

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE UTAH TRANSIT
AUTHORITY ADOPTING THE AMENDED UTAH TRANSIT AUTHORITY
ORDINANCES**

No. R2016-01-02

January 27, 2016

WHEREAS, the Utah Transit Authority (the "Authority") is a public transit district organized under the laws of the State of Utah and was created to transact and exercise all of the powers provided for in the Utah Limited Purpose Local Government Entities-Local Districts Act and the Utah Public Transit District Act; and

WHEREAS, the Board of Trustees (the "Board") desires to amend the Utah Transit Authority Ordinances (the "Ordinances") in keeping with the Board's philosophy to provide leadership and governance to the Authority; and

WHEREAS, the Board has determined that the orderly operation of the Authority, and the safety, comfort, and well-being of its passengers, employees, and the general public requires the adoption of rules and regulations pursuant to Utah Code Ann. §§ 17B-1-301 and 17B-2a-808; and

WHEREAS, the Board of Trustees desires to amend the Ordinances to reflect changes in statutory citations, recognize current modes of transit offered, and enhance clarity in the Ordinances.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Utah Transit Authority:

1. That the Board hereby adopts the amended ***Utah Transit Authority Ordinances***, to be effective as of March 1, 2016, a copy of which is attached to this Resolution as Exhibit A.
2. That the Board did vote by Roll-Call Vote, with the following board members being present and voting as follows:

JEFF ACERSON	Aye
JUSTIN ALLEN	Absent
KEITH BARTHOLOMEW	Aye
MATTHEW BELL	Aye
H. DAVID BURTON	Aye
NECIA CHRISTENSEN	Aye
BABS DE LAY	Aye
JEFF HAWKER	Aye
CHARLES HENDERSON	Aye
DANNIE McCONKIE	Aye
ROBERT McKINLEY	Aye
BRET MILLBURN	Aye
MICHAEL ROMERO	Aye

CHRIS SLOAN
TROY WALKER

Absent
Aye

3. That the Board hereby ratifies any and all actions taken by Authority management and staff in furtherance of and effectuating the intent of this Resolution.
4. That Resolution R2012-12-02 effective December 19, 2012 is hereby rescinded.
4. That these Ordinances stay in force and effect until rescinded, amended, or superseded by further action of the Board of Trustees.
5. That the corporate seal be attached hereto.

APPROVED AND ADOPTED this 27th day of January, 2016.



H. David Burton, Chair

ATTEST:



Robert K. Biles, Secretary/Treasurer

[SEAL]

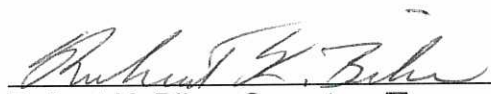


CERTIFICATE

The undersigned duly qualified Chair of the Board of Trustees of the Utah Transit Authority certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of Trustees held on the 27th day of January, 2016.



H. David Burton, Chair



Robert K. Biles, Secretary/Treasurer

APPROVED AS TO FORM



Ruth Howe
Legal Counsel

UTAH TRANSIT AUTHORITY

**AMENDED AND
RESTATED ORDINANCES**

Effective March 1, 2016

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CHAPTER 1

Adoption, Definitions, Clarifications

Section 1 Adoption

The Board of Trustees (“Board”) of Utah Transit Authority (“UTA”), a public transit district established pursuant to the Public Transit District Act, Utah Code Ann. § 17B-2a-801 *et seq* (the “Act”), has determined that the orderly operation of UTA and the safety, comfort, and well-being of its passengers, employees, and the general public requires the adoption of rules and regulations. Therefore, pursuant to Utah Code §§ 17B-1-301 and 17B-2a-808, the Board hereby adopts the following Ordinances. Any individual who violates these Ordinances may be subject to civil penalties, including fines and/or applicable state or local criminal penalties. These Ordinances shall remain in effect until amended or repealed. The General Manager of UTA is hereby charged with taking the necessary actions to implement these Ordinances. The General Counsel of UTA is hereby charged with codifying these Ordinances into a publishable format allowing for citation by reference to specific chapter and section numbers.

Section 2 Definitions

A. “Active Railroad Grade Crossing” means a railroad grade crossing when: (a) the gate or barrier is closed or is being opened or closed; (b) warning lights are flashing; (c) audible warning devices are being sounded; or (d) other traffic control devices signal the approach of a Transit Vehicle or other rail vehicle.

B. “Alcoholic Product” means alcoholic beverages and other products containing alcohol that can cause intoxication, including mouthwash, cold medicine, etc.

C. “Appeals Officer” means the individual authorized to hear and decide appeals received by the Hearing Officer.

D. “Authorized UTA Representative” means any UTA employee or agent or outside law enforcement officer who is authorized by job title, job description, specific assignment, or request of UTA to act pursuant to these Ordinances.

E. “Board of Trustees” or “Board” means the governing body of UTA established pursuant to Utah Code §17B-2a-807.

F. “Boarding Zone” means any area used for the loading or unloading of passengers from a Transit Vehicle, including the reasonable area immediately adjacent to such locations.

G. “Distracted Pedestrian” means any pedestrian using a Handheld Wireless Communication Device or other electronic device; listening to a Handheld Wireless Communication Device or other electronic device with headphones or earbuds unless at least one

ear is unencumbered by a headphone or earbud; using a Handheld Wireless Communication Device for text messaging or electronic mail communication; attending to personal hygiene or grooming; or reviewing reading materials, such as magazines or newspapers.

H. “Electronic Fare Collection” or “EFC” means UTA’s system of fare payment when such fare payment is made via a unique electronic micro-chip embedded in an electronic format, which may include a credit card or debit card.

I. “Hearing Officer” means the individual authorized to administer the protest process set forth in this Ordinance.

J. “Fixed Guideway System” means a surface transportation facility, including a Platform, using and occupying a separate right-of-way or rail corridor, including by way of example, light rail, street car, commuter rail, bus rapid transit or similar technology for surface transportation purposes for the exclusive use of public transportation.

K. “General Counsel” means the General Counsel of UTA appointed by the Board.

L. “General Manager” means the President/ CEO/ General Manager of UTA appointed by the Board.

M. “Graffiti” means any form of unauthorized marking, including, but not limited to, printing, writing, spraying, scratching, affixing, etching, or inscribing, or as otherwise defined in the Utah Criminal Code, regardless of the nature or content of the material(s) used in the commission of the act.

N. “Infraction” means an offense designated as such pursuant to this Ordinance.

O. “Law Enforcement Officer” means a sworn and certified peace officer as defined by Utah Code.

P. “Notice of Trespass” means any communication from an authorized UTA employee or representative providing warning that an individual may not use the UTA transit system or enter UTA property without satisfying certain conditions.

Q. “Operator” means an individual authorized by job title, job description, specific assignment, or request of UTA to operate a Transit Vehicle.

R. “Ordinances” means these Ordinances, or any part thereof, adopted by the Board pursuant to Utah Code §§ 17B-1-301 and 17B-2a-808.

S. “Parking Facility” means any parking lot or park-and-ride lot, including any adjoining walkways and facilities, owned, leased, or operated in whole or in part by or on behalf of UTA.

T. “Person” means an individual, corporation, limited liability company, partnership, sole proprietorship, firm, association, or other legal entity.

U. “Platform” means the area within or adjacent to a Fixed Guideway System specifically designated for the access of passengers as they load and unload from a Transit Vehicle.

V. “Proof of Fare Payment” means a valid bus transfer, ticket or other fare media issued by UTA and used within the date and time designated on such transfer, ticket, card, or other fare media. With respect to UTA’s EFC system, “Proof of Fare Payment” means the rider received a positive signal on an EFC reader device prior to entering the Transit Vehicle and received a positive signal on an EFC reader device by a Transit Police Officer or other Authorized UTA Representative at the time of fare inspection. Any fare that has been tampered with, altered, or is not complete shall be considered invalid. Fare media must be used pursuant to the terms and conditions established by UTA.

W. “Proof of Parking Payment” means a valid hourly, daily, monthly or annual parking pass, receipt or other parking media issued by UTA or an Authorized Representative and used within the date and time designated on such pass, receipt or other parking media. Proof of Parking Payment also includes payment validation through electronic means used by a Transit Police Officer or other Authorized UTA Representative.

X. “Railroad Grade Crossing” means an intersection of railroad tracks, roads, sidewalks, walkways or a combination of these at the same level.

Y. “Right-of-Way” means the line rail tracks and immediately adjacent property owned, leased, or operated in whole or in part by UTA or any other right-of-way purchased, leased or operated by UTA for use in any Fixed Guideway System, and any area dedicated for use by light rail vehicles, as indicated by solid yellow lines or other markings or barriers in or along roadways.

Z. “Service Animal” means any animal trained to assist an individual with a disability.

AA. “Transit Facility” means a Transit Vehicle, Fixed Guideway System, station, Boarding Zone, Platform, passenger waiting area/shelter, intermodal center, depot, ticket office, information office, Parking Facility, Right-of-Way, or other facility or property owned, leased, or operated in whole or in part by or on behalf of UTA for transit purposes.

BB. “Transit Police Officer” means a Law Enforcement Officer employed or contracted for UTA as defined by Utah Code.

CC. “Transit Vehicle” means any vehicle owned and operated by UTA.

DD. “UTA” means Utah Transit Authority, a public transit district established pursuant to the Public Transit District Act, Utah Code Ann. § 17B-2a-801 *et seq.*

Section 3 Clarifications and Interpretations

- A. The use of the singular form of any word includes the plural and vice versa.
- B. The use of the masculine gender (i.e. “he” or “his”) includes the feminine (i.e. “she” or “her”) and the neuter (i.e. “it” or “its”).
- C. The use of the present tense includes the future tense.
- D. The words “shall” and “must” are to be construed as mandatory rather than discretionary.
- E. Reference to any chapter, section, or provision of these Ordinances includes any later amendments to that chapter, section, or provision, or any part(s) thereof.
- F. These Ordinances do not apply to Transit Police Officers, Law Enforcement Officers, UTA employees, or UTA agents, provided such individuals are acting within the course and scope of their employment.
- G. In adopting this and any subsequent Ordinances, the Board intends that, if any chapter, section, or provision, or any part(s) thereof, of these Ordinances is held unconstitutional or otherwise invalid, the remaining chapters, sections, and provisions shall remain in force unless:
 - i. these Ordinances specifically provide otherwise;
 - ii. the remaining chapters, sections, and provisions are so essentially and inseparably connected with and dependent upon the unconstitutional or invalid chapter, section, or provision that it is apparent that the remaining chapters, sections, and provisions are unintelligible in the absence of the unconstitutional or invalid chapter, section, or provision; or
 - iii. in the sole discretion of the Board, the remaining chapters, sections, and provisions are incomplete and incapable of being executed in accordance with the Board’s intent.
- H. Chapter, section, subsection, or other titles, headings, or explanatory notes do not constitute any part(s) of these Ordinances.
- I. The General Counsel shall codify all future ordinances of general public applicability into these Ordinances. In codifying such future ordinances, no substantive changes shall be made to these Ordinances or any chapter, section, or provision, or any part(s) thereof, with the exception of renumbering, rearranging, and correcting clerical error, which the Board specifically authorizes the General Counsel to do. The Board’s adoption of these Ordinances constitutes the primary legislative act, while any subsequent codification represents an authorized administrative function. In the event of a substantive conflict between these Ordinances and its

codified counterpart, these Ordinances itself shall control. Finally, the Board intends that these Ordinances be liberally construed to effectuate its purpose(s) and the Board’s policies.

J. No chapter, section, or provision, or any part(s) thereof, of these Ordinances shall be construed to require UTA to refuse service to a disabled individual or to prohibit a disabled individual from traveling with a respirator or portable oxygen supply, provided such individual’s possession of such respirator or portable oxygen supply conforms to applicable Department of Transportation rules concerning the transport of hazardous materials.

Section 4 Enforcement

A. Authorization. The transit police department, by and through its sworn officers, shall be responsible for preserving the public peace, preventing crime, detecting and arresting criminal offenders, protecting the rights of persons and property, regulating and controlling pedestrian traffic and providing and maintaining police records and communications systems in Transit Facilities.

B. Citations. An Authorized Representative may issue a citation for any violation of these Ordinances provided the issuing Representative has cause to believe that a violation has occurred.

C. Detentions. A Transit Police Officer may detain any person for violation of these Ordinances as allowed under Utah Code.

D. Refusal of Service. An Authorized UTA Representative may refuse entrance into or require departure from a Transit Facility of any person who violates any provision of these Ordinances regardless of such person’s presentation of Proof of Fare Payment.

E. Towing. Any vehicle parked, placed, or otherwise found to be in violation of these Ordinances may be towed and impounded at the registered owner’s sole expense. Any fees for towing and/or impounding are in addition to, and not in lieu of, any fine imposed by UTA.

F. Warnings. In lieu of issuing a citation, an Authorized Representative, in his or her discretion may issue a verbal or written warning for any violation of these Ordinances.

CHAPTER 2

Regulations Governing Fare Payment

Section 1 Fare Payment

A. A person shall make a fare payment by depositing monies into a bus fare box, purchasing a ticket, or using electronic fare media and by possessing and displaying valid Proof of Fare Payment upon request.

B. No person shall enter or exit a Transit Vehicle that utilizes fare media or occupy a Platform or Boarding Zone without paying the applicable fare or possessing valid Proof of Fare Payment and providing such proof for inspection when requested.

Section 2 Infractions

A person who violates any section, subsection, or provision of this chapter may be charged with a Class III infraction.

CHAPTER 3

Regulations Governing UTA Parking Facilities and Traffic

Section 1 Parking

No person shall:

A. park a vehicle upon the premises of a Parking Facility in a manner contrary to any posted sign or restriction.

B. park a vehicle in an area not designated as a parking space.

C. park a vehicle upon the premises of a Parking Facility in a manner where such vehicle occupies more than one (1) designated parking space or extends beyond the parking space line(s) of one (1) designated parking space.

D. park a vehicle upon the premises of a Parking Facility for the sole purpose of exhibiting such vehicle for sale.

E. park a vehicle in a manner where such vehicle blocks or restricts access to a Boarding Zone, access ramp, marked pedestrian walkway, or traffic lane.

F. park a vehicle upon the premises of a Parking Facility without paying any applicable parking fee and possessing valid Proof of Parking Payment.

Section 2 Traffic

No person shall:

A. interfere or disrupt the loading or unloading of passengers or UTA employees in a Boarding Zone.

B. operate or board gas-powered devices, go-carts, skateboards, scooters, or any other motorized or non-motorized vehicle, with the exception of bicycles, not licensed to travel on public highways upon the premises of a Transit Facility, with the exception of disabled individuals who require the use of mobility aids.

C. operate a vehicle upon the premises of a Transit Facility at a speed exceeding the posted speed; at a speed exceeding a safe operating speed, as described in Utah Code; in a reckless or hazardous manner; or in violation of any applicable Utah law.

D. operate a non-registered vehicle upon the premises of a Transit Facility.

Section 2 Infractions

A person who violates any section, subsection, or provision of this chapter may be charged with a Class I infraction.

CHAPTER 4

Regulations Governing Transit Facilities

Section 1 Use of Transit Facilities

No person shall occupy or use any Transit Facility except as specifically authorized by this chapter.

Section 2 Authorized Transit Uses

A person may occupy or use a Transit Facility for the purpose of boarding, riding, disembarking, or waiting for a Transit Vehicle, purchasing Proof of Fare Payment, obtaining customer service from a Transit Police Officer, Law Enforcement Officer, or Authorized UTA Representative, transmitting information to a Transit Police Officer, Law Enforcement Officer, or Authorized UTA Representative, or undertaking other activities directly related to public transit.

Section 3 Authorized Non-Transit Uses

UTA's Transit Facilities are not considered open public forums for public use either by nature or designation. Most commercial and public activities are prohibited in or on Transit Facilities, regardless of viewpoint expressed, because they are incompatible with UTA's legitimate interest in providing transportation services. The General Manager may promulgate administrative rules allowing for authorized non-transit uses of Transit Facilities that are compatible with UTA's provision of transportation services. No person shall engage in an unauthorized non-transit use of a Transit Facility in violation of these administrative rules.

Section 4 Infractions

A person who violates any section, subsection, or provision of this chapter may be charged with a Class III infraction.

CHAPTER 5

Regulations Governing Conduct on UTA Property

Section 1 Conduct-related Restrictions on UTA Property – Level One

A. Alcoholic Beverages, and Tobacco. In or upon any Transit Facility, no person shall:

- i. possess an open container containing an alcoholic beverage;
- ii. consume or otherwise ingest an Alcoholic Product;
- iii. violate the Utah Indoor Clean Air Act or any county or municipal ordinance prohibiting smoking;
- iv. use tobacco in or upon any Transit Facility.

B. Animals. Other than a Service Animal, no person shall bring a live animal into or upon a Transit Facility, unless such person receives permission from an Authorized UTA Representative to do so. In the event such permission is granted, such animal must remain in an enclosed carry-on, not obstruct the movement of passengers or UTA employees and not create a nuisance or disturbance.

C. Bicycles. Bicyclists must comply with all signs, notices, and verbal requests from Authorized Representatives regarding the use of bicycles in and upon Transit Facilities.

D. Feet on Seats. No person shall place their feet on the seats in or upon a Transit Facility.

E. Impersonation of UTA Employee or Representative. At no time shall any person falsely represent or hold themselves out as a UTA Employee or Authorized Representative.

F. Littering. In or upon a Transit Facility, no person shall, other than in a proper receptacle provided for that purpose, discard, deposit, or otherwise abandon any item. A person may be charged for the costs to repair any damage or clean-up costs resulting from littering in a Transit Facility.

G. Loitering. In or upon a Transit Facility, no person shall remain in any one place under circumstances manifesting to a reasonable person an intent to engage in an act of criminal misconduct.

H. Personal Property. In or upon a Transit Facility, no person shall allow any package, object, or article to block any aisle or stairway or obstruct any seat or any area reserved for a designated purpose. All personal property must stay under the control of the owner. Customers are responsible for safekeeping their personal property. UTA is not responsible for damage to or theft of property or personal injury on or about any Transit Facility.

Section 2 Infractions- Level One

A person who violates any section, subsection, or provision of Section One of this Chapter may be charged with a Class I infraction.

Section 3 Conduct-related Restrictions on UTA Property – Level Two

A. Posting of Notices. In or upon a Transit Facility, no unauthorized person shall place, permit, or cause to be placed any notice or advertisement.

B. Breach of the Peace/Disorderly Conduct. In or upon a Transit Facility, no person shall breach the peace or threaten to breach the peace by:

- i. igniting or threatening to ignite any flammable substance.
- ii. spitting, defecating, urinating, or discharging any other offensive substance.
- iv. subjecting another person to offensive physical contact, touching, harassment (including verbal harassment), intimidation (including verbal intimidation), or extortion.
- v. engaging in lewd or obscene behavior.
- vi. fighting or otherwise engaging in violent, threatening, or tumultuous behavior.

- vii. making excessive and unnecessary noise.
- viii. using profane, obscene, vulgar, or abusive language, including using obscene gestures.
- ix. obstructing the free movement of passengers or UTA employees.

C. Graffiti. No person shall apply or affix Graffiti to any Transit Facility or UTA property.

D. Trespass. In or upon a Transit Facility or Right-of-Way, no person shall enter or remain when notice against entering or remaining is provided by: 1) direct communication or communication over a loudspeaker or public address system to the person by an Authorized UTA Representative; 2) fencing, barricade, or other barrier designed to exclude intruders; or 3) posted signs.

E. Failure to Comply with Requests by Authorized UTA Representatives. No person shall refuse or otherwise fail to comply with the request of an Authorized UTA Representative associated with the enforcement of these Ordinances.

F. Abuse of Internet Services. No person shall use UTA's Internet or electronic network services for the purpose of accessing pornographic websites or engaging in illegal activities. Additionally, any person who uses UTA's Internet or electronic network services impliedly agrees, as a condition of such use, to comply with copyright and intellectual property laws and agrees that UTA is not liable or responsible for any lost data, interrupted connectivity, or breaches of confidentiality.

G. Tampering with Transit Facility. No person shall alter or misuse a Transit Facility or any part thereof.

Section 4 Infractions – Level Two

A person who violates any section, subsection, or provision of Section 3 of this Chapter may be charged with a Class II infraction.

CHAPTER 6

Regulations Governing Safety on UTA Property

Section 1 Safety on UTA Property

- A. No person shall:
- i. extend any portion of his or her body through any door, window, or other opening of a Transit Vehicle while such Transit Vehicle is in motion.
 - ii. hang on or in any manner attach themselves to any exterior part of a Transit Vehicle, regardless of whether such Transit Vehicle is in motion.
 - iii. enter or remain upon any fixed Guideway System Right-of-Way, with the exception of Platforms or Boarding Zones and designated walkways to or from a Platform or Boarding Zone or within a public right of way.
 - iv. travel or drive by any mode on any Right-of-Way, unless such Right-of-Way is specifically designated for that specific purpose.
 - v. place or cause to be placed any object on any portion of any Right-of-Way that could make contact with a Transit Vehicle or otherwise interfere with the safe and uninterrupted passage of a Transit Vehicle.
 - vi. throw an object at or from a Transit Facility, including at any person at a Transit Facility.
 - vii. occupy or remain in an Active Railroad Grade Crossing as a pedestrian except to cross in a designated walkway in compliance with all signs and signals as set forth in Utah Code.
 - viii. cause a vehicle (whether the vehicle is occupied or not) to pass through, around, over, under or remain on a gate or barrier at an Active Railroad Grade Crossing as set forth in Utah Code.
 - ix. cross a Railroad Grade Crossing as a pedestrian while distracted as set forth in Utah Code.
 - x. interfere with the safe and efficient operation of UTA transportation services.
- B. No Distracted Pedestrian shall enter a Railroad Grade Crossing.

Section 2 **Infractions**

A person who violates any section, subsection, or provision of this chapter may be charged with a Class III infraction.

CHAPTER 7

Fines

Section 1 Fine Schedule

The following fines may be issued to any person who violates these Ordinances. An offender shall receive notice of a fine via either issuance of a citation to the offender at the time of the violation or, alternatively, via mail or other similar correspondence. Fine payments shall be directed to the Hearing Officer at the address designated on the citation.

- A. Class I Infractions shall result in a fine of no more than \$50.00.
- B. Class II Infractions shall result in a fine of no more than \$75.00.
- C. Class III Infractions shall result in a fine of no more than \$100.00.

Section 2 Community Service in Lieu of Fines

In its sole discretion, UTA may allow an individual who receives a citation and fine to provide community service to a non-profit organization to work off the fine amount, with one (1) hour of community service reducing the fine amount by the applicable Federal minimum wage per hour. Individuals performing community service under this Section will be required to provide appropriate documentation of the number of hours of community service completed.

Section 3 Due Process/Right to Protest

A person cited and fined under these Ordinances has the right to protest and appeal pursuant to Chapter 8 below. UTA has the right to seek collection of any fine via any appropriate legal means and is not limited to the procedures set forth in these Ordinances.

CHAPTER 8

Trespass From UTA Transit Facilities

Section 1 Grounds

In addition to any penalties provided for violations of these Ordinances and any penalties provided under applicable state or local law, an Authorized UTA Representative may issue a Notice of Trespass to any person who violates any provision of these Ordinances or who commits an offense classified as a misdemeanor or felony under applicable federal, state or local law in or upon a Transit Facility.

Section 2 Notice

UTA shall provide a written copy of a Notice of Trespass to any person who has been trespassed from all or any portion of UTA's Transit Facilities. The written Notice of Trespass shall specify the particular violation or reason for trespass, all places or property from which the person is trespassed, the duration of the trespass, and the consequences for failure to comply with the Notice of Trespass.

Section 3 Duration and Scope

A Notice of Trespass shall be effective immediately upon issuance and shall remain in effect until the trespass expires, is terminated via the sole action of UTA, or is overruled on appeal. UTA specifically reserves the right to issue a Notice of Permanent Trespass from all Transit Facilities. A person trespassed pursuant to this chapter may not enter or remain upon any Transit Facility or UTA owned-property during the period of trespass. In the event a trespassed person enters or remains upon such property, such person shall be considered to be a trespasser and may be subject to arrest and prosecution for the crime of criminal trespass.

Section 4 Appeal of Notice of Trespass

A person receiving a Notice of Trespass in connection with the failure to pay a fine may not appeal the Notice of Trespass. A person receiving a Notice of Permanent Trespass or a Notice of Trespass unrelated to the payment of a fine may protest, appeal, and seek judicial review pursuant to Chapter 9 below.

CHAPTER 9

Protest, Variance, Appeal, and Judicial Review

Section 1 Right to Protest

- A. A person receiving a warning citation may not protest or appeal a warning citation.
- B. A person receiving a citation or Notice of Trespass may protest the citation or Notice of Trespass to the Hearing Officer pursuant to one of the following options:
 - 1. Submitting a protest in writing to the Hearing Officer at the address designated on the citation or Notice of Trespass within thirty (30) calendar days of the date of issuance of the citation or Notice of Trespass. A protest must include: (1) contact information, including the full name, current mailing address, and phone number, of the person receiving the citation or Notice of Trespass; (2) the citation number or reference to the Notice of Trespass; (3) the date such citation or Notice of Trespass was issued; and (4) a detailed statement as to the grounds for the protest.
 - 2. Personally appearing before the Hearing Officer at a protest hearing within thirty (30) calendar days of the date of issuance of the citation or Notice of Trespass. Information on protest hearing schedules are available by calling the phone number designated on the citation or Notice of Trespass.

Section 2 Determination on Protest

The Hearing Officer shall make a determination regarding the protest and may, in his or her sole discretion, waive or reduce a fine, modify a Notice of Trespass, provide for a variance as detailed below, provide for community service in lieu of payment of a fine, or impose a probationary period in lieu of trespass.

Section 3 Right to Appeal

A person may appeal a decision from the Hearing Officer by submitting a written appeal to the Hearing Officer within thirty (30) calendar days of the decision. The Hearing Officer shall forward the appeal to the Appeals Officer for a determination. The Appeals Officer shall notify the protesting person of the date and time of the appeals hearing. Failure to appear at an appeals hearing or failure to cancel the hearing less than 48 hours in advance of the hearing will result in the enforcement of the citation or Notice of Trespass. The Appeals Officer shall notify the protesting person in writing of his or her decision.

Section 4 Right to Judicial Review

A protesting person may appeal the Hearing Officer's decision by filing an action in a district court of competent jurisdiction.

Section 5 Application for Variance

A person who has received a Notice of Permanent Trespass may apply to the Hearing Officer for a variance to allow such person to enter upon the UTA property encompassed within the Notice of Trespass. In his or her sole discretion, the Hearing Officer may grant a variance if the person establishes a pressing need (i.e. employment, medical treatment, or similar good cause) to enter upon UTA property. In granting a variance, the Hearing Officer may include any additional conditions or requirements that the Hearing Officer determines may prevent the trespassed person from committing future offenses.