

# FAYETTEVILLE STATE UNIVERSITY

## ORDINANCE GOVERNING TRAFFIC, PARKING AND THE REGISTRATION OF MOTOR VEHICLES

<b>Authority:</b>	Issued by the Board of Trustees. Changes or exceptions to administrative policies issued by the Board of Trustees may only be made by the Board of Trustees.
<b>Category:</b>	University-Wide
<b>Applies to:</b>	●Administrators   ●Faculty   ●Staff   ●Students   ●Visitors
<b>History:</b>	Revised – March 29, 2019 Revised – June 14, 2012 First Issued – January 1, 2000 Approved – January 1, 2000
<b>Related Policies:</b>	<i>Traffic and Parking</i> [N.C.G.S. Chapter 116, Article 1, Part 6]
<b>Contact for Info:</b>	Police and Public Safety (910) 672-1775

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

### ARTICLE I GENERAL PROVISIONS

All students and employees who operate motor vehicles on University owned and/or leased properties are required to purchase parking decals. All visitor vehicles may also be regulated according to this Ordinance.

#### Section 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. “Bicycle” shall mean 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.
2. “Booting” shall mean to immobilize a vehicle through the use of a device designed to be attached to the rear tire / wheel that renders the vehicle inoperable.
3. “Campus” shall mean all property described as follows:

- (a) is owned or leased in whole or in part by the State of North Carolina on behalf of the University,
  - (b) is subject to the general oversight of the Board of Trustees of the University, and
  - (c) is located within Fayetteville, Cumberland County, North Carolina, excepting and excluding the following:
    - i. University donated property;
    - ii. property held for use as an official residence for administrative officers of the University.
4. “Chancellor” shall mean the Chancellor of the University or his/her delegate.
  5. “Employee” shall mean all full-time and part-time employees who hold permanent, probationary, trainee, temporary, time-limited or intermittent appointments with the university.
  6. “Moped/Motorbike” shall mean 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. “Motor vehicle” shall mean 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.
  8. “Park” shall mean 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.”
  9. “Parking Coordinator” shall mean a department-assigned staff member who acts as a liaison with the University Police and Public Safety Department.
  10. “Parking Permit” shall mean any identification assigned by the University Police and Public Safety Department.
  11. “State-owned Non-Service Vehicles” shall mean vehicles owned by the State of North Carolina and used by University departments for the purposes of intercampus travel (i.e., attending meetings, processing paperwork, etc.) and off-campus destination travel, but not used to provide special services as part of an individual’s ongoing work responsibilities as defined under State-owned Service Vehicles.
  12. “State-owned Service Vehicles” are vehicles owned by the State of North Carolina that are used by campus departments to perform clearly define 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 the University.

13. “State-owned Vehicles” shall mean all vehicles, service and non-service, owned by the State of North Carolina.
14. “Student” includes any person who is currently enrolled at the University.
15. “Visitor” shall mean any individual other than a student or employee of the University.

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

1. The Chief of Police (Chief) is authorized to adopt and promulgate such rules and regulations and to establish such administrative procedures as the Chief may deem necessary or advisable for the administration, interpretation, and enforcement of this Ordinance.
2. The Chief may delegate administrative responsibilities imposed on the Chief by this Ordinance to Police and Public Safety Department (Police Department) personnel that the Chief 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 4:30 p.m., Monday through Friday, except on university-recognized holidays. Regulations are enforced 24 hours a day.

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

The Chief, through the Chief’s 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.

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

The Chief shall cause copies of this Ordinance and regulations issued pursuant hereto to be made available to students, faculty, and employees of the University.

**Section 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 the University;
2. the Office of the Vice Chancellor for Business and Finance of the University;
3. the Office of the Secretary of the State of North Carolina;
4. the Office of the University’s Chief of Police, and
5. the Office of Student Affairs.

**Section 1-6. Liability**

The 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 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, property control officer, parking control officer, official traffic signs or control devices appropriately placed and in accordance with provisions of these regulations.

**Section 1-7. Cooperation with Civil Authorities**

The Chief 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 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.

**Section 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 by the University. The prima facie rule of evidence established by this section 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.

**Section 1-9. Trust Accounts**

All monies received from parking fees and penalties, except the clear proceeds of civil penalties collected pursuant to Article VI herein, 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. for any other purpose related to parking or traffic on the campus subject to the approval of the Vice Chancellor for Business and Finance.

All proceeds of civil penalties collected pursuant to Article VI herein shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

**Section 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 University's campus; 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 Edgecombe Avenue;
  - b. both sides of Langdon Street;
  - c. both sides of Murchison Road;
  - d. all sidewalks; and
  - e. any landscape.

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

**ARTICLE II  
PAYMENTS AND COLLECTIONS**

**Section 2-1. Payment Methods**

Payments owed to the University's 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 the University);
2. Payroll Deduction (requires completed signed form);
3. University Account Adjustment Request (to be used by university departments for transferring funds);
4. MasterCard/VISA

**Section 2-2. Replacement Fee**

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

**Section 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 service charge shall be imposed for all returned checks.

**Section 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 on the student's account with the University Registrar.
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. Failure to pay civil penalties or other just debts owed to the Department of Public Safety within seventy-two (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.
5. Debts owed by individuals not eligible for payroll deduction may be subject to garnishment of North Carolina State income tax refund.

**Section 2-5. Civil Suits for Recovery of Penalties**

When the Chief, 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**

**Section 3-1. Method of Parking**

The Chief 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 University personnel.
5. It shall be unlawful to cause any vehicle to block a driveway or a roadway on the campus.

**Section 3-2. Immobilized Vehicles**

It is unlawful to leave an immobilized 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.

**Section 3-3. Parking Zones**

Any person parking a motor vehicle in the parking lots and areas described in this section shall 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.

1. If the assigned lot is full, a temporary permit for an alternate zone may be obtained from the Police Department.
2. 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.

3. A guide that summarizes the regulations and a map depicting the parking zones is available at the Police Department and on the Police Department website. Parking lots are described as follows:
  - a. Faculty/Staff - University Employees
  - b. Commuting Student – Non-Resident Students who drive daily to campus
  - c. Resident Student Parking – Students who reside in a resident hall or student housing.
  - d. Visitor Parking – Non-university affiliated visitors.

#### **Section 3-4 Lot Permit Fees**

Lot Permit Fees will be communicated annually to the campus community and are available at <http://www.uncfsu.edu/police/>.

#### **Section 3-5 Special Event Parking**

The Chief 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., concerts, plays, athletics, and other events.

Parking in certain lots or areas maybe reserved for athletic events held in Nick Jeralds Stadium or the Capel Arena for specifically authorized persons or organizations.

The Chief is authorized to remove and/or cite vehicles parked in reserved spaces prior to football and basketball games. A list of all vehicles moved will be forwarded to the University Police on the same day that the vehicles are moved.

1. **Notification of Permit Holders** – The Chief will take one or more of the following steps to inform permit holders of special event parking policies:
  - a. Notices placed on vehicles at the beginning of football and basketball seasons,
  - b. Informational signs posted at the entrances to lots reserved for football, basketball, and other special events,
  - c. Press releases, and
  - d. Other methods as appropriate.

2. **Football Game Parking**

Parking in Lots K, S and CS during football home game days, is reserved authorized persons. Parking in these lots on the day of the event requires a special permit.

Parking in Lot S 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 Game Parking**

Parking is reserved for specifically authorized persons in Lots S, CS and K, Monday through Friday after 5:00 p.m. and on Saturdays and Sundays during basketball games held in the Capel Arena. Parking in these lots on the day of the event requires a special permit.

The Chief is authorized to designate other parking areas as public pay parking.

4. **Concerts or other Non-Athletics Events**

Lots K, S and CS are reserved for pay parking for the public during concerts and other non-athletics events in the Capel Arena.

**Section 3-6 Controlled-Access Lots (Gated and Reserved)**

1. **Gated Lots**

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

It shall be unlawful to transfer or to use assigned access cards or devices for vehicles not registered for that gated lot and for that card or device. If any person uses or allows to be used his or her access card or device to knowingly enable another vehicle to enter or exit a controlled-access zone without paying the applicable parking fee or permit fee, such person, in addition to being responsible for the applicable parking fine, may have their card-access rights to the gated lot deactivated for a period of one calendar year.

It shall be unlawful for a vehicle to enter or exit a gated lot by trailing immediately behind another vehicle before the gate has an opportunity to drop (a.k.a. "tailgating") for the purpose of evading payment of the applicable parking fee or permit fee. It shall be unlawful to allow a vehicle to enter or exit a controlled-access zone by tailgating behind one's own vehicle for the purpose of knowingly enabling the second vehicle to evade payment of the applicable parking fee or permit fee. Violators of either of the two preceding sentences, in addition to being responsible for the applicable parking fine, shall have their card-access rights to University controlled-access zones deactivated for a period of one calendar year.

It is unlawful for vehicles to enter or park in gated 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.

2. **Reserved Parking**

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 shall determine the precise location and status of reserved spaces.

Reserved spaces (at a rate exceeding that of a gated lot or regular parking space) may be approved for designated senior administrators to include the Chancellor, his or her Cabinet members, Associate and Assistant Vice Chancellors and Deans. 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.

a. **Disability (Accessible) Parking**

The University provides accessible parking spaces for individuals with disabilities. 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 access to a building or sidewalk.

It is unlawful for individuals to display a State disability plate, State disability permit, or disabled veteran license plate if the disability plate/permit is not registered in that person's name. Misuse of such plates or permits shall result in the issuance of a parking citation and/or immobilization and/or impoundment of a vehicle. Public accessible parking spaces are reserved at all times unless otherwise indicated.

University employees and students are required to apply for and purchase the appropriate permit to park in accessible spaces.

b. **Service Zone Parking**

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 Chancellor, through his/her delegated administrative officers, shall decide the size and location of each two-hour service zone. It is unlawful for any person to cause a 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.

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

Departments may request parking spaces in one of the pay visitor parking lots for guests attending conferences, meetings, and seminars. Parking may be available in fringe lots for visitor parking during the summer and academic breaks.

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

State Vehicles may park on campus as follows:

1. 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.
2. 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 the University are required to display parking permits or recognized service logos.
3. 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.
4. 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.
5. 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.
6. State-owned Service and Non-service Vehicles are subject to parking enforcement actions as follows:
  - a. 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.
  - b. 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.
  - c. Certain regular parking spaces on campus may be restricted from use by State owned Non-service Vehicles from time to time (e.g., temporary parking restrictions due to a lot overcrowding.)

**Section 3-9. Motorcycle/Moped/Motorbike Parking**

Owners of motorcycles, mopeds, and motorbikes are required to purchase and display a University 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.

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. No more than one motor vehicle permit, and one motorcycle permit shall be issued to any registrant.

**Section 3-10. Parking Restrictions**

The Chief 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 official shall give notice of regulations issued under this section. It is unlawful for any person to violate such regulations.

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.

**Section 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 University 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 the University.

**ARTICLE IV  
PARKING PERMITS**

**Section 4-1. Parking Permits**

The Chief may issue permits to park in lots and areas described in Section 3-3 to employees or students of the university and to visitors 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.

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

The Chief 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 (Accessible) Parking Permits**

Accessible parking permits are issued to students and employees who have a disability and require accessible parking. Use of the accessible parking spaces requires display of a North Carolina state-issued disability placard and a University permit. The placards and permits authorize parking in spaces designated for use by drivers with disabilities whether such spaces are in student or employee parking lots. Thus, students and employees with disabilities may have access to parking spaces designated as accessible, including those located in gated parking lots.

### **2. Construction/Contractor Permits**

Contractors working on the campus may purchase a permit for \$1 per day, \$5 per week, \$35 per month or purchase an annual permit for \$60 per year. Yearly permits are valid from September 1st- August 31st.

### **3. Reserved-at-all times Permits**

The Vice Chancellor for Business and Finance may cause to be issued 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. The cost of the permit and space shall be as defined in Section 3-4 (Lot Permit Fees.)

### **4. Bicycle Permits**

Students and employees 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 Section 4-3.3 Bicycle permits are not transferable.

## **Section 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 driver's 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.

#### **Section 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 any parking permit, sticker, decal, gate card, or other device indicating eligibility to park on the University's campus. Such permits shall be confiscated., 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. No refunds shall be issued. Prior to the release of the vehicle, the illegal permit shall be surrendered to the Police Department.

#### **Section 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 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., 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. No refunds shall be issued.

Alleged violators will be required to meet with the Chief who will be the designated Hearing Officer. If it is determined that a violation did occur, the violation will be forwarded to the appropriate University unit for disciplinary actions(s), i.e. the Office Student Affairs, the Office of Human Resources and the department chair for SPA employees and the department chair for EPA faculty and non-faculty employees. Prior to the release of the vehicle, the illegal permit must be surrendered to the Police Department.

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

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.

The Chief 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 shall be unlawful for a person in possession of such a permit to use it in any manner inconsistent with such regulations.

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

Any person who is permitted to retain their eligibility for a parking permit after being charged with violations of Sections 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 new permit at the current issuance rate.

**ARTICLE V  
TRAFFIC**

**Section 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.

The Chief 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.

**Section 5-2. Fire Lanes/Fire Hydrants**

No person shall park a vehicle (whether immobile 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.

**Section 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 a 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.

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

It is unlawful to operate a **vehicle** on the campus in excess of a speed of 15 miles per hour, except as otherwise posted.

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.

#### **Section 5-5. Stop Intersections**

Pursuant to N.C.G.S. 20-158, the Chief 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.”

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

The Chief may establish pedestrian crosswalks across streets, alleys, and driveways on the campus and on the public streets listed in Section 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 law. A crosswalk shall be indicated by traffic signals, signs, or white stripes. 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.

#### **Section 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.

**Section 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.

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

Vehicular traffic upon streets, driveways, and alleys shall move in only one direction as indicated by traffic signs. Vehicles parked in spaces on the side of the street must be parked facing the direction of traffic flow for the side of the street for which they are parked.

**ARTICLE VI  
ENFORCEMENT**

**Section 6-1. Penalties**

Any person violating any provisions of this Ordinance or a regulation issued there under is subject to a civil penalty. Such penalties can be found at <http://www.uncfsu.edu/police/>.

**Section 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.

**Section 6-3. Repeated Offenses**

If any vehicle is cited for violation of this Ordinance with respect to parking more than five (5) times in a period of twelve (12) months or more than twice in a period of thirty (30) days, the Chief 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 repeat 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 University unit for possible disciplinary actions(s), i.e. Student Affairs for Students, the Office of Human Resources and the department chair for SPA employees, the department chair for faculty and EPA non-faculty employees.

**Section 6-4. Vehicle Impoundment**

The Chief 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, 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 will be at a rate determined by the towing company and is typically \$95-\$105.

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 daily storage fee may be charged to the owner or custodian of vehicles left at the impound for more than twenty-four hours after towing. A valid driver's license must be provided by the owner/operator of the vehicle prior to its release.

The Chief 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 pursuant to Section 7-1 in person or in writing within ten (10) calendar days to the Chief or the Chief's designated Hearing Officer. Submitting an appeal to the Chief or the Chief's designated Hearing Officer does not substitute for payment of the towing or storage fees for removal of the impounded vehicle.

#### **Section 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 notice will depend on the type of vehicle.

The Chief 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 a \$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 may 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 or Chief's designated Hearing Officer, pursuant to Section 7-1. Submitting an appeal to the designated Hearing Officer is not a substitute for payment of the immobilization fee.

Vehicles immobilized for longer than twenty-four (24) 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.

#### **Section 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 (2) weeks shall be considered

abandoned and junked. 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:

1. 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;
2. that has major parts removed so as to render the vehicle inoperable and incapable of passing inspections as required under existing standards;
3. 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;
4. for which the registered and legal owner of record disclaims ownership or releases his/her rights thereto;
5. 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.

Such vehicles shall be removed to the University storage area at the owner’s expense and disposed of in accordance with Section 6-7 of this Ordinance.

#### **Section 6-7. Disposal of Abandoned and Derelict Vehicles**

Upon removal of the abandoned or derelict vehicle to the University storage area, the vehicle will be deemed University property and may be disposed of in a similar manner to any other University property.

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, derelict or stolen motor vehicle for disposing of the vehicles as provided in this section.

#### **Section 6-8. Bicycle and Skateboard Impoundment**

It shall be lawful for the Chief 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 to remove security devices attached to bicycles 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. 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.

It shall be lawful for the Chief to impound at the owner’s/rider’s expense any skateboard or in-line skates. Owners/riders of impounded skateboards or in-line skates may claim them in person at the University Police Department. The owner/rider may be required to pay a penalty. Owners/riders who are under age 18 must bring a parent or guardian with them to claim impounded skateboards or in-line skates.

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

Letters shall be sent notifying bicycle owners with registered permits when bicycles have been impounded; when owner is unknown, notice shall be posted at the Police Department. Bicycles unclaimed thirty (30) 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, the owner/rider shall be given or sent a letter notifying the owner/rider 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 the parent or guardian of the owner/rider, if known.

When the owner/rider is unknown, notice shall be posted at the Police Department Skateboards or in line skates unclaimed sixty (60) days after the original date of impoundment shall be deemed University property.

**ARTICLE VII  
APPEALS**

**Section 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, within ten (10) calendar days of issuance to the Chief or the Chief's designated Hearing Officer. Failure to meet the ten-day appeal requirement shall result in a forfeiture of all appeal privileges. The Chief or the designated Hearing Officer shall review all written appeals. The Chief shall establish a schedule noting the days and times when such in-person appeals will be considered.

Written appeals must be submitted on a standard appeal form, available from the Police Department. Submitting an appeal to the Chief or the 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**

**Section 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.