



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (7/1/89)

Agency: **CENTRAL WASHINGTON UNIVERSITY**

- Permanent Rule
 Emergency Rule

(1) Date of adoption: **September 8, 1989**

(2) Purpose:
Change parking lot designations and increase monetary penalty schedule

(3) Citation of existing rules affected by this order:
Repealed:
Amended: **106-116-201, 203, 205, 207, 208, 210, 301, 311, 514, 601, 603**
Suspended:

(4) Authority for adoption:
Statute: **RCW 28B.19.050 and 28B.40.120**
Other Authority:

(5.1) **PERMANENT RULE ONLY**
Pursuant to notice filed as WSR _____ on _____ (date).
Describe any changes other than editing from proposed to adopted version:

(5.2) **EMERGENCY RULE ONLY**
Pursuant to RCW 34.05.350 the agency for good cause finds:
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:
Parking lot designation changes and monetary penalty schedule must be in force and available to students and faculty in print on or before September 21, the first day of fall quarter 1989 to avoid confusion and enable Campus Safety personnel to preserve general welfare of public.

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
 Yes No If yes, explain:

(6) Effective date of rule:
Permanent Rules **Emergency Rules**
 30 days after filing Immediately
 Other (specify) _____ * Later (specify) _____
*(If less than 30 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY
CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

SEP 13 1989

TIME: 1:16 ^{PM}
WSR: 89-19-027

NAME (TYPE OR PRINT)
Donald L. Garrity

SIGNATURE
Donald L. Garrity

TITLE
President

DATE
9-8-89

AMENDATORY SECTION (Amending Order 61, filed 11/9/87)

WAC 106-116-201 PERMITTED PARKING AREAS. (1) University owned parking areas are marked with signs reading, "Parking by university permit only." Vehicles parked without valid parking permits will be ticketed from 7:30 a.m. to ~~((4:00))~~ 4:30 p.m. Monday through Friday, except:

(2) No parking permitted daily in ~~((B7-E4))~~ J-8, R-14, and ~~((R))~~ S-10 lots from 4:00 a.m. to 6:00 a.m. except in designated areas of those lots as posted.

(3) ~~((In the library parking lot, enforcement shall be in effect from 7:30 a.m. to 10:00 p.m. Monday through Friday.~~

~~{4}))~~ Enforcement shall be in effect twenty-four hours a day in the following parking areas:

- (a) Buttons Apartments;
- (b) Limited time zones;
- (c) I-15 and N-19 lot;
- (d) Handicapped areas.

AMENDATORY SECTION (Amending Order 61, filed 11/9/87)

WAC 106-116-203 SPECIFIC PARKING PROHIBITIONS. (1) Parking in areas and places normally used for moving traffic is a specific violation of these regulations.

(2) Parking in such a position with relation to other parked cars or marked parking spaces as to impede, restrict, or prevent free ingress or egress by other automobiles violates these regulations.

(3) Parking in areas marked for a special permit or clearly designated by signing for special use not available to the general public or regular permit holders is prohibited. Examples: Parking in a space marked "handicapped permits only" or "health center permit only." ~~((and in the library parking lot.))~~

(4) Parking and/or driving on sidewalks is prohibited.

(5) Parking or driving on lawns or flower beds is prohibited.

AMENDATORY SECTION (Amending Order 61, filed 11/9/87)

WAC 106-116-205 APARTMENT RESIDENTS. (1) Residents of Brooklane Village, Roy P. Wahle University Complex, Student Village Apartments, Getz Short Apartments and Buttons Apartments do not need parking permits to park in the parking area adjacent to their respective apartments but must register their vehicles with the housing office.

(2) Apartment residents may purchase a commuter parking permit.

(3) Residents of Student Village may park in lots ~~((6-1 and 6-2))~~ T-22, U-22, and X-22 without a permit.

AMENDATORY SECTION (Amending Order 47, filed 11/3/81)

WAC 106-116-207 FACULTY-STAFF PARKING. Faculty and staff parking areas are posted with signs reading, "faculty and staff parking only." Student parking is not permitted in any designated faculty and staff parking area Monday through Friday from 7:30 a.m. to ~~((4:00))~~ 4:30 p.m.

AMENDATORY SECTION (Amending Order 59, filed 11/7/86)

WAC 106-116-208 FIRE LANES AND SERVICE DRIVES. Parking is not allowed at any time in the service drives or fire lanes of all campus buildings. Service drives may be used by service and emergency vehicles (~~(, and for loading and)~~): Load/unload permits are required for unloading personal items.

AMENDATORY SECTION (Amending Order 59, filed 11/7/86)

WAC 106-116-210 PARKING WITHIN DESIGNATED SPACES. All vehicles shall be parked perpendicular to the bumper blocks and/or within the painted lines. In ~~((B--and--E--))~~ J-8 and R-14 lots the front of the vehicle shall be facing toward and against the bumper blocks.

AMENDATORY SECTION (Amending Order 37, filed 1/13/78)

WAC 106-116-301 PURCHASING PARKING PERMITS. ~~((--))~~ Parking permits may be purchased from ~~((the--cashier--during--registration--or--at))~~ the cashier's office, Mitchell Hall.

~~((--Persons--who--own--more--than--one--vehicle--that--may--be--parked--on--university--owned--parking--facilities--may--obtain--permits--for--such--additional--vehicles--PROVIDED,--That--this--type--of--additional--permit--does--not--constitute--the--right--to--park--more--than--one--vehicle--at--a--time--on--campus--WAC--106--116--305(4)--also--has--applicability--in--this--situation--))~~

AMENDATORY SECTION (Amending Order 47, filed 11/3/81)

WAC 106-116-311 PARKING FEE REFUNDS. (1) Application for parking permit fee refunds are to be made at the ~~((campus--safety--department))~~ auxiliary services office. The parking permit must be surrendered upon application for a refund.

(2) A full parking fee refund is obtainable only within the first seven calendar days of any academic quarter in which the permit is issued.

(3) Refunds are permitted only under the following conditions:

(a) Student teaching, or other off-campus program;

(b) Withdrawal from the university;

(c) Termination of employment.

(4) Refunds will not be made for daily permits.

AMENDATORY SECTION (Amending Order 59, filed 11/7/86)

WAC 106-116-514 ELECTION TO FORFEIT OR CONTEST. The notice of infraction issued pursuant to WAC 106-116-513 of these regulations shall inform the alleged violator that he/she may elect either to forfeit the monetary penalty to the infraction(s) charged or to contest the matter(s).

(1) If the alleged violator chooses to forfeit the penalty, he/she may do so by paying the appropriate amount to the cashier's

office. Payment will be in cash, check, certified check, or by money order. Such payment may also be made by mail. Such forfeiture shall constitute a waiver of a right to a hearing.

(2) If the alleged violator chooses to contest, he/she may do so by contacting the ((cashier's)) auxiliary services office, ((Mitchell)) Barge Hall, CWU, where parking infraction appeal forms are available upon request. The completed form stating the reasons for challenging the validity of the assessed obligation must be filed in the ((cashier's)) auxiliary services office within fifteen days of the date of the infraction notice. The appeal must be reviewed by the university parking appeal board, consisting of three student members, one faculty member, one staff member, the chief of campus safety (ex officio) and the director of student activities (ex officio). The parking appeal board will render a decision in good faith.

(3) A person charged with a parking infraction who deems himself or herself aggrieved by the final decision of the university parking appeal board may, within ten days after written notice of the final decision, appeal by filing a written notice thereof with the campus safety office. Documents relating to the appeal shall immediately be forwarded to the lower Kittitas County district court which shall have jurisdiction over such offense and such appeal shall be heard de novo.

AMENDATORY SECTION (Amending Order 53, filed 6/9/83, effective 7/24/83)

WAC 106-116-601 TRAFFIC REGULATION SIGNS, MARKINGS, BARRICADES, ETC. (1) The campus safety office and the ((physical-plant-department)) auxiliary services office are authorized to erect signs, barricades and other structures and to paint marks and other directions upon the streets and roadways for the regulation of traffic and parking upon state lands devoted mainly to the educational or research activities of Central Washington University. Such signs, barricades, structures, markings, and directions shall be so made and placed as to, in the opinion of the chief of campus safety and the director of ((physical-plant)) auxiliary services, best effectuate the objectives stated in WAC 106-116-020 of these regulations.

(2) No sign, barricade, structure, marking, or direction for the purpose of regulating traffic or parking shall be moved, defaced, or in any way changed by any person without authorization from the chief of campus safety.

AMENDATORY SECTION (Amending Order 61, filed 11/9/87)

WAC 106-116-603 MONETARY PENALTY SCHEDULE.

Offense	Penalty
(1) Improper display of permit.....	\$ 5.00
(2) Parking faculty-staff area.....	((5.00))
	<u>12.00</u>
(3) Parking yellow stripe or curb.....	((5.00))
	<u>7.00</u>
(4) Parking outside designated parking area.....	((5.00))
	<u>7.00</u>
(5) Obstructing traffic.....	((10.00))
	<u>25.00</u>

Offense	Penalty
(6) Parking at improper angle or using more than one stall, or backing into parking stall.....	((5±00)) 7.00
(7) Violation of the bicycle parking rules in WAC 106-116-901.....	((5±00)) 7.00
(8) Reserved parking area.....	((5±00)) 12.00
(9) No parking area.....	10.00
(10) Overtime parking.....	((5±00)) 7.00
(11) Using counterfeit, falsely made or altered permit.....	100.00
(12) Illegal use of permit.....	25.00
(13) No current permit.....	((5±00)) 7.00
(14) Parking service drive.....	((10±00)) 12.00
(15) Parking/driving sidewalks, malls.....	15.00
(16) Parking/driving lawns.....	((15±00)) 20.00
(17) Parking fire lane.....	((15±00)) 25.00
(18) Parking fire hydrant.....	((15±00)) 25.00
(19) Driving, walking, leading, etc., certain animals on campus without permit (WAC 106-116-10401).....	((10±00)) 12.00
(20) Other violations of the objectives of the CWU parking and traffic regulations.....	((5±00-to-10±00)) 7.00 to 12.00
(21) Parking in a space marked "handi-capped permits only".....	((25±00)) 30.00
(22) Continuous parking.....	((15±00)) 20.00

The first \$5.00 to ((10±00)) \$7.00 infraction notice each academic year shall be considered a written warning and no monetary penalty will be imposed if brought to the campus safety (police) office within seven calendar days from the date of the infraction. Parking warning transactions will be handled by that office between the hours of 7:00 a.m. and 4:00 p.m. Monday through Friday.

Failure to respond within fifteen days will result in the issuance of an overdue notice and an administrative charge of \$2.00 will be added. If payment has not been received within ten days after issuance of the overdue notice, the original monetary penalty will be doubled except that, in accordance with RCW 46.63.110(3), the penalty for failure to respond shall not exceed twenty-five dollars for any single infraction. Further failure to respond may result in one or more of the following sanctions:

- (a) Withholding of transcripts;
- (b) Deduction from payroll checks; and/or
- (c) Withholding of parking permits.