

# **Southwest Minnesota State University**

## **GENERAL PARKING REGULATIONS**

### **Introduction**

The 1994 Minnesota State Legislature passed a law that specifies that State appropriations for college parking lots cannot be more than one-half of the construction or repair cost. The remaining costs are to be provided through direct fees to persons using the parking services. In response to state statute MS136F.53 Southwest Minnesota State University assesses a parking fee to support the cost of annual and long term parking facility maintenance and renewal.

- 1.1** The Minnesota Highway Traffic Regulations (Chapter 169MSS) and the applicable ordinances of the City of Marshall are in effect in the University area.
- 1.2** Parking facilities at Southwest Minnesota State University are to be used by those associated with the University. All persons operating motor vehicles in the University area shall do so at their own risk. No responsibility shall be assumed by the University, the State of Minnesota, or the City of Marshall for loss of property and damage to the owner's vehicle while parked on University property, while being towed, including but not limited to putting on the auto clamp to the owner's vehicle and also while the owner's vehicle is parked at the impound lot.
- 1.3** A vehicle must be parked so that the entire vehicle is within marked boundaries. Being ticketed for parking on a line will not be considered a valid cause for an appeal.
- 1.4** No vehicle, except for authorized service and maintenance vehicles, shall at any time be parked on sidewalks, on the grass, in crosswalks, landscaped areas, driveways, fire lanes, within 15 feet of fire hydrants, along yellow painted curbs, in front of any removable barricade, in a space which obstructs vehicle or pedestrian traffic, or in any other space where signs indicate No Parking.
- 1.5** Improperly parked vehicles may be removed and the cost of the removal will be charged against the individual in whose name the vehicle is registered.
- 1.6** Drivers of vehicles on campus property must yield the right of way to pedestrians.
- 1.7** No vehicle shall be used as a camper or for temporary lodging while parked on the campus.
- 1.8** Purchasing a parking permit guarantees a parking space for those who have purchased a Specific or General Reserved parking space.
- 1.9** Anyone operating or parking vehicles on campus is responsible for becoming familiar with and complying with all regulations and posted signs pertaining to the operation and parking of a motor vehicle.
- 1.10** Loading zones are used solely for loading and unloading purposes. Trucks and other types of commercial vehicles may park in such spaces for the length of time actual loading and unloading operations and activities related thereto are in progress. Passenger cars

may park in loading zones 15 minutes to conduct the loading or unloading operations required. Any vehicles parked in a loading zone when loading or unloading operations are not plainly visible are subject to ticketing. These areas are enforced at all times throughout the year.

**1.11** There will be no overnight parking on any University street. Including the north side of Birch Street or on O'Connell Street. The University reserves the right to remove or to have removed any vehicle parked in such a way as to constitute a hazard or to impede vehicular or pedestrian movement, operation of emergency equipment, making of essential repairs, or snow removal. Cost of removal will be at the owner's expense.

**1.12** Vehicles parked in a University parking area and not used or moved within a 30 day period shall be deemed abandoned vehicles and will be ticketed and towed, at the owner's expense.

## **AMENDMENTS TO THE REGULATIONS**

**2.1** The president of the University shall approve amendments to the Parking and Traffic Regulations.

## **VEHICLE REGISTRATION**

**3.1** Upon completion of the Specific Reserved or General Reserved parking permit registration and payment of the registration fee, a parking permit will be issued. Registration is considered complete when the permit is properly displayed on the vehicle. Proper display is considered as being attached to the rearview mirror, numbers facing windshield so they are clearly visible. Failure to properly display the permit will not be considered a valid cause for appeal.

## **GENERAL INFORMATION**

**Specific Reserved Parking:** Specific parking spaces assigned by color and number. **These spaces are enforced at all times.**

Lots A1, A2, B1, B2, B3, SM, ST

**General Reserved Parking:** Specific parking spaces assigned by color. **These areas are enforced at all times.**

Lots A1, A2, E, B1, B2, B3

**No Parking:** Areas where parking is not permitted at any time.

Yellow curbed and/or posted areas, O'Connell Street, north side of Birch Street or north side of Wefald Drive

**Snow Removal Routes: No Overnight parking**

**(All Streets)** Mustang Trail, Stadium Drive, Wefald Drive, Birch Street, State Street North

**Ten (10) Minute Parking:** Area where parking is only permitted for 10 minutes.

South side of Wefald Drive,  
Founders Hall Loop

**3.2** Only vehicles with the universal handicapped logo, permits issued by the MN Department of Public Safety or other valid out-of-state handicapped permits can park in designated handicapped spaces.

**3.3** State vehicles may be parked in any University non-reserved or service vehicle parking area at any time.

**3.4** Vehicles not parked in accordance with this section of the regulations will constitute a violation of the parking regulations and may be ticketed.

**3.5** Yellow-painted sections on any curbs on University property indicate no parking at any time. Other no parking areas will be identified with appropriate No Parking signs.

### **PARKING LOT LISTING AND ABBREVIATIONS**

<b><u>ID Letters</u></b>	<b><u>Parking Lot</u></b>
A1	North section of Lot A
A2	South section of Lot A
B1	South section of Lot B
B2	Middle section of Lot B
B3	North section of Lot B
C	Residence Hall parking Lot C
MT	Mustang Trail
PE	Lot behind the Physical Education Building
E	Parking lot south of Residential Apartments
BA/PE Gravel	Lot behind Bellows Academic Building
RA	Parking lot west of the RA Facility
R	Lot east of the library
SM	Spaces behind the SM Building
ST	Spaces behind the ST Building
SS	Lot north of Social Science Building

#### **Street Parking:**

Stadium Drive	Paved Street on north end of campus
Mustang Trail	Road running west and north of the RA Facility
McLaughlin Drive	Paved road south of Residential Apartments
State Street North	Paved road east of Academic Buildings

**3.8** Buses, when not loading or unloading passengers, must be parked in lot B3. Buses are not to be parked in any other parking lots between the hours of 8:00 a.m. and 4:30 p.m. on University class days.

### **HANDICAPPED PARKING**

**4.1** Only vehicles with a properly displayed universal handicapped logo permit issued by the MN Department of Public Safety, and other state handicapped permit, can park in designated handicapped spaces.

**4.2** State and University regulations regarding handicapped parking spaces are enforced at all times throughout the year. Parking in a handicap space without the proper permit is a petty misdemeanor. A penalty of up to \$250 may be assessed for a handicapped parking violation.

## **RESTRICTED/RESERVED PARKING**

**5.1** State and University Regulations regarding restricted and reserved parking spaces are enforced at all times throughout the year. Parking in a restricted or reserved parking space without the proper permit will constitute a violation of the parking regulations.

**5.2** Only vehicles identified as being operated by SBDC, and AURI may park in areas reserved for their use.

## **VENDOR PARKING**

**6.1** Vendor parking permits shall be issued to vendors visiting the campus. Vendors are to coordinate permit issuance with their sponsor.

**6.2** Vendor permits are only valid in the spaces set aside for vendor parking.

**6.3** Vendor permits must be displayed on the inside rear view mirror. Failure to properly display the permit (such as permits on dash, front seat, on visor, on floor, not properly hung, etc.) will result in ticketing and will not be considered a valid cause for appeal.

**6.4** Only vehicles identified as being operated by vendors will be permitted to be parked in spaces reserved for vendor parking.

## **LOST OR STOLEN PERMITS**

**7.1** Permit holders should do all they can to avoid being victimized by thieves. Always secure your vehicle when you leave it unattended. If a permit is lost or stolen, report it to the Department of Public Safety. If the loss or theft of a permit is not reported, the owner of the lost/stolen permit will not be able to appeal citations issued by Public Safety to the vehicle.

**7.2** Replacement of a lost or stolen permit will cost the permit holder the same amount as a second permit

**7.3** Lost or stolen permits that are later found or recovered are subject to the refund policy.

## **REFUND POLICY**

**8.1** Refunds requested during the year will be issued only to the permit owner on record at the University. Refunds will be made if the permit is returned to the Department of Public Safety. The parking permit must be returned to receive a

refund.

**8.2** Fall Semester: 100% of the permit price if the permit is returned by the 10th instructional day. After the 10th instructional day the refund equals the spring semester permit price.

**8.3** Spring Semester: 100% of the spring semester price if the permit is returned by the 10th instructional day. After the 10th instructional day there is no refund.

**8.4** Refunds will be processed within fourteen (14) days of the refund request.

## **MOTORCYCLE PARKING**

**9.1** Motorcycles may park in any of the University parking lots. There is one designated motorcycle parking space in the A1 lot.

**9.2** Motorcycle parking permits must be affixed in a visible area near the license plate.

## **ENFORCEMENT**

**10.1** The University reserves the right to ticket and/or immobilize or tow, at the owner's expense, vehicles which are parked on campus in violation of any rule in the current Parking and Traffic Regulations ~~at the owner's expense~~. If the vehicle is immobilized, a \$40 auto clamp fee will be added to existing fines. All fines, including the auto clamp fee, must be paid before the vehicle will be released from the auto clamp or impoundment. Stolen boots can incur criminal charges.

**10.2** SMSU Department of Public Safety shall be responsible for enforcement of campus parking and traffic regulations.

**10.3** The fact that a person parks in violation of any law, ordinance, or regulation and does not receive a citation does not mean that the law, ordinance, or regulation is no longer in effect.

## **RESPONSIBILITY**

**11.1** The person to whom a vehicle is registered, or if the vehicle is not properly registered, the person who has legal custody of the vehicle, shall be held liable for all citations issued to the vehicle, and is subject to any and all fines or disciplinary action resulting from the violations.

**11.2** Anyone operating or parking vehicles on campus is responsible for knowing and complying with, all regulations and posted signs pertaining to the operation and parking of a motor vehicle.

## **APPEALS**

**12.1** Appeals of parking violations must be filed on forms available from the Office of

Business Services, or the University Public Safety Office within five (5) working days of issuance of the citation. The decision of the appeals committee is final.

**12.2** The fine for a violation which has been appealed and denied must be paid within five (5) days of issuance of the appeal decision.

**12.3** Visitors, prospective students, and volunteers: If an appeal is filed as per 12.2, one (1) citation waiver will be granted.

## **VIOLATION PENALTIES**

**13.1** Southwest Minnesota State University shall be responsible for the collection of all traffic and parking fines on campus. Failure to pay fines may result in actions including, but not limited to, issuance of warning letters, holding of transcripts, holding of financial aid, academic holds, state collection by a revenue recapture agency, and/or registration lockout.

**13.2** All fines will be payable to Southwest Minnesota State University at the Cashier's Window located in the Individualized Learning Center.

**13.3** Repeated violations or failure to pay parking fines may result in the immobilization of the vehicle or impoundment at the owner's expense.

**13.4** Vehicles which have been towed or immobilized will be released when outstanding fines and towing/impounding charges are paid in full at the Cashier's Window located in the Individualized Learning Building. These charges are the responsibility of the vehicle owner/registant.

**13.5** If the violator is a student, a financial "hold" may be placed on his/her academic records. Registration opportunities to students with unpaid parking citations may be denied.

**13.6** The University may immobilize and/or tow vehicles of individuals with unpaid citations at the owner's expense.

**13.7** The University may refuse to sell a permit to an individual who has an outstanding parking fine with the University.

**13.8** The University may, after a written warning to the delinquent party, refer the collection of citation fines to a private firm.

## **OBJECTIVES AND AUTHORITY**

These regulations are promulgated under the Laws of the State of Minnesota, 1986, pursuant to Minnesota Statute, Section 169.966, MnSCU to Regulate Traffic; Volume 4, Chapters 160-174A, Highways; Roads.

### **169.966 MnSCU TO REGULATE TRAFFIC**

**Subdivision (Subd.) 1** MnSCU may from time to time make, adopt, and enforce such rules or ordinances not inconsistent with this chapter, as it may find expedient or necessary relating to the regulation of traffic and parking upon parking facilities and private roads and roadways situated on property owned, leased, occupied or operated by state universities.

**Subd. 1a** MnSCU may establish rents, charges, or fees for the use of parking facilities owned, leased, occupied, or operated by MnSCU. The money collected by the Board as rents, charges or fees in accordance with this subdivision shall be deposited in the university activity fund and is annually appropriated to MnSCU for state university purposes and to maintain and operate parking lots and parking facilities.

**Subd. 2** Any person violating such rule or ordinance shall be guilty of a petty misdemeanor and subject to the provisions of sections 169.891 and 169.90, Subdivision 1.

**Subd. 3** Prosecution. The prosecution may be before any county or municipal court having jurisdiction over the place where the violation occurs.

**Subd. 4** Every sheriff, constable, police officer, or other peace officer shall see that all rules and ordinances are obeyed and shall arrest and prosecute offenders.

**Subd. 5** MnSCU may appoint and employ, and fix the compensation to be paid out of funds which may be available for such purposes, persons who shall have and may exercise on property owned, leased or occupied by the state universities the same powers of arrest for violation of rules or ordinances adopted by the board as possessed by sheriff, constable, police officer, or peace officer.

**Subd. 6** All persons shall take notice of such rules and ordinances without pleading and proof of the same.

**Subd. 7** MnSCU shall fix a date for a public hearing on the adoption of any such proposed rule or ordinance. Notice of such hearing shall be published in a legal newspaper in the county in which the property affected by the rule or ordinance is located. The publication shall be at least 15 days and not more than 45 days before the date of the hearing. If, after the public hearing, the proposed rule or ordinance shall be adopted by a majority of the members of the board, the same shall be considered to have been enacted by the board. A copy of the same shall be signed by the president and filed with the county recorder of each county where the rule or ordinance shall be in effect, together with proof of publication. Upon such filing, the rule or ordinance, as the case may be, shall thenceforth be in full force and effect.

**Subd. 8** Delegation. MnSCU may delegate its responsibilities under this section to a state university president. Actions of the president shall be presumed to be those of the board. The university president shall file with the board president the results of any public hearings and the subsequent adoption of any proposed rule or ordinance enacted pursuant thereto.

Effective July 19, 2023

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Deb Kerkaert, Vice President for Finance & Administration