

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. 82-02

Administrative Order No. 82-02

(1) Be it resolved by the board of trustees

Clark Community College District # 14

(institution)

Vancouver, Washington

(place)

that it does promulgate and adopt the annexed rules relating to:

Parking and Traffic Regulations

(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 pertaining to campus parking and traffic.

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

(institution)

has authority to implement the provisions of

(name of act or RCW citation)

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

(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).

(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 February 16, 1982

By

Ellis J. Luna

President; Secretary, Board of Trustees

Title

STATE OF WASHINGTON

FILED

FEB 13 1982

CODE REVISER'S OFFICE

NR 82-07-032

8(11)

¹Pursuant to WAC 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 the 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 _____."

Chapter 132N-156 WAC

PARKING AND TRAFFIC REGULATIONS

NEW SECTION

WAC 132N-156-015 PREAMBLE. Pursuant to the authority granted by RCW 28B.50.140(10) the Board of Trustees of Community College District No. 14, Clark Community College, is granted authority to establish rules and regulations for pedestrians and vehicular traffic over property owned, operated and maintained by the College District.

NEW SECTION

WAC 132N-156-025 BOARD POLICY STATEMENT--PARKING AND TRAFFIC REGULATIONS. The parking and traffic regulations have been established to promulgate and maintain the health and safety of all members of the Clark College Community--faculty, students, administrators, classified staff, and visitors.

NEW SECTION

WAC 132N-156-035 PURPOSE. The traffic and parking regulations contained herein 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-156-045 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-156-055 PEDESTRIAN RIGHT OF WAY. The operator of a vehicle shall yield the right of way to any pedestrian crossing any street, roadway, fire lane, or pathway with or without a crosswalk, slowing down or stopping if need be.

NEW SECTION

WAC 132N-156-065 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-156-075 PERMIT PARKING ON CAMPUS. No person shall park a vehicle upon the Clark College campus without a valid permit issued by the Clark College Security Department except as noted below (WAC 132N-156-125).

(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.

(4) Physically handicapped faculty members, staff personnel, and students may apply through the Health Services office for a handicapped parking permit.

NEW SECTION

WAC 132N-156-085 FEES FOR PERMITS. The fees charged by the college for the issuance of permits shall be set by the Board of Trustees of the college. Parking permits are issued as a license to park on the Clark College campus. A schedule of current parking fees will be included in the policies and procedures manual and published each quarter in the college schedule.

NEW SECTION

WAC 132N-156-095 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-156-105 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 parking is limited to areas designated as open parking;
- (2) Staff/faculty parking is limited to areas so designated.

NEW SECTION

WAC 132N-156-115 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) Special parking areas will be designated for motorcycles, motorized bicycles and scooters.

NEW SECTION

WAC 132N-156-125 VISITOR AND GUEST PARKING. (1) All visitors, including guests, sales persons, maintenance or services personnel and all other members of the public on campus for less than two hours may park in designated visitor parking areas, or as directed by the Clark College security officers or parking checkers. There will be no charge, and no permit required.

- (2) Visitors on campus for more than two hours may purchase a visitor's permit and park in open parking areas.

NEW SECTION

WAC 132N-156-135 PROHIBITIONS. No person shall stop or park any vehicle so as to obstruct traffic along or upon any street, fire lane 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 (including motorcycles, motorized bicycles and scooters) shall drive on pathways 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-156-145 IMPOUNDING OF DISABLED/INOPERATIVE VEHICLES. No disabled or inoperative vehicle shall be parked on the campus for a period in excess of forty-eight hours. Vehicles which have been parked for periods in excess of forty-eight hours and which appear to be disabled and inoperative may be impounded and stored at the expense of either or both the owner and operator thereof. Notice of intent to impound will be posted on the vehicle twenty-four hours prior to impound. Neither the college nor its employees shall be liable for loss or damage of any kind resulting from such impounding and storage.

NEW SECTION

WAC 132N-156-155 ENFORCEMENT. The Board of Trustees of Clark College shall set and approve fair and uniform schedules of fines for parking violations. 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 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-156-165 VIOLATIONS OF THE FOLLOWING TRAFFIC AND PARKING RULES WILL BE CITED. (1) Parking offense:

- (a) Parking without a valid permit displayed on vehicle.
 - (b) Occupying more than one space.
 - (c) Parking in space not designated for parking.
 - (d) Failure to set brakes.
 - (e) Parking area not authorized.
 - (f) Blocking traffic.
 - (g) Parking adjacent to fire hydrant.
 - (h) Parking in fire lane.
 - (i) Parking in "No Parking" zone.
 - (j) Parking on grass.
 - (k) Parking in "Handicapped" zone without a special permit.
 - (l) Parking disabled or inoperable vehicle in excess of forty-eight hours.
- (2) Traffic offense:
- (a) Failure to yield right of way (posted).
 - (b) Failure to yield right of way to pedestrians.
 - (c) Failure to yield right of way to automobile.
 - (d) Failure to yield right of way to emergency vehicle.
 - (e) Failure to stop at traffic signal/sign.
 - (f) Failure to use due care and caution.
 - (g) Obstructed vision.
 - (h) Passenger or animal outside of vehicle while vehicle is in motion.
 - (i) Driving without lights after dark.
 - (j) Driving on shoulder, sidewalk, or pathway.
 - (k) Disobeying flagman, police, or fireman.

NEW SECTION

WAC 132N-156-175 PAYMENT OF FINES. (1) A schedule of fines will be published in the Clark College Policies and Procedures Manual and in the student handbook.

(2) Persons cited for violation of the traffic and parking rules and regulations may respond either by filing a written appeal or by paying a fine within fifteen days of receipt of the citation.

(3) All fines are to be made payable to Clark College. Fines can be paid by mail or in person at the cashier's office in the Administration Building. Fines that are mailed must be received within fifteen days of receipt of the citation.

NEW SECTION

WAC 132N-156-185 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 Administrative Services. 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-156-195 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).

(d) Faculty, students and staff will be unable to purchase parking permits unless outstanding tickets are paid.

(e) Fines due and payable will be withheld from paychecks of all Clark College employees (including faculty, staff and students).

(f) All fines outstanding may be turned over to a collection agency.

(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-156-205 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 sections of the Washington Administrative Code are repealed:

- (1) WAC 132N-156-010 BOARD POLICY STATEMENT--PARKING AND TRAFFIC REGULATIONS.
- (2) WAC 132N-156-030 PURPOSE.
- (3) WAC 132N-156-040 AUTHORITY.
- (4) WAC 132N-156-050 LIABILITY OF CLARK COLLEGE.
- (5) WAC 132N-156-060 REGULATORY SIGNS AND DIRECTIONS.
- (6) WAC 132N-156-070 PEDESTRIAN RIGHT OF WAY.
- (7) WAC 132N-156-080 SPEED LIMITATIONS.
- (8) WAC 132N-156-090 ALLOCATION OF PARKING SPACES.
- (9) WAC 132N-156-100 PERMIT PARKING ON CAMPUS.
- (10) WAC 132N-156-110 DESIGNATED AND ASSIGNED PARKING.
- (11) WAC 132N-156-120 PARKING WITHIN DESIGNATED AREAS.
- (12) WAC 132N-156-130 SPECIAL CIRCUMSTANCES.
- (13) WAC 132N-156-140 EXEMPTIONS FROM PERMIT REQUIREMENTS.
- (14) WAC 132N-156-150 MOTORCYCLE AND SCOOTER PARKING.
- (15) WAC 132N-156-160 PROHIBITIONS.
- (16) WAC 132N-156-170 IMPOUNDING OF DISABLED/ABANDONED VEHICLES.
- (17) WAC 132N-156-180 ENFORCEMENT.
- (18) WAC 132N-156-190 APPEALS.
- (19) WAC 132N-156-200 UNPAID FINES.
- (20) WAC 132N-156-210 REVOCATIONS.