



## **APPEALS**

1. Any person receiving a violation notice shall have 15 calendar days from the date of issuance to settle the citation either by paying the fine according to the current schedule, and/or appeal to the appropriate Appeal Authority. Failure to apply for an appeal within the 15-day limit will result in forfeiture of the right to appeal and the ticket must be paid including late charges.
2. Except as noted in #4, the Board is the authority to adjudicate appeals for all Violation Notices (tickets) that are issued. This Board, appointed by the Appeals Board Administrator from students, faculty & staff nominations, shall consist of (10) members. Three members constitute a quorum, for all meetings with a limit of 6 at any one meeting. At least 1 student along with the Appeals Board Administrator will be present at all meetings. Members are appointed for a one year term. The Board meets on regularly scheduled basis of not less than once per month.
3. If an appeal is denied, the fine must be paid within 15 calendar days of the decision, or late charges will accrue according to fine schedule. Failure to pay within this time period will result in escalation of the fine according to the fine schedule listed and the original date of violation.
4. Violation Notices (tickets) which are issued when a motor vehicle is impounded, along with the cost of impoundment and late charges, may be appealed only to the Parking Services Office.
5. Violations of the Vehicles & Traffic Law requires that those who wish to appeal **THESE VIOLATIONS** must appear in person on the scheduled hearing date and be prepared to pay fine the same day if denied. A \$15.00 surcharge is assessed if payment is not received the same day. Failing to appear for scheduled appeal date is considered a guilty plea. A \$15.00 surcharge will be assessed the day after the scheduled hearing if the violation has not been paid.

### **Procedures:**

1. Public Safety/Parking Services Office Staff are available to assist visitors, students, staff and faculty who wish to contest a parking ticket. If it is determined that no violation occurred, the ticket and fines will be dismissed.
2. Individuals desiring to appeal a Violation Notice must obtain, complete and submit an Appeal Form to the Parking Office within 15 days of the date of the violation. An appeal date will be assigned if he/she wishes to appear in person to plead his/her case orally before the Appeal Board. Appeal Forms will be forwarded to the Appeal Board.
3. The Board has the authority, by majority action, to dispose of a case by: (1) upholding the charge(s) completely; (2) upholding the charge(s) but reducing the fine to whatever amount it feels is appropriate in light of extenuating circumstances; (3) reducing the charges to a lesser offense; or (4) dismissing the charges completely. The decision of the board shall be reduced to writing and a copy shall be furnished to the appellant and the Appeal Board Administrator. The decision of the board is final without further right of review by the appellant. ***The Appeal Board does not have the authority to make or change these regulations.***

Where the person filing an appeal fails to appear at the hearing after stating that he or she will do so, the Board shall not be required to grant a continuance, but may choose to deny or uphold the appeal upon reviewing the statements written on the appeal form by the appellant.

### **Basis:**

Except in rare unusual circumstances, the only proper basis for an appeal is contention that the cited regulations were not violated. It is no excuse that the individual "thought it wasn't a violation", "did not mean to violate a regulation" or "saw other vehicles doing the same thing." The issue on an appeal is whether or not the cited regulation was violated. ***It is strongly encouraged that the appellant include supporting evidence, i.e., documentation, statements from witnesses. In the absence of such supporting evidence, the Board shall be strongly inclined to accept the validity of the ticket as written.***