of the pay visitor parking lots (as described in Sec. 3-7) for guests attending conferences, meetings, and seminars. Parking may be available in fringe lots for visitor parking during the summer and academic breaks. A \$2.00 fee per permit may be charged.

### **Sec. 3-8. State-owned Vehicle Parking**

State Vehicles may park on campus as follows:

- a. State-owned Vehicles may park in any spaces specifically reserved for state vehicles for the amount of time indicated on the sign designating the space as a state vehicle space.
- b. State-owned Service Vehicles and State-owned Non-service vehicles may park in any spaces specifically reserved for service vehicles for the amount of time indicated on the sign and may park in any regular parking space for forty-eight hours.

All State vehicles owned or assigned to Fayetteville State University are required to display parking permits or recognized service logos as follows:

- c. Departments with State-owned Non-service Vehicles are required to complete a parking permit application for each such vehicle that the department intends to park in any campus space other than a space designated. Departments will be issued a permit and charged an annual fee equivalent to the employee gated parking rate as defined in Section 3-4 for each such vehicle.
- d. Departments with State-owned Non-service Vehicles that are parked only in the parking lot and accessed via transit are not required to purchase permits for such vehicles.

- e. Departments with State-owned Service Vehicles not displaying identifying logos must complete a parking application for each such vehicle. Departments will be provided permanent service permits for each such vehicle at no cost to the department.

State-owned Service and Non-service Vehicles are subject to parking enforcement actions as follows:

1. State-owned Service and Non-service Vehicles are prohibited from parking in a regular parking space for more than forty-eight hours and are subject to the issuance of a civil penalty, vehicle immobilization/booting and/or towing. It is permissible for State-owned Service and Non-Service vehicles to park in any lot for more than forty-eight hours.
2. State-owned Non-Service Vehicles not displaying a valid permit are subject to the issuance of a civil penalty, vehicle immobilization/booting and/or towing.
3. Certain regular parking spaces on campus may be restricted from use by State-owned Non-service Vehicles from time to time, in accordance with Section 3-20 (e.g., temporary parking restrictions due to a lot overcrowding.)

### **Sec. 3-9. Motorcycle/Moped/Motorbike Parking**

Licensed motorcycles, mopeds, and motorbikes (required by the State of North Carolina DMV to have a license) are required to purchase and display a FSU permit and must park in designated motorcycle parking areas. It is unlawful for motorcycles, mopeds, and motorbikes to park in any area of campus not designated as motorcycle parking, unless permit requirements are not in effect. Motorcycles may park at metered spaces upon activation of the meter.

In the case of a person wishing to register a combination of an automobile and a motorcycle, full payment will be required for the automobile permit, but there will be a charge of only \$25.00 for the additional motorcycle permit (motorcycle permits are at the full price when purchased in conjunction with F, P, or PR zone automobile permits). No more than one motor vehicle permit and one motorcycle permit shall be issued to any registrant.

### **Sec. 3-10. Temporary Parking Restrictions**

The Chief of Police is authorized to temporarily prohibit parking, stopping, or standing on driveways, streets, alleys, and parking lots on campus and on public streets in

this Ordinance, and to reserve parking spaces for special use when such action is necessary due to special events, emergencies, or construction. Temporary signs or barriers shall be posted, and a representative of the Police Department or other university officials shall give notice of regulations issued under this section. It is unlawful for any person to violate such regulations.

#### Overnight Parking Restrictions

Certain parking lots, parking areas, or parking spaces shall be restricted from overnight parking to ensure availability of the facilities during alternate hours. Signs and/or barriers shall be posted at these locations. It shall be unlawful for any person to violate such regulations.

#### **Sec. 3-11. Signs**

It is unlawful for any person to deface, damage, tamper with, break, destroy, impair the usefulness of, remove, relocate, steal, or possess any traffic or parking sign erected by the FSU Police Department. Possession of any such sign shall be prima facie evidence of the violation of this Ordinance section. Conviction for violation of this section may result in criminal prosecution, a fine, suspension, or expulsion from Fayetteville State University.

## **ARTICLE IV. PARKING PERMITS**

### **Sec. 4-1. Parking Permits**

The Chief of Police may issue permits to park in lots and areas described in Sec. 3-3 to employees or students of the university and to employees FSU and affiliated organizations operating on the campus upon payment of the appropriate fee. Permits shall be allocated among the faculty, students, and employees of the university, in a manner that will best serve the needs of the university community as a whole.

### **Sec. 4-2. Special Parking Permits**

The Chief of Police may issue special permits under the conditions and at the fees indicated in this section. Misuse of said permits shall result in confiscation of the permit and no further permits shall be issued for the remainder of the year. No refunds shall be issued on those permits requiring a paid fee. Persons found to be displaying said permits in violation of this section will be subject to the appropriate fine and impoundment of their vehicle.

1. Disability Permits: Disabled students and employees of FSU desiring parking on campus must obtain an "Handicap" permit by application, through the Police Department. An allocation of spaces will be made available to disabled users, based upon a physician's certification of need. Permits will be assigned from zones campus wide, and their cost will be the same as the regular zone permit. The Police Department will determine the zone based on need and availability. By displaying the permit, an individual may park in his assigned space or any unreserved space within his designated zone.
2. Carpool Permits: Those persons wishing to carpool may apply through their department jointly for a single transferable permit at no additional charge. Once issued, this permit will be transferable only among the vehicles in the carpool, as registered with the Police Department. This permit shall be displayed as provided in Sec. 4-3. Only one of the registered vehicles may be parked in the zone designated during enforcement hours.

3. Certain Board Members Permits: Special permits are issued to members serving on the:
  - a. Board of Trustees of Fayetteville State University, and
  - b. Board of Governors of the University of North Carolina,

Persons displaying these permits may park in any unreserved, zone space and in any service space. Normally, these permits shall not be valid for controlled-access lots.

4. Construction Permits: Contractors who need parking for storage of materials or supplies may purchase a permit for \$35.00 per month.
5. Reserved-at-all times Permits: The Chief of Police may issue a reserved-at-all times permit to a person, department, or school providing justification for said permit is met. Job duties and other functions associated with employment shall be considered (i.e. area directors required to live in residence hall.) The cost of the permit and space shall be as defined in Section 3-4 (Zone Permit Fees.)
6. Bicycle Permits: Students and employees of FSU are encouraged to display a bicycle parking permit. A bicycle registrant will be issued a free bicycle permit designed to be affixed to the bicycle frame as described in Sec. 4-3. Bicycle permits are not transferable.

**Sec. 4-3. Display of Permits**

The parking permit must be properly displayed at all times. Parking permits must be clearly visible and cannot be obscured in any manner. A violation of this section will result in the appropriate fine.

**Permit display options are:**

1. Hanging from the vehicle’s rearview mirror facing the front of the vehicle, clearly visible through the front windshield.
2. If the tint, slant, or other design factors of the vehicle obscure in any way the permit’s visibility, the permit should be displayed on the passenger side of the windshield in the lower corner.

3. Bicycle permits must be affixed to the rear upright frame bar supporting the seat of the bicycle.
4. Permits for motorcycles must be displayed on the fender so that it can be seen when viewing the license plate from behind the motorcycle or on the front fork, or on the State inspection plate. Permits for motorcycle covers must be permanently affixed on the top rear area of the motorcycle cover. The license plate number of the authorized motorcycle must be recorded on the motorcycle cover permit by the Police Department.
5. Permits for vehicles using car covers must be affixed permanently on the top center windshield portion of the cover. The license plate number of the authorized vehicle must be recorded on the permit by the Police Department. An additional permit must be displayed from the rearview mirror of the authorized vehicle. The license plate number of the vehicle will be recorded on the car cover by the Police Department.

#### **Sec. 4-4. Counterfeiting/Altering Parking Permits**

It is unlawful for any person to produce (or cause to be produced), to alter, or to display, without authority of the Chief of Police any parking permit, sticker, decal, gate card, or other device indicating eligibility to park on the campus of Fayetteville State University. Such permits shall be confiscated, no refunds may be issued, the violators will be issued a citation, the vehicles may be impounded or booted, and the violators may be ineligible for a parking permit for one calendar year. Prior to the release of the vehicle, the illegal permit must be surrendered to the Police Department.

#### **Sec. 4-5. Obtaining Parking Permits Through Unlawful Means**

It is unlawful for any person to obtain a parking permit by any means other than procedures established by the Chief of Police pursuant to this Ordinance, including but not limited to, obtaining such permits by theft, fraud, trickery, willful misrepresentation of fact, purchase from another, or gift from another. Such permits shall be confiscated, no refunds may be issued, the violators will be issued a citation, the vehicles may be impounded or booted, and the violators shall be ineligible for a parking permit for one calendar year. Violators will first meet the Chief of Police designated Hearing Officer, and then violations will be forwarded to the appropriate agency for disciplinary actions(s), i.e. the Student Affairs for Students, the Office of Human Resources and the department chair for SPA employees. Prior to the release of the vehicle, the illegal permit must be surrendered to the Police Department.

**Sec. 4-6. Unauthorized Display of Parking Permits**

The Chief of Police may issue regulations for the transfer of permits from one motor vehicle to another owned or used by the holder of the permit, and it is unlawful for a person in possession of such a permit to use it in any manner inconsistent with such regulations.

It is unlawful for any person in possession of a parking permit, whether that possession be lawful or unlawful, to give, sell, or otherwise transfer or to attempt to transfer it to another. It is unlawful for any person to display on a motor vehicle a parking permit not issued to that person for use with that specific motor vehicle or to display a lost, stolen, counterfeit, or an altered permit. Such permits shall be confiscated, no refunds shall be issued, the violators will be issued a citation, the vehicles shall be impounded or booted, and the violators may be ineligible for a parking permit for one calendar year.

**Sec 4-7. Reinstatement of Eligibility**

Any person who is permitted to retain their eligibility for a parking permit after being charged with violations of Sec. 4-4, 4-5, or 4-6, will not be issued a refund for previously purchased permits (payroll deduction will continue). The person will be required to purchase a permit at the current issuance rate.

## **ARTICLE V. TRAFFIC**

### **Sec. 5-1. Interference with Traffic**

It is unlawful for any person to park or bring to a halt on the campus any vehicle in such manner as to interfere with normal vehicular or pedestrian traffic.

1. Temporary traffic restrictions – The Chief of Police may cause traffic to be restricted or rerouted as necessary by construction, emergency situations, and special events. Notice of such restrictions shall be given by temporary signs or barriers by a representative of the Police Department or other university official. It shall be unlawful to violate such regulations.

### **Sec. 5-2. Fire Lanes/Fire Hydrants**

No person shall park a vehicle (whether disabled or not), or permit it to stand in or block access to any area designated as a fire lane or fifteen feet in either direction of a fire hydrant. Any emergency authorization for use of fire lanes must be obtained through the Police Department. Fire lanes will be indicated prominently by pavement markings and/or signs.

### **Sec. 5-3. Parking or Driving on Sidewalks, Grass or Shrubbery**

It is unlawful for any person to drive or to park a motor vehicle on a sidewalk or on grass or shrubbery unless such areas are signed and marked for paving.

It is unlawful to operate a bicycle on the campus in a manner that jeopardizes pedestrian safety, or State or private property. It is unlawful to ride or operate a moped or motorbike with the engine running on campus sidewalks.

It is unlawful for pedestrians to use in-line skates or skateboards on the campus in manner that jeopardizes the safety of other pedestrians. It is also unlawful for pedestrians to use in-line skates or skateboards on any walls, monuments, gutters, ditches, railings, bicycle racks, benches, other structures, fixtures, or property on the University campus. It is unlawful for pedestrians to use in-line skates or skateboards on any ramps or steps on the university campus except for the purpose of entering or leaving a building or making normal pedestrian progress along a campus sidewalk.

#### **Sec. 5-4. Speed Limits**

1. It is unlawful to operate a vehicle on the campus in excess of a speed of 5 miles per hour, except as otherwise posted.
2. It is unlawful to operate a moped or bike on sidewalks on campus at a speed or in a manner that would prove to be hazardous for the safety of pedestrians. It is unlawful to operate a moped without a safety helmet of the type approved by the commissioner of motor vehicles.

Bicyclists are encouraged to give a warning to pedestrians about to be passed from the rear. Warnings may be either verbal or by means of a bell, horn, whistle, or other audible warning device. While riding on any public right-of-way, bicyclists must obey all traffic laws applicable to vehicles. Bicyclists are encouraged to wear bicycle safety helmets at all times when riding a bicycle.

#### **Sec. 5-5. Stop Intersections**

Pursuant to G.S. 20-158, the Chief of Police shall cause to be erected at intersections, signs requiring drivers of vehicles to come to a full stop on the streets designated as "stop streets." Whenever any such sign is erected, it is unlawful for the driver of any vehicle to fail to stop in obedience to the stop sign and to yield the right-of-way to vehicles being operated on the streets designated as "through streets."

#### **Sec. 5-6. Vehicular Traffic at Marked Crosswalks**

The Chief of Police may establish pedestrian crosswalks across streets, alleys, and driveways on the campus and on the public streets listed in Sec. 1-10 where the location of university buildings and sidewalks require large numbers of persons to cross streets and driveways at points other than street intersections as governed by G.S. 20-155 c. A crosswalk shall be indicated by traffic signals, signs, or white stripes (hatched or unhatched) and will be a minimum of six feet in width. When a crosswalk has been marked off, it is unlawful for the driver of any vehicle traveling on the street or driveway to fail to stop and to yield the right-of-way when there is a pedestrian in that portion of the crosswalk. The pedestrian must be on that side of the street or driveway in which the vehicle is traveling.

**Sec. 5-7. Pedestrian Obstructing Traffic**

It is unlawful for a pedestrian to stand on the traveled portion of any street, alley, or driveway on the campus in such a manner to obstruct or prevent the free flow of traffic thereon, and in crossing streets, alleys, or driveways pedestrians shall keep in motion when in the traveled portion thereof.

**Sec. 5-8. Passenger Pick Up and Discharge**

It is unlawful for any person to stop a motor vehicle on any street, alley, or driveway on the campus for the purpose of picking up or discharging a pedestrian without drawing up to the right hand curb.

**Sec. 5-9. One-way Streets**

Vehicular traffic upon streets, driveways, and alleys shall move in only one direction as indicated by traffic signs.

## ARTICLE VI. ENFORCEMENT

### Sec. 6-1. Penalties

Any person violating any provisions of this Ordinance or a regulation issued thereunder is subject to a civil penalty as indicated in the following schedule:

Offense	Civil Penalty
Violation of Sec 3-3, parking a motor vehicle without displaying thereon a valid parking permit	\$ 25.00
Violation of Sec. 3-6(4), defacing, damaging, tampering with, willfully breaking, destroying, or impairing without lawful authority any automatic gate.	\$ 100.00, plus the actual cost of repairing damage done thereby
Violation of Sec. 3-7, controlled access area, gate cards or entering controlled access areas through unlawful means.	\$ 50.00
Violation of Sec. 3-14(1), parking in a reserved space without authority.	\$ 25.00
Violation of Sec. 3-14(1), unauthorized parking in a disability space.	\$ 100.00
Violation of Sec. 3-14(3), unauthorized parking in an affiliated disability space.	\$ 100.00
Violation of Sec. 3-15, in visitor space	\$ 25.00
Violation of Sec. 3-1(1), double parked	\$ 10.00
Violation of Section 5-3, parked on landscape	\$ 25.00
Violation of Section 3-1(4), blocking dumpster	\$ 25.00
Violation of Sec. 3-1(5), blocking driveway	\$ 25.00
Violation of Section 1-10, parked along the street	\$ 20.00

Violation of Section 3-1(3), not a designated space	\$ 10.00
Violation of Sec. 3-19, parking in areas other than those designated for bicycles	\$ 10.00
Violation of Sec. 3-20, temporary parking restrictions	\$ 25.00
Violation of Sec. 4-3, failure to display permit properly	\$ 5.00
Violation of Sec. 4-4, counterfeiting/altering parking Permits.	\$ 100.00
Violation of Sec. 4-5, counterfeiting/altering through Unlawful means	\$ 100.00
Violation of Sec. 4-6, unauthorized display of permit	\$ 25.00
Violation of Sec. 5-1, interference with traffic	\$ 10.00
Violation of Sec. 5-2, fire lane, fire hydrants	\$ 100.00
Violation of Sec. 5-3, parking or driving on sidewalks	\$ 20.00, plus the actual cost of repairing damage done thereby
Violation of Sec. 5-4, speed limits	\$ 20.00
Violation of Sec. 5-5, stop signs	\$ 50.00
Violation of Sec. 5-7, crosswalks	\$ 20.00
Violation of Sec. 5-8, pedestrians obstructing traffic	\$ 20.00
Violation of Sec. 5-9, passenger pickup/discharge	\$ 20.00
Violation of Sec. 5-10, one-way streets	\$ 20.00
Violation of Sec. 6-2, police regulations	\$ 50.00

**Sec. 6-2. Police Regulations**

Vehicle operation and parking may be prohibited under emergency and/or other law enforcement operational necessities. It shall be unlawful for any person to violate police instructions related to this section.

**Sec. 6-3. Repeated Offenses**

If any vehicle is cited for violation of this Ordinance with respect to parking more than five times in a period of twelve months or more than twice in a period of thirty days, the Chief of Police may cancel any parking permit issued to such vehicle without refund of any portion of the fee paid thereof and shall cause the violator's license plate number to be entered on a list of repeated offenders. Once a license plate number is placed on a repeat offender list, the vehicle is subject to impoundment or immobilization upon being parked in violation of this Ordinance. A citation found to be invalid shall be counted for purpose of this section. Any repeated offenses of this nature will be forwarded to the appropriate agency for disciplinary actions(s), i.e. Student Affairs for Students, the Office of Human Resources and the department chair for employees, the department chair for faculty and EPA non-faculty employees.

**Sec. 6-4. Vehicle Impoundment**

Any vehicle parked in a violation of this Ordinance or a regulation issued hereunder may be removed to a storage area. The Chief of Police may refuse to authorize release of the vehicle to the owner or custodian until the cost of removal and storage fees have been paid, promissory note tendered, or bond posted.

The owner or custodian of a vehicle impounded under any regulation of this Ordinance may appeal the impoundment in person or in writing within ten calendar days to the Chief of Police designated Hearing Officer pursuant to Section 7-1. Submitting an appeal to the Chief of Police designated Hearing Officer does not substitute for payment of the towing or storage fees for removal of the impounded vehicle.

The Chief of Police is authorized to have towed from campus any vehicle violating the provisions of this Ordinance. The Police Department will attempt to contact/notify the driver and/or owner of the vehicle prior to towing. The exceptions to attempting to notify the owner prior to towing are violations of Sections 3-14, 4-4, 4-5, 4-6, 5-1, 5-2, 6-2, and 6-3 because of the severity of the nature of these offenses.

The cost of towing is as follows:

Standard Tow	Dolly Wheels used
\$ 50.00	\$60.00

If the operator of the vehicle to be impounded arrives at the vehicle prior to the tow truck moving the vehicle from where it was parked, such operator shall be issued an additional university parking citation, and the civil penalty shall be the normal tow fee.

A storage fee of \$6.00 per day may be charged to the owner or custodian of vehicles left at the university compound for more than twenty-four hours after towing. A storage fee of \$2.00 per day may be charged for bicycles, skateboards, or in-line skates, as well as a \$10.00 impoundment fee.

A valid driver's license must be provided by the owner/operator of the vehicle prior to its release.

**Sec. 6-5. Vehicle Immobilization**

Any vehicle parked in violation of this Ordinance or any parking regulation issued hereunder may be immobilized by use of a wheel boot. Notice of the application of a wheel boot shall be posted prominently in one of three locations: (1) on the driver's side of the front window of the vehicle, (2) on the rear windshield, or (3) on the driver's side window. Placement of the notices will depend on the type of vehicle.

The Chief of Police may refuse to authorize release of the vehicle to the owner or custodian until the cost of immobilization has been paid or bond posted. Wheel boots may only be removed by the Police Department staff, upon payment of \$25.00 fee. If the owner of the vehicle to be immobilized arrives at the vehicle prior to the officer leaving the scene, the vehicle immobilization will be removed, and a citation will be issued with the civil penalty equal to the immobilization fee. The owner or custodian of a vehicle impounded under any regulation of this Ordinance may appeal the immobilization in person or in writing within ten calendar days to the Chief of Police designated Hearing Officer, pursuant to Sec. 7-1. Submitting an appeal to the Hearing Officer is not a substitute for payment of the immobilization fee.

Vehicles immobilized for longer than twenty-four hours shall be removed to a storage area. The owner/custodian of the vehicle shall be responsible for the immobilization and impoundment fees as well as any citation and applicable storage fees.

**Sec. 6-6. Impoundment of Abandoned and Derelict Vehicles**

Any vehicle that is partially dismantled or wrecked and/or does not display a current license plate and left in such condition for more than two weeks shall be considered abandoned and junked. Such vehicles shall be removed to the university storage area at owner's expense and disposed of in accordance with Sec. 6-7 of this Ordinance.

**Sec. 6-7. Disposal of Abandoned and Derelict Vehicles**

1. An "abandoned motor vehicle" is one that has been removed to a university's storage area pursuant to authority granted in this Ordinance and has remained in said storage for longer than five days. A "derelict vehicle" is a vehicle:
  - a. that has an expired registration and the registered and legal owner no longer resides at the address listed on the last certificate of registration on record with the North Carolina Department of Transportation;
  - b. that has major parts removed so as to render the vehicle inoperable and incapable of passing inspections as required under existing standards;
  - c. that has the manufacturer's serial plates, vehicle identification numbers, license plate numbers, and any other means of identification removed so as to nullify efforts to locate or identify the registered and legal owner;
  - d. for which the registered and legal owner of record disclaims ownership or releases his/her rights thereto;
  - e. for which the vehicle is more than twelve years old and does not bear a current license as required by the Department of Motor Vehicles.
2. The university shall not be held to answer in any civil or criminal action to any owner or other person legally entitled to the possession of any abandoned, lost, or stolen motor vehicle for disposing of the vehicles as provided in this section.

**Sec. 6-8. Bicycle and Skateboard Impoundment**

It shall be lawful for the Chief of Police to impound at the owner/rider's expense, any bicycle that is considered abandoned, junked, lost/stolen, parked/stored or operated in

violation of this Ordinance, or state or local fire safety regulations. It shall be lawful for the Chief of Police to remove security devices attached to vehicles for impoundment purposes. The university shall not be held liable for damages made to bicycles or locks while impounding or during storage of the bicycle.

It shall be lawful for the Chief of Police to impound at the owner's rider's expense any skateboard or in-line skates while impounded. Owners/riders of impounded skateboards or in-line skates may claim them in person at the FSU Police Department upon paying the amount specified in Article VI. Owners/riders who are under age 18 must bring a parent or guardian with them to claim impounded skateboards or in-line skates.

Bicycles that remain stored on racks for more than thirty days at the end of any academic term, including summer sessions, will be deemed university property.

#### **Sec. 6-9. Disposal of Junked Bicycles and Impounded Skateboards**

Letters shall be sent notifying bicycle owners with registered permits when vehicles have been impounded; when owner is unknown, notice shall be posted at the Police Department. Bicycles unclaimed thirty calendar days after the original date of impoundment shall be deemed university property.

When the owner/rider of a skateboard or in-line skates is known, he or she shall be given or sent a letter notifying him or her that the skateboard or in-line skates have been impounded and informing the owner/rider how to claim the impounded skateboard or in-line skates. Where the owner/rider of an impounded skateboard or in-line skates is under age 18, a copy of the letter shall be sent to his or her parent or guardian, if known. When the owner/rider is unknown, notice shall be posted at the Police Department. Skateboards or in line skates unclaimed sixty days after the original date of impoundment shall be deemed university property.

**ARTICLE VII. APPEALS**

**Sec. 7-1. Appeals**

Any person cited for violation of any portion of this Ordinance for which a civil penalty is imposed or a vehicle is impounded or immobilized for violations may appeal in person, or in writing, or be within ten calendar days of issuance to the Chief of Police or his designated Hearing Officer.

Failure to meet the ten-day appeal requirement shall result in a forfeiture of all appeal privileges. The Chief of Police or his Hearing Officer shall review all written appeals and establish limited hours to review those in-person appeals that meet the ten-day requirement.

Written appeals must be submitted on a standard appeal form, available from the Police Department.

Submitting an appeal to the Chief of Police or his designated Hearing Officer does not substitute for payment of the towing and storage fees for removal of the impounded vehicle. Such fees must be paid in accordance with Section 6-5. If the hearing officer decides the appeal in favor of the appellant, the costs of towing and storage will be refunded by the Police Department.

**ARTICLE VIII. REPEALS**

**Sec. 8-1. Former Regulations Repealed**

All resolutions heretofore adopted regulating traffic and parking on the campus are repealed. The repeal herein of these regulations shall not abate or otherwise affect any civil, criminal, or administrative action or proceeding concluded or pending on the effective date of this Ordinance. The effective date of this Ordinance shall be January 1, 2000.

## TABLE OF CONTENTS

	<b>Pages</b>
Introduction	1
Article I. General Provisions	2-7
Article II. Payments and Collections	8-10
Article III. Parking	11-19
Article IV. Parking Permits	20-23
Article V. Traffic	24-26
Article VI. Enforcement	27-32
Article VII. Appeals	33
Article VIII. Repeals	34







