

PARKING AND TRAFFIC REGULATIONS

1. GENERAL

- 1.1 These Parking and Traffic Regulations (hereinafter called “the Parking Regulations”) are applicable all the year round. (IAHS NOT included). Mohawk College’s Parking operations exist to provide a service that best meets the need of the College Community. It is a service that is available only to those persons having a reason to come to the College. It is NOT a service AVAILABLE TO THE GENERAL PUBLIC.

Parking is **NOT** provided at all College Campus locations. Where College owned/operated parking lots do not exist, the College assumes no responsibility for providing parking for staff or students.

For the purpose of these regulations:

- a) “Business Days” means all days except Saturday, Sunday and statutory holidays;
- b) The words “park” and “parking” shall be taken to mean the halting of a vehicle, even momentarily, whether or not the vehicle is occupied;
- c) “Parking Office” means the designated office at the Fennell Campus from which all College Parking operations are controlled;
- d) “College Security and Parking Services” is the department responsible for the College Parking operations.
- e) The terms “MCACES” means The Mohawk College Association of Continuing Education Students and the term “MSA” means The Mohawk Students Association.

- f) The term, "College Security and Parking Officers" means uniformed security guards working in Mohawk College Security and Parking Department either as employees of the College or Commissionaires provided to the College under the terms of a security provision contract.

Vehicles shall be parked only in designated parking areas. Parking is prohibited in any service, emergency or loading zone, bus stop, roadway, land, driveway, walkway, or any grassed or landscaped area or any other area not specifically designated for parking.

- 1.2 As the College grounds are private property, the right is reserved to maintain full jurisdiction over all vehicle parking, and to take action for violations of the Parking and Traffic Regulations (as amended from time-to-time and authorized by the Board of Governors). The College reserves the right to invoke general law, including the Highway Traffic Act, the Trespass to Property Act and the City of Hamilton Private Parking By-law No. 89-75, at its discretion.
- 1.3 Mohawk College is not responsible for any loss, personal injuries or damages to motor vehicles, including vehicle contents, however caused. Nevertheless any such losses and/or damages or injuries to persons must be reported to College Security and Parking Services as soon as possible after the event.
- 1.4 Persons availing themselves of College parking facilities at Mohawk College Campuses where paid parking is in effect, must be in possession of and display a current, clearly visible, authorised parking permit for both date and designated parking lot. If the permit is not clearly, visibly displayed, entry into the lots may be refused, or the vehicle tagged and/or towed away and applicable fines levied.
- 1.5 All vehicle operators are required to comply with all parking and traffic regulations of the College, and are subject to applicable action for violations. Failure to comply with Mohawk College Parking and Traffic Regulations can result in fines, tow away and storage of the vehicle at the owner's risk and expense, and the cancellation of parking privileges.
- 1.6 It is the permit holder's responsibility to provide College Security and Parking Services with current registered vehicle information. The registered owner is responsible for all violations involving his/her vehicle which may include ticketing, towing and/or revoking College parking privileges.

- 1.7 Access to campus parking by other than authorized permit or payment is a contravention of College Parking and Traffic regulations.
- 1.8 Every person operating a vehicle on Mohawk College property must obey the directions or signals of College Security and Parking Services.
- 1.9 All vehicles must be removed from parking lots by 3:00 a.m. daily, unless otherwise authorized by College Security and Parking Services. In case of any emergency situation campus Security and Parking Services MUST be notified. Overnight parking is only permitted in P15 (Residence Lot).
- 1.10 A vehicle left on College property other than the P15 (Residence Lot) for a continuous period of 72 hours will be considered "Abandoned", unless College Security and Parking Services has been notified, and will be treated as such by the College and may be tagged and/or towed away.
- 1.11 All costs and charges associated with the towing of a vehicle from Campus or to an on-Campus impound area shall be the responsibility of the operator/registered owner of the said vehicle and absolutely no liability shall be attached to Mohawk College of Applied Arts and Technology for any damage caused during the towing operation.

2. TYPES OF PARKING

2.1 GENERAL AREAS (paid parking campuses)

A valid permit or daily ticket will allow access to these specific areas.

- a) Daily parking permits are available from *Pay 'n Display machines located at the Fennell P4 Visitor parking lot*, and must be appropriately displayed face up on the dashboard so as to be clearly visible from the outside through the front windshield.
- b) Monthly, semester, annual permits and Continuing Education Semester or Annual permits are available for general parking areas, and may be purchased from the Parking Office at Fennell Campus, or satellite campus Security desks or on line through the Mohawk College Web Page. *These permits are not valid in designated Visitor Parking lots at P4.*

2.2 PREFERRED AREAS (Fennell Campus)

- a) These parking locations, controlled by gate arms are available to College employees by means of a waiting list procedure. All vehicles shall be registered with the Parking Office and display a valid Annual permit.
- b) Preferred areas are available for a limited number of vehicles at Fennell campus for student parking.

2.3 SPECIAL NEEDS PARKING

All Students and Staff members requiring a Special Needs parking permit because of a long or short term disability must first be approved for such a permit by the Consultant, Physical Disabilities, Disability Services Office, Room C117, Fennell Campus, ext. 2428.

Individuals must provide either a Ministry of Transportation Disabled Person Parking Permit, that has been issued to them or acceptable Health Note from Family Physician or Health Services physicians at Mohawk College to the Consultant, Physical Disabilities before a Special Needs Permit can be issued.

Additional Notes:

Students will be referred to College Health Services in the event of a medical question or for medical recommendation.

The Parking Services Office will issue the actual Special Needs Parking Permits.

The Student is charged the regular student parking fee but receives a permit with a wheelchair symbol.

Those students/Staff members issued with a Parking Permit with a wheelchair symbol must only park in College designated 'Special Needs' parking spots. They **MUST NOT** park in Disabled parking spots allocated to holders of Ministry of Transportation Disabled Person Parking Permits that are clearly marked with a Universal Ministry of Transportation Disabled sign.

Those students/Staff members in possession of a Ministry of Transportation Disabled Person Parking Permit should only park in those Disabled Parking Spots designated as such with a Universal Ministry of Transportation Disabled Sign and **MUST** clearly and visibly display the Ministry Permit along with a Mohawk College PARKING permit.

3. PERMIT ISSUANCE

- 3.1 All Parking permits are issued through College Security and Parking Services. Permits should only be purchased from College authorized sources.
- 3.2 **The issuance of a permit does not guarantee the availability of a parking space**, but, constitutes a licence to park in a designated area, with no liability or responsibility implied upon the College.

- 3.3 The college parking year will be September 1st to August 31st. Payment is accepted by cash, cheque, money order, VISA, MasterCard or Direct Payment. Full-time employees and some part-time employees have the additional option to pay for annual parking through an established payroll deduction plan.
- 3.4 All gate cards and permits remain the property of Mohawk College, and are issued for the use of authorized permit holders only. They must be surrendered to College Security and Parking Services upon demand.
- 3.5 Annual permit holders will be issued with only one permit, which is transferable from one vehicle to another so long as the permit holder has pre-registered the vehicle by describing licence plate number on the application for permit. However, only one vehicle may be parked on campus at any given time.
- 3.6 *In the event that a second vehicle is driven to the college without a valid permit it is the responsibility of the permit holder to report the fact to the Parking Office where a temporary permit valid for one day may be issued. One day temporary permits are only available at the rate of one per month.*
- 3.7 Gate cards will operate the applicable parking gate for the current parking year only. The gate locks will be programmed for new card coding on September 1st annually, subject to the issuance of new cards. Preferred permit holders will be issued with only one gate card. Automatic gate operating transmitters are available to staff on request, for an additional fee, from the Parking Services Office.
- 3.8 If a preferred lot is full on a normal business day at Fennell Campus, the person authorized to park in that location should report to the Parking Attendant at the P4 Visitors Parking lot. They will be directed to park in the nearest most suitable alternative preferred parking lot.

- 3.9 A damaged gate card that will not operate the applicable parking gates will be exchanged free of charge upon its return to the Parking Office, Fennell Campus.
- 3.10 Annual or semester permits or gate cards, which are lost or stolen, will be replaced, on payment of a replacement charge. Evening parking permits will be replaced at the owner's expense. Lost transmitters or expired batteries will be replaced at the expense of the user.
- 3.11 The display and/or possession of a valid permit constitutes acceptance of and agreement to be bound by these Parking and Traffic Regulations.
- 3.12 Proper display of the parking permit is the user's responsibility. Permit holders must ensure that parking permits are clearly and visibly displayed at all times their vehicle is on a Mohawk College Campus to avoid receiving a parking violation notice. Monthly, semester and annual parking permits must be clearly displayed in the bottom left hand corner of the windshield or displayed on the rear view mirror with the lot designation and permit number/barcode facing the windshield. Once a permit has expired it must be removed from the vehicle. If you sell or trade your vehicle you must remove all Mohawk College parking permits from the vehicle.

4. **SPECIAL PARKING ARRANGEMENTS**

- 4.1 College Security and Parking Services reserve the right to direct vehicles when necessary, to general, visitors or preferred parking areas, subject to parking availability.
- 4.2 Departments within the College wishing to pay their guests' parking fees can do so by notifying the Parking Office in advance the name of the Guest using a Visitor/Client request form. The department will be charged back to a pre-determined account on a monthly basis at 75% of the current daily parking rate.
- 4.3 Sales and service representatives shall be considered as visitors and may be parked in areas as designated by these regulations or by College Security and Parking Services.
- 4.4 College service vehicles and contractors' vehicles will be assigned specific parking locations.

- 4.5 Parking fees, at any Campus, may be waived, at the discretion of the Manager, Security & Parking Services, for visitors to all campuses for special assemblies such as "Mohawk Presents" and convocations. Waiver must be indicated on announcement of those events. Parking arrangements can be made for Advisory Committee Members, guests of the President, government officials, media, etc. with the Manager, Security and Parking Services.
- 4.6 Employees of the College, without a valid permit, shall be reimbursed (Expense Claim Form) by their department for parking charges incurred while attending any campus for the purpose of the participation on College committees, e.g. Mohawk College Council, Advisory Committees, or as observers to the Board of Governors.
- 4.7 Evening parking (after 5:00 p.m.), Monday to Thursday, will be by cash payment or valid permit.
- 4.8 Motorcycles and bicycles are exempt from parking fees, but shall be parked in designated areas. Chains and locks will be cut and bicycles will be removed if left in other than the designated areas.
- 4.9 Advance arrangements may be made for the bulk purchase of parking spaces for special events, such as Theatre events, etc. through the Parking Office.
- 4.10 General Parking Permits are valid at all Mohawk College general lots where paid parking is in effect from 6.00a.m. to 3.00a.m. daily, except P15 (Residence lot). Continuing Education Semester and Annual permits are valid in all Mohawk College general lots where paid parking is in effect from 5.00p.m. to 3.00a.m. daily.
- 4.11 All visitors, faculty, staff and students, who do not otherwise possess a valid parking permit, require a daily permit. Persons requiring one day parking must arrange to purchase a daily permit at the Pay 'N Display machines at P4 Visitor Parking lot at the Fennell Campus, or at the Main entrance or main parking lot at the STARRT campus and inside the main entrance at the Brantford campus.
- 4.12 Daily parking permits must be placed on the driver's left hand side of the dashboard with the date, time and serial number clearly visible from the outside of the vehicle.
- 4.13 Picking up or dropping off is considered Parking and requires an appropriate permit purchased from a Pay 'n Display machine, if the driver leaves the vehicle.

5. PURCHASE REFUND SCHEDULE

- 5.1 REFUNDS - Refunds will be made on prepaid annual and semester permits based on predetermined refund schedule available for review in the Parking Office. Evening semester permits will be refunded if a class is cancelled by the College or if the student withdraws within the first week of classes.
- 5.2 TERMINATION OF STAFF MEMBERS - The permit and gate card must be returned to the Parking Office on or before the last day of work. A temporary

permit will be issued for the paid parking remaining.

6. VIOLATIONS AND PENALTIES

All parking permits are issued subject to the following restrictions and conditions:

- a) Parking Permits are issued, as physical evidence of a specific contract, for display when entering and parking on Campus.
- b) Parking Permits remain the property of the College and may be cancelled and parking privileges revoked at any time by the College
- c) All vehicles displaying a permit must be registered to that permit with College Security and Parking Services.
- d) The Parking Office requires that Student applicants for a parking permit show their Student Identification Card.
- e) Applicants may also be asked to show vehicle registration certificates.
- f) The responsibility of finding a parking space in an authorised area rests with the vehicle operator.
- g) Prepaid permit holders do not receive reserved parking spaces
- h) The College assumes no responsibilities at all for loss or damage to the vehicle or its contents however caused.
- i) The College assumes no responsibilities for personal injury however caused.
- j) College Security and Parking Services will not issue a parking permit to a driver who is suspended, has outstanding fines, or for a vehicle against which there are outstanding parking or /and traffic violations.

7. ENFORCEMENT OF REGULATIONS

7.1 IT IS A CRIMINAL OFFENCE TO DUPLICATE, COUNTERFEIT, ALTER OR OTHERWISE USE UNAUTHORISED MOHAWK COLLEGE PARKING PERMITS. It is the practice of College Security and Parking Services to proceed with criminal charges of fraud in any of these cases. Non enforcement of any regulation, in any one instance, will not be interpreted as a waiver for the future.

7.2 Failure to comply with the College Parking and Traffic Regulations can result in fines and/or tow away and storage of the vehicle at the owner's risk and expenses and/or cancellation of parking privileges. In any violation of the Parking and Traffic Regulations, a parking violation notice will be issued.

8. VIOLATIONS AND PENALTIES

Parking privileges may be rescinded for any contravention of these Parking and Traffic Regulations.

The owner / driver may also receive a Parking Violation Notice and the vehicle may be towed in accordance with Section 8.5 hereof if any one of the following violations exist:

- a) parked on any roadway;
- b) parked in unauthorised areas; e.g. fire routes;
- c) observed by College Security and Parking Officers driving in a careless or reckless manner;
- d) blocking or obstructing pedestrian or vehicular traffic;
- e) failing to obey regulating signage;
- f) gaining access to parking areas by other than valid permit, or authorised gate card;
- g) failing to obey the directions of College Security and Parking Officers
- h) displaying a lost, stolen forged or altered permit;
- i) failing to yield Right of Way to pedestrians;
- j) failing to park in accordance with the lot lines.

8.1 VIOLATION, FINES AND PENALTIES

All fines have been approved by the Board of Governors. For each violation, the following fines and penalties shall apply:

No Parking between 300a.m. and 600a.m.	\$30.00	Fine only
Parking in a non designated parking area	\$30.00	Fine only
Failing to display a valid Mohawk permit	\$30.00	Fine only
Failing to park in accordance with lot layout	\$30.00	Fine only
Failing to obey regulatory signs	\$30.00	Fine only
Failing to yield Right of Way to Pedestrians	\$30.00	Fine only
Driving without due care and attention	\$30.00	Fine only
Parking '3 deep' in lots	\$30.00	Fine + tow
Failure to obey directions of Security and Parking Staff when engaged in directing or controlling Traffic	\$50.00	Fine + Suspension*
Blocking or obstructing roadway traffic, sidewalk, fire hydrant, building entrance/exit or <i>Stopping in 'No Waiting' Zone</i>	\$50.00	Fine + tow
Displaying a lost or stolen permit	\$125.00	Fine tow + suspension*
Displaying a forged or altered permit	\$125.00	Fine tow + suspension*
Parking in a designated Disabled area without proper permit	\$150.00	Fine tow + suspension*
Supplying false information to obtain parking privileges	\$150.00	Fine tow +suspension*

*Note: Upon issue of this violation tag, vehicle is subject to being towed. Parking privileges will be suspended. Suspension will only be lifted upon successful appeal.

Please note Section 8.5 hereof regarding towing and 8.6 hereof regarding suspension of parking privileges.

8.2 ADDITIONAL FEES

- a) A \$15.00 surcharge will be levied to all fines not paid or appealed within five (5) Business days of the issuance of the Parking Violation Notice.
- b) All outstanding parking fines, fees and interest incurred, will remain a debt to Mohawk College until paid in full.

- c) Disregarding Parking Violation Notices may result in the suspension of College parking privileges, the tow away of the vehicle and a prosecution under the Trespass to Property Act of Ontario.
- d) All NSF (returned) cheques will be subject to a \$25.00 administration fee.

8.3 TOWING OF VEHICLES

In addition to any other penalty, a vehicle may be towed away and stored at the owner's expense if it is parked in violation of these Parking and Traffic Regulations if applicable.

If you believe your vehicle may have been towed, please contact College Security and Parking Services at your Campus, either in person or by telephone, to verify whether or not it has been. If they confirm it has been towed you will need to go to the Parking Services Office at your Campus to make arrangements with the staff to take you to the vehicle compound in order to retrieve your vehicle.

Costs of towing and storage of the vehicle are the responsibility of the vehicle owner and must be paid in full in order for the vehicle to be released.

The provisions of the Repair and Storage Liens Act of Ontario shall apply to any vehicle towed and stored as a result of a Parking Violation Notice being issued.

8.4 SUSPENSION OF PARKING PRIVILEGES

Suspension of Parking Privileges apply to all vehicles of the same address and/or owner (as registered with the Ontario Ministry of Transportation) as the suspended driver. Suspended vehicles are not allowed to enter or park on the College Campus for any reason. Suspended vehicles found on Campus will be towed away and are subject to additional fines and fees.

Parking privileges may be suspended for:

- a) non-payment of fines;
- b) repeat violations or obvious disregard for regulations;
- c) supplying false information to obtain parking privileges;
- d) determined misuse of permit; and/or
- e) using altered, duplicated or otherwise unauthorised permit.

8.5 REINSTATEMENT OF PARKING PRIVILEGES

Reinstatement of parking privileges for reasons other than outstanding fines must be applied for in writing.

College Security and Parking Services shall reinstate parking privileges provided that:

- a) all outstanding fines and fees have been paid;

- b) the \$30.00 reinstatement fee has been paid;
- c) the period of suspension time has lapsed
- d) all requirements for reinstatement as determined by the Parking Appeals Committee have been met.

9. **APPEALING A PARKING VIOLATION NOTICE**

9.1 An individual may appeal within five (5) business days of the date on which the Parking Violation Notice was issued, using the prescribed form described in Section 9.2 hereof, to the attention of the Manager, Parking and Security Services.

9.2 **A valid appeal can be based only on the contention that a Parking Violation Notice was issued contrary to the College Parking and Traffic Regulations, or in error.** Ignorance of Mohawk College Parking and Traffic Regulations does not constitute grounds for appeal. Appeals will not be granted on the basis of a permit being left in another vehicle or failure to observe signs indicating that paid parking is in effect on the College property.

Written appeals received which do not comply with these requirements will not be considered and the Manager, Security and Parking Services, will so notify the Appellant in writing. No appeal from this decision is permitted.

9.3 The prescribed form for an appeal of a Parking Violation Notice (“the Appeal Form”) is as follows:

APPEAL OF PARKING VIOLATION NOTICE

Please provide the following information:

Status	Student/Staff/Faculty/Other
Mohawk College ID	
First Name	
Last Name	
Address	
City	
Province	
Postal Code	
Telephone Number	
E-mail address	

Appeal Information	
Violation number	
Licence Plate Number	
Date and Time of Violation	
Violation description	
Violation fee	
Offence location	
Parking permit number	
Reason for appeal:	

9.4 THE APPEALS PROCEDURE

The following procedures shall apply to any appeal of a Parking Violation Notice:

- a) If the appeal meets the requirements of Sections 9.1 and 9.2 hereof, the Manager, Security and Parking Services or his designate shall review the reasons for the appeal and shall make a determination, based on the Appeal Form submitted and any available evidence, including such photographs that may have been taken at the time of the alleged violation, either to allow or deny the appeal.
- b) If the appeal is upheld, there may be granted, at the discretion of the Manager, Security and Parking Services, a reduction of the Violation Notice to that of a Warning. A warning would remain on file with the vehicle parking permit records only and could be used as evidence should further violations by the individual be reported.
- c) The appellant shall be notified in writing of this Warning status and may within two (2) business days of the issuance of notice of the decision, by delivering a letter to the Parking Appeals Committee, asking for the Appeal as set out on the Appeal Form to be heard by them at their next regularly scheduled meeting following receipt of that letter. The Manager, Security and Parking Services shall ensure that the Parking Appeals Committee receives the Appeal Form and the reasons for issuing a Warning.
- d) If the Manager, Security and Parking Services denies the appeal the Appellant shall be so notified in writing that the Parking Violation Notice will be enforced.
- e) If the Manager, Security and Parking Services determines that the appeal, while having no obvious validity but does have, for example very strong mitigating circumstances, the Manager, Security and Parking Services shall deliver the Appeal Form to the Parking Appeals Committee to be considered at their next meeting.
- f) A decision of the Manager, Security and Parking to deny the appeal or reduce the violation Notice to a Warning may be appealed by the Appellant to the Parking Appeals Committee. In any instance where an appeal is to be heard by the Parking Appeals Committee, written notice shall be sent to the Appellant advising the date, time and place of the next Parking Appeals Committee meeting and the right of the Appellant to attend before the Committee and explain their reasons for the Appeal. While the Appellant may appear before the Parking Appeals Committee, the Appellant shall not be party to the deliberations of the Committee.
- g) All decisions of the Parking Appeals Committee are final and binding; there is no other avenue of appeal. Notice of the decision of the Parking Appeals Committee shall be mailed to the Appellant within two (2) Business Days after the decision is made.

9.5 PARKING APPEALS COMMITTEE

The Parking Appeals Committee shall be comprised on one representative each from Administration, Support Staff, Faculty, MCACES and the MSA.

Members of the Committee shall be appointed, by the Vice President Corporate Services, in September of each year. They shall serve for a minimum of one (1) year and a maximum of three (3) years. *One member shall be appointed as the Chairman of the Committee for a period of one year.*

A quorum shall consist of any three (3) members, of which the chair may be one. All decisions of the Committee shall require a majority vote, with the chair having the right to a second and casting vote in the event of a tie.

The Committee shall meet every second Wednesday during each semester, at noon, for one hour at a suitable meeting room. Should there be no appeals to be considered the meeting will be cancelled by the Manager, Security and Parking Services.

All decisions from the Parking Appeals Committee will be communicated to the Appellant by mail.