

Appalachian State University
Parking and Traffic Regulations

Effective August 16, 2021

University Parking and Transportation Department
461 Rivers Street, Suite A
Boone, North Carolina 28608
(828) 262-2878

FOREWORD

Welcome to Appalachian State University! The Parking and Transportation Department is responsible for providing parking services for all faculty, staff, students, and visitors to the campus. Management of the University's more than 7,000 parking spaces is accomplished through vehicle registration, as well as enforcement of the regulations set forth in this manual. These regulations are designed to enhance the safety and welfare of the entire University community, the University's visitors, and contractors.

Through the following resolution on page 3, the Board of Trustees of Appalachian State University has adopted the regulations contained herein as official policy of the University.

Questions regarding these regulations should be directed to: University Parking and Transportation Department ((828) 262-2878).

**RESOLUTION OF THE APPALACHIAN STATE UNIVERSITY BOARD OF TRUSTEES APPROVING
APPALACHIAN STATE UNIVERSITY'S PARKING REGULATIONS**

WHEREAS, Appalachian State University's Board of Trustees is authorized by Chapter 116, Article 1, Part 6 of the North Carolina General Statutes, to adopt parking and traffic regulations on campus;

WHEREAS, Appalachian State University's Board of Trustees has determined that the adoption of parking and traffic regulations is necessary to provide guidance on parking and transportation on campus;

NOW THEREFORE, BE IT RESOLVED by the Appalachian State University Board of Trustees as follows:

1. The Board of Trustees hereby repeals all prior actions authorizing Regulations Governing Parking, Traffic and the Registration of Motor Vehicles for Appalachian State University;
2. The Board of Trustees for Appalachian State University adopts and records in its proceedings the following Regulations Governing Parking, Traffic, and the Registration of Motor Vehicles on the campus of Appalachian State University at Boone in lieu thereof to supplement North Carolina General Statutes, Chapter 20, N.C. Motor Vehicles Laws.
3. The Office of Business Affairs shall be responsible for all physical arrangements, including implementation and installation of additional traffic control signs and signals on University property as deemed necessary
4. All previous actions taken by the Board of Trustees or other duly authorized Appalachian representatives in connection with the approval of the Regulations that are not in conflict with this resolution are hereby ratified and approved.
5. This Resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED this 18th day of June, 2021.

**THE BOARD OF TRUSTEES OF
APPALACHIAN STATE UNIVERSITY**

 (signature)
Scott Lampe, Chair

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Article I—General Regulations

Section 1 DEFINITIONS

The definitions of all terms used in these regulations shall be those provided in Chapters 20-38 and other applicable sections of the General Statutes of North Carolina insofar as they are provided. The meaning of other terms shall be as follows:

- A. **ACADEMIC YEAR:** From the beginning of one fall semester to the beginning of the next fall semester.
- B. **CAMPUS:** All properties belonging to Appalachian State University, including New River Light and Power, the Child Development Center, the holdings of the permanent Endowment Fund and all properties leased or controlled by the University in addition to the public streets listed under N.C.G.S. § 116-44.5(2).
- C. **CHANCELLOR:** Chief Administrative Officer of Appalachian State University.
- D. **CHRONIC OFFENDER:** An individual who exhibits an observable pattern of recurring parking violations without demonstrating a recognizable intent to self-correct the behavior.
- E. **CONCURRENT PARKING:** When multiple vehicles registered to one account are found parked on campus at the same time.
 - F. **CROSSWALK:** That portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections, or any portion of a roadway distinctly indicated for pedestrian crossing by line or other markings on the surface.
- E. **DIRECTOR OF PARKING AND TRAFFIC:** The person designated by the Vice Chancellor for Business Affairs to be responsible for enforcing these regulations.
- F. **DORMANT STORAGE:** The parking of a non-operative motor vehicle for a period longer than seven days. State-owned vehicles and privately-owned motor vehicles displaying a current parking permit and parked in an area authorized by the displayed permit shall not be classified as dormant unless there is evidence that the vehicle is inoperative. Vehicles not bearing an authorized state license plate will be considered as inoperative. Inoperative vehicles may be removed from the campus after seven days at the owner's expense.

- G. E-CITATION: An electronic parking citation or bill delivered via electronic methods, such as email.
- H. FIRE LANE: Any area specifically marked, signed or designated where parking is strictly prohibited, and/or any area in which direct and immediate access to a fire hydrant or firefighting apparatus would be blocked by a parked vehicle.
- I. FACULTY MEMBER: Employees with faculty or equivalent professional status. (Graduate Assistants are not included.)
- J. IMMOBILIZATION (booting): The placing of a mechanical wheel lock (boot) on a vehicle to prevent movement of the vehicle.
- K. INTERSECTION: The area embraced within the prolongation of the lateral curb lines, or, if none, then the lateral boundary lines of two or more highways, streets or roadways, which join one another at any angle whether or not one such highway, street or roadway crosses the other.
- L. LEGAL PARKING SPACE: An area that has been clearly designated by pavement markings as a parking space.
- M. License Plate Recognition or LPR: A parking management technology known as License Plate Recognition.
- N. NO PARKING AREA: Any area not clearly designated by pavement markings as a parking space shall be considered a no parking area.
- O. PARK: The standing of a vehicle whether occupied or not.
- P. PARKING AREA: Any place or area set aside, marked, or intended for the parking of vehicles, either permanently or temporarily.
- Q. PARKING PERMIT: A physical or virtual parking credential that grants access to parking in designated areas during designated times. All permits require registration of a vehicle with Parking Services.
- R. PAY-BY-PLATE: Technology that allows visitor/hourly parking fees to be paid via mobile phone app.
- S. PAY LOT INVOICE: A payment request issued for daily parking fees incurred in a visitor parking area when there is no evidence that parking fees were paid at the time of use.
- T. PAY LOT: Any parking lot or area where payment for parking is required based on the length of time the vehicle is parked. Pay lots may be operated by automated pay machines, meters, or by attendants who collect the parking fees.

- U. RETIRED UNIVERSITY EMPLOYEE: Individuals who no longer receive a salary from the University and are declared retired by the North Carolina Retirement Systems Division of the Department of State Treasurer. (Employees participating in phased retirement are not considered retired employees).
- V. SIDEWALK: Any area designated for, or marked by proper authorities for the exclusive use of pedestrians.
- W. STAFF MEMBER: Any non-faculty employee paid by the state and employed at the University on a full or part-time basis.
- X. STOP: When required, means complete cessation of movement of a vehicle.
- Y. STREET: Any way or place designated or marked by proper authorities for vehicular travel.
- Z. STUDENT: Any person registered with the University as a full-time, part-time, graduate or other special student. This does not include employees of the University who are in a full-time permanent position and subject to SHRA or EHRA guidelines.
- AA. TOWING: The removal of a vehicle from the campus by a contracted towing firm at the vehicle operator's expense.
- BB. UNIVERSITY: Unless otherwise provided, the word "University" throughout these regulations shall be interpreted to mean Appalachian State University at Boone.
- CC. VEHICLE: Any device in, upon, or by which any person or property is or may be transported or drawn upon the campus, excepting devices moved by human power; the term motorcycle, motor bike, or motor scooter in these regulations applies to any two-wheeled or three-wheeled motor propelled vehicle.
- DD. VISITOR: Any person on the campus who is not classified as faculty, staff or student.

Section 2 These regulations are in effect twenty-four hours a day, except as herein provided. Any revisions will be announced in official University publications.

Section 3 AUTHORITY

The Chancellor shall delegate to the Vice Chancellor for Business Affairs the responsibility for administering the provisions of these regulations. The Vice Chancellor for Business Affairs shall designate the Director of Parking and

Transportation to be responsible for enforcing the provisions of these regulations.

Section 4 LIABILITY

Appalachian State University assumes no liability or responsibility for damage to or theft of any vehicle parked or in operation on all University owned, leased, or controlled property.

Section 5 PEDESTRIAN REGULATIONS

Pedestrians have the right of way in crosswalks and on sidewalks at all times. Pedestrians should only cross streets at designated crosswalks.

Section 6 PROPERTY DAMAGE

No person shall deface, injure, or remove any signs or other equipment used for the purpose of parking and traffic control. Violators can face criminal charges as well as being referred to Student Judicial Affairs.

Section 7 SNOW EMERGENCY

In order to provide for public safety, the University Parking and Transportation Department shall have the authority during times of severe winter weather conditions to relocate a legally or illegally parked vehicle from one street or parking area to another in order to assist in snow removal.

Section 8 VEHICLE COVERS

No person shall utilize any type of vehicle cover or sun shield which prevents full visibility of a properly displayed parking permit. It is the vehicle operator's responsibility to make any necessary alterations to the device to allow for the parking permit to be viewed from outside the vehicle.

Section 9 USE OF PARKING FACILITIES

Campus parking areas are designated for vehicular parking only and vehicles must follow the University's Facility Use Policy as it pertains to advertising. All other uses are prohibited, unless authorized by the Vice Chancellor for Business Affairs.

Section 10 VIOLATION OF REGULATIONS

In addition to the criminal penalties set by North Carolina General Statutes, any person violating these regulations is subject to a civil penalty as set forth in this document. When a vehicle is found to be in violation of these regulations, it will be considered prima facie evidence that the vehicle was parked: (1) by the person holding a University parking permit for that vehicle; (2) by the person

registered with the University for a parking permit displayed on that vehicle or (3) by the person on file as the vehicle's owner with the North Carolina Division of Motor Vehicles or corresponding agencies of another state or nation.

Article II—Vehicle Registration

Individuals who park a motor vehicle between the hours of 7:00am and 5:00pm, Monday through Friday on University controlled property, for any period, however short, must immediately register their vehicle(s) with the University Parking and Transportation Department. Parking permits are not required from 5:00pm until 7:00am, Monday through Friday and at all times on Saturday and Sunday, unless otherwise posted.

Several types of parking privileges are available, dependent upon the category of the registrant. The University Parking and Transportation Department will provide the appropriate parking privileges at the time of registration. Note* Parking privileges grant permission to park, but do not guarantee the availability of a parking space.

Section 1 PERMIT TYPES

- A. **Valid License Plate**: Once an individual registers for campus parking privileges their state-issued vehicle license plate serves as their parking permit.
- B. **Hang Tag**: In certain situations, physical hang tags may be issued as parking permits. They must be displayed with the number facing outward from the rearview mirror or on the dashboard directly above the steering wheel. All numbers on the permit must be completely visible from outside the vehicle.
- C. **Guest Parking Permits**: Valid for one day of guest parking on campus. Must be displayed with the numbers facing outward from either the rearview mirror or on the dashboard directly above the steering wheel. All numbers on the permit must be completely visible from outside the vehicle. Correct date must be scratched off for the permit to be considered valid.

NOTE: In all cases, campus parking privileges are granted solely by the Appalachian State University Parking and Transportation Department, as such these privileges may not be resold or transferred to any person other than the original registrant without authorization.

Section 2 ELIGIBILITY FOR PARKING PRIVILEGES

- A. **Faculty/Staff Parking Privileges**: Persons eligible for this permit shall be faculty members and all permanent or temporary non-student employees. Categories are as follows.

- **Parking Deck Privileges**: Allows parking in the assigned deck, as well as all surface lots on campus.

- **Surface Lot Privileges:** Allows parking in all surface lots on the campus.

B. **Adjunct Faculty/Part-Time Staff:** Persons eligible for this permit must be classified as adjunct faculty members, teaching 6 or fewer hours, or a part-time staff member working 20 or fewer hours per week. No one eligible for this reduced rate permit may be enrolled as a student. Documentation verifying this employment status must be provided by the faculty or staff member's department prior to obtaining a parking permit. This permit allows parking in all surface lots on the campus.

***Note: Employees who purchase parking privileges may register up to five vehicles. However, if multiple vehicles associated with the same account are found to be on campus at the same time, citations for Concurrent Parking may be written to ALL the involved vehicles.**

C. Student Parking Privileges: All students registered for classes are eligible to apply. Assignments will be based on student classification and availability of space. Allows parking at all times in area(s) indicated on the permit, except during home football games.

D. Evening Parking Privileges: All students except freshmen are eligible. Allows parking on the campus after 1:30 pm in all student surface lots.

E. Reserved Space Privileges: Allocated only to persons with extenuating circumstances. Requests require the approval of the Vice Chancellor for Business Affairs.

F. Appalachian Heights/Mountain Laurel Hall/Mountaineer Hall: Persons eligible must be a resident of the complex.

G. Disability Parking Privileges: See Article IV.

H. Graduate Assistant Privileges: Persons eligible must have a signed contract with the University. Parking lot assignment will be made at the time the permit is purchased.

I. Vendor Privileges: Persons eligible for this permit are not employed by the University, and are performing work on the campus. Any vendor requiring a parking space on campus must purchase and display a valid University parking permit.

J. Retiree Privileges: All Appalachian State University retirees are eligible to apply for complimentary campus parking. Verification of retirement status is required. However, employees who return to work are subject to the appropriate parking fees.

K. Temporary Privileges: These cover emergency situations subject to the approval of the Director of the Parking and Transportation Department.

L. Special Privileges: Certain unique situations, as solely determined by Parking and Transportation, may merit special parking consideration. In such cases, application shall be made by the individual at the Parking and Transportation Department.

M. Motorcycle Privileges: See Article VIII.

N. Visitor Privileges: Pay by the hour parking is available for visitors in the Rivers Street Parking Deck. In certain situations, visitors may be issued temporary permits for other areas of campus. Campus departments are eligible to purchase visitor parking permits for their guests at a reduced rate.

O. Loading Privileges: Students may obtain a short-term permit at no charge to allow the use of a legal parking space for loading their vehicle.

NOTE: Parents picking up/dropping off a student may obtain a complimentary 30-minute loading permit from the Parking and Transportation Department.

- Section 3 Students registering for parking privileges must do so online via their AppalNET account. Check www.parking.appstate.edu for more information.
- Section 4 Faculty and staff new to the University should apply for parking privileges at the Parking and Transportation Department. Existing employees may renew their parking registration online in August, or by visiting the Parking and Transportation Department in person. Check www.parking.appstate.edu for more information.
- Section 5 Physical parking permits must be displayed in accordance with their accompanying directions. Parking permits allow parking only in the assigned area(s) designated on them and only in legally marked parking spaces.
- Section 6 In the case of physical parking permits, defaced, lost, stolen or removed permits it become the responsibility of the registrant to replace immediately. Replacement permits may be obtained from the Parking and Transportation Department for a fee of \$10.00.
- Section 7 A faculty member, staff member or student may not register a vehicle that is owned or used by another faculty member, staff member or student. Violation of this rule is false registration and will be subject to a civil penalty of \$200.00, as well as loss of campus parking privileges.
- Section 8 Failure to display a current valid state-issued license plate on the rear of a vehicle, or displaying a counterfeit or altered campus parking permit will result in

a civil penalty of \$200.00. If the parking permit is documented as stolen, the situation may be referred to the University Police Department.

Section 9 Registration of a vehicle at the University requires accurate information. Giving of false information constitutes false registration, and will result in a civil penalty of \$200.00 as well as loss of campus parking privileges.

Section 10 Parking permits shall be valid from the date of issuance until August 15 of the academic year issued, unless otherwise noted on the permit.

Section 11 Temporary parking is allowed in timed spaces for the amount of time designated by posted signs without having campus parking privileges. However, parking in excess of the posted time limit shall be considered a violation, with the appropriate civil penalty applying.

Section 12 If two or more members of a family are employed or enrolled as students and use multiple parking spaces simultaneously, each automobile must be registered separately for parking privileges.

Section 13 The State of North Carolina requires that all students requesting parking privileges on the campus must certify that their vehicle(s) are insured at or higher than the levels mandated in North Carolina General Statute 20-279.1(11). Prior to a parking permit being issued, the applicant must provide the insurance company name, policy number and certify that the coverage meets the minimum standards indicated below:

The levels set by G.S. 20-279.1 (11) state it is the proof of ability to respond in damages for liability in the amount of:

- A. \$30,000 because of bodily injury to or death of one person in any one accident and subject to said limit for one person.
- B. \$60,000 because of bodily injury to or death of two or more persons in any one accident.
- C. \$25,000 because of injury to or destruction of property of others in any one accident.

NOTE: This requirement applies to motor vehicles registered in other states, as well as those registered in the State of North Carolina.

Section 14 PAY LOT PARKING

- A. Anyone may park in the Rivers Street Parking Deck, subject to space availability, and pay the posted hourly fee.
- B. Fees are no charge for the first 30 minutes and \$4.00 for each additional hour or part, with a daily maximum of \$16.00 per vehicle exit.

- C. All hourly pay lot customers are required to exit the parking area no later than the posted closing time. Failure to do so shall be considered a parking violation, with the appropriate civil penalty applying.

Section 15 OVERNIGHT PARKING RESTRICTIONS

Overnight parking is prohibited in campus parking decks without valid annual parking privileges for the parking area.

Article III—Vehicle Registration Fees

Section 1 ANNUAL FEES

A. **Faculty/Staff Parking Privileges:**

- Reserved Space: \$576.00
- Parking Decks: \$432.00
- Surface Lots: \$276.00
- Adjunct Faculty/Part-Time Staff: \$144.00/year, \$60.00/semester, \$24.00/summer. If individuals in this category wish to have parking deck privileges, no discount is available.

B. **Student Parking Privileges:**

- Parking Decks: \$576.00
- Surface Lots: \$276.00
- Evening: \$144.00 (Allows parking AFTER 1:30 pm in all student surface lots)

C. **Contractor/Vendor Privileges:**

- Surface lot: \$276.00
- Parking Decks: \$576.00

- D. **Short Term/Temporary Privileges:** In certain situations, parking privileges may be sold on a monthly basis and pro-rated for the applicable parking area rather than an annual basis. Visitors are not subject to this section (see Article II, N).

Section 2 PAYMENT

- A. **Faculty/Staff:** Parking fees will be payroll deducted on a monthly basis.

B. **Students:** Parking fees will be charged to students' University accounts.

Section 3 REFUNDS

A. Refunds of vehicle registration fees will be prorated on a monthly basis less a \$10.00 service charge. The parking permit must be returned at the time of the refund request.

B. No refund requests will be accepted after March 31, 2022 for the 2021-22 school year.

Section 4 Parking privileges purchased after the beginning of the fall semester will be sold on a prorated basis dependent upon the amount of time the permit will be valid.

Section 5 Lost or stolen physical permits may be replaced for \$10.00. The person the permit is registered to must fill out a lost/stolen permit report in person at the Parking and Transportation Department.

Section 6 All parking privileges are valid from the purchase date until August 15, 2022 unless otherwise indicated.

Article IV—Disability Parking

Section 1 All faculty, staff and students, including those with disabilities, must obtain and properly display an Appalachian State University parking permit appropriate to their University category. Parking for persons with disabilities is governed by North Carolina General Statutes, 20-37.5, 20-37.6, and 20-37.6A.

A. N.C.G.S. 20-37.6(a) provides that: "Any vehicle that is driven by or is transporting a person who is handicapped and that displays a distinguishing license plate, a removable windshield placard, or a temporary removable windshield placard may be parked for unlimited periods in parking zones restricted as to the length of time parking is permitted. This provision has no application to those zones or during times in which the stopping, parking, or standing of all vehicles is prohibited or which are reserved for special types of vehicles. Any qualifying vehicle may park in spaces designated as restricted to vehicles driven by or transporting the handicapped."

- Pursuant to N.C.G.S. 20-37.6A, any vehicle displaying "an out-of-State handicapped license plate, placard, or other evidence of handicap issued by the appropriate authority of the appropriate jurisdiction may park in any space reserved for the handicapped pursuant to G.S. 20-37.6."
- Because wheelchair-accessible parking spaces are limited, individuals with properly displayed distinguishing license plates or placards who do not require a wheelchair-accessible space are encouraged to use

other available spaces, if possible, as a courtesy to those who do use wheelchairs.

- B. Individuals with disabilities who wish to avail themselves of parking permitted under N.C.G.S. 20-37.6(a) must obtain from the North Carolina Division of Motor Vehicles (“DMV”) and properly display a “distinguishing license plate” or “a removable windshield placard or a temporary removable windshield placard” pursuant to N.C.G.S. 20-37.6(b) and (c). Applications for these license plates and windshield placards may be obtained from the University Parking and Traffic Department or the nearest office of the DMV. Pursuant to N.C.G.S. 20-37.6(c1), the initial application to the DMV must be “accompanied by a certification of a licensed physician, a licensed ophthalmologist, a licensed optometrist, a licensed physician assistant, a licensed nurse practitioner, or the Division of Services for the Blind that the applicant or person in the applicant's custody or care is handicapped or by a disability determination by the United States Department of Veterans Affairs that the applicant or person in the applicant's custody or care is handicapped. For an initial application for a temporary removable windshield placard only, the certification that the applicant is handicapped may be made by a licensed certified nurse midwife.”
- C. N.C.G.S. 20-37.6(e) makes it unlawful:
- To park or leave standing any vehicle in a space designated with a sign [designating parking] for handicapped persons when the vehicle does not display the distinguishing license plate, removable windshield placard, or temporary removable windshield placard as provided in this section, or a disabled or partially disabled veteran registration plate.
 - For any person not qualifying for the rights and privileges extended to handicapped persons under this section to exercise or attempt to exercise such rights or privileges by the unauthorized use of a distinguishing license plate, removable windshield placard, or temporary removable windshield placard issued pursuant to the provisions of this section;
 - To park or leave standing any vehicle so as to obstruct a curb ramp or curb cut for handicapped persons as provided for by the North Carolina Building Code or as designated in G.S. 136-44.14.
- D. Violations of these provisions are punishable with civil penalties of “at least one hundred dollars (\$100.00) but not more than two hundred fifty dollars (\$250.00),” and a law enforcement officer “may cause a vehicle parked in violation of this section to be towed.” N.C.G.S. 20-37.6(f)(1) and (3).

Section 2 DISPLAY

- A. A Disability Placard issued by the DMV or other appropriate out-of-state authority should be displayed by hanging from the rearview mirror.
- B. University parking permit should be displayed on the vehicle dashboard directly above the steering wheel with numbers facing outward.

Article V—Regulations Governing Parking

Section 1 GENERAL

The control of parking on the campus is necessary to provide for public safety and to permit the proper conduct of University business. These regulations specify where parking is authorized, and all other areas shall be deemed to be unauthorized, and therefore illegal. Inability to locate a legal parking space near where one works, resides or attends class is not a valid excuse for violating parking regulations.

Section 2 REGULATIONS

- A. METHOD OF PARKING: All vehicles must be parked with the rear of the vehicle facing the drive lane with a valid state issued license plate displayed on the rear bumper. Vehicles are prohibited from being pulled through spaces or backed in.
- B. No person shall park a vehicle at any time on the campus in an area not specifically designated by pavement markings as a parking space.
- B. With the exception of visitor parking in the Rivers Street Parking Deck, visitor parking on a guest pass, or posted time zone spaces, all vehicles parked on the campus are required to be registered for parking privileges from 7:00 am – 5:00 pm Monday through Friday, unless otherwise posted.
- C. Vehicles must be parked in appropriate areas based on their assigned parking privileges.
- D. No person shall stop, stand or park a vehicle upon a street or roadway in such a manner as to block the movement of vehicular traffic, except that a driver may stop temporarily to load or unload passengers, or when directed to stop by traffic signs or signals, or at the instruction of a police officer or parking control officer.
- E. Each person operating and parking a vehicle on the campus shall be responsible for doing so in accordance with the established parking and traffic regulations.

- F. Where “No Parking” signs are placed, erected, or installed in conspicuous places, giving notice thereof, or the curbing or streets have been painted (yellow markings) in such a manner as to give notice thereof in lieu of signs, no person shall park a vehicle.
- G. No parking is permitted in the bicycle lanes on Rivers Street. IT IS CONSIDERED A NO PARKING ZONE AND WILL BE ENFORCED AS SUCH.
- H. When signs are placed, erected or installed in a time zone giving notice thereof, or the curbing or street has been painted in such a manner as to give notice thereof of the time zone in lieu of signs, no person shall park a vehicle for a period of time longer than that indicated by the sign or painting.
- I. Spaces posted as reserved for a particular person, department or vehicle are reserved 24 hours per day, seven (7) days per week.
- J. No person shall park in an area of the campus specifically reserved for special events and so designated by the erection of appropriate signs, or supervised by the traffic enforcement personnel.
- K. All visitors, contractors, and vendors must register for parking privileges when on campus, unless utilizing visitor parking in the Rivers Street Parking Deck.
- L. Whenever a particular angle or manner of parking is indicated in a parking area by signs, fences, barriers or markings, no person shall park a vehicle except in the manner so indicated, and no vehicle shall be parked in such a manner as to occupy more than the space indicated with lines, signs, or markings for a vehicle.
- M. No person, firm or corporation shall park a vehicle upon any street, roadway, alley, parking lot or driveway for the principal purpose of:
- Washing, greasing or repairing such vehicles, except such repairs necessitated by an emergency.
 - Storage which is not incidental to the bona fide use and operation of such vehicle.
 - Maintaining an abode or sleeping quarters, whether temporary or otherwise.
- N. The University administration shall have the authority to cause closing of any street, roadway, parking lot, alley or driveway or any portion thereof on the campus when it shall appear necessary or appropriate to facilitate construction or maintenance work, for the protection of pedestrians or for special events. When such closing has been caused and when proper signs,

barriers or obstructions have been erected to give notice thereof, no person shall willfully drive into or upon such street, roadway, alley and driveway, or portion thereof, or break down, remove, injure or destroy any such sign, barrier or obstruction.

Section 3 TOWING

Parking Control Officers and University Police Officers shall have the authority to remove to a place of storage at the owner's expense any vehicle parked in such a manner as listed below:

- A. Any vehicle illegally stopped or parked in such a manner as to be blocking the normal movement of a properly parked car.
- B. Any vehicle obstructing the flow of traffic or that is a safety hazard endangering life and property.
- C. Any vehicle parked in an area reserved for a special event as designated by signs or traffic enforcement personnel.
- D. Any vehicle that meets the criteria for dormant storage.
- E. Any vehicle whose operation and parking privileges have been suspended.
- F. Any vehicle parked on sidewalks or walkways.
- G. Any vehicle parked within an intersection or crosswalk or in front of a public driveway.
- H. Any vehicle parked on the grass or landscaped areas.
- I. Any vehicle parked in the approaches or other portions of a parking area, which are not clearly marked for parking.
- J. Any vehicle blocking fire hydrants, trash receptacles, fire lanes or service areas.
- K. Any unauthorized vehicle parked in a posted disability space.
- L. Any vehicle that has had an immobilization device placed on it and remains unclaimed as of 11:00 pm on the date of the immobilization.
- M. Any vehicle parked in the bicycle lanes on Rivers Street from the intersection of Depot Street and Rivers Street, running along Rivers Street to the intersection of Rivers Street and US 321.
- N. Any vehicle parked in reserved spaces, areas, or lots without authorization.
- O. Any vehicle parked in violation of the posted restrictions for that area.

P. Any vehicle parked in bus stop zones.

Section 4 TOWING FEE

All towing is done by private companies at the request of the Parking and Transportation Department subject to all provisions of Article 7A, Chapter 20. All fees associated with the towing and storage of a vehicle are the responsibility of the vehicle operator or owner. In the event that the operator of the vehicle to be towed arrives at the tow scene prior or subsequent to the tow truck, but prior to actual towing, such operator may be required to pay a service fee to the tow truck driver.

The owner or any other person entitled to claim possession of the vehicle may request in writing a hearing to determine if probable cause existed for the towing. The request shall be filed with the magistrate in the county where the vehicle was towed. The magistrate shall set the hearing within 72 hours of his/her receiving the request. The owner, the person who requested the hearing, or someone other than the owner, the tower, and the person who authorized the towing shall be notified of the time and place of the hearing. The only issue at this hearing is whether or not probable cause existed for the towing. If the magistrate finds that probable cause did exist, the tower's lien continues. If the magistrate finds that probable cause did not exist, the tower's lien is extinguished. At any stage in the proceedings, including before the probable cause hearing, the owner may obtain possession of this vehicle by:

- A. Paying the towing fee, or
- B. Posting a bond for double the amount of the towing fee.

Section 5 IMMOBILIZATION

When feasible, the University Parking and Transportation Department may immobilize vehicles in lieu of towing. The vehicle operator will be required to report to the University Parking and Transportation Department to obtain the release of the vehicle. Failure to report to the University Parking and Transportation Department prior to 11:00 pm on the date of immobilization may result in the vehicle being towed off campus at the owner's expense.

NOTE: The penalty for unauthorized removal of the immobilization device (boot) shall be equal to the cost of repair or replacement of the device.

Section 6 RESPONSIBILITY

All persons registered for parking on the campus are responsible for all violations issued to the vehicles they have registered. Citations issued to unregistered vehicles will be billed to the faculty member, staff member, or student identified as being associated with the vehicle owner. Citations issued to unregistered

vehicles operated by persons not associated in any way with the University shall be the responsibility of the vehicle owner.

Article VI—Regulations Governing the Operation of Motor Vehicles

- Section 1 All provisions of North Carolina Motor Vehicles Law (N.C. General Statutes, Chapter 20) shall apply to the campus.
- Section 2 For the purpose of determining the speed limit on the University campus, it shall be deemed to be a business district, and the speed limit shall be 20 miles per hour unless otherwise posted.
- Section 3 No vehicle shall be driven or ridden except upon the streets, roadways, alleys and driveways of the campus and shall not be driven or ridden upon or within any sidewalk area, or walking area, or within any area which is marked by posts, signs, or other markings, as being prohibited to vehicles. This section shall not be deemed to prohibit service vehicles or any utility company vehicles from being driven in any area necessary for them to enter to perform the necessary construction and maintenance work.
- Section 4 All accidents involving motor vehicles which occur on University property should be immediately reported to the University Police.

Article VII—Parking for Special University Events

- Section 1 HOME FOOTBALL GAMES
- Most campus parking areas have specific restrictions on football home game days. The campus community will be notified of these restrictions via electronically mailed information, press releases, and signage posted at the parking lot entrances. The Director of Parking and Transportation is authorized to remove and/or cite for violation of this regulation any vehicle parked in restricted areas.
- Section 2 OTHER EVENTS
- The Director of Parking and Transportation shall have the authority to restrict access to University streets and parking areas to accommodate the needs of various special events, including but not limited to athletic functions, academic conferences and cultural events. Notice of these temporary restrictions will be prominently posted. The Director of Parking and Transportation is authorized to remove and/or cite for violation of this regulation any vehicle parked in restricted areas.

Article VIII—Motorcycle Parking

Section 1 Motorcycles and mopeds may be parked only in areas designated by signage as being for that purpose. The parking of a motorcycle anywhere on the campus other than these areas shall be considered a parking violation.

Article IX—Non-Motorized Vehicles

Section 1 The University strictly prohibits the use of skateboards, in-line skates or similar devices on the entire campus. Students found in violation of this regulation will be referred to the Office of Student Judicial Affairs for disciplinary action under the procedures outlined in the Code of Student Conduct.

Section 2 Bicycles and similar devices may be operated and parked in designated racks located throughout the campus. However, parking or securing any of these devices in stairwells, hallways, doorways, etc. is considered a safety hazard endangering life and property and will result in the device being removed and impounded at the owner’s expense. To aid in property identification, these devices may be registered free of charge with the University Police Department.

Article X—Parking Violations and Civil Penalties

Section 1 RESPONSIBILITY

Under the authority granted by North Carolina General Statutes, Section 116-44.4 (g), none of the violations listed below, or otherwise described in these regulations shall be infractions. Any person who parks or operates a motor vehicle in violation of these regulations is subject to a written citation from an authorized officer and shall be held responsible for payment of the civil penalty indicated by the violation.

Section 2 VIOLATIONS AND CIVIL PENALTIES

1. Unauthorized parking in a disability space \$250.00
(Includes blocking designated accessible aisle, path, or curb cut.)
2. False registration of a vehicle \$250.00
3. Displaying counterfeit/altered parking permit..... \$250.00
4. Displaying lost/stolen parking permit..... \$250.00
(These matters may also be referred to the University Police Department and Student Judicial Affairs.)
5. Parking in a fire lane or blocking hydrant..... \$100.00
6. Unauthorized parking in a posted reserved space \$100.00

- 7. Unauthorized parking in a loading dock or service area..... \$100.00
- 8. Unauthorized parking in an area reserved for a special event..... \$60.00
(Article VII)
- 9. Unauthorized parking in electric vehicle charging space \$60.00
- 10. Parking in an improper area for permit..... \$40.00
- 11. Parking in a “no parking” area \$40.00
(Any area not specifically marked and designated for parking.)
- 12. Vehicle not registered for parking \$40.00
- 13. Unauthorized motorcycle parking \$40.00
- 14. Permit expired or not displayed \$40.00
- 15. Overtime in a time limited space..... \$40.00
- 16. Concurrent parking \$40.00
- 17. Rear of vehicle not facing drive lane \$40.00
- 18. Failure to pay fee in a pay lot \$40.00
- 19. Failure to exit pay lot by posted time (overnight parking) \$40.00
- 20. Obstructing the flow of traffic..... \$40.00
- 21. Encroachment of two or more parking spaces..... \$40.00
- 22. Parking on sidewalk/pedestrian walkway \$40.00
- 23. Parking on grass or landscape \$40.00
- 24. Warning for circumstances (reduced fine)\$20.00
- 25. Warning for circumstances (no fine)n/a

Section 3 PAYMENT

- A. Students may pay civil penalties at the Student Accounts office in the John E. Thomas Academic Support Building. Civil penalties not paid or not waived following appeal will be charged to the student’s account.
- B. Faculty members and staff members will have civil penalties payroll deducted.

- Section 4 Citations issued to unregistered vehicles will be billed to the faculty member, staff member, or student identified as being associated with the vehicle owner.
- Section 5 Upon receiving ten parking violations in a semester, a person will be considered a chronic offender, and may lose the privilege to park on the campus for the remainder of that semester. Vehicles in violation may be immobilized or towed at the owner's expense. Persons who lose their parking privileges are not eligible for refunds.

Article XI—Appeals of Parking Violations

Section 1 HOW TO APPEAL A PARKING CITATION

Complete an online appeal form via Appalnet Self Service within fourteen days from the date of issuance of the citation. Appeals filed later than the fourteen-day limit will not be reviewed.

Section 2 APPEALS PROCESS

The appeal will be read and ruled on by an Appeals Officer designated by the Vice Chancellor for Business Affairs. Subject to rules and regulations adopted by the Board of Trustees of Appalachian State University and the Board of Governors of the University of North Carolina, the Appeals Officer's ruling shall be considered binding.

Section 3 POINTS TO CONSIDER PRIOR TO FILING AN APPEAL

- A. Hazard lights and/or notes left on vehicles do not permit parking in unauthorized areas, no matter how short the time period.
- B. The absence of "NO PARKING" signs/pavement markings does not mean that parking is allowed. Any area not specifically designated by pavement markings as a parking space shall be considered a "no parking area".
- C. Inability to find a legally marked parking space does not constitute an excuse for parking illegally.
- D. Unauthorized parking in disability spaces and/or reserved spaces is strictly prohibited for ANY reason.
- E. You are responsible for any parking violations pertaining to your vehicle, regardless of whom you allow to operate the vehicle.
- F. Familiarize yourself with the Parking and Traffic Regulations. Lack of knowledge is not an excuse for committing parking violation/s.