

Chapter UWS 18

CONDUCT ON UNIVERSITY LANDS

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UWS 18.01 Jurisdiction. These rules shall regulate conduct on all lands subject to the control of the board of regents of the university of Wisconsin system.

History: Cr. Register, March, 1976, No. 243, eff. 4-1-76.

UWS 18.02 Definitions. For purposes of this chapter, (1) the "chief administrative officer" means the chancellor of an institution or dean of a campus or their designees.

(2) "Lands" means all real property owned by, leased by, or otherwise subject to the control of the board of regents.

(3) "Board of regents" or "board" means the board of regents of the university of Wisconsin system.

(4) "Building" means any structure, including stadia, on university lands.

History: Cr. Register, March, 1976, No. 243, eff. 4-1-76.

UWS 18.03 Law enforcement. The board may designate peace officers who are authorized to enforce these rules and regulations and to police all lands under the control of the board. These officers shall have all the powers provided in section 36.11 (2), Wis. Stats., 1973, except where such powers are specifically limited or modified by the board. These officers may accept concurrent appointments as deputy sheriffs.

(2) Peace officers shall be identified by an appropriate shield or badge bearing the word "Police" and a number, which shall be conspicuously worn when enforcing Wis. Adm. Code sections UWS 18.04 and 18.05 of these regulations.

(3) Parking attendants are authorized to enforce the parking regulations in section UWS 18.05.

History: Cr. Register, March, 1976, No. 243, eff. 4-1-76.

UWS 18.04 Traffic regulations. (1) No person may operate any motor vehicle (self-propelled vehicle) on any roadway under the control of the board without a valid and current operator's license issued under chapter 343, Wis. Stats., 1973, except a person exempt under the provisions of section 343.05, Wis. Stats., 1973.

(2) No person may operate any motor vehicle on any roadway under the control of the regents unless the same has been properly registered as provided by chapter 341, Wis. Stats., 1973, unless exempt under the provisions of section 341.05, Wis. Stats., 1973.

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(3) All provisions of chapter 346, Wis. Stats., 1973, entitled "Rules of the Road," which are applicable to highways as defined in section 340.01 (22), Wis. Stats., 1973, and which are not in conflict with any specific provisions of these regulations, are hereby adopted for the regulation of all vehicular traffic, including bicycles, on all roadways, including those off-street areas designated as parking facilities, under the control of the board and are intended to apply with the same force and effect. All traffic shall obey the posted signs approved by the chief administrative officer regulating such traffic.

(4) All provisions of chapter 347, Wis. Stats., 1973, entitled "Equipment of Vehicles" which are applicable to highways as defined in 340.01 (22), Wis. Stats., 1973, are hereby adopted for the regulation of all vehicular traffic on the roadways under the control of the board and are intended to apply with the same force and effect, except those provisions of chapter 347, Wis. Stats., 1973, which conflict with specific provisions of these regulations.

(5) The chief administrative officer may require the registration of all student, faculty, or staff motor vehicles or bicycles on lands under said officer's jurisdiction and may limit or prohibit their use in designated areas during designated hours. Any person who violates institutional regulations promulgated under this subsection may be fined up to \$25.

History: Cr. Register, March, 1976, No. 243, eff. 4-1-76.

UWS 18.05 Parking regulations. (1) Parking is prohibited at all times on roads, drives and fire lanes traversing university lands, except that the chief administrative officer is authorized to establish parking areas, parking limits, and methods of parking on the lands under said officer's jurisdiction, and may designate parking areas for specific groups at specific times, providing such areas are properly posted as parking areas. Parking in university parking facilities may be restricted or prohibited as required for reasons of maintenance and snow removal.

(2) Except as provided in subsection (3), parking in university parking areas shall be prohibited during posted times to persons other than those specifically assigned to those areas. Motor vehicles so assigned to any parking areas shall be identified by a valid parking permit affixed to the vehicle in a manner prescribed by the chief administrative officer.

(3) (a) In order to provide parking in university parking facilities for patrons of public university events, motor vehicles may be permitted to park in facilities designated for this purpose by the chief administrative officer. Public events parking shall be for a limited time only, not exceeding 12 hours continuously, and appropriate fees may be established. Otherwise valid permits are voidable during this period.

(b) The chief administrative officer may establish visitor parking lots and set appropriate fees for parking in those lots.

(c) Unrestricted and unassigned parking areas for students, faculty, staff and visitors may be established by the chief administrative officer.

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(4) (a) Parking shall be prohibited at all times in areas which must be kept clear for the passage of fire apparatus. These areas shall be designated by standard signs reading "Fire Zone, No Parking at Any Time, Day or Night" or "Fire Lane, No Parking at Any Time, Day or Night."

(b) Parking is prohibited at all times in areas which must be kept clear for vehicles to load and unload. These areas shall be designated by appropriate signs.

(5) Motor vehicles parked in a restricted parking area without a valid permit or motor vehicles parked in a fire zone, fire lane, loading zone, or no parking zone, and unlicensed or partially dismantled motor vehicles may, at the owner's expense, be towed from the restricted parking areas and stored. Towed vehicles, if not claimed after notice to the owner, shall be considered abandoned and shall be disposed of as provided in section 20.909 (1), Wis. Stats., 1973.

(6) Any person who violates any of the provisions of section UWS 18.05 may be fined up to \$25. Each institution shall establish a schedule of fines, which may include penalties for late payment.

History: Cr. Register, March, 1976, No. 243, eff. 4-1-76.

UWS 18.06 Conduct on university lands. (1) **LITTER.** No person may dump any waste, trash, debris, rubbish, earth or other fill, on any university lands unless authorized by the chief administrative officer.

(2) **PROHIBITED ACTS.** No person may remove any shrubs, vegetation, wood, timber, rocks, stone, earth, signs, fences, or other materials from university lands, unless authorized by the chief administrative officer.

(3) **PROHIBITED ACTS.** No person may remove, destroy, or molest any bird, animal or fish life within the boundaries of university lands except as authorized by the chief administrative officer or except when this provision conflicts with a special order of the department of natural resources.

(4) **VANDALISM.** No person may break, tear up, mar, destroy or deface any notice, tree, vine, shrub, flower or other vegetation, or dislocate any stones, or disfigure natural conditions, or deface, alter, destroy or damage in any way any other property, real or personal, within the boundaries of any university lands unless authorized by the chief administrative officer.

(5) **ANIMALS.** The presence of dogs, cats, and other pets is prohibited in all university buildings and in arboretums at all times except as authorized by the chief administrative officer. Seeing-eye dogs wearing harnesses and under the control of their owners shall be exempt from these provisions. The presence of dogs, cats and other pets shall be prohibited on all other university lands unless they are on leash under the control of and accompanied by a person. Any dog, cat or other pet found in violation of this subsection may be impounded and its owner subject to the penalty provisions in section UWS 18.07.

(6) **LIMITED ENTRANCE.** The chief administrative officer may, by posting appropriate signs, limit or prohibit entrance to university

lands, or portions thereof, in order to maintain or preserve an instruction or research area.

(7) **CLOSING HOURS.** (a) Except as specifically provided in this code, the chief administrative officer may establish closing hours and closed periods for university lands, buildings, or portions thereof. These closing hours and closed periods shall be posted in at least one conspicuous place adjacent to or at the periphery of the area to be closed or, in the case of buildings, on the building.

(b) No person, unless authorized to be present during closed periods, may enter or remain within the designated university lands, buildings, or portions thereof during a closed period established under this section.

(c) For the purpose of paragraph (b), "person authorized to be present" means a person authorized to be present by an order issued pursuant to paragraph (a) or section 36.35 (2), Wis. Stats., 1973.

(d) No person, except those authorized to be present after the posted closing hour, may enter or remain in any university arboretum or picnic area unless traversing those areas or on park roads at the times the roads are open to the public.

(8) **BICYCLES.** No person may park or store his bicycle in buildings, on sidewalks or driveways, or in motor vehicle parking spaces, except in areas designated for that purpose or in bicycle racks. Bicycles shall be parked so as not to obstruct free passage of vehicles and pedestrians.

(9) **CLIMBING; WALKING ON ROOF.** No person may climb into, out of or on university buildings or maintenance facilities or walk upon the roof of a university building; except when emergency access to a fire escape is necessary, or for required maintenance, or when authorized by the chief administrative officer.

(10) **FIREARMS.** No person may carry, possess or use firearms on university lands except as required (a) for educational programs for which the use of firearms has been approved by the chief administrative officer; or, (b) for use in rifle or pistol ranges established and supervised by the university with the approval of the chief administrative officer; or (c) for law enforcement purposes. Firearms in violation of this regulation may be confiscated and removed from university lands by police, and disposed of as authorized by law.

(11) **FIRES.** No person may light, build, or use any fires except in such places as are established for this purpose and designated by the chief administrative officer. No person may throw away any cigarette, cigar, pipe ash, or other burning material without first extinguishing it.

(12) **KEYS.** (a) No person may duplicate a university key or request the unauthorized duplication of a university key.

(b) No person may transfer any university key from an individual entrusted with its possession to an unauthorized person, or be in unauthorized possession of a university key.

(c) Keys in the possession of unauthorized persons may be confiscated.

(13) LIQUOR. The use or possession of intoxicating liquors, or fermented malt beverages with an alcoholic content of more than 5% by weight, is prohibited on all university lands, except in faculty and staff housing, in student housing units specifically designated by the chief administrative officer, and at suitable times under decorous conditions in conference, meeting or dining facilities, subject to statutory age regulations.

(14) PICNICKING AND CAMPING. No person may picnic or camp on university lands, except in those areas specifically designated as picnic or camping grounds. No person may violate any rules and regulations for picnicking or camping established and posted by the chief administrative officer. For purposes of this regulation, camping shall include the pitching of tents or the overnight use of campers or camp trailers.

(15) STRUCTURES. No person may place or erect any facility or structure upon university lands unless authorized by the chief administrative officer.

(16) SELLING, PEDDLING AND SOLICITING. (a) No person may sell, peddle or solicit for the sale of goods, services, or contributions on any university lands except:

1. When the occupant of a specific university office, or university house, apartment, or dormitory room has given specific permission in advance for a person engaged in that activity to come to that particular office, house, apartment, or dormitory room for that purpose.

2. Sales by an individual of personal property owned or acquired by the seller primarily for his/her own use pursuant to an allocation of space for that purpose by an authorized university official.

3. Hawking newspapers and similar printed matter outside university buildings.

4. Subscription, membership, ticket sales solicitation, fund-raising, selling, and soliciting activities by or under the sponsorship of a university or registered student organization pursuant to a contract with the university for the allocation or rental of space for that purpose.

5. Admission events in a university building pursuant to contract with the university, and food, beverage or other concessions conducted pursuant to a contract with the university.

6. Solicitation of political contributions under Chapter 11, Wis. Stats. and institutional regulations governing time, place and manner.

(17) SIGNS. No person may erect, post or attach any signs, posters, pictures or any item of a similar nature in or on any building or upon other university lands except on regularly established bulletin boards, or as authorized by the provisions of this code or by the chief administrative officer.

(18) SMOKING. No person may smoke in any university building except in those areas designated for that purpose.

(19) RECREATIONAL ACTIVITIES. (a) No person may swim, fish, boat, snowmobile, ride horseback or use any type of all-terrain or off-road vehicle on university lands except in those areas and at times expressly designated by the chief administrative officer and denoted by official signs.

(b) No person may dock, moor, park, or store any boats, boating gear, snowmobiles, or similar equipment on university lands except under conditions specified by the chief administrative officer.

(20) RESTRICTED USE OF UNIONS. No person, except members of the union, university faculty and staff, invited guests, and university-sponsored conference groups, may use union buildings and union grounds except on occasions when, and in those areas where, the buildings or grounds are open to the general public.

(21) UNAUTHORIZED PRESENCE. (a) No person may be present in any class, lecture, laboratory period, orientation session, examination, or other instructional session or in any room, office, or laboratory without the consent of an authorized university official or faculty member.

(b) A person shall be deemed present without consent in any class, lecture, laboratory period, orientation session, examination, or other instructional session as prohibited by paragraph (a) if: (1) such person is not then enrolled and in good standing as a member of the instructional session, or (2) such person refuses to provide identification and refuses to leave such session upon request of a member of the university administration or faculty or other person in charge thereof.

(22) PERSONS PROHIBITED FROM ENTERING CAMPUS. (a) No person, who is in a state of suspension or expulsion from the university under chapter UWS 17, or who takes leave or resigns under charges after being charged by the university under chapter UWS 17, may enter any campus without the written consent of the chief administrative officer.

(b) No person who is convicted of any crime involving danger to property or persons as a result of conduct by him/her on university lands may enter any university lands within one year of the effective date of his/her conviction without the written consent of the chief administrative officer.

(c) In granting or denying consent to enter a campus under section 36.35(3), Wis. Stats., or paragraphs (a) or (b) of this section, the following shall be considered:

1. The probability that the offensive conduct will be continued or repeated by the applicant.

2. The need for the applicant to enter university lands, for example, to attend a university disciplinary hearing in which the applicant is being tried or is to be a witness, or to receive treatment in university hospitals.

(d) For the purposes of section 36.35(3), Wis. Stats., 1973, and paragraph (b) of this section, "crime involving danger to property or persons" shall mean any crime defined in Wis. Stats., 1973, chapter 940 (crimes against life and bodily security), section 941.13 (False

alarms, and interference with fire fighting), section 941.20 (Reckless use of weapons), section 941.22 (Possession of pistol by minor), section 941.23 (Carrying concealed weapon), section 941.24 (Possession of switchblade knife), section 941.30 (Endangering safety by conduct regardless of life), section 941.31 (Possession of explosives for unlawful purpose), section 941.32 (Administering dangerous or stupefying drug), section 943.01 (Criminal damage to property), section 943.02 (Arson of buildings; damage of property by explosives), section 943.03 (Arson of property other than buildings), section 943.05 (Placing combustible materials an attempt), section 943.06 (Molotov cocktails), section 943.10 (Burglary), section 943.14 (Criminal trespass to dwellings), section 943.32 (Robbery), section 944.01 (Rape), section 946.41 (Resisting or obstructing officer), section 947.015 (Bomb scares), section 167.10 (Fireworks regulated), or attempts to commit any of the above crimes as defined in section 939.32, Wis. Stats., 1973.

(23) PICKETING, RALLIES, PARADES, DEMONSTRATIONS AND OTHER ASSEMBLIES. (a) In order to preserve the order which is necessary for the enjoyment of freedom by members of the university community, and in order to prevent activities which physically obstruct access to university lands or buildings and prevent the university from carrying on its instructional, research, public service, or administrative functions, any picketing, rally, parade, demonstration, other assembly, or congregation of spectators to such activity may be declared unlawful if its participants:

1. Intentionally gather or intentionally remain assembled outside any university building in such numbers, in such proximity to each other or in such fashion as to physically hinder entrance to, exit from, or normal use of the building.

2. Intentionally congregate or assemble within any university building in such fashion as to obstruct or seriously impair university-sponsored or university-authorized activities, or in such fashion as to violate any of the following conditions:

a. No group may be admitted into the private office of any faculty member or other university employe unless invited by the authorized occupant of that office, and then not in excess of the number designated or invited by that person.

b. No group may obstruct or seriously impair passage through corridors, stairways, doorways, building entrances, fire exits, and reception areas leading to offices.

c. No group, not authorized to do so by the person in immediate charge of the room, or by a person designated by the chief administrative officer to approve requests for the use of rooms for meetings, may enter or occupy any university building or part thereof.

d. No group may assemble immediately outside rooms at times when they are normally in use for classes, study, or research.

e. No signs supported by standards or sticks shall be permitted in any assembly in a university building.

3. Intentionally create a volume of noise that unreasonably interferes with university-sponsored or university-authorized activities.

4. Intentionally employ force or violence, or intentionally constitute an immediate threat of force or violence, against members of the university community or university property.

(b) For the purpose of paragraph (a) of this section, "intentionally" means that the participant or spectator knew or reasonably should have known that his/her conduct by itself or in conjunction with the conduct of others would have the prohibited effect.

(c) The chief administrative officer may designate a university official or officials who shall have primary authority to implement paragraph (a) of this section. He/she may prescribe limitations for any picketing, rally, parade, demonstration or other assembly in order that it will meet the requirements of paragraph (a) of this section. When informed of any picketing, rally, parade, demonstration, or other assembly which may not comply with paragraph (a); the chief administrative officer or the designee may proceed immediately to the site and determine if there is compliance with paragraph (a). If he/she finds a violation of paragraph (a), he/she may declare the assembly unlawful or he/she may prescribe those limitations on numbers, location or spacing of participants in the demonstration which are reasonably necessary to ensure compliance with paragraph (a). If he/she prescribes limitations, and if his/her limitations are not observed by the assembly, he/she may then declare the assembly unlawful. Any declaration of illegality or prescription of limitations shall be effective and binding upon the participants in the assembly unless and until modified or reversed.

(d) Any participant or spectator within the group constituting an unlawful assembly who intentionally fails or refuses to withdraw from the assembly after it has been declared unlawful under this section shall be subject to immediate arrest and liable to the penalties of section UWS 18.07.

(24) PROHIBITIONS ON BLOCKING ENTRANCES. No person may intentionally physically block or restrict entrance to or exit from any university building or portion thereof with intent to deny to others their right of ingress to, egress from, or use of the building.

(25) SOUND-AMPLIFYING EQUIPMENT. (a) In order to permit the use of sound-amplifying equipment on university lands, if needed for the dissemination of ideas to large audiences, but to prevent its use from interfering with university functions which inherently require quiet, the following provisions shall apply:

1. No person may use sound-amplifying equipment on any lands without the permission of the chief administrative officer, except as provided in paragraph (c) of this section.

2. In granting or denying permission, the following principles shall govern:

a. Except in extraordinary circumstances, permission may be granted to use the equipment only during the following hours, 12 noon to 1:30 p.m. and 5:00 p.m. to 7:00 p.m. every day, and only when the equipment is more than 50 feet from and directed away from any classroom building, residence halls, library or building being used as a study hall.

b. An applicant for permission shall have the burden of establishing the need for amplification to communicate with the anticipated audience. In particular, the applicant must show that the audience can reasonably be anticipated to include at least 250 people.

c. An applicant for permission shall have the burden of establishing that the volume and direction of the sound from the equipment will minimize interference with other activities.

3. Any request for the permission required by this section must be submitted in writing to the chief administrative officer at least 24 hours prior to the intended use of the sound-amplifying equipment, and must be signed by a student or employe of the institution where the equipment is to be used. The request shall contain:

a. The proposed hours, date and location where the equipment is to be used.

b. The size of the anticipated audience and the reasons why the equipment is needed.

c. A description of the proposed equipment which includes the manufacturer, model number, and wattage.

d. The names of the owner of the equipment and of any person or persons, in addition to the person signing the application, who will be responsible for seeing that the equipment is operated in compliance with the terms of the permit and the provisions of this rule. The chief administrative officer may require the presence of additional persons if said officer believes this is necessary to ensure compliance.

(b) Permits issued by the chief administrative officer shall not be required for the use of university sound-amplifying equipment used with the permission of the university employee having control of the equipment for authorized university classes, research, or meetings in university buildings, or for university sponsored academic, recreational or athletic activities, or for crowd control by authorized university officials.

(c) For the purpose of this section, "sound-amplifying equipment" means any device or machine which is capable of amplifying sound and capable of delivering an electrical input of one or more watts to the loudspeaker.

(26) CONTAINERS IN SPECTATOR FACILITIES. No person may carry or possess any disposable container within the confines of public areas in spectator facilities. As used in this subsection "disposable container" means any bottle, can, or other container designed or used for carrying liquids or solids, but does not include a personally owned container designed for reuse and originally sold or purchased exclusively as a refillable container. The provisions of this section shall not apply to containers used or supplied by authorized concessionaires who are required to dispense beverages to consumers in either paper or plastic containers.

(27) THROWING HARD OBJECTS. No person may throw or drop any hard object, bottle, can, container or other item of a similar nature within or from within the confines of spectator facility.

(28) **TICKET SCALPING.** (a) Every ticket or other evidence of the right of entry to any amusement, game, contest, exhibition, or performance given by or under the auspices of the university of Wisconsin shall be considered a revocable license to the person to whom the ticket has been issued and shall be transferable only on the terms and conditions prescribed.

(b) No person may buy or sell a ticket or other evidence of the right of entry for more than the price printed upon the face of the ticket.

History: Cr. Register, March, 1976, No. 243, eff. 4-1-76.

UWS 18.07 Penalties. Unless otherwise specified, the penalty for violating any of the rules in section UWS 18.06 shall be a fine of not more than \$500, or imprisonment of not more than 90 days, or both, as provided in section 36.11 (1) (a), Wis. Stats., 1973.

History: Cr. Register, March, 1976, No. 243, eff. 4-1-76.

UWS 18.08 Severability. If any provision of this chapter is invalid, or if the application thereof to any person or circumstances thereof is invalid, such invalidity shall not affect other provisions or application.

History: Cr. Register, March, 1976, No. 243, eff. 4-1-76.

UWS 18.09 Institutional regulations. Institutional regulations promulgated under sections 18.04-18.06 shall take effect when filed with the secretary of the board.

History: Cr. Register, March, 1976, No. 243, eff. 4-1-76.

UWS 18.10 Additional statutory provisions regulating conduct on university lands. (1) **CONTROLLED SUBSTANCES.** The use or possession of controlled substances as defined in chapter 161 Wis. Stats., 1973, is prohibited on all university property with the specific exemptions set forth in chapter 161 Wis. Stats., 1973. The penalty provisions of chapter 161 Wis. Stats., 1973, and chapter UWS 17 shall apply to violations occurring on university lands.

(2) **PERSONS PROHIBITED FROM ENTERING CAMPUSES.** Student convicted of dangerous and obstructive crime. Section 36.35(3), Wis. Stats., 1973, provides: "Any person who is convicted of any crime involving danger to property or persons as a result of conduct by him which obstructs or seriously impairs activities run or authorized by an institution and who, as a result of such conduct, is in a state of suspension or expulsion from the institution, and who enters property of that institution without permission of the chancellor of the institution or the chancellor's designee within 2 years, may for each such offense be fined not more than \$500 or imprisoned not more than 6 months, or both."

History: Cr. Register, March, 1976, No. 243, eff. 4-1-76.