

FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL

State of Washington

BOARD OF TRUSTEES

(name of governing body)

CLARK COLLEGE

(name of institution)

Resolution No. 79-02

Administrative Order No. 79-02

(1) Be it resolved by the board of trustees of the Clark Community College District #14 acting at Vancouver, Washington that it does promulgate and adopt the annexed rules relating to:

Parking and Traffic

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. filed with the code reviser on. Such rules shall take effect: pursuant to RCW 28B.19.050(2). at a later date, such date being.

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, the Clark College Board of Trustees, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Clark College is currently without rules regarding Parking and Traffic Regulations

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of WAC 1-13-040 that each order shall set forth an appropriate statement of state statutory authority (fill in statement (a), (b), or (c) as appropriate):

(a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the

has authority to implement the provisions of (institution)

(name of act or RCW citation)

X (c) This rule is promulgated under the general rule-making authority of the Clark College

(institution)

as authorized in RCW 28B.50 and 28B.10

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

STATE OF WASHINGTON

(5) This order after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 28B.19 RCW and chapter 1-13 WAC.

APPROVED AND ADOPTED September 18, 19 79

CODE REVISER'S OFFICE WSR 79-11-043

By Yvonne Montcalm, Chairman, Board of Trustees

5(11)

¹Pursuant to WAC 1.13.040, each rule making order adopted by an institution of higher education shall incorporate the most specific, but in no case omit all of the following language alternatives when adopting or amending rules:

(a) The most specific reference shall be to a section of law which the rule is implementing, and shall be quoted as follows: "This rule is promulgated pursuant to RCW _____ and is intended to administratively implement that statute."

(b) The next specific reference, and one which shall be used only if paragraph (a) of this subsection is not applicable, shall be to that portion of an act which directs an agency to adopt rules and regulations as necessary to implement the act, and shall be quoted as follows: "This rule is promulgated pursuant to RCW _____ which directs that the (agency) has authority to implement the provisions of (name of act or RCW citation)."

(c) The least specific reference, and one which shall be used only if paragraphs (a) and (b) of this subsection are not applicable, is one which indicates that the rule is promulgated under the agency's broad rule-making authority either in the agency enabling legislation or chapter 34.04 RCW, and shall be quoted as follows: "This rule is promulgated under the general rule making authority of the (agency) as authorized in RCW _____."

NEW SECTION

WAC 132N-156-030 PURPOSE. The traffic and parking regulations contained in this chapter provide a fair and uniform method of regulating campus vehicular and pedestrian traffic, and are based on the following objectives:

- (1) To protect and control pedestrian and vehicular traffic;
- (2) To assure access at all times for emergency equipment;
- (3) To minimize traffic disturbance during class hours;
- (4) To facilitate the work of the college by assuring access to institutional vehicles and by assigning the limited parking space for the most efficient use.

NEW SECTION

WAC 132N-156-040 AUTHORITY. The traffic and parking regulations contained within are authorized by the Board of Trustees of Community College District 14, and the enforcement of the traffic and parking regulations is the responsibility of the security department.

NEW SECTION

WAC 132N-156-050 LIABILITY OF CLARK COLLEGE. The college assumes no liability for vehicles parking on Clark College properties. A license is created by the issuance of a parking permit. The college may, at its discretion, have the right to cancel and terminate such license immediately and with reasonable notice upon discovery of violations of terms, conditions, or provisions of the rules and regulations provided in this chapter. Should such violations occur, the college, at its discretion, will have the right to deny any future requests by the applicant.

NEW SECTION

WAC 132N-156-060 REGULATORY SIGNS AND DIRECTIONS. Drivers of vehicles shall obey regulatory signs at all times and shall comply with directions given by college security officers in the control and regulation of traffic and parking.

NEW SECTION

WAC 132N-156-070 PEDESTRIAN RIGHT OF WAY. (1) The operator of a vehicle shall yield the right of way, slowing down or stopping if need be, to so yield to any pedestrian crossing any street, roadway, fire-lane, or pathway with or without a crosswalk.

(2) Whenever any vehicle is stopped at a marked crosswalk, unmarked crosswalk, intersection or any other place in order to permit a pedestrian to cross the roadway, the operator of any other vehicle approaching from the rear shall not overtake and pass a yielding vehicle.

NEW SECTION

WAC 132N-156-080 SPEED LIMITATIONS. No vehicle shall be operated on the campus in excess of ten miles per hour. When safety circumstances dictate, a speed less than ten miles per hour should be maintained.

NEW SECTION

WAC 132N-156-090 ALLOCATION OF PARKING SPACES. The parking spaces available on campus shall be assigned by the Security Advisory Committee in such a manner as will best obtain the objectives of these regulations. The Director of Security, or designee, is authorized to mark various parking areas on the campus with numbers or titles or by the posting of signs or curb markings in those areas. Students, staff, and faculty may obtain daytime or evening parking on campus as follows:

- (1) Student daytime parking is limited to areas designated as open parking;
- (2) Staff/faculty daytime parking is limited to areas so designated;
- (3) Open parking begins after 5:00 p.m. for students, staff, and faculty and is available in all designated parking areas with the exception of Handicapped, Visitors, and College Motor Pool parking lots.

NEW SECTION

WAC 132N-156-100 PERMIT PARKING ON CAMPUS. Permission to park on the Clark College campus will be evidenced by the display of a valid permit issued by the Clark College Security Department.

- (1) A valid permit is:
 - (a) A current vehicle permit properly displayed in accordance with permit instructions;
 - (b) A temporary permit authorized by the security department and displayed in accordance with instructions shown on the permit.
- (2) Parking permits are not transferable.
- (3) The college reserves the right to deny any application, or to revoke any permit at any time, if actions resulting from such application or permission constitute unlawful activity or, if in the judgment of the administration, present imminent danger of unlawful activity, or if a prospective user has previously violated the provisions of the Clark College Parking Policy or other written rules or regulations of Clark College. All outstanding campus parking violations must be settled before a parking permit will be issued or renewed.

NEW SECTION

WAC 132N-156-110 DESIGNATED AND ASSIGNED PARKING. (1) Vehicles shall be parked on the campus only in those areas set aside and designated as parking areas.

- (2) In any area requiring a special parking permit, no vehicle shall park there without said permit.

NEW SECTION

WAC 132N-156-120 PARKING WITHIN DESIGNATED AREAS. No vehicle shall be parked so as to occupy any portion of more than one parking space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require a vehicle attempting to park to occupy a portion of more than one space or stall shall not constitute an excuse for a violation of this section.

NEW SECTION

WAC 132N-156-130 SPECIAL CIRCUMSTANCES. During special occasions causing additional heavy traffic and during emergencies, the security department is authorized to impose additional traffic and parking regulations and instructions in order to lessen the chance of personal injury or property damage. Whenever possible, prior notice of these regulations or restriction changes shall be made known and posted. This authorization is of a temporary nature and should only last as long as the situation continues, but not in excess of thirty days.

NEW SECTION

WAC 132N-156-140 EXEMPTIONS FROM PERMIT REQUIREMENTS. The college may allow visitors without permits to drive through the campus without parking. Permission may be denied when pedestrian and/or vehicular congestion is above normal, or when the campus is closed.

NEW SECTION

WAC 132N-156-150 MOTORCYCLE AND SCOOTER PARKING. (1) Motorcycles, motorized bicycles, and scooters are for the purpose of these regulations considered to be motor vehicles and are subject to all traffic and parking rules and regulations controlling other motor vehicles.

(2) Motorcycles, motorized bicycles, and scooters may be parked in designated areas in the North Lot.

NEW SECTION

WAC 132N-156-160 PROHIBITIONS. No person shall stop or park any vehicle so as to obstruct traffic along or upon any street, firelane, or sidewalk. No vehicle shall be parked:

- (1) At any place where official signs or curb markings prohibit parking.
- (2) Within ten feet of a fire hydrant.
- (3) At any place for which the vehicle does not have a valid permit.

No vehicle shall drive intra-campus without a special permit issued by the security department. Restrictions governing the use of intra-campus permits shall be included on the face of the permit.

NEW SECTION

WAC 132N-156-170 IMPOUNDING OF DISABLED/ABANDONED VEHICLES. Any abandoned vehicle not removed within five calendar days will be towed away and impounded. Officers are provided with a camera and shall obtain pictorial evidence before towing and impounding such a vehicle. In addition, before any vehicle is towed, the Director of Security will send a registered letter notifying the registered legal owner.

NEW SECTION

WAC 132N-156-180 ENFORCEMENT. The Board of Trustees of Clark College, or designee, shall set and approve fair and uniform fines for parking violations and shall provide adequate means for the enforcement and/or collection of such a fine policy.

If a violation of the traffic and parking rules and regulations is committed on the Clark College campus, the security department is authorized to notify the violator and issue citations as follows:

(1) The first violation shall be cited by use of a violation sticker accompanied by a warning citation.

(2) The second and third violations shall be cited by use of a citation and the violator shall be fined.

(3) Any violation occurring after the third citation may result in the violator's permit being revoked.

NEW SECTION

WAC 132N-156-190 APPEALS. Students, faculty, and staff members who receive citations for violations of the traffic and parking rules and regulations may appeal to the Director of Security. If the situation is not resolved satisfactorily, students, faculty, and staff members may appeal in writing to the Security Advisory Committee through the Dean of Students. Appeals must be submitted and received without posting of fine within seven days after date of citation. The Security Advisory Committee meets once a month while the college is in session. The Security Advisory Committee shall consider each appeal on its merits and shall make written notification of each decision of the committee to the appellant and the security department.

NEW SECTION

WAC 132N-156-200 UNPAID FINES. (1) If any citation remains unpaid after fifteen days, a letter will be sent to the violator stating that if the citation remains unpaid for an additional five days, any of the following actions may be taken by Clark College:

(a) A hold may be placed on transcripts.

(b) A delay of registration for the following quarter.

(c) Revocation of the permit(s).

(2) If a violator has three unpaid citations, a letter will be sent notifying the violator of the unpaid citations and that his/her vehicle will be impounded and held until all outstanding fines are paid.

(3) These procedures will be applicable to all students, faculty, and staff members receiving citations for violations of these regulations.

NEW SECTION

WAC 132N-156-210 REVOCATIONS. Permits are licenses and the property of the college and may be recalled for any of the following reasons:

- (1) When the purpose for which the permit was issued changes or no longer exists.
- (2) When a permit is used on an unregistered vehicle or by an unauthorized individual.
- (3) Falsification on a parking permit application.
- (4) Continued violations of parking regulations.
- (5) Counterfeiting or altering of permits.
- (6) Failure to comply with a final decision of the Director of Security/Security Advisory Committee.

Appeals of permit revocations may be made to the Security Advisory Committee. Appeals must be filed within seven days of revocation.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 132N-156-020 ADMINISTRATIVE PROCEDURES--PARKING AND TRAFFIC REGULATIONS.