

# NOTICE OF REGULATION REPEAL

May 6, 2014

## DEPARTMENT OF EDUCATION

Division of Universities  
University of North Florida

### REGULATION NO/TITLE:

9.0020R Vehicle Parking Permits  
9.0030R Parking Permit Fees, Styles, Display Requirements, Replacements and Refunds  
9.0040R Parking Locations  
9.0050R Motor Scooter, Motorcycle, Moped, Bicycle, Boat, RV, Portable Storage Container, Trailer and Non-Motorized Vehicle Regulations  
9.0060R Violations of Parking Regulations  
9.0070R Fines, Late Fees and Other Penalties  
9.0080R Payment Procedures  
9.0090R Vehicle Towing, Impoundment and Immobilization  
9.0100R Appealing Citations and Appellate Procedures  
9.0110R Disposition of Fees and Fines Collected

### SUMMARY:

The repeal is being undertaken in order to consolidate all prior parking regulations into a single regulation 9.0010R, which will govern parking on campus.

### FULL TEXT:

The full text of the regulation for repeal is attached.

### AUTHORITY:

Resolution of the Florida Board of Governors dated January 7, 2003 and Florida Statutes 1006.66.

### UNIVERSITY OFFICIAL INITIATING THE REPEALED REGULATION:

Scott Bennett, Associate Vice President Administration and Finance

### INDIVIDUAL TO BE CONTACTED REGARDING THE REPEALED REGULATION:

Stephanie Howell, Paralegal, Office of the General Counsel, [showell@unf.edu](mailto:showell@unf.edu), phone (904)620-2828; fax (904)620-1044; Building 1, Room 2100, 1 UNF Drive, Jacksonville, FL 32224.

***Any comments regarding the repeal of the regulation must be sent in writing to Stephanie Howell @ [showell@unf.edu](mailto:showell@unf.edu) on or before May 21, 2014, to receive full consideration.***



Regulation Number	Subject	Effective Date	Revised Date
9.0100R	Appealing Citations and Appellate Procedures	10/20/05	10/07/10
<b>Responsible Division:</b> Administration & Finance/ Parking & Transportation Services			
<input type="checkbox"/> New Regulation	<input type="checkbox"/> Major Revision of Existing Regulation	<input checked="" type="checkbox"/> Minor/Technical Revision of Existing Regulation	<input type="checkbox"/> Reaffirmation of Existing Regulation

**I. STATEMENT OF REGULATION**

~~(a) — An individual who wishes to appeal a parking citation must complete and submit a Citation Appeal Form which is available on the Parking Services website (www.unf.edu/parking) or from the Parking Services Department. The completed form together with any relevant supporting documentation must be submitted to the Parking Services Department within fourteen (14) calendar days of issuance of the citation. Appeals not filed within the fourteen day deadline are untimely, will not be heard and the citation will stand as issued.~~

~~(b) — The appeal will first be considered by Parking Services Department staff. If Parking Services Department staff determines the appeal has merit and the individual should not have to pay the citation, the appeal process is complete. If Parking Services Department staff determines the circumstances do not necessarily warrant a successful appeal, the appeal will be forwarded to the appropriate independent appeal board for an appeal hearing.~~

~~(c) — An individual appealing a parking citation has the option of being present at the appeal hearing or having the appeal decided in his or her absence. In either situation, the decision reached at the appeal hearing will be final and will not be revisited based on the appellant's choice whether to appear or not to appear at the hearing.~~

~~(d) — Student appeals of citations will be decided by the Student Government Judiciary. All other appeals will be decided by the University's Parking Violations Appeal Board.~~

## ~~II. STUDENT APPEAL PROCESS~~

~~The Citation Appeal Form, any relevant supporting documentation provided by the appellant and relevant documentation from the Parking Services Department will be considered by the Student Government Judiciary.~~

~~(a) For appeals where the student does not choose to appear at a hearing, each case will be read independently by two members of the Judiciary and each shall render a decision. If the decisions are the same, the case is decided and is final. If the decisions are different, the case will be considered by a quorum of the Judiciary body and an ultimate decision on the appeal will be made pursuant to the Student Government Judiciary procedures.~~

~~(b) For appeals where the student indicates that s/he wishes to appear at the hearing, the appellant will be notified of the date, time and location of the hearing and the student may appear and present evidence. The case will be heard by a quorum of the Judiciary body and a decision on the appeal will be made pursuant to Student Government Judiciary procedures. An appellant's failure to appear at the scheduled hearing will result in automatic denial of the appeal.~~

## ~~III. NON-STUDENT APPEALS~~

~~The Citation Appeal Form, any relevant supporting documentation provided by the appellant and relevant documentation from the Parking Services Department will be considered by the Parking Violations Appeal Board.~~

~~(a) For appeals where the appellant does not choose to appear at a hearing, each case will be considered by a quorum of the Board and a decision made pursuant to the Parking Violations Appeal Board by-laws.~~

~~(b) For appeals where the appellant indicates that s/he wishes to appear at the hearing, the appellant will be notified of the date, time and location of the hearing and may appear and present evidence. The case will be heard by a quorum of the Board and a decision on the appeal will be made pursuant to the Parking Violations Appeal Board by-laws. An appellant's failure to appear at the scheduled hearing will result in automatic denial of the appeal.~~

#### **IV. APPEAL DECISIONS**

~~(a) Decisions on appeals by the Student Government Judiciary, either as individuals or as a collective body, and decisions on appeals by the Parking Violations Appeal Board will be based on the details presented to them and all decisions will be based on the merits of the particular case. The members of the student judiciary and the appeal board are expected to be diligent and conscientious in their duties and to use their best judgment and common sense when rendering decisions on parking citation appeals. The following justifications are not to be considered sufficient on their own to allow for a successful appeal.~~

- ~~1. Lack of knowledge of parking regulations.~~
- ~~2. First time offender.~~
- ~~3. Time period since the previous parking infraction.~~

~~(b) The decisions reached by Student Government Judiciary and the Parking Violations Appeal Board are the only avenue of appeal regarding parking citations and the decisions reached by these bodies are final and binding and constitute the University's final decision regarding the appealed citations.~~

#### **V. NOTIFICATION OF APPEAL RESULTS**

~~Following consideration of an appeal, the appellant will be notified in writing (or by e-mail) by the Parking Services Department of the final outcome of the appeal. If the citation is sustained, or only partially reduced, any remaining fine must be paid within fourteen (14) calendar days after notification of the disposition of the appeal.~~

Authority: Resolution Florida Board of Governors dated January 7, 2003  
Florida Statutes 1001.74(35) and 1006.66  
History—New 10-20-05, Formerly 5.1010, 6C9-11.010.  
Amended and approved by the BOT October 7, 2010.