

Eastern Kentucky University

Parking Appeals Committee Bylaws and Operating Procedures

Preamble

The Parking Appeals Committee of Eastern Kentucky University, in acknowledgement that students, faculty, staff and visitors are held responsible for abiding by the stipulations and regulations set by Parking & Transportation Services, hereby offer a fair, structured, and accessible means of appealing citation(s) in the event that an individual receives a parking citation. Recognizing the need to clearly define the duties of its officers and members to accomplish the same, the following bylaws governing the operation of this body are hereby set forth.

Article I

Process

Section A. The Operating Procedures of the Parking Appeals Committee shall be established and amended by the Parking Appeals Committee.

Section B. Once approved by a simple majority of the Committee, the Operating Procedures will be sent from the Director of Parking & Transportation Services to the Senior Vice President for Finance & Administration to be submitted to the President of Eastern Kentucky University for approval.

Section C. Upon approval by the President, the Parking Appeals Committee Operating Procedures will take effect.

Article II

Authority

Section A. The Parking Appeals Committee, as granted such authority by Eastern Kentucky University, shall be the official body for which parking citations may be appealed.

1. Parking citations shall be appealed online.
2. Parking appeals must be filed online within 7 days of the issued citation.
3. Verbal appeals must be scheduled with Parking & Transportation Services within 7 days of the initial appeal decision notice. The claimant will be given

the option to attend one (1) of the next two (2) upcoming Parking Appeals meetings.

4. All parking appeal requests will be filed by Parking & Transportation Services.

Section B. The Parking Appeals Committee, as granted such authority by Eastern Kentucky University, may uphold, reduce, or deny any parking citations.

Section C. Upon request, the Parking Appeals Committee may hold a second appeal to be made verbally by the claimant requesting to appeal.

Article III

Membership

Section A. The Parking Appeals Committee, in membership, shall be composed of six (6) voting representatives.

1. In addition, there shall be a representative from Parking & Transportation Services in attendance.
2. The Parking & Transportation Services representative shall not vote.

Section B. The Chair of the Parking Appeals Committee shall be elected by majority vote at the first meeting of each academic year.

Section C. The Vice Chair of the Parking Appeals Committee shall be elected by majority vote at the first meeting of each academic year.

Section D. The Clerk of the Parking Appeals Committee shall be a staff member of Parking & Transportation Services serving as a non-voting member.

Section E. Representatives

1. In order to represent the student body, two (2) student representatives shall serve as voting members on the committee.
 - a. Said student representatives shall be appointed by the Student Government Association each academic year. Parking & Transportation Services shall request those representatives from SGA.
2. In order to represent University faculty, two (2) faculty representatives shall serve as a voting member of the committee.
 - a. Said faculty representatives shall be appointed by the Faculty Senate.

3. In order to represent University staff, two (2) staff representatives shall serve as voting members on the committee
 - a. Said staff representatives shall be appointed by the Staff Council.
4. A member Parking & Transportation Services shall serve as an ex officio (non-voting) member of the Parking Appeals Committee to provide the Committee with information regarding current parking regulations and situations.
 - a. The Parking & Transportations Services representative shall be responsible for obtaining all appeals from the parking software.

Article IV

Duties

Section A. Chair

1. The Chair shall have initial administrative review over all appeal requests.
 - a. The Office of Parking & Transportation Services will separate all appeal requests into categories belonging to situations consistently denied by the Parking Appeals Committee.
 - b. The Chair or Clerk can deny all appeals that do not have merit, and the Clerk will record those decisions in the parking software.
 - i. Appeals without merit include, but are not limited to:
 1. Parking in the wrong spot for only a short amount of time.
 2. Turning on blinkers/hazard lights when parked.
 3. Not being aware of the parking regulations.
 4. Sitting in the vehicle.
 5. Parking in accessible spaces/fire lanes/reserves spaces for any reason.
 6. Parking in the wrong spot because of the time of day.
 7. Contesting tow/boot fees.
 8. Students/Employees parking in visitor spaces.
 9. Receiving parking related information from someone other than Parking & Transportation Services.
 10. In regard to Pay to park lots, proof of payment must be uploaded to the appeal to be considered.
 - ii. The Chair shall preside over all meetings of the Parking Appeals Committee.

- iii. The Chair shall be responsible for returning all adjudicated appeals to the Parking & Transportation Services Office.

Section. B. Vice Chair

1. The Vice Chair shall serve at the pleasure of the Chair.
2. The Vice Chair shall serve in the absence of the Chair.

Section C. Clerk

1. The Clerk shall be responsible for recording appeal results in the parking software.
2. The Clerk shall be responsible for performing other necessary clerical operations upon request of the Chair.
3. The Clerk shall be responsible for posting a notice at least twenty-four (24) hours prior to each meeting, as per Kentucky Open Meetings Law.
 - a. The notice shall state the date, time and location of the relevant meeting.
4. The Clerk shall be responsible for scheduling all verbal appeal requests.

Article V Meetings

Section A. Regular Meetings

1. The Parking Appeals Committee shall meet every other week, or as needed, excluding times prohibited by University scheduling.
 - a. The Chair or Clerk may cancel or reschedule meetings at their discretion ,for example, in cases of member unavailability or inclement weather.
 - b. Public Session: All meetings of the Parking Appeals Committee, unless stated otherwise in these bylaws, shall be considered to be in Public Session, and therefore open to anyone.
2. Non-members of the Parking Appeals Committee in attendance will not be allowed to participate in discussion unless their specific appeal is being considered at that time and the Committee requests them to do so.
3. Non-members of the Parking Appeals Committee do not have a vote in matters brought before the Committee.

Section B. Executive Session and Special Meetings

1. All meetings of the Parking Appeals Committee will move into executive session during deliberation of a verbal appeal.

2. The purpose of the executive session must be stated in regular open meeting (“to deliberate on your verbal appeal”).
3. A motion must be made and carried for the Committee to go into executive session. The motion must specifically state that the closed session is being conducted pursuant to KRS 61.810 and 61.815
4. Special Meetings
 - a. Additional meetings of the Parking Appeals Committee may be scheduled at the request of the Chair or by a simple majority of the Committee members present and voting.
 - b. The Parking Appeals Committee must be notified forty-eight (48) hours before a special meeting is scheduled.

Section C. Procedure

1. Meetings will be called to order by the Chair, or the Vice Chair if the Chair is absent.
2. Quorum shall be obtained by having at least three (3) voting representatives in attendance.
3. Once quorum has been established, all scheduled verbal appeals will be heard.
 - a. Verbal appeals may only be heard by the Committee if the individual scheduled their verbal appeal the Office of Parking & Transportation Services.
 - b. All individuals present to verbally appeal will be connected via pre-approved teleconferencing methods into the presence of the Committee by the Clerk.
 - c. The Chair or Clerk will introduce the claimant to the Committee.
 - d. The Chair or Clerk will then read the original appeal.
 - e. The claimant may make a statement on their own behalf.
 - f. The Parking Appeals Committee Members will then be able to ask the claimant any questions in regard to their appeal.
 - g. Once all statements and questions have occurred, the claimant shall leave for the committee to deliberate.
 - h. Once a decision has been made through majority vote by the Committee, the Clerk will notify the claimant by email at the end of the meeting with their appeal result.
 - i. In the case of a tie vote, the appeal shall be resolved in favor of the claimant.
4. If a claimant fails to show for a scheduled verbal appeal, said appeal will automatically be denied. The claimant may not appeal further, and the decision shall be final.
5. Once all scheduled verbal appeals have been heard, the Committee shall move to rule on appeals brought to the Committee by the

chair. The Chair will read aloud all appeals with merit and brought before the Committee.

- a. The Chair shall not disclose the name of the individual filing the appeal.
 - b. The Chair will read the nature, location, date and time of the violation as provided on the parking citation attached with all appeals.
 - c. The Chair will then read the case provided by the claimant.
 - d. The Committee will have the opportunity to ask questions to clarify.
 - e. The Committee will decide by a simple majority vote, to approve, deny or reduce an appealed citation.
 - i. In the case of a tie vote, the appeal shall be resolved in favor of the claimant.
 - f. After conclusion of the meeting, the Clerk will then record the votes in the parking software.
6. All appeals must be adjudicated within thirty (30) business days of their filing by the claimant. Outstanding appeals that are not adjudicated within this time frame shall be sent to the Director of Parking & Transportation Services to be waived.