



# CODE OF RULES

---

# AND REGULATIONS

AUGUST 1999

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## **Introduction**

It is common in American community life for all citizens to expect certain fundamental freedoms and rights. The Humboldt State University Code of Rules and Regulations is adopted to assure consistency between campus and off-campus regulations. The Office of the President has been delegated authority by the trustees of The California State University and by other state statutes to enact rules and regulations governing the conduct of all persons upon the campus in Arcata and upon the satellite areas under the jurisdiction of the president.

Humboldt State University is an agency of the State of California government and its property is state property; therefore, local city/county ordinances do not apply to activities and facilities on the campus.

The university administration, in keeping with its responsibility to insure the protection of life and property and to

defend the campus community from unwarranted intrusion and disruption, has established and promulgated rules and regulations designated as the University Code of Rules and Regulations. Through a series of codified university regulations, as stated herein, a comfortable campus community life becomes more attainable, recognizing the uniqueness of the campus as necessary. This codification, therefore, is not intended to be more or less stringent or severe than those found in the surrounding communities, nor is the establishment of codified rules and regulations unique to this university. This code identifies conduct which is detrimental to the reasonable and legitimate expectations of students, employees, and other persons visiting the campus, for personal safety and well being. This code also identifies conduct deemed inimical to the pursuit of knowledge and academic and personal freedom.

## Chapter I. General Provisions

### ARTICLE 1. Adoption of Code

#### 1000. Short Title Reference to Code.

This code shall be known as the Humboldt State University Code of Rules and Regulations, and it shall be sufficient to refer to said code as the “University Code” in any proceeding for the violation of any provision hereof. It shall also be sufficient to designate any regulation adding to, amending, or repealing said code or portions thereof, as an addition or amendment to, or repeal of the “University Code,” or a portion thereof.

**1001. Effect of Code on Past Actions and Obligations.** Neither the adoption of this code nor the repeal of any regulation of this university shall, in any manner, justify violations of regulations which occurred prior to the effective date of this code, nor affect proceedings which are being or will be held regarding such violations.

**1002. Continuity.** The provisions of this code, insofar as they are substantially the same as regulations previously adopted by the university relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments.

**1003. Reference to Specific Regulations.** The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with regulations previously adopted and specifically designated by number or otherwise, but such reference shall be construed to apply to the corresponding provisions contained within this code.

**1004. Validity of Code.** If any section, subsection, sentence, clause, phrase or portion of this code is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this code.

**1005. Distribution of Code.** Not less than three copies of this code shall be filed for use and examination by the public in the Office of the Vice President for Student Services. Copies shall be prepared in loose-leaf form and shall be filed to withstand heavy usage in such binders as the Vice President for Student Affairs may prescribe. Copies of the code and material reproduced for use therewith shall be distributed as may be designated by the Vice President for Student Affairs. Various portions of the code and printed matter may be printed separate and apart from the whole thereof and distributed as directed by the Vice President for Student Affairs.

**1006. Maintenance of Code.** Whenever the provisions of this code are changed by amendment, repeal or addition, the Vice President for Student Affairs shall cause the pages of the code or printed matter in which changes have been made to be reproduced as required, showing the changes and a notation as to the regulation, if any, and the date of the adoption thereof. Duly certified copies of every regulation making changes in the code shall be filed in the Office of the Vice President for Student Affairs, duly indexed for ready reference. Copies of each and every reprint are to be distributed to each code holder of record.

## Chapter I. General Provisions

### ARTICLE 2. Definitions and Rules of Construction

#### 1100. Definitions and Rules of

**Construction.** In the construction of this code and of all the regulations of the university, the following rules shall be observed unless such construction would be inconsistent with the manifest intent of existing regulations of this university, the context of which clearly requires otherwise:

(a) *Code.* The words “the code” or “this code” shall mean the Humboldt State University Code of Rules and Regulations.

(b) *Computation of Time.* The time in which any act provided by law is to be completed is computed by excluding the first day and including the last, unless the last day is a holiday and then it is ignored.

(c) *Day.* A “day” is the period of time between any midnight and the following midnight next.

(d) *Daytime, Nighttime.* “Daytime” is the period of time between sunrise and sunset; “Nighttime” is the period of time between sunset and sunrise.

(e) *Month.* The word “month” shall mean a calendar month.

(f) *Official Time.* Whenever certain hours are named herein, they shall mean Pacific standard time or daylight saving time, as may be currently in use in this state.

(g) *Or, and.* “Or” may be read “and” and “and” may be read “or,” if the meaning requires it.

(h) *Person.* “Person” includes any person, firm, association, partnership, business trust, corporation, or company.

(i) *Gender.* The masculine gender includes the feminine and the neuter.

(j) *Preceding, Following.* The words “preceding” and “following” mean next before and next after, respectively.

(k) *Private Property.* The Humboldt State University is owned by the State of California, governed by the trustees of The California State University, with powers delegated to the university administration for the purposes of education. The right of the general public to enter upon the university campus is subject to the terms as provided for in this code.

(l) *Public Place.* The term “public place” includes any room, facility, or place on the university campus to which the general public has a license to enter for business, trade, amusement, or other lawful purposes, or which the general public has a right to enter upon payment of an admission fee.

(m) *Shall, May.* “Shall” is mandatory and “may” is permissive.

(n) *State.* “State” is the state of California.

(o) *Tenant or Occupant.* The words “tenant” or “occupant” applied to campus buildings or land shall include any person holding a written or oral lease, or who occupies the whole or a part of a building or land, either alone or with others.



## Chapter I. General Provisions

(p) *Tenses.* The present tense includes the past and future tenses and the future includes the present.

(q) *Week.* A week consists of seven consecutive days.

(r) *Writing.* Writing includes any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement, or record is required by the code, it shall be made in writing in the English language unless it is expressly provided otherwise.

(s) *Year.* The word “year” shall mean a calendar year except where otherwise provided.

**1101. References to Regulations.** Any reference to a regulation in this code shall mean such regulation of this university unless otherwise specifically provided. Any reference in this code to a regulation or provision of this code shall mean such regulation as now or hereafter amended. References to any section of this code shall be understood to refer to and include the penalty section relating thereto, unless otherwise expressly provided. In case of the amendment of any section of this code containing provisions for which a penalty is provided in another section, the penalty so provided in such other section shall be held to relate to the section so amended, whether reenacted in the amendatory regulation or not, unless such penalty is specifically repealed therein.

**1102. Acts by Designee.** Whenever a power is granted to, or a duty is imposed upon a public officer or employee, the

power may be exercised or the duty may be performed by a designee of such officer, or employee, or by a person otherwise duly authorized pursuant to law or regulation unless this code expressly provides otherwise.

**1103. Headings.** Chapter, Article, and Section headings and subheadings contained in this code shall not govern, limit, or affect the scope, meaning, or intent of the provisions of this code.

**1104. Territorial Limitation.** “University” means Humboldt State University and includes all properties owned or operated by Humboldt State University.

### ARTICLE 3. Penalty Provisions

**1200. Penalty, General.** No person shall violate any provision or fail to comply with any of the requirements of this code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this code shall be guilty of an infraction unless otherwise expressly specified. Each person shall be guilty of a separate offense for each and any day during any portion of which any violation of any provision of this code is committed or continued by such action, and penalties shall be determined accordingly.

### ARTICLE 4. Officers and Employees

**1300. Administration.** (Refer to Chapter VII, Humboldt State University Faculty Handbook.)

## Chapter II. Parking

### ARTICLE 1. Parking Generally

#### 2000. Authority to Enact Parking Regulations.

The driving, stopping, standing or parking of any vehicle on the university campus is permitted, subject to California Vehicle Code Section 21113 and California Administrative Code, Title 5, Section 42200.

In addition, permission to stop, park or leave standing any vehicle may be granted only to persons who have paid a parking fee pursuant to Sections 42201 and 42202 of Title 5 of the California Administrative Code.

### ARTICLE 2. Administration

**2100. Purpose of Regulations.** The Public Safety Committee shall recommend for enactment to the Vice President for Student Affairs any and all regulations governing the stopping, standing and parking of any vehicle on the campus to provide for convenience, easy flow of traffic, accessibility to campus facilities and to promote the public safety of all persons utilizing campus streets, driveways, paths, parking facilities and grounds, subject to the approval of the president.

#### 2101. Requirements for Enforcement.

No regulation shall become effective until 30 days after its enactment and subject to the following provisions:

(a) Appropriate signs shall be erected, giving notice of any special regulation or change of regulation pursuant to Section 21113(b) of the California Vehicle Code.

#### 2102. Agency Responsibilities.

Guidelines for implementation of directives, as may be forthcoming from the Trustees of The California State University, have been developed by the Public Safety Committee and approved by the president. The sale and recording of parking permits is handled in the Cashier's Office. The parking penalties are collected by the university's processing agency. Enforcement is the responsibility of the Department of Public Safety. Penalties taken in by the processing agency revert to the local parking trust account established by the chief fiscal officer of the University.

**2103. Liabilities.** Neither the university nor the state has liability or responsibility for loss or damage to any vehicle or its contents when parked pursuant to this code and the university and the state assume no liability for damages to persons or property arising from the exercise of any parking permit.

**2104. Penalties.** Any violation of regulation in Chapter 2 of the Humboldt State University Code of Rules and Regulations governing the standing or parking of a vehicle is subject to a civil penalty. The enforcement of those civil penalties shall be governed by the civil administrative procedures set forth in California Vehicle Code Section 40200(a). The schedule of these parking penalties for parking violations and late payment penalties shall be established by the president or his designee pursuant to Section 40203.5(a) of the California Vehicle Code.

**2105. Excessive Citations Penalties.** A penalty schedule for excessive citations,

## Chapter II. Parking

may be established by the president or his designee, for any vehicle receiving eight or more citations in an academic year.

### ARTICLE 3. Parking Permits

**2200. Defined.** A parking permit is any decal, card or other device sold, issued or authorized to any person by the university granting permission to park a vehicle on campus.

**2201. Purchase Permits.** Parking permits may be purchased at the Cashier's Office, either by semester, annually, or through payroll deduction. Permits are valid until the expiration date or during the term(s) printed thereon, or payroll deduction ceases. A Staff Member, as defined in Section 2400, may purchase only one staff permit at a time.

**2202. Replacement of Permit.**

Replacement of a lost or stolen permit is made only upon reporting the loss to the Department of Public Safety.

**2203. Permit Exchange.** A permit holder must present recognizable pieces of the original permit to the Cashier's Office to exchange for a new permit.

**2204. Expired Permits.** The university assumes no responsibility for removing expired parking permits from vehicles. The university may require vehicle owners to remove expired permits before it will issue new or replacement permits.

**2205. Refunds.** Refunds for unused portions of parking fees are made by an application filed with the Cashier's Office in accordance with the provisions of

Section 41803 of Title 5 of the California Administrative Code.

**2206. Revocation or Denial of Parking Privilege.** Permission to drive or park on campus may be denied or revoked at any time. The university may terminate any parking permit by notification in writing of termination at least 7 days prior to the effective date. The unused portion of the fee will be refunded in the event of termination by the university.

**2207. Termination of Employment.**

Parking privileges as defined in Section 2406 automatically expire on the date employment with the State or an auxiliary organization of the university terminates.

**2208. Change of Fees.** Fees, higher than currently outlined in memorandum ABS 87-36 from the Chancellor's Office, are subject to change by the President only, upon review and recommendation from the Student Fee Advisory Committee.

**2209. Space Availability.** A parking permit does not certify existence of a parking space in any given area at any given time. The responsibility of locating a legal parking space rests with the permit holder. Lack of space at any given time is not considered a valid excuse for violation of this code.

**2210. Purchaser's Responsibility.** It shall be the responsibility of the purchaser to obtain the proper permit from the Cashier's Office during business hours.

## Chapter II. Parking

### ARTICLE 4. Days and Hours of Enforcement

**2300. Days and Hours in Effect.** Pay parking, which includes permit and metered zones, shall be in effect on days that classes are in session (including final examination days) between the hours of 7 a.m. and 10 p.m., Monday through Thursday, and 7 a.m. and 5 p.m. on Fridays.

**2302. Modified Parking Enforcement.** Parking enforcement may be modified for guest parking, with the approval of the Director of Public Safety. It shall be the responsibility of the group or activity sponsor to make prior arrangements through the Department of Public Safety's Parking Services Office. The host or sponsor shall be completely responsible for communicating details of the arrangement to those persons involved. Special permits may be issued for these purposes. These permits are valid only in the area indicated on the permit and for the date and times indicated.

**2304. Parking Meter Days and Hours.** The enforcement hours of metered parking zones shall be concurrent with the hours prescribed for pay parking. Parking permits are not valid in meter zones in lieu of payment of meter fees.

**2305. Special Parking Days and Hours.** Special parking zones described in Article 9 may be designated and shall be in effect 24 hours a day, 7 days a week, except as otherwise posted, whether pay parking is in effect or not, provided that curbs are color-coded and marked pursuant to the California Vehicle Code, or the zones are

otherwise posted giving notice of any special times in effect.

### ARTICLE 5. Definitions

**2400. Staff Member.** For the purposes of this chapter, a staff member shall be defined as a full-time or at least half-time employee of the university, auxiliary organization, or tenant (cooperative) organization, regularly salaried or compensated as such. Only those persons so defined shall be entitled to staff parking permits except as provided in Section 2401 of this code. A staff member is entitled to only one Staff Permit at a time. Student assistants, Work Study students, student employees, or teaching assistants do not qualify as staff members under this section.

**2401. Student.** For the purposes of this chapter, a student shall be defined as any person who is registered at the university and who carries one or more semester units of instruction. Students are entitled only to general parking permits. Any student who qualifies under Section 2400 of this code is entitled to either a staff permit or general permit.

(a) Resident Student. For the purpose of this chapter, a resident student shall be defined as any person who has a valid contract with Housing and Dining Services to live in any residence operated by Housing and Dining Services. Only those persons so defined shall be entitled to Resident Student Parking Permits.

**2403. Service Vehicle.** For the purposes of this chapter, a service vehicle is any vehicle owned and operated by the University, or any vehicle owned and

## Chapter II. Parking

operated by any firm actively engaged in maintenance or repair of any university equipment or facility. Only such vehicles are entitled to special permits. Marked public utility vehicles are exempt from permit regulations.

**2404. Visitor.** For the purposes of this chapter, a visitor is a person, not qualifying under Sections 2400 through 2403, who has a specific appointment on official business, is providing a service to the University without remuneration, is a representative of a State or other governmental agency, is a guest lecturer, or is visiting the campus for the purpose of prospective admission to the University.

**2405. General.** For the purposes of this chapter, any person is entitled to a general permit.

**2406. Staff Parking.** The parking of vehicles in any staff parking facility, so posted and identified, shall be open to only those persons described in Sections 2400, 2403 and 2404 of this code, provided that valid parking permits are displayed.

**2407. Resident Student Parking.** The parking of vehicles in any resident student parking facility, so posted and identified, shall be open to only those persons described in Section 2401(a) and, if so posted, Section 2400 of this code, provided that valid parking permits are displayed.

**2408. General Parking.** All parking facilities, except those defined in Section 2406 and 2407 of this code and those

specially marked, are open to all persons holding valid parking permits.

**2410. Disabled Parking Zones.** Zones specially marked and designated for the disabled are reserved for vehicles displaying disabled person license plates or identifying placards issued by the Department of Motor Vehicles, providing such vehicles also display a valid parking permit.

**2411. Special Permits.** The Director of Public Safety, at his discretion, may authorize the issuance of special parking permits for those circumstances not specifically covered by this code. These permits shall be valid only as stated by the endorsements made thereon.

### ARTICLE 6. Special Parking Regulations

#### 2500. Violations and Penalties.

Violations of Articles 6 and 7 are subject to citations and civil penalties and possible removal of vehicle and storage of vehicle at the owner's expense.

#### 2501. Parking Permits.

(a) Permits Required. Any person who parks a privately owned vehicle on this campus must possess a valid permit.

(b) Permit Displayed. The valid permit must be properly displayed on the vehicle as directed by instruction.

(c) Permit Without Fee. No person shall display a parking permit which has been reported lost or stolen.

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**2502. Parking Prohibited.** No person shall stop, park, or leave standing any vehicle, whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or person charged with the enforcement of the provisions of this chapter, in any of the following places:

- (b) Areas other than a designated parking area for which a permit was issued.
- (c) Parking areas designated for special use, as marked and without specific parking permits as required by this code.
- (d) Zones marked with black and white and/or posted for service vehicles only, except as provided for by this code.
- (e) Areas that are temporarily indicated and marked for other special parking by the erection of signs. These areas will be enforced according to the conditions indicated on the signs.
- (f) Two-wheeled and three-wheeled motor vehicles in marked stalls or spaces other than those specifically marked "Motorbikes Only."
- (g) In any stall or space specifically marked "Motorbikes Only," except a two-wheeled or three-wheeled motor vehicle.
- (h) In any area where the parking of any vehicle is restricted as to the time such vehicle may occupy such area by a sign or other device, no vehicle shall be parked in excess of the time limit posted.

**2503. Parking Within Marked Spaces.**

- (a) In parking areas where parking spaces

are marked, vehicles must be parked within the marked space. In areas designated for parking wherein spaces are not marked, vehicles must be parked in a manner to maximize space without creating a hazard or hardship for others to move or access their vehicles, or to block entrances and exits of parking areas.

**2504. No Parking.** It shall be unlawful to fail to obey any sign erected or posted to designate a "No Parking" area or to willfully fail or refuse to comply with any lawful order, signal, or direction of any officer of the Department of Public Safety.

**2505. Temporary No Parking.** No parking is allowed at any time at any temporarily erected road barrier, fence, posts, or gate closing off any access roadway.

**2506. Keys in Vehicles.** No person shall leave any parked vehicle unattended on the campus unlocked with the keys in the ignition.

**2507. No Parking Areas.** No person shall drive any vehicle or animal and ride any animal, nor shall any person stop, park, or leave standing any vehicle or animal, whether attended or unattended, upon the driveways, sidewalks, buildings, landscaped areas, or areas not improved, paved, or marked for parking, or in any location which will impede, block, interrupt, or alter the normal flow of traffic, except by special permit issued by the Department of Public Safety.

**2508. Abandoned or Intentionally Disabled Vehicle Abatement.** No person shall abandon, wreck, dismantle,

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or render inoperable any vehicle nor shall any vehicle be repaired upon any parking place, lot, street, driveway, or any other area of the Humboldt State University campus, except in those areas specifically designated for that purpose. Any vehicle found in such condition for a period of 72 hours or more shall be considered a public nuisance and may be summarily abated (towed away by a local towing service and stored at the owner's expense).

### 2510. Parking Meters.

(c) Deposit of coins. No person shall park any vehicle in any parking meter space, except as otherwise permitted in this regulation, without immediately depositing in the meter adjacent to such space such lawful coin or coins of the United States or use of a designated parking debit card as are required by such meter unless the parking meter indicates that, at the time such vehicle is parked, an unexpired portion remains.

(1) No vehicle shall remain parked in a metered stall any time the meter indicates a "No Parking" symbol or is out of order.

(e) Two or more vehicles with no fees paid. In the event that two or more motor vehicles are parked in a single metered space and a meter adjacent to such space is showing a signal pursuant to Section 2510(c)(1) of this code, the officer charged with the enforcement of the parking regulations of this code is authorized to issue citations to each and every vehicle parked in such space.

(f) Two or more vehicles occupying single space. Two or more motor vehicles are

prohibited from parking in any single-metered space whether or not the time shows in the meter adjacent to such space. In the event that two or more vehicles are parked in violation of this Section, and, provided that the officer charged with the enforcement of parking regulations of this code is able to determine which vehicle originally occupied such space, such officer is authorized to issue citations to all other vehicles so occupying such space.

**2511. Additional Citations.** Additional citations may be issued hourly for any vehicle parked in violation of any time-limit zone as provided in this code for a period of more than two hours. Additional citations may be issued daily for any other violation of this code. Any vehicle which has been parked in violation of this code, and subsequently moved to another location and being in violation in this subsequent location within one calendar day shall be subject to an additional citation as a new and separate violation of the provisions of this code.

(a) Whenever any vehicle is found to be illegally parked in violation of this code, and the owner, driver, or person in control of such vehicle who is capable of moving such vehicle fails to comply with the lawful order of any person charged with the enforcement of parking regulations of this code, or who willfully ignores any written notice, such noncompliance will be deemed a new and separate violation of the provisions of this code and such vehicle will be subject to an additional citation and/or tow away and storage at the owner's expense.

**2512. Vehicle Code Sections.** All sections of the California Vehicle Code

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regarding the stopping, standing, and parking of vehicles shall be applicable to the Humboldt State University campus, pursuant to Section 21113(c), California Vehicle Code. The stopping, standing, or parking of vehicles is prohibited in the following locations:

- (a) Red curbs, except for buses in a bus zone.
- (b) Yellow curbs, except for actively loading or unloading freight or passengers for a period not to exceed the time limit posted.
- (c) White curbs, except for actively loading or unloading passengers or depositing mail in an adjacent mailbox.

### **ARTICLE 7. Misuse of Parking Permits**

**2600. Permit Ownership.** For the purposes of this chapter, parking permits, decals, or any other device issued, sold or granted to any person as permission to park any vehicle are and shall remain the property of the university.

**2602. Fraudulent Use of a Permit.** No person shall have in his/her possession, use or display any counterfeit or altered parking permit, or have in his/her possession, use or display for use as a valid permit, any parking permit not specifically authorized by the university.

### **2604. Issuance and Use of Parking Permits.**

- (a) Parking permits shall only be obtained from or issued by the university. Transactions between private individuals

is prohibited. Personalized permits naming the sole user are not transferable.

- (b) No person who has been issued a personalized permit solely for their use shall sell, give, lend or allow any other person to use such permit to obtain parking privileges.

- (c) No person who is not the legitimate holder of a personalized permit, as specified in (a) of this Section, shall fraudulently or otherwise use or display for use any such permit to obtain parking privileges.

### **ARTICLE 8. Removal of Vehicle**

#### **2700. Circumstances Permitting Removal or Immobilization of Vehicle.**

Any regularly employed and salaried peace officer or parking officer of the Department of Public Safety or local police agency may initiate removal of any vehicle from the campus or in or about other grounds or properties owned, operated, controlled or administered by the Trustees of the California State University when permission to drive or park on campus has been denied or revoked pursuant to Section 21113 of the California Vehicle Code and Section 42200 of Title 5 of the California Administrative Code, or when parked under circumstances provided for under the California Vehicle Code.

### **ARTICLE 9. Special Parking Zones**

**2800. Authority to Establish Loading Zones.** The university shall establish loading and unloading zones for the convenience of persons wishing to load or unload articles too numerous or too bulky



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to reasonably be expected to be carried any great distance or for the temporary loading or unloading of persons other than the driver of the vehicle at various locations as specified in this chapter. These loading zones, so established, shall be marked with yellow paint. The time limit within which such activity is allowed shall be painted on the top surface in contrasting colors.

**2801. Authority to Establish Service Vehicle Zones.** The university shall establish service vehicle zones for the exclusive use of vehicles specified in this chapter. These service vehicle zones, so established, shall be marked with black and white paint and “Service Vehicles Only” painted on the top surface. Signs giving notice of this restriction may be erected in addition to or in lieu of the painted curb.

**2803. Authority to Establish Disabled Parking Zones.** The university shall establish disabled parking zones for the exclusive use of the disabled persons, as specified in Section 2410 of this code and California Vehicle Code section 22511.55, at various locations as specified in this chapter. These disabled zones, so established, shall be marked pursuant to California Vehicle Code sections 22511.7 and 22511.8.

**2804. Authority to Establish Special Parking Zones.** The university shall establish special parking zones for the exclusive use of those persons identified by either signs or curbs at various locations as specified in this chapter.

**2805. Authority to Designate and Classify Parking Areas.** The university

shall designate and classify parking lots and parking zones for general parking, staff, or for resident students, at various locations as specified in this chapter. Such locations, so designated and classified, shall be adequately marked by erecting signs giving notice of the designation and classification of such parking areas.

**2806. Authority to Establish Passenger Loading Zones.** The university shall establish passenger loading zones at various locations, as specified in this chapter, for the convenience of vehicles temporarily loading and unloading of passengers. These zones, so established, shall be marked with white paint. Signs may be erected giving notice of this regulation in addition to or in lieu of the curb marking.

**2807. Authority to Establish Parking Meter Zones.** The university may establish metered parking zones at various locations as specified in this chapter. Each meter shall have affixed upon it a schedule of fees indicating the time which may be obtained by the deposit of coins or parking debit card in the meter. Each meter shall be marked with the hours and days metered time is in effect.

(a) Coin-operated parking permit dispensers. The university may establish coin-operated parking permit dispensers at various locations for the purpose of dispensing one-day parking permits at a designated fee. Permits purchased from such machines are valid only on the day purchased and entitle the purchaser to park in any general parking area or in a disabled persons zone as provided for in Section 2410 of this chapter. Such permits are not valid in any posted staff area, or in

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any special parking area so marked or posted, or in any parking meter zone.

**2808. Authority to Establish No-Parking Zones.** The Director of Public Safety shall have the authority to establish no-parking zones in various locations, as specified in this chapter, where the parking of vehicles would tend to impede, block, interrupt, or alter the normal flow of traffic, or where the parking of any vehicle would be injurious to the public safety. Such zones, so established, shall be marked by painting the curbs with red paint, erecting barriers, fences, or posts, and/or erecting “No Parking” signs.

**2810. Exempted University Vehicles.** Department of Public Safety vehicles are classified as “authorized emergency vehicles” in accordance with California Vehicle Code Section 165(b)(2) and are subject to exemptions authorized by the California Vehicle Code, including Section 21055.

**2821. Emergency Parking Signs.** Whenever the Director of Public Safety shall determine that emergency traffic congestion is likely to result from the holding of public or private assemblies, gatherings or functions, or for other reasons, the Director shall have the power and authority to order temporary signs to be erected or posted indicating that the operation, parking, or standing of vehicles is prohibited in such areas as may be directed during the time such temporary signs are in place. Such signs shall remain in place only during the existence of such emergency and the Director of Public Safety shall cause such signs to be removed promptly thereafter.

**2822. Authority to Establish Time Limit Parking Zones.** The university shall establish time limit parking zones. Such zones shall be marked with signs. The time limits in which parking is allowed shall be painted on the top surface of the curb in a contrasting color or indicated on the sign.

**2823. Authority to Establish Special Event Parking Zones and Rates.** The campus president may establish Special Event Parking Zones. These parking zones may be used for such events only if they are not needed by students or staff during days and hours that pay parking is in effect. Fees for pre-entry parking at special events shall be assessed at a rate of \$1.50 to \$5.00. The campus president may vary the rate charged for differing events. Revenue from special events parking shall be deposited in a local parking trust account established by the chief fiscal officer of the University.

### ARTICLE 10. Schedule of Designated Parking Zones Referred to in Regulations

Sections 2900 through 2911 of this code are established in the “Schedule of Designated Parking Zones and Streets” maintained at the office of the Department of Public Safety.

**2900. Loading Zones.**

**2901. Service Vehicle Zones.**

**2903. Disabled Zones.**

**2904. Special Parking Zones.**

**2905. Classification of Parking Lots.**

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**2906. Classification of Street side Parking.**

**2907. Passenger Loading Zones.**

**2908. Parking Meter Zones.**

**2909. No-Parking Zones.**

**2910. Geographical Description of Parking Lots.**

**2911. Time Limit Parking Zones.**

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### ARTICLE 1. Traffic Generally

**3000. Public Grounds.** The driving of any vehicle or driving or riding of any animal on driveways, paths or grounds upon the university campus is permitted only to the extent provided for in this code. These traffic provisions are authorized by California Vehicle Code Section 21113(a) and Title 5 of the California Administrative Code, Section 42200. (See Chapter II, Article 1 of this code.) In accordance with California Vehicle Code Section 21113(c), such permitted driving is subject to all other provisions of the California Vehicle Code.

### ARTICLE 2. Administration

#### **3100. Regulation Enactment Authority.**

The Public Safety Committee shall recommend for enactment to the Vice President for Student Affairs any and all regulations governing the movement of traffic on the campus to provide for convenience, free flow of traffic accessibility to campus facilities, and to promote the public safety of all persons utilizing campus streets, driveways, paths, parking facilities and grounds, subject to the approval of the president.

**3101. Enforcement Authority.** (a) It shall be the duty of the peace officers of the university's Department of Public Safety, as assigned by the Director of Public Safety, to enforce all traffic laws of the university and all state vehicle laws applicable to traffic on this campus.

(b) Officers of the Department of Public Safety, or such officers as are assigned by the Director of Public Safety, are hereby authorized to direct all traffic by voice

and/or signal in conformity with traffic laws, provided that, in the event of a fire or other emergency, or to expedite traffic, or to safeguard pedestrians, officers may direct traffic as conditions may require, notwithstanding the provisions of traffic laws.

(c) Officers of a fire department, when at the scene of a fire, may direct or assist in directing traffic at or in the immediate vicinity of the fire.

#### **3105. Exemptions to Certain Vehicles.**

(a) The provision of this code regulating the operation, parking and standing of vehicles shall not apply to any vehicle of any police or fire department, any public ambulance or any public utility vehicle or any private ambulance, which public utility, vehicle or private ambulance has qualified as an authorized emergency vehicle, when any vehicle mentioned in this Section is operated in the manner specified in the California Vehicle Code in response to an emergency call.

(b) The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of the willful disregard of the safety of others.

(c) The provisions of this code regulating the parking or standing of vehicles shall not apply to any vehicle of a City of Arcata department, a university department, or a public utility while necessarily in use for construction or repair work, or any vehicle owned by the United States government while in use for collection, transportation, or delivery of United States mail.

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(d) The provisions of this code regulating the standing, parking and operation of a bicycle, motorcycle and horse shall not apply to any bicycle, motorcycle or horse while it is being used in the performance of a peace officer's or parking officer's duties.

### 3107. Definitions of Words and

**Phrases.** Whenever any words or phrases used in this chapter are not defined herein, but are defined in the California Vehicle Code, such definitions in the California Vehicle Code are incorporated herein and shall be deemed to apply to such words and phrases used herein as though set forth herein in full. For the purposes of this chapter, the following words and phrases have the meanings ascribed to them as follows:

(a) *Court.* Any street of which access to and exit from are limited to one point only. A dead-end street in which vehicular traffic must reverse its direction of travel to exit after entering.

(b) *Driveway.* A private or public road giving access from a public way to a building(s) on abutting grounds.

(c) *Lane.* A relatively narrow way giving access from a street to another street or other traffic way.

(d) *Official Traffic Control Devices.* All signs, signals, markings and devices, not inconsistent with this regulation, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.

(e) *Official Traffic Signals.* Any device, whether manually, electronically or

mechanically operated, by which traffic is alternately directed to stop and proceed and which is erected by authority of a public body or official having jurisdiction.

(f) *Pedestrian.* Any person who is afoot or who is using a means of conveyance propelled by human power other than a bicycle.

(g) *Person.* Every natural person, firm, corporation, co-partnership, or association.

(h) *Police Officer.* Every officer of the Department of Public Safety or an officer of any police agency having jurisdiction.

(i) *Sidewalk.* A sidewalk is that portion of a highway, other than the roadway, set apart by curbs, barriers, markings, and other delineation for pedestrian travel.

(j) *Stop.* When required, "stop" means complete cessation of movement.

(k) *Stop or Stand.* When prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or official traffic control device.

(l) *Street.* Street is a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Street includes highway.

(m) *Traffic.* The term "traffic" includes pedestrians, ridden animals, vehicles, and other conveyances, either singly or

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together, while using any highway for purposes of travel.

(n) *Traffic Way.* Any street, lane, court, parking lot, or driveway designed for the passage, parking or storage of vehicles and/or bicycles.

(o) *Walkway.* A walkway is any area other than a sidewalk designed for pedestrian travel, and allows bicycles. Walkways include but are not limited to paths, arcades, trails, entrances to buildings or other facilities and malls.

### ARTICLE 3. Traffic Control Devices

**3200. Authority to Install Traffic Control Devices.** (a) The university shall maintain, or cause to be placed and maintained, official traffic control devices when and as required under the traffic regulations of the university to make effective the provisions of said regulations.

(b) Whenever the California Vehicle Code requires, for the effectiveness of any provision thereof, that traffic control devices be installed to give notice to the public of the application of such law, the university shall install the necessary devices subject to any limitations or restrictions set forth in the law applicable there to.

(c) The Director of Public Safety shall ascertain and determine the locations where such devices are required by field observation, traffic counts, and other traffic information, and in accordance with such standards, limitations and rules as may be set forth in the traffic regulations of this state, or as may be

determined by regulation or resolution of the university.

**3201. When Traffic Control Devices are Required for Enforcement Purposes.**

No provision of the vehicle code of this state or this chapter for which signs are required shall be enforced against an alleged violator unless appropriate signs or markings are in place and sufficiently legible to be seen by an ordinarily observant person, giving notice of such provisions of the traffic laws.

**3202. Lane Markings.** The university shall cause to have marked a center line and lane lines upon the surface of the roadway to indicate the course to be traveled by vehicles, and may place signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the highway. When authorized signs have been placed designating off-center traffic lanes, no person shall disobey the instructions given by such signs.

**3203. Authority to Remove, Relocate or Discontinue Traffic Control Devices.**

The Director of Public Safety is authorized to remove, relocate or discontinue the operation of any traffic control device not specifically required by state law or this chapter whenever it is determined in any particular case that the conditions which warranted or required the installation no longer exist.

**3204. Traffic Control Devices: Hours of Operation.** The university shall establish the hours and days during which any traffic control device shall be in operation.

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**3205. Authority to Place, and Obedience to Turning Markers.** (a) The Director of Public Safety shall determine the placement of markers, buttons, or signs within or adjacent to intersections and such course to be traveled.

(b) When authorized markers, buttons, or other indicators are placed within an intersection indicating the course to be traveled turning thereat, no driver of a vehicle shall disobey the directions of such indications.

**3206. Authority to Place Restricted Turn Signal.** The university shall determine those intersections at which drivers of vehicles shall not make a right, left, or U-turn, and shall cause to be placed proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs, or they may be removed when such turns are permitted.

**3208. Authority to Prohibit Right Turns Against Traffic Stop Signs.** The university shall determine those intersections at which drivers of vehicles shall not make a right turn against a red or stop signal and shall erect proper signs giving notice of such prohibition.

**3209. Authority to Sign One-Way Streets and Lanes.** Whenever any regulation or resolution of this university designates any one-way street or lane, the Director of Public Safety shall cause to be placed and maintained signs giving notice thereof, and no such regulations shall be effective unless such signs are in place. Signs indicating the direction of lawful

traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

**3211. Authority to Erect Stop Signs.** Whenever any regulation or resolution of this university designates and describes any street or lane or any portion thereof, or any intersection at which vehicles are required to stop at one or more entrances thereto, the Director of Public Safety shall cause to be erected and maintained stop signs at locations described in this code in compliance with California Vehicle Code Sections 21400 and 21401.

**3212. Emerging From Any Driveway.** The driver of a vehicle emerging from any driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any driveway whether or not a stop sign has been posted.

### ARTICLE 4. Miscellaneous Traffic Regulations

**3304. New Pavement or Traffic Lines.** No person shall ride or drive any animal or drive any vehicle over or across any newly made pavement or freshly painted traffic way when a barrier or sign is in place or a public employee is present and warning persons not to drive over or across such pavement or marking, or when a sign is in place stating that the traffic way or portion thereof is closed.

**3305. Restricted Access.** No person shall drive a vehicle onto or from any limited access traffic way except at such entrances or exits as are established by public authority.

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### **3306. Establishment of Crosswalks.**

The university shall designate and cause to be maintained crosswalks at intersections and other places by appropriate devices, buttons, marks, or lines upon the surface of the roadway.

**3307. Crossing at Right Angles.** When marked crosswalks are not provided and the space between such marked crosswalks exceeds one city block, no pedestrian shall cross a roadway at any place other than a route at right angles to the curb or edge of the roadway, or the shortest route to the opposite curb or edge of the roadway.

**3308. Standing in Roadway.** No person shall walk, run, or stand in any roadway or traffic way other than in a safety zone or crosswalk if such action interferes with the lawful movement of traffic. This provision shall not apply to any public officer or employee, or employee of a public utility when necessarily upon a street in line of duty.

**3309. Vehicles Exceeding Maximum Gross Weight Limit.** (a) Whenever the Director of Plant Operations determines that excessive vehicular weight tends to damage any street or roadway or any portion thereof, and when any regulation of this university designates and describes any such street or roadway, the use of which is prohibited by any vehicle exceeding a maximum gross weight of three tons, the Director of Public Safety shall cause the erection and maintenance of appropriate signs on these streets affected by such regulation.

(b) Those streets and parts of streets described in this code are hereby declared

to be streets on which any vehicle exceeding a maximum gross weight limit of three tons is prohibited. The provisions of this section shall not apply to passenger buses under the jurisdiction of the Public Utilities Commission.

**3310. Closed Roadway.** Whenever any traffic way or portion thereof is closed to public traffic by the placement of signs, barricades or other barriers, no person shall drive any vehicle into, onto, or over such area, or beyond or past any such traffic control device.

### **ARTICLE 5. Motorcycles, Bicycles, Animals**

**3400. Riding of Motorcycles, Motor Scooters, Motorized Bicycles and Bicycles on Sidewalks is Prohibited.** It shall be unlawful for any person to ride any motorcycle, motor scooter, motorized bicycle or bicycle upon any sidewalk of the university campus. In addition, no person shall ride any motorcycle or motor scooter on any walkway.

**3401. Hiking Trails.** It shall be unlawful for any person to ride any motor vehicle on any hiking trail provided that signs are posted at each entrance giving notice of such prohibition.

**3402. Traffic Laws Apply to Persons Riding Bicycles or Animals.** Except as hereinafter provided, every person riding a bicycle or riding or driving an animal upon the streets shall be granted all the rights and shall be subject to all the duties applicable to a driver of a vehicle by this chapter, except those provisions which by their very nature can have no application. Such animals are not allowed on or in any



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area of the university campus except those areas designated for the use of motor vehicles.

**3403. Laws Applicable to Bicycles, Equipment Requirements.** Every person operating a bicycle is subject to the provisions of the California Vehicle Code beginning with Section 21200. In addition, the following regulations regarding bicycles shall apply.

**3404. Rules for Riding and Operating any Bicycle.** Every person riding or operating a bicycle upon the university campus shall observe the following rules:

- (a) No person shall park a bicycle except in a provided bicycle rack or block.
- (b) No person shall ride or park a bicycle in any university building, except bicycles may be parked in those areas of buildings specifically designated for the storage of bicycles. Staff offices are exempt from this section as it relates to the parking of bicycles.
- (c) Every person shall stop before riding out of an intersection or driveway where the view is obstructed.
- (d) No person shall make a sudden stop or turn without giving a proper signal.
- (e) No person shall perform or attempt to perform any trick riding that may be dangerous to the rider or any other person.
- (f) In areas where riding is permitted, no person shall ride a bicycle at such speed or in any manner so as to endanger or

interfere with pedestrians. Pedestrians shall have the right of way at all times.

(g) Bicycles found parked in violation of Subsections (a) and (b) of this Section and/or in violations of Section 2510(a) of this code may be impounded and retained at the Department of Public Safety. The operator of such bicycle shall be subject to citations and/or fines.

(h) Impounded bicycles which are not claimed within six months shall be considered abandoned and may be disposed of in an appropriate manner.

**3405. Areas Open and Closed to the Riding of Bicycles.** It shall be the responsibility of every person bringing a bicycle onto the university campus to ride only in those areas that are not prohibited. Prohibited areas are regulated by signing. For purposes of this section, coasting or any other manner of operation of bicycles is prohibited in those areas designated. The walking of a bicycle is considered the appropriate method to move a bicycle through a restricted area.

**3406. Fast Riding or Driving of Animals Prohibited.** It shall be unlawful for any person to ride, drive, or lead any horse or any other equine animal through any street or traffic way at a rate of speed faster than an ordinary trot.

**3407. Riding and Operation of Skateboards.** It shall be the responsibility of every person bringing a skateboard, roller skates, roller blades or toy vehicle onto the university campus, to operate their equipment only in those areas that are not prohibited. Prohibited areas are

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regulated by signing or fall under other statutes.

(a) No person shall ride upon or operate any skateboard, roller skates, roller blades or toy vehicles upon any of the streets or traffic ways of the university campus, except as a pedestrian in a crosswalk, subject to the laws pertaining thereto. Parking lot areas are considered traffic ways.

(b) Operation of skateboards, roller skates, roller blades or toy vehicles in any building is prohibited at all times.

(c) No person shall operate a skateboard, roller skates, roller blades or toy vehicles on benches, stairs, drainage ditches, building walls, planters, curbs, or any other like objects on the university campus.

(d) No person shall operate any motorized skateboard at any time on the university campus.

(e) No person shall operate a skateboard, roller skate, roller blades or toy vehicle in any manner as to endanger pedestrians. Pedestrians shall have the right of way at all times.

**3408. Violations by Persons Under the Age of 18 Years.** In lieu of such fine or imprisonment as may be otherwise provided in this Code, and in lieu of filing charges in any court having jurisdiction thereof, the Director of Public Safety may prohibit the operation upon the campus, for a period not to exceed thirty days, of a bicycle, skateboard, roller skates, roller blades or toy vehicle so used in such a violation, in which event the bicycle,

skateboard, roller skates, roller blades or toy vehicle so used in such violation shall be impounded by the Director of Public Safety for the period during which the operation is prohibited.

### ARTICLE 6. Speed Limits

**3500. Speed Limits.** No person shall operate any vehicle on the university campus at a speed in excess of 25 miles an hour.

### 3502. Decrease on Narrow Street.

Whenever the university determines that a maximum speed limit of 25 miles per hour is unsafe because of the narrowness of a traffic way, it shall cause to be posted a prima facie speed limit of 20 or 15 miles per hour, and the same shall be effective when appropriate signs giving notice thereof are erected upon the roadway.

### ARTICLE 7. Unsafe Passing

**3600. No Passing.** The Director of Public Safety, in accordance with this code, shall determine locations where the passing and overtaking of moving vehicles is unsafe and shall cause to be installed painted lines or raised pavement markers to simulate painted lines when such lines or markers are placed in accordance with standards established by the Department of Transportation.

### ARTICLE 8. Traffic Prohibited

**3700. Fire Lanes, Service Roads.** The university may establish and set aside from public use certain traffic ways as fire lanes and service roads for the exclusive use of emergency vehicles and service vehicles, as described in this code.

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Barriers, posts or gates shall be placed at every entrance thereto or signs shall be erected giving notice.

**3701. Established Fire Lanes, Service Roads.** When fire lanes and service roads

are established, no person shall drive or stop, park, or leave standing any private vehicle, except by special permission of the Director of Public Safety.

## Chapter IV. Animals

### ARTICLE 1. Dogs and Other Animals

**4000. Definitions.** Whenever, in this chapter, the following terms are used, they shall be deemed and construed to have the meaning ascribed to them in this Section, unless it is apparent from the context thereof that a different meaning is intended.

(a) *Animal Control Officer.* The person or persons charged by this chapter with the administration and the enforcement of the provision hereof and whose employment is provided herein or otherwise by the university.

(b) *Dog.* Any canine animal of whatever nature or age. Dogs under the age of four months are not required to be licensed.

(c) *Dog Poundmaster.* Any poundmaster of the city of Arcata or for Humboldt County.

(d) *Impounded.* Having been received into the custody of any peace officer or poundmaster.

(e) *Owner.* Any person keeping or harboring or having custody or control over any animal will be deemed to be the owner within the meaning of this code.

(f) *Service / Therapy Animal.*

1) *Service Animal.* Any animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals to an impending seizure or protecting individuals during one, and alerting individuals who are

hearing impaired to intruders, or pulling a wheelchair and fetching dropped items. A *bona fide* service animal is any animal that is individually trained to do work or perform tasks for the benefit of a person with a disability. Service animals are usually dogs, but may be other animals so trained. A service animal is sometimes called an assistance animal. Examples of service animals include, but are not limited to, guide dogs, hearing dogs, service/assistance dogs, and seizure response dogs. Any animal serving a person with a disability in this capacity IS EXEMPT from the provisions of this chapter.

(2) *Therapy Animal* - An animal with good temperament and disposition, and who has reliable, predictable behavior, selected to visit people with disabilities, or people who are experiencing the frailties of aging, as a therapy tool. The animal may be incorporated as an integral part of a treatment process. A therapy animal does not assist an individual with a disability in the activities of daily living. The therapy animal does not accompany a person with a disability all the time, unlike a service animal that is always with its partner.

**NOTE:** laws protecting service animals and giving rights to service animals do not cover a therapy animal.

(g) *Unlicensed Dog.* Any dog for which the license tax of the current year for any competent jurisdiction has not paid, to which the tag provided is not attached.

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**4001. Appointment of Animal Control Officer.** The university animal control officer or officers shall be appointed by the Director of Public Safety and designated to do and perform all acts necessary to carry out the provisions of this chapter. The animal control officer may include public safety officers, parking control officers, or student assistants employed by the Department of Public Safety.

**4002. Animals on Campus, Restriction.** No person shall bring an animal onto the university campus unless:

(a) The animal is secured to a leash no more than six feet in length and in the hand of a person at all times, or

(b) The animal is securely confined in a vehicle or container so as to prevent reaching beyond the exterior limits of the vehicle or container. Any vehicle or container which does not enclose the animal on all quarters does not meet the requirements of this section.

(c) The animal has a current license displayed if license is required.

**4003. Harboring Animals.** No person shall harbor, maintain, or sustain any dog or warm-blooded animal or bird in any building, vehicle, or other area of the Humboldt State University campus. Animals used exclusively for instructional purposes are exempt from the provision of this Section and Section 4004 when adequate quarters are provided.

**4004. Animals Prohibited.** No person shall bring or allow any dog, warm-blooded animal or bird in any building of

the university, including facilities under the direction of Housing and Dining Services. Dogs are prohibited in Redwood Bowl.

**4005. Tethering Dogs.** No person shall tie, tether, or secure any dog, whether attended or unattended, licensed or unlicensed, to any object other than within a vehicle or container that complies with Section 4002(b) of this code, at any time, on the Humboldt State University campus.

**4006. Destruction.** Every vicious dog, or any other vicious animal, found at large on the Humboldt State University shall be subject to summary destruction.

**4007. Removal of Feces.** Whenever any animal defecates upon the traffic-ways, walks or grounds, the owner, rider, or person in control of such animal shall immediately remove such feces from the campus and dispose of it in a sanitary manner.

**4008. Penalty.** As incorporated into this code, these sections constitute orders of the campus president, the violation of which will be an infraction.

### ARTICLE 2. Impoundment

**4010. When Authorized.** The university animal control officer(s) shall receive, take up and cause to be impounded at an approved site any animal found to be in violation of the provisions of this chapter or in violation of any law of the state.

**4012. Unlicensed Dogs Not to be Released.** No dog which is to be kept or

## Chapter IV. Animals

harbored within the city of Arcata shall be released from the dog pound unless it is duly licensed as required by Arcata City Municipal Code, Chapter 2, Article 2.

NOTE: For purposes of animal control and regulation, Humboldt State University shall be considered “within the city of Arcata,” and 100 percent of all monies collected for licensing shall be paid directly to the city of Arcata by the owner of the dog.

**4014. Notice to Owner: In Case of Licensed Dog.** Upon impounding a licensed dog, the university animal control officer shall immediately give notice to the owner, at the address in the license, of the impounding of such dog.

**4016. Notice to Owner: In Case of Unlicensed Dog.** Upon impoundment of an unlicensed dog, the university animal control officer shall immediately give notice to the owner, if known, of the impounding of such dog.

**4018. Redeeming, Destruction, Sale of Impounded Animals, and Fees Associated with Impounded Animals.** All actions relating to the redeeming of impounded animals, the destruction of impounded animals, the sale of impounded animals, and the fees associated with impounded animals shall be in accordance with the current agreement between the City of Arcata and Sequoia Humane Society. A copy of that agreement will be available at the Department of Public Safety, the Arcata Police Department and Sequoia Humane Society.

## Chapter V. Public Offenses

### **ARTICLE 1. Firearms, Concealed Weapons, Destructive Devices, etc.**

#### **5000. Firearms and Ammunition.**

Pursuant to California Penal Code Section 626.9, no person shall bring onto, handle, store or keep any firearm or ammunition in any area of the university campus without the permission of the university Chief of Police.

**5001. Concealed Weapons.** Pursuant to California Penal Code Sections 12000 through 12094, no person shall possess for any reason any concealed weapon as enumerated in that chapter.

**5003. Fireworks, Explosives, Destructive Devices.** Pursuant to California Penal Code Sections 12301 through 12311 and California Health and Safety Code Sections 12000, 12305, and 12505 through 12692, no person shall possess for any reason any firework, explosive or destructive device as enumerated in those codes.

**5005. Discharge of Weapons.** (a) No person shall display, fire, discharge, shoot or operate, or assist or participate in the displaying, firing, discharging, shooting, or operating of any air gun, gas-operated gun, spring gun, sling, slingshot, bow and arrow, paint pellet gun, laser gun, or other device designed or intended to discharge, or capable of discharging any missile or light ray, except in those areas specifically established and designated for such purposes.

(b) No person shall have in his possession, in a vehicle, or in any place open to the public, any such weapon except as may be necessary to transport

such weapon directly to and from such established and designated area. When such transportation is necessary, the weapon must be unloaded or rendered inoperable.

**5006. Assassination or War Games.** No person or persons shall engage in any assassination or war type game, or any other type of event which involves stalking others; i.e., laser tag.

### **ARTICLE 2. Trespass, Disorderly Conduct**

**5100. Sleeping or Camping on University Campus.** No person shall camp on any property owned, operated, or controlled by the University or use any University facility or parking lot as a living space except in the Residence Halls per their established guidelines; or with the permission of the President or his designee for the facility being used.

**5102. Nudity.** Nudity is not permitted in any place open to the public on campus, including any properties owned, operated or controlled by the university. This applies to all public areas of the campus including offices and classrooms, and to all persons including students, employees, and visitors. "Nude" within the meaning of this section means the absence of an opaque covering which covers the genitals, pubic hair, buttocks, perineum, anus or anal region of any person or any portion of the breast at or below the areola thereof of any female person.

Exceptions: The provisions of this section shall not apply to:

(a) Any person ten years old or younger.

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(b) Any female exposing her breast to the extent such exposure is necessary to breast-feed a child.

(c) Performers who are engaged in live theatrical performances performed in a theater, concert hall or other such establishment which is primarily devoted to theatrical performances.

(d) Any academically approved event; i.e., Art modeling.

(e) Any other conduct to which it would be unconstitutional to apply this section.

### ARTICLE 3. Drugs, Alcohol, Smoking

#### 5200. Drugs, Controlled Substances.

Any drug, narcotic or controlled substance, the possession of which for any purpose is regulated or proscribed by any law of the United States, is prohibited on the university campus.

**5201. Alcohol Generally.** The possession or consumption of any alcoholic beverage by any person under the legal age, pursuant to the Provisions of the California Business and Professions Code and the California Vehicle Code is prohibited.

**5202. Residence Halls.** The consumption of any alcoholic beverage or the possession of any open container in which any measurable amount of an alcoholic beverage remains, by any person in public areas of the residence halls, is prohibited.

(a) Public areas are defined as any areas around a residence hall open to the general public; e.g., patios, quad, all

interior and exterior stairways, walkways, parking lots, access roads, green areas, landscaped areas, and balconies.

(b) The consumption of alcoholic beverages or possession of any open container, in which a measurable amount of alcoholic beverage remains, is prohibited in the study lounges on the second and third floors of Redwood Hall and Sunset Hall.

(c) The consumption of alcoholic beverage or possession of any open container, in which a measurable amount of alcoholic beverage remains, is prohibited in any ground-level lounge or kitchen facility, except by express permission of the Director of Housing and Dining Services upon a form kept on site at the function. This section is not applicable to the kitchen and serving facilities of the Jolly Giant Commons.

**5203. Campus Generally.** The consumption of alcoholic beverages or possession of any open container in which a measurable amount of alcoholic beverage remains is prohibited on the streets and grounds, or in any public place as described in Section 1100(l) of this code, except and only with the expressed permission of the president or president's designee upon prior notification of the university Chief of Police.

#### 5204. Physical Education Complex.

The possession of alcohol in any form or substance is prohibited in the stadium, on any playing field, practice field, stands, locker rooms, rest rooms, swimming pool, field house or gymnasium.



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**5205. State and Privately Owned Vehicles.** No person shall possess, transport or consume any alcoholic beverage or controlled substance (drugs) in state or university-owned motor vehicles at anytime while on state/university business, including campus sponsored activities, nor shall they be possessed, transported or consumed at any time in a private vehicle that is being used in support of a university-sponsored academic or athletic related activity.

**5206. Smoking.** Smoking is prohibited in all campus buildings, including classrooms, lecture halls, laboratories, offices, work areas, meeting rooms, lobbies, hallways, stairwells, elevators, eating areas, state vehicles and rest rooms. Exceptions are:

(a) University-sponsored productions and presentations (e.g., Theatre and Dance performances) where smoking is required of participants in the activity.

Smoking is permitted generally in outside grounds areas 15 feet from any building, unless it is explicitly prohibited during a particular event of activity scheduled in the area. Smoking is prohibited in the stadium seating area of Redwood Bowl and semi-enclosed areas (e.g., bus shelters).

### ARTICLE 4. Dumping of Waste Material and Offal Material

**5301. Private Garbage.** The dumping or depositing of waste garbage or trash in any trash receptacle located on the campus or on the campus grounds, is prohibited.

### ARTICLE 5. Curfew

**5400. Students.** The provisions of Sections 5401 and 5402 of this code shall not apply to any minor person who is a currently registered student of the university.

**5401. Curfew: Persons Under 18.** It shall be unlawful for any minor person under the age of 18 years to loiter, loaf, congregate or be upon the university campus between the hours of eleven o'clock in the evening (11 p.m.) of one day and five o'clock in the morning (5 a.m.) of the following day. Any person who has not attained his 18th birthday shall be deemed to be under the age of 18 years.

**5402. Curfew: Persons Under 16.** It shall be unlawful for any minor person under the age of 16 years to loiter, loaf, congregate or be present upon the university campus between the hours of 10 p.m. of one day and 5 a.m. of the following day. Any person who has not attained his 16th birthday shall be deemed to be under the age of 16 years.

**5403. Accompanied by Parent.** The provisions of Sections 5401 and 5402 shall not apply to any minor who, at the times mentioned therein, is accompanied by a parent, guardian, or other adult person having lawful custody of such minor.

**5404. Places Excluded.** The provisions of Sections 5401 and 5402 shall not apply to the following places: theatres, athletic events, and places where supervised entertainment or play or instruction for minors under the age of eighteen (18) years is conducted, provided, however,

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that this exception shall apply only to minors who are in attendance at such theatres, athletic events or places for the purposes of attending the entertainment, supervised entertainment, play or instruction thereby afforded.

**5405. Transit.** The provisions of Sections 5401 and 5402 shall not apply to any minor while engaged in going to or returning from, in a direct route, the places mentioned in Sections 5404 and his/her home or other place of abode, provided, however, in the event such minor stops or loiters or loafs or congregates or deviates from such direct route, this exception shall not apply and the provisions of Sections 5401 and 5402 shall then apply.

**5406. Employment.** The provisions of Sections 5401 and 5402 shall not apply to any minor who is lawfully employed, or to such a minor while engaged in going to or returning from his/her place of employment in a direct route between such a place of employment and his/her place of abode.

### **ARTICLE 6. Appropriation of Water, etc.**

#### **5501. Water, Misuse.**

(a) No person not a resident of the residence halls shall use the residence hall laundry facilities without the express permission of Housing and Dining Services.

(b) No person except a resident hall student in a residence hall shall use any shower or bathing facilities on the campus unless specifically authorized by the university.

(c) Any violations of the provisions of subsections (a) and (b) shall be deemed a trespass pursuant to California Penal Code Section 602.5.

**5502. Garbage and Refuse, Misuse.** It shall be unlawful for any person to rummage through and/or obtain any garbage or refuse from any type of container on campus with the exception of contracted and/or authorized recyclers and trash collectors.

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