

Policy Number:	CS-1100-1985
Policy Title:	Traffic and Parking Regulations Policy
Policy Owner:	Chief, Business Development & Ancillary
Effective Date:	December 1985
Revised Date:	November 2015

1. Purpose

The Mohawk College Traffic and Parking Regulations Policy governs the use of parking spaces and lots to facilitate the safe and orderly conduct of College business and to provide parking facilities in support of these functions within the limits of available space.

2. Application and Scope

The land and grounds of Mohawk College are private property and the College reserves the right to control motor vehicle use on that property. 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 to staff or students.

3. Definitions

"Park(ing)" shall be taken to mean the halting of a vehicle even momentarily, whether or not the vehicle is occupied.

"Parking Office" means the designated office at the Fennell Campus from which all parking services are controlled.

"College Security" "Security Officers" means uniformed security guards working in Mohawk College Security either as employees or contracted security guards provided to the College under the terms of a security provision contract, including enforcement of parking violations.

"Parking Violation Notice" or "ticket" means a notification that a person has parked contrary to the Mohawk College Traffic and Regulations Policy, issued by College Security, and may be subject to a fine.

4. Principles

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 designated for parking. Persons using College parking facilities 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. Visitor and guest parking is pay-by-plate; a license plate number, payment (cash or visitor code) valid for duration of time parked is required.

5. Accountability and Compliance

5.1 Accountability Framework

This policy has been approved by the Senior Leadership Team.

5.2 Compliance

The Chief, Business Development and Ancillary Services, with support and advice of the Mohawk College Parking User Committee, is responsible for monitoring the effectiveness of this policy.

6. Rules

6.1 General

- 6.1.1 Traffic and Parking Regulations are applicable year round. Mohawk College 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 with acceptable reason for visiting the campus or authorized to do so. It is not a service available to the general public.
- 6.1.2 Parking is not provided at all campus locations. Where Mohawk owned/operated parking lots do not exist, the College assumes no responsibility for providing parking for staff or students. IAHS Campus parking is operated separately by McMaster University Parking Services and is subject to the terms of McMaster's Parking Regulations.
- 6.1.4 Mohawk College grounds are private property and the right is reserved to maintain full jurisdiction over all vehicle parking and to take action for violations of this policy. 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.
- 6.1.5 Mohawk College and its agents are not responsible for any loss, personal injury or damage to motor vehicles, including vehicle contents, however caused. Any such loss and/or damage and/or injury to persons must be reported to College Security and Parking Services as soon as possible after the event.
- 6.1.6 Where paid parking is in effect, persons parking at Mohawk College must be in possession of and display a clearly visible, authorised parking permit for both the date(s) and the designated parking lot as indicated on the permit. If the permit is not visibly displayed, entry into the lots may be refused, or the vehicle tagged and/or towed away at the owner's expense. The license plate number of visitors must be correctly entered into the pay stations and within the paid time period.
- 6.1.7 Failure to comply with this policy may result in a ticket, tow away and storage of the vehicle at the owner's risk and expense and/or revoking of parking privileges. Exceptions may be made if vehicle is towed/stored in error.

- 6.1.8 It is the permit holder's responsibility to provide Parking Services with current vehicle registration information. The registered owner is responsible for all violations involving his/her vehicle which may include ticketing, towing and/or revoking of parking privileges.
- 6.1.9 Access to campus parking by other than authorized permit or payment is in contravention of Mohawk College Traffic and Parking Regulations.
- 6.1.10 All persons operating a vehicle on Mohawk College property must obey the directions, signage and signals of College Security and/or Parking Services.
- 6.1.11 Vehicles must be removed from parking lots by 3a.m., unless otherwise authorized by Parking Services. Overnight parking is only permitted in P10 Residence Lot. In case of emergency, College Security and Parking Services must be notified.
- 6.1.12 A vehicle left on College property other than the P10 Residence Lot for a continuous period of 72 hours will be considered abandoned, unless prior notification has been provided to Security and Parking Services. Abandoned vehicles may be tagged and/or towed away at the owner's expense.
- 6.1.13 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 registered owner and/or operator of the vehicle removed from the campus and no liability shall be attached to Mohawk College or its agents for any damage caused during the towing operation. Exceptions may be made where a vehicle is towed/stored in error.

6.2 Types of Parking

6.2.6 General Lots

- A valid parking permit or daily parking payment will allow access to specified areas.
- Monthly, semester or annual permits must be appropriately displayed face up on the dashboard and clearly visible from the outside through the front windshield.
- License plates of all permit holders must be registered with the Parking Office
- Daily paid parking is available from pay-by-license-plate payment machines located at the parking lots and at various building entrances. The vehicle license plate number is required at time of purchase. No paper ticket is required for the dash.
- General lots at Fennell Campus are P5, P6, P7 and P8
- General lots at Stoney Creek Campus are those other than spaces reserved and designated as Visitor Parking or Accessible Parking.

6.2.7 Preferred Lots (Fennell Campus Only)

- Preferred lots are controlled by gated access at Fennell Campus (P1, P2 and P4)
- All vehicles shall be registered with the Parking Office and display a valid annual permit.
- Sole method of entry into these lots is by valid transponder, activated by the Parking Office

- A designated Carpool Zone is available and vehicles using these spaces must display a valid Mohawk College Carpool Permit issued by the Parking Office. This lot does not require a transponder.

6.2.8 Accessible Parking

- All students requiring a Mohawk College Accessible Parking Permit due to long or short term disability must provide Accessible Learning Services with a) a government issued accessible parking permit, or b) a Medical Documentation Form signed and completed by a registered health care professional. Students can bring the required documentation to The Square.
- All employee requests must be approved by Human Resources. Staff members must provide a copy of their government issued Accessible Parking Permit to Human Resources, who will arrange the issuance of a Mohawk College Accessible Permit through the Parking Office. Short term accessible parking may also be arranged through Human Resources with a Medical Documentation Form to be signed and completed by a registered health care professional.
- Accessible lots at Fennell Campus include P3 and P9, with additional accessible spaces in P2 and adjacent to the i-Wing and C-Wing entrances.

Additional Notes:

Students may be referred to Mohawk College Health Services or a registered health care provider in the event of a medical question and/or for medical recommendation.

The Parking Office will issue the actual Accessible Parking Permit upon completion of forms and applicable approval process as above.

A student or staff member issued a Mohawk College Accessible Parking Permit must only park in College designated 'Accessible' parking spots. They must not park in the accessible parking spots marked with the international sign for accessibility, allocated to holders of government issued Accessible Parking Permits and reserved for guests of the College.

6.3 Permit Issuance

- 6.3.1 All parking permits are to be registered and issued through the Mohawk College Parking Office or Parking Services website. Permits should only be purchased from authorized college sources. (parking.mohawkcollege.ca, payment stations, the Fennell Campus Parking Office, Security Office at Stoney Creek)
- 6.3.2 The issuance of a permit does not guarantee the availability of a parking space, rather it provides a licence to park in a designated area, with no liability or responsibility to be held by Mohawk College or its agents.
- 6.3.3 The parking year will be September 1st to August 31st. Payment is accepted by cash, certified cheque, money order, Visa, MasterCard. Payroll deduction is available for full-

time employees only. Part-time staff have the option of payment in full for annual permits or a monthly payment plan payable by Visa or MasterCard.

- 6.3.4 Students must pay for parking in full at the time of issuance.
- 6.3.5 All gate transponders and permits remain the property of Mohawk College and are issued for the use of authorized permit holders only. They must be surrendered to Parking Services upon demand.
- 6.3.6 Permit holders will be issued with one permit only, one type of permit only and no combination of permit types will be accepted or permitted. No exceptions. A limit of two (2) vehicles may be registered per permit account, provided the permit holder registers the make, model and license plate number of each vehicle with the Parking Office. Only one of these registered vehicles may park on campus at any given time. If a second vehicle is found to be on campus at the same time, the second vehicle will receive a ticket.
- 6.3.7 In the event that any staff member arrives in a vehicle without a valid permit present, it is the responsibility of the permit holder to report this to the Parking Office where a temporary permit valid for one (1) day may be issued. Only one (1) temporary day permit is available per month, per permit holder.
- 6.3.8 All Preferred lots at Fennell Campus (P1 P2 P4) require a transponder for entry. Transponders are the sole method of gated lot entry. Each transponder has an individual code which is activated by the Parking Office. Preferred permit holders may register a maximum of two (2) vehicles per permit registration. Only one transponder is available per permit holder. If a preferred permit holder arrives without a transponder in the vehicle, the permit holder must park in the General Lot.
- 6.3.9 Permit holders are responsible for the replacement of damaged, lost, or stolen transponders at a cost of \$35 (+HST) to the permit holder. Replacement of inoperable transponders will be addressed on a case by case basis.
- 6.3.10 The display and/or possession of a valid permit is considered acceptance of and agreement to be bound by Mohawk College Traffic and Parking Regulations Policy and procedures.
- 6.3.11 It is the permit holder's responsibility to provide up-to-date vehicle and license plate information to the Parking Office.
- 6.3.12 Proper display of a 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 and transponder from the vehicle.

6.4 Special Parking Arrangements

- 6.4.1 Parking Services, under the direction of Chief, Business Development and Ancillary Services, reserves the right to direct vehicles, when necessary, to General, Visitor or Preferred parking areas, subject to parking availability.
- 6.4.2 Departments within the College wishing to arrange guest parking through a departmental charge can do so by notifying the Parking Office through a form available on MOCOmotion. A financial manager's approval is required for all departmental charge transactions.
- 6.4.3 Sales and service representatives shall be considered visitors and may park in areas as designated by these regulations or by Mohawk College Parking Services.
- 6.4.4 College service vehicles will be assigned specific parking locations.
- 6.4.5 Contractors must pay for parking and park in the General lots while on campus.
- 6.4.6 Parking fees waived for visitors for special assemblies, such a convocations, will be issued at the discretion of the Chief, Business Development and Ancillary Services, with exceptions to be determined by the Mohawk Executive Group.
- 6.4.7 Evening parking (after 5:00 p.m. and until 3:00 a.m.), Monday to Friday, weekends and statutory holidays will be by cash/card payment or valid evening parking permit.
- 6.4.8 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.
- 6.4.9 Motorcycle parking is available at a concrete pad at lot P1 and in a designated zone at P6. Motorcycle permits are available at the Parking Office, effective January 1, 2016.
- 6.4.10 Arrangements may be made in advance for the bulk purchase of parking spaces for special events, through the Parking Office and Conference Services.
- 6.4.11 General parking permits are valid at all Mohawk College general lots where paid parking is in effect from 6:00am to 3:00am daily, with the exception of the Residence Lot, P10. Continuing Education permits are valid in all Mohawk College lots where paid parking is in effect from 5:00pm to 3:00am daily.
- 6.4.12 All visitors, faculty, staff and students, who do not otherwise possess a valid parking permit, require a daily permit to park on campus. Persons requiring one day parking must purchase a daily permit at the pay-by-plate machines at Fennell Campus and Stoney Creek Campus.
- 6.4.13 Daily parking permits are pay-by-plate – you must enter your license plate number to purchase a daily permit. No ticket is required on the dash.

6.5 Purchase Refund Schedule

- 6.5.1 Refunds may be made on prepaid annual and semester permits based on a prorated refund schedule, as determined by the Parking Office.
- 6.5.2 When a staff member leaves the employ of the College, the transponder must be returned to the Parking Office on or before the last day of work.
- 6.5.3 It is the sole responsibility of an employee no longer employed by the College to cancel all pre-authorized credit card payments. Payroll deduction will cease upon an employee leaving the College and a prorated amount will be returned, if applicable.
- 6.5.4 Staff Annual Preferred permit holders (lots P1, P2, P4) are responsible for the payment of parking fees on an annual basis. "Suspending" payment and maintaining priority in a preferred lot will not be accepted. Those wishing to discontinue their permit in a preferred lot will not maintain their priority in that lot and the space may be taken by a person on a waiting list or new registrant. Exception will be given to anyone on an approved College leave.

6.6 Restrictions and Conditions

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

- Parking registration of a vehicle is considered evidence of a specific contract when entering and parking on campus.
- Parking transponders remain the property of Mohawk College and may be cancelled and parking privileges revoked at any time.
- The Parking Office requires all applicants for parking present their ONE Card upon purchase and/or pick-up of a permit or transponder
- Applicants may be asked to show vehicle registration certificates.
- Responsibility of finding a parking space in an authorised area rests with the vehicle operator.
- The College assumes no responsibilities for personal injury or loss in parking lots
- Parking permits will not be issued to a driver with outstanding parking fines owed to the College.
- Possession of a parking permit does not guarantee the availability of a parking space.
- It is a criminal offence to duplicate, counterfeit, alter or otherwise use unauthorized Mohawk College parking permits.
- College Security may be advised to boot or clamp a drivers' side wheel for overdue fines or violations.

6.7 Enforcement of Regulations

- It is the policy of the Parking Office to proceed with criminal charges of fraud in all cases.
- Fraud cases are also subject to the penalties outlined in the Mohawk College Student Behaviour Policy and the Employee Code of Conduct

- In any violation of the Mohawk College Traffic and Parking Regulations, a Parking Violation Notice may be issued.
- Non-enforcement of a regulation, in any instance, will not be interpreted as a waiver for the future.
- Failure to comply with Mohawk College Traffic and Parking Regulations may result in fines and/or tow away and/or storage of the vehicle at the owner's risk and expense, revocation of parking privileges and/or a hold on student accounts.
- After the accumulation of \$150 of unpaid Parking Violations/tickets issued, a vehicle may be clamped on the drivers' side front tire and will be removed by College Security upon payment of fines.
- A person who possesses or displays a forged, altered, lost or stolen permit will be subject to conditions and penalties of the College's Staff Code of Conduct or Student Behaviour Policy and may result in criminal charges

6.8 Violations and Penalties

6.8.1 Parking privileges may be revoked for any violation of Mohawk College Traffic and Parking Regulations.

6.8.2 The owner/operator may also receive a Notice of Parking Violation and the vehicle may be towed in accordance with section 1.2 in Appendix A if any one of the following violations exist:

- Parking on any roadway;
- Parking in unauthorised areas; e.g. fire routes, shipping/receiving areas; accessible parking without valid permit;
- Observed by or reported to College Security to be driving in a careless or reckless manner;
- Blocking and/or obstructing pedestrian, transit (bus) or vehicular traffic;
- Failing to obey signage;
- Gaining access to parking areas by other than valid permit and/or authorised transponder;
- Failing to obey directions of College Security and parking enforcement officers;
- Displaying a lost, stolen, forged or altered permit;
- Failing to yield right-of-way to pedestrians and/or cyclists;
- Failing to park in accordance with the lot lines (parking in more than one stall)

6.9 Appeals

- An individual may appeal a Parking Violation Notice within five (5) days of the date on which the Parking Violation Notice was issued, online at the Parking website www.mohawkcollege.ca/parking-security/parking.html
- A valid appeal can be based solely on the contention that a Parking Violation Notice was issued contrary to Mohawk College Traffic and Parking Regulations, or in error.
- Ignorance of Mohawk College Traffic and Parking Regulations is not grounds for appeal
- Appeals will not be granted on the basis of arriving by unregistered vehicle/license plate or failure to observe signs that indicate paid parking is in effect on College property.

- Appeals received which do not comply with these requirements will not be considered and the appellant shall be notified in writing. No appeal from this decision will be permitted.
- The Parking User Committee acts as the advisory committee for the appeals process.

7. Policy Revision Date

November 2018

7.2 Responsibility

The Chief, Business Development and Ancillary Services will review this policy every three years or earlier when required.

8. Attachments

Appendix A- Traffic and Parking Regulations Procedure



Traffic and Parking Regulations Procedure

1. Violation, Fines and Penalties

For each violation, the following fines and penalties shall apply:

Parking between 0300 and 0600 hours	\$35.00 Fine only
Parking in an area not designated for parking	\$35.00 Fine only
Failing to display a valid Mohawk permit	\$35.00 Fine only
Failing to park in accordance with lot layout	\$35.00 Fine only
Failing to obey regulatory signs	\$35.00 Fine only
Failing to yield right of way to pedestrians, cyclists	\$35.00 Fine only
Driving without due care and attention, speeding	\$35.00 Fine only
Parking '3 deep' in lots (blocking vehicles and/or roadway)	\$35.00 Fine +/- tow
Failure to obey directions of Security, Parking or Construction staff when engaged in directing and/or controlling traffic	\$55.00 Fine +/- suspension*
Blocking or obstructing roadway traffic, sidewalk, fire hydrant, building entrance/exit or stopping in 'No Waiting' zone	\$55.00 Fine +/- tow
Displaying a lost or stolen permit	\$150.00 Fine +/- tow +/- suspension**
Displaying a forged or altered permit	\$150.00 Fine, tow +/- suspension**
Parking in a designated accessible area without valid permit	\$150.00 Fine, tow +/- suspension*
Supplying false information to obtain parking privileges	\$150.00 Fine, tow +/- suspension*
<p>*Note: Upon issue of this violation tag, vehicle is subject to be towed. Parking privileges will be suspended. Suspension will only be lifted upon successful appeal. Please note section 1.2 hereof regarding towing and 1.3 hereof regarding suspension of parking privileges. Vehicles with (3) unpaid parking violation notices (or an accumulated total of \$150) may result in clamping/immobilisation of vehicle, to be removed by Security only upon payment of all fines.</p> <p>** Note: In addition to fines, towing and/or suspension, these offences are subject to the Mohawk College Student Behaviour Policy and the Employee Code of Conduct, and may result in criminal charges.</p>	

1.1 Additional Fees

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

- 1.1.3. Disregarding Parking Violation Notices may result in the suspension of College parking privileges, the tow away of the vehicle or the clamping of a vehicle – to be removed by Security upon payment of fines.
- 1.1.4. All NSF (returned) cheques will be subject to a \$25.00 administration fee.

1.2 Towing of Vehicles

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

If your vehicle has been towed, please contact College Security and/or the Parking Office either in person or by telephone. Arrangements will be made with the staff to take you to the vehicle compound in order to retrieve your vehicle.

Costs of towing of the vehicle are the responsibility of the vehicle owner/operator and must be paid in full in order for the vehicle to be released. Exceptions may be made if a vehicle is towed in error.

The provisions of the Repair and Storage Liens Act of Ontario (RSO 1990, c R.25) shall apply to any vehicle towed as a result of a Parking Violation Notice being issued.

1.3 Suspension of Parking Privileges

Parking privileges may be suspended for:

- Non-payment of fines;
- Repeat violations or obvious disregard for regulations;
- Supplying false information to obtain parking privileges;
- Determined misuse of permit; and/or
- Using altered, duplicated or an otherwise unauthorized permit.

1.4 Reinstatement of Parking Privileges

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

College Parking Services shall reinstate parking privileges provided that:

- All outstanding fines and fees have been paid;
- The \$30.00 reinstatement fee has been paid;
- The suspension period (as determined by the Parking Office) has lapsed;
- All requirements for reinstatement as determined by the Parking Appeals Committee have been met.

2 Appealing a Parking Violation Notice

2.1 An individual may appeal online at the Parking Services webpage:
<http://www.mohawkcollege.ca/parking-security/parking.html> within five (5) days of the

date on which the Parking Violation Notice was issued. Please note, details of the Parking Violation Notice will not be available online until after 7pm on the date of the day of issue.

2.2 The Appeals Procedure

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

- 2.2.1 If the appeal meets the requirements of Sections 2.1 and 2.2 hereof, the Parking User Committee shall review the reason(s) for the appeal and shall make a determination, based on the online 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.
- 2.2.2 If the appeal is upheld, there may be granted, at the discretion of the Chief Business Development and Ancillary Services and Parking User Committee, a reduction of the Parking 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.
- 2.2.3 The appellant shall be notified in writing of this warning status and may within two (2) days of the issuance of notice of the decision by delivering a letter to the Parking User Committee asking for the appeal to be heard by them at their next regularly scheduled meeting following receipt of that letter.
- 2.2.4 If the Parking User Committee denies the appeal the appellant shall be so notified in writing that the Parking Violation Notice will be enforced.
- 2.2.5 If it is determined that the appeal, while having no obvious validity, does merit being heard by the Parking User Committee, the Chief, Business Development and Ancillary Services shall refer the appeal to the Parking User Committee to be considered at their next meeting.
- 2.2.6 All decisions of Appeal from the Parking User Committee are final; there is no other avenue of appeal. Notice of the decision of the Parking User Committee on an appeal shall be mailed to the appellant within two (2) days after the decision is made.