

# **NORTH SHORE COMMUNITY COLLEGE CAMPUS POLICE & PARKING/TRAFFIC RULES & REGULATIONS**

AMENDED: May 30<sup>th</sup>, 2006

The North Shore Community College Board of Trustees, acting under the powers granted by Section 22 of Chapter 15A of the General Laws has adopted, subject to subsequent amendment, the following rules and regulations for the control, movement, and parking of motor vehicles on the Campuses of North Shore Community College and other land of the College owned, used, or occupied and assignment of Police authority to the Campus Police Staff.

Except as otherwise provided herein, the General Laws of the Commonwealth and the Parking/Traffic Rules and regulations of the Registrar of Motor Vehicles, relating to the laws of the road and the operation of motor vehicles, shall apply to all motor vehicles on the Campuses or other land of the College owned, used or occupied.

These parking/traffic rules and regulations shall apply to all persons who operate or own a motor vehicle on the Campuses or other land of the College owned, used or occupied.

## **ARTICLE I – DEFINITIONS**

- Section 1: Police Officer – Campus Police Officers I, Campus Police Officers II, Lieutenant, Chief or Director of the Campus Police Department, the Director of Facilities and other persons appointed by the President or his/her designee to enforce traffic rules, regulations, the General Laws of the Commonwealth, Rules/Regulations of the Registrar of Motor Vehicles, and the Commonwealth of Massachusetts Rules (CMR) governing the control, movement, and parking of motor vehicles upon College lands owned, used, or occupied. These persons shall also have the powers of Police Officers throughout the property of the institution owned, used, or occupied, with the exception as to the service of civil process.
- Section 2: Street or Highway – the entire width between property lines of every way open for purposes of travel upon College lands owned, used, or occupied.
- Section 3: Roadway – that portion of a street or way between the regularly established curb line or part, exclusive of the shoulders, improved and intended to be used for vehicular traffic upon College lands owned, used, or occupied.
- Section 4: Parking - the standing of a motor vehicle, whether occupied or not, other than while being actually engaged in loading or unloading, in obedience of a police officer, traffic signs, or signals, or while making emergency repairs or if disabled while making arrangements to have the vehicle removed.
- Section 5: Parking Lot – an area of the College lands owned, used or occupied set aside by authority of the President of the College or his/her designee for the

- purpose of providing space for parking of vehicles duly registered to park thereon or vehicle or persons having business at the College.
- Section 6: Motor Vehicle – as defined in Section 1 of Chapter 90 of the General Laws of the Commonwealth
- Section 7: Motorcycle - as defined in Section 1 of Chapter 90 of the General Laws of the Commonwealth
- Section 8: Motorized bicycle - as defined in Section 1 of Chapter 90 of the General Laws of the Commonwealth
- Section 9: Parking Citation – a parking citation is notice upon which an authorized officer shall report an occurrence involving one or more parking/traffic rule or regulation violations by the person cited. This notice shall be made in triplicate and one copy shall be affixed securely to the motor vehicle and shall contain, but not limited to, the following information: the make, color, registration number and state of issuance of said registration number of the vehicle involved, the date, time, and location of the violation, the specific violation, the name and badge number of the officer, a schedule of established fines, instructions for return of the notice and a notice which reads as follows: A hearing may be obtained upon written request of the registered owner within 21 days or may be disputed by mail if submitted with supporting documentation. Failure to obey this notice within twenty-one days after the date of the violation may result in additional penalties as well as the non-renewal of the vehicle owner’s license and registration.
- Section 10: Massachusetts Uniform Traffic Citation – a traffic citation a is notice upon which an authorized officer shall report an occurrence involving one or more violation of the College Parking/Traffic rules and regulations, the General Laws of the Commonwealth, Criminal & Civil motor vehicle violations, Rules/Regulations of the Registrar of Motor Vehicles, and/or the Commonwealth of Massachusetts Rules (CMR). This notice shall be issued, recorded, appealed, and/or paid in accordance with the General Laws of the Commonwealth, the rules and procedures of the Registry of Motor Vehicles, and the rules and procedures of the Massachusetts Court System.
- Section 11: Employees – for the purpose of these parking/traffic rules and regulations the term “employees” when used herein shall mean and include all employees of the College.
- Section 12: Student – for the purposes of these parking/traffic rules and regulations, a student is any person enrolled in one or more academic courses and who is other than a full-time or a part-time employee.
- Section 13: Visitor – for the purpose of these parking/traffic rule or regulations, a visitor is any person other than a student or a full-time or part-time employee with a lawful purpose for being on College property or to conduct business.
- Section 14: Guest - for the purpose of these parking/traffic rule or regulations, a guest is any person other than a student or a full-time or part-time employee who has been requested to come to the College for a specific purpose by an employee or student.
- Section 15: Vendors/Trades workers - for the purpose of these parking/traffic rule or regulations, a vendor/trades worker is any person other than a student or a

full-time or part-time employee who is engaged by the College to provide a service or repair work.

Section 16: Service Vehicle Parking – Service vehicle parking is reserved for Facilities staff, Campus Police staff, vendors, trade workers and others performing work or providing services and authorized by the Chief/Director of Campus Police.

## **ARTICLE II – AUTHORITY AND DUTIES OF POLICE**

- Section 1: General – it shall be the duty of the Campus Police, acting through the authority of the Chief/Director of the Campus Police Department to enforce the provisions of these parking rules and regulations in order to expedite the control, movement, or parking of motor vehicles or to safeguard pedestrians in the event of fire or emergency. For the purposes of enforcement of these parking/traffic rules and regulations officers of the respective municipal fire or police department may request of the Chief/Director of Campus Police to direct and control traffic as conditions require, notwithstanding the provisions of these parking/traffic rules and regulations. Campus Police officers shall enforce College/departments rules, regulations, policies, and Massachusetts General Laws on College property owned, used or occupied.
- Section 2: Parking Violations – it shall be the duty of any Campus Police Officer who takes cognizance of a parking violation set forth in this document to forthwith affix this to the offender's vehicle or mail the citation noting the offence to the vehicle's owner. This shall be deemed a sufficient notice and it shall be deemed prima facie evidence thereof and shall be admissible in any judicial or administrative proceeding as to the facts contained herein.
- Section 3: Motor Vehicle Violations – The Board of Trustees authorizes the Campus Police to cite offenders and issue Massachusetts Uniform Traffic Citations for violations of the motor vehicle rules and regulations set forth in this document, violations of the General Laws of the Commonwealth, Criminal & Civil motor vehicle violations, violations of the Rules/Regulations of the Registrar of Motor Vehicles, and the Commonwealth of Massachusetts Rules (CMR) occurring on College property owned, leased, used or occupied.
- Section 4: Assistance – in addition to the foregoing, the Chief/Director of the Campus Police Department or his designee may request the assistance of the municipal police and/or the State Police whenever in his/her judgement such assistance is necessary.
- Section 5: Temporary Parking – the Chief/Director of the Campus Police Department or his designee is authorized to permit or prohibit temporary parking or vehicular movement on any parking lot, lands, street or highway or part thereof in an impending or existing emergency or for lawful assemblage, demonstration or procession.
- Section 6: Closing of Streets or Highways – the Chief/Director of Campus Police or his designee is authorized to close temporarily any street or way or parking lot

or part thereof in an impending or existing emergency or for lawful assemblage, demonstration or procession.

### **ARTICLE III - DISABILITY PARKING**

- Section 1: Handicapped Parking – is available at all College campuses. Parking spaces are clearly marked with signage and roadway decals. Disability parking is available for all vehicles that have Registry of Motor Vehicles issued disability registration plates, disability placard, or disabled veteran registration plates. All other vehicles will be ticketed/towed.
- Section 2: Temporary Disability Parking – on a case-by-case basis the College issues a temporary permit to persons with a temporary disability. The temporary permit is only issued once for a thirty (30) day period. A signed physicians note is to be submitted detailing the condition and the projected length of disability. Students need to submit their request to the Vice President of Student and Enrollment Services; Faculty need to submit their requests to the Vice President of Academic Affairs; Staff need to submit their request to the Vice President of Organizational Development, Human Resources, Affirmative Action & Payroll. The request is forwarded to the Chief /Director of Campus Police or his designee for his approval and then returned to the requestor. **Temporary Disability parking permits does not authorize the use of disability/handicapped-designated parking spaces.**
- Section 3: In the event all designated handicapped parking spaces are occupied a person with a valid Registry of Motor Vehicles issued handicapped number plate, placard or disabled veterans plate may park in yellow lined parking spaces.

### **ARTICLE VI – TRAFFIC/PARKING CONTROLS**

- Section 1: General – the Chief/Director of Campus Police or his designee is authorized to place all official traffic signs, signals, markings, safety zones, temporary controls and gates required on the campus and other land of the College. Operators of vehicles used in and about the campus and other land of the College shall conform to such signs, signals, marking safety zones, temporary controls and gates.
- Section 2: Interference with Traffic/Parking Controls – any person who willfully, intentionally, without right or otherwise injures, removes, interferes with, or destroys any traffic control device or gate, fixed or temporary, placed on the campus or other land of the College for control, movement, or parking of vehicles shall be punished in accordance with the General Laws of the Commonwealth and/or subject to the Student Disciplinary Process and/or assessed a fine three times the value of the repair/replacement but not less than twenty-five dollars (\$25.00).

## ARTICLE V – ILLEGAL PARKING/MOVING VIOLATIONS

- Section 1: General – no person shall allow or permit any vehicle registered in his/her name or under his/her control to operate, stand or park on any street or on the campus or other land of the College in violation of the parking/traffic rules and regulations except when necessary to avoid conflict with other traffic or in compliance with the direction of the Campus Police, Municipal Police, or traffic control device. The registered owner of the vehicle shall be held responsible for all parking/traffic violations cited against the vehicle. This shall include moving violations and property damage when the operator fails to provide identification.
- Section 2: Employees – vehicles registered at the College by College employees may only be parked in an unrestricted yellow or white lined spaces with properly attached valid parking decal. Parking contrary to a traffic control device/signage and/or outside of a lined space constitutes illegal parking.
- Section 3: Students – vehicles registered at the College by students may only be parked in unrestricted white-lined spaces with properly attached valid parking decal. Parking contrary to a traffic control device/signage and/or outside of a lined space constitutes illegal parking.
- Section 4: Visitors – vehicles may only be parked in an unrestricted white-lined space or designated visitors parking. Parking contrary to a traffic control device/signage and/or outside of a lined space constitutes illegal parking.
- Section 5: Guests – special-parking arraignments may be made for groups or a single guest by contacting the Campus Police well in advance of the event.
- Section 6: Vendors/Tradesworkers – parking arrangements may be made by contacting the Campus Police. Work requiring restricted parking or traffic control shall be made well in advance of the date or work.
- Section 7: Unauthorized, Unused, or Abandoned Vehicles – Unauthorized motor vehicles, vehicles with evidence of non-use, vehicles left over-night, and vehicles left during snowstorms in parking lots, street, or other College property shall be cited and removed. Expenses for removal, storage, and disposal shall be the responsibility of the last registered owner. The owner of any vehicle so removed and towed away under the provisions of this Section shall also be subject to any other penalties provided under the General Laws of the Commonwealth. Any vehicle found without a valid registration plate shall be considered an abandoned vehicle and removed from the College property. The owner shall be responsible for the costs involved in removing, storage, and disposal of the vehicle. The College assumes no responsibility for the care or protection or damage to any such vehicle or its contents.

## ARTICLE VI – LIABILITY

- Section 1:** Liability – the College assumes no liability for damage, theft of or theft from vehicles parked on or off College property. **Persons park their vehicles at their own risk.**

## **ARTICLE VII – TOW-AWAY ZONE REGULATIONS**

The following parking/traffic regulations authorize the removal to a convenient place of vehicles parked or standing, in such a manner or in such areas as are herein after described, or in any way under the control of North Shore Community College.

- Section 1: Authorization of Campus Police – the moving or towing of any vehicle under the provisions of this Article shall be by and at the discretion Chief/Director of Campus Police or his designee.
- Section 2: Fees – the fees imposed upon the owner of any vehicle moved or towed to a convenient place shall not exceed the maximum charges established by the Department of Public Utilities of the Commonwealth.
- Section 3: Liability Damage during Removal or Storage – the towing contractor shall be liable to the owner for any damages arising out of negligence caused to a vehicle in the course of removal and storage. No liability for such damage shall apply to the College or its officers or employees.
- Section 4: General Prohibition Towing Zone – no person shall stand or park or allow, permit or suffer any vehicle registered in his/her name or under his/her control to stand or park in any of the following places. Vehicles found in violation of the Provisions of this Section, except those specifically exempt by law, shall be removed to a convenient place under the direction of the Chief/Director of the Campus Police Department or his designee as indicated above and the owner of the vehicle so removed or towed away shall be liable for the cost of such removal and storage, if any, as set forth in Section 3 of this Article.
- a) Upon any sidewalk.
  - b) Upon any crosswalk.
  - c) Within ten (10) feet of a fire hydrant.
  - d) On the roadway side of any vehicle (Double Parking).
  - e) In front of any driveway.
  - f) Vehicles that have accumulated in excess of three (3) unpaid parking citations.
  - g) Upon any roadway or highway where the parking of the vehicle will not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic.
  - h) In front of any barricade erected to temporarily or permanently close a way to vehicular traffic.
  - i) On land, except a designated parking lot, not designed for vehicular traffic such as walks, lawns and open fields.
  - j) In front of a gate or entrance to an athletic field, other field, open area, parking lot or Campus entrance.

- k) Adjacent to a building in such a manner as to obstruct entrance thereto.
- l) In any parking area, stall, or space designed or reserved for a special purpose, or official vehicle parking.
- m) In any parking area, stall, or space without displaying the proper parking decal or permit.
- n) In any area designated NO PARKING.
- o) Any vehicle that is not parked completely between the two lines of the proper designated color.
- p) Any operator who fails to move or remove a vehicle upon being instructed by a member of the Campus Police Department.
- q) Any vehicle obstructing the removal of snow or emergency repairs.
- r) Any vehicle that is parked or disabled that is a hazard to traffic and/or pedestrians.
- s) Vehicles parked displaying a sticker assigned to another vehicle.
- t) Parking in a designated handicapped parking space without a Registry of Motor Vehicles issued number plate, placard or disabled veterans number plate.

Section 5: Maintenance of Records – the Campus Police Department shall keep a record of all the vehicles towed or removed under the provisions of this Article. Such record shall be retained for five (5) years and shall contain the following information:

- a) The registration number of the vehicle.
- b) The location from which it was towed and the time and date of the tow order.
- c) The location to which it was moved.
- d) Name of the towing contractor.
- e) Name of the person who authorized the tow.

## **ARTICLE VIII – OPERATION OF VEHICLES**

Section 1: Speed Limit – all vehicles shall be operated at a speed that is reasonable and proper with regard to weather, road conditions, time of day, pedestrians, traffic, and at no time shall a speed in excess of twenty (20) miles per hour be considered reasonable or proper except for emergency vehicles engaged in emergency work. Lower speeds may be required for certain sections of the campuses or other land of the College and shall be posted on official traffic signs.

Section 2: Vehicles – motor vehicles on campuses or other land of the College must be kept in such condition of mechanical repair that they may be moved/removed at any time under their own power.

Section 3: Loading and Discharge of Passengers – loading or discharge of passengers shall be permitted only when a vehicle is at the edge of curb or highway or within a safety or service zone expressly approved for this purpose.

## **ARTICLE IX – REGISTRATION**

- Section 1: Parking Decals – all decals shall be issued free of charge. Parking decals shall be attached to the inside of the window located directly behind the drivers left shoulder. If the vehicle does not have a window directly behind the drivers left shoulder, apply the decal to the window nearest the drivers left shoulder. If you have any questions about placement of the decal the Campus Police will provide you with direction. Parking decals are assigned to a specific motor vehicle and are not transferable. As many decals as needed may be issued to an individual, however, only one vehicle at a time may be parked on College Property.
- Section 2: Employees – red-parking decals shall be issued to all College employees and others at the discretion of the Chief/Director of Campus Police or his designee.
- Section 3: Students – blue decals are issued to all College students.
- Section 4: Temporary Parking Arrangements - the Campus Police acting through the authority of the President reserves the right to arrange for the parking of vehicles in unrestricted areas as necessary for the health and safety of students, faculty, and staff, for maintenance of College equipment and for the general welfare of the College.
- Section 5: Parking Decal Special Circumstances - the Chief/Director of Campus Police or his designee reserves the right to void or issue a parking decal or permit at any time.
- Section 6: Special Event Parking - parking areas may be reserved for special purposes at the discretion of the Campus Police.
- Section 7: Parking Decal Issuance - the Campus Police Department is responsible for management and issuance of parking decals.
- Section 8: Liability Coverage – vehicles must comply with the compulsory liability insurance or bond requirement established by the Commonwealth in order to be operated upon College property.
- Section 9: Parking Decal Expiration – parking decals expire under the following circumstances:
- a) Upon revocation.
  - b) Upon transfer of ownership of the vehicle.
  - c) Upon termination of College employment.

## **ARTICLE X – NO LITTERING**

- Section 1: No person shall litter on any land, street, roadway or parking lot owned, leased, used or occupied by the College. Campus Police are hereby authorized to issue citations to persons in violation of the prohibition set forth in the preceding sentence.



## **ARTICLE XI - PENALTIES**

- Section 1: Moving Violations – for infractions of the General Laws of the Commonwealth, C.M.R., Rules & Regulations of the Registry of Motor Vehicles, and College Rules and Regulations involving motor vehicles operated and stationary on campuses and other College land owned, used, or occupied the penalties shall be as prescribed by law or regulation.
- Section 2: Parking Violations – the penalty for a parking violation is ten dollars (\$10.00) with the exception of a handicapped violation, which shall be, assessed a twenty five-dollar (\$25.00) fine.
- Section 3: Littering Violation-The penalty for a littering violation shall be ten dollars (\$10.00), and such penalty shall be payable to the Parking Clerk pursuant to Article XII, Section 3 and shall be subject to the procedures set forth in Article XII insofar as the same may be applicable
- Section 4: Disciplinary Action – in addition to fines and penalties imposed or other action taken by the College, repeated violations shall subject the offender to the same disciplinary action, including suspension or expulsion from the College, as would be taken for a violation of other College regulations governing the general conduct of it students and employees.

## **ARTICLE XII – ADMINISTRATION**

- Section 1: Parking Clerk – shall administer the parking citation process, collect fines, manage correspondence and may assign a Hearings Officer.
- Section 2: Hearings Officer – shall be responsible for reviewing objections to parking citation
- Section 3: Citations/Disposition – any person receiving a parking citation shall within twenty-one (21) days of receipt of the citation confess to the offence charged or request a hearing in writing either personally or through an agent or by mailing such request in writing to the Parking Clerk. Payment may be made by postal note, money order, or check made payable to the “NSCC PARKING CLERK”. Cash may be accepted at the discretion of the Parking Clerk.

Any person requesting a hearing shall be notified within thirty (30) days of the date the appeal is filed of the time, date, and location of the appeal hearing. Said hearing shall be informal and the rules of evidence shall not apply. Appellants shall be permitted during such informal hearing to call and cross-examine witnesses and to present evidence on their own behalf. The Hearings Officer shall have sole and exclusive jurisdiction to determine the conduct of the hearing, including determinations regarding the admission of evidence, the number of witnesses to be heard and other related matters of procedure.

Within thirty (30) days following the hearing the Hearings Officer shall issue a written decision which shall be subject to judicial review as provided by section fourteen of chapter thirty A of the General Laws.

A person may challenge the validity of the parking citation and receive a review and disposition of the violation from the Hearings Officer by mail. The alleged parking violator may send a signed statement explaining his/her objections to the violation as well as signed statements from relevant parties. Photographs, diagrams, maps, and other documents may also be sent with the statement. Such review and disposition handled by mail shall be informal, the rules of evidence shall not apply, and the decision of the Hearings Officer shall be final subject to any hearing provisions provided by this Section.

Within twenty (21) days following the hearing, the Hearings Officer shall issue a written decision which shall be subject to judicial review as provided by section fourteen of chapter thirty A of the General Laws.

- Section 4: Unpaid Parking Tickets – the Parking Clerk shall maintain parking citations for a period not less than twenty-one (21) days. Citations that are not paid, engage in an appeal, or have not been overturned by the Hearings Officer shall be considered delinquent. The Parking Clerk shall send the violator a written notice of the delinquent citation via the US Mail and at such time assess a five-dollar (\$5.00) late fee. This notice shall explain that unless the fine of fifteen dollars (\$15.00) is paid the registration and the registered owner shall be reported to the Registry of Motor Vehicles and flagged for the outstanding citation resulting in the registration/license of the owner being unable to re-new either. Registrations reported to the Registry of Motor Vehicles will be assessed an additional fee determined by the Registry and added to the balance of the outstanding citation. At the Parking Clerks pleasure this process may be contracted.
- Section 5: Registry of Motor Vehicles – the College shall comply with all standards and requirements promulgated by the Registry.