

INTRODUCED: September 26, 2016

AN ORDINANCE No. 2016-258

To amend and reordain ch. 24, art. II of the City Code by adding therein a new div. 10, consisting of §§ 24-265 through 24-272, concerning valet parking on public ways in the city; and to amend and reordain Appendix A of the City Code by adding therein for City Code § 24-269 new fees applicable to valet parking permits.

\_\_\_\_\_  
Patron – Mayor Jones

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: NOV 14 2016 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That Chapter 24, Article II of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** Division 10, consisting of sections numbered 24-265 through 24-272, as follows:

**DIVISION 10**

**VALET PARKING**

**Sec. 24-265. Definitions.**

AYES: 9 NOES: 0 ABSTAIN: \_\_\_\_\_

ADOPTED: NOV 14 2016 REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates that a different meaning is intended:

*“Applicant”* means a person, legal entity, unincorporated association, or governmental organization that applies for a permit pursuant to this division and includes any duly authorized representative thereof.

*“Business”* means a business as defined in section 26-872.

*“Director”* means the Director of Public Works or the written designee thereof.

*“Event”* means a gathering of people at a location served or sponsored by a permittee for which the permittee performs or provides valet parking services.

*“Permit”* means a modified, permanent, temporary, or transferred permit issued pursuant to this division.

*“Permit, modified”* means a permit modified to modify the location, size, or other characteristics of a valet parking zone.

*“Permit, permanent”* means a permit authorizing, for an indefinite duration, the use of a valet parking zone to perform or provide valet parking services.

*“Permit, temporary”* means a permit authorizing, for a limited duration specified in the permit, the use of a valet parking zone to perform or provide valet parking services.

*“Permit, transferred”* means a permit issued to one permittee and subsequently transferred to another permittee.

*“Permittee”* means an applicant to whom or to which a permit is issued.

*“Valet parking services”* means a service whereby a valet or attendant parks and retrieves the vehicles of guests or patrons at a business or event.

“*Valet parking zone*” means the area on a public way specified in the permit in which the permittee may perform or provide valet parking services.

**Sec. 24-265. Rules and regulations.**

The Director is authorized to issue and enforce rules and regulations, consistent with this division and other applicable laws, to implement and enforce the provisions of this division.

**Sec. 24-266. Permit—required.**

The use of a public way to perform or provide valet parking services without a current and valid permit issued pursuant to this division shall be unlawful.

**Sec. 24-267. Same—eligibility.**

Any person, legal entity registered and in good standing with the State Corporation Commission, unincorporated association, or governmental organization lawfully operating a business or sponsoring an event within the city is eligible to apply for a permit as provided in this division.

**Sec. 24-268. Same—application.**

(a) *Form.* The Director shall prescribe the form of the application for a permit. The application form shall require such information from an applicant as the Director may require to ensure compliance with this division and any other applicable laws, rules, or regulations. An applicant shall apply for a permit using only this application form and shall provide all information required by the application form.

(b) *Contents.* Each application must include the following:

- (1) Such information as the Director determines to be sufficient to identify:
  - a. The applicant;
  - b. The business or event for which a permit is sought; and

- c. The requested duration of the permit.
- (2) A valet parking plan that the Director determines to be sufficient to:
- a. Identify the location of the applicant’s requested valet parking zone;  
and
  - b. Determine whether and to what extent traffic and the use of the public way will be affected by the proposed valet parking zone.
- (3) Such information describing the vehicle storage location as the Director determines to be sufficient to ensure that the applicant has the necessary control over the vehicle storage location to perform or provide the applicant’s proposed valet parking services in accordance with the applicant’s valet parking plan.
- (4) Evidence of insurance as required by section 24-270.
- (5) Such other information as the Director may determine is necessary to ensure compliance with this division and any other applicable laws, rules, or regulations.

**Sec. 24-269. Same—fees and costs.**

Each application for a permit must be accompanied by the payment of a fee as set forth in Appendix A. The permittee shall pay all costs of signs or other markings required or permitted in the public way pursuant to the permit. In addition, the permittee shall pay those fees set forth in Appendix A for the annual renewal of a permanent permit and for a modified permit or a transferred permit when applicable.

**Sec. 24-270. Same—issuance.**

(a) *Effect, form, and revocation.* The Director shall issue a permit applied for when he is satisfied that the requirements of this division and any rules and regulations issued pursuant thereto have been fulfilled. The permit shall contain the following information:

- (1) The legal name of the permittee and the name, address, and telephone number of the permittee's authorized representative.
- (2) The date on which the permit is issued.
- (3) The time period during which the permit is effective.
- (4) Information sufficient to identify the valet parking zone and the valet parking services to which the permit applies.
- (5) Any signs or other markings in the public way upon installation of which the permit is conditioned.
- (6) Any other information permitted by law that the Director determines to be necessary for the administration of the permit.

The permit shall permit the permittee to use the valet parking zone identified thereon to provide valet parking services for the duration set forth in the permit and in accordance with the provisions of this division. However, the permit shall become effective only upon the fulfillment of all requirements of this section. The Director may revoke the permit at any time if the Director finds that the permittee is not in compliance with this division or a condition of the permit or that the permitted use of the valet parking zone for valet parking services would endanger the public safety or unreasonably interrupt the flow of vehicular or pedestrian traffic.

(b) *Signage and other markings.* As a condition of the issuance of the permit, the Director may require the installation and maintenance of such signs and other markings in the public way as the Director deems necessary for the proper management of traffic and parking therein. No valet parking services shall be performed or provided pursuant to the permit until the permittee has installed such signs and other markings at the permittee's cost and in accordance

with the standards for such signs and other markings established by the Director. All signs and other markings so installed shall become the property of the City immediately upon installation.

(c) *Indemnification.* As a condition of the issuance of the permit, the permittee, if other than a governmental organization, shall indemnify and defend the City against all claims and other demands caused by, resulting from, or arising out of the permittee's provision of valet parking services pursuant to the permit or otherwise.

(d) *Insurance.* As a condition of the issuance of the permit, the permittee shall furnish the Director with the evidence of insurance required by this subsection. No valet parking services shall be performed or provided pursuant to the permit until the Director, in consultation with the Chief of Risk Management, has approved the evidence of insurance furnished by the permittee. The following coverages shall be maintained throughout the permit's duration:

(1) Commercial general liability insurance, or equivalent insurance as approved by the Chief of Risk Management, with a per occurrence limit of at least \$1,000,000 with the City listed as an additional insured;

(2) Automobile liability insurance, with a limit of at least \$1,000,000 with the City listed as an additional insured; and

(3) Workers compensation insurance, as required by state law, covering any valets or attendants who will provide valet parking services pursuant to the permit.

All insurance policies must provide, and all evidence of insurance must indicate clearly, that the City will receive at least 30 days' notice of the cancellation or material modification of the policy. Prior to the cancellation or expiration of any policy, the permittee shall furnish the Director with new evidence of insurance demonstrating that the cancelled or expired insurance has been replaced with new insurance meeting the requirements of this subsection. A permittee that lawfully is self-

insured may satisfy the requirements of this subsection by providing written evidence thereof in a form approved by the Chief of Risk Management.

(e) *Maintenance of permit for inspection.* The permittee, as a condition of the permit, shall maintain the permit at the location at which the valet parking services are provided and present such permit to City officials or employees when requested.

**Sec. 24-271. Same—Denial.**

(a) *Conditions for denial.* The Director shall deny a permit to any applicant if the Director determines that such applicant has not complied with any requirement of this division, any applicable laws or the rules or regulations issued in accordance with this division or if the Director determines that the proposed use of a valet parking zone for valet parking services, as described on the application, would endanger the public safety or unreasonably interrupt the flow of vehicular or pedestrian traffic.

(b) *Appeal of denial.* Any applicant whose application for a permit has been denied by the Director may appeal this denial to the Chief Administrative Officer by submitting a written appeal to the Chief Administrative Officer no later than 30 days after the date on which the applicant learns that the requested permit will not be issued. The Director's failure to issue the permit within 60 days of the submission of a completed application shall be deemed a denial of the application. The Chief Administrative Officer shall review any timely filed appeal to determine if the applicant's application for a permit was denied in accordance with the requirements of this division and any applicable laws, rules, and regulations. The Chief Administrative Officer may require the applicant to provide such other information in support of the applicant's appeal as the Chief Administrative Officer may determine is necessary to render a decision on the appeal. If the Chief Administrative Officer finds that the Director's action was in

accordance with the requirements of this division and any applicable laws, rules, and regulations, the Chief Administrative Officer shall affirm the Director’s action in a writing to the applicant. If the Chief Administrative Officer finds that the Director’s action was not in accordance with the requirements of this division and any applicable laws, rules, and regulations, the Chief Administrative Officer shall cause the Director to issue the permit. The Chief Administrative Officer shall render a decision on the appeal no later than 60 days after the Chief Administrative Officer receives the appeal. The decision shall be in writing and shall set forth the reasons therefor.

**Sec. 24-272. Same—modification or transfer.**

(a) *Modification.* The Director may modify a permit, upon receipt of an application from the permittee and subject to the requirements of this division, to modify the location, size, or other characteristics of the valet parking zone.

(b) *Transfer.* The Director may transfer a permit to a new person, legal entity, unincorporated association, or governmental organization upon receipt of an application from the permittee to whom the permit was last issued and subject to the requirements of this division. The Director shall not transfer any existing permit if the permittee or the person, legal entity, unincorporated association, or governmental organization to which the existing permit is requested to be transferred fails to satisfy any of the applicable requirements of this division or any applicable laws, rules, or regulations.

§ 2. That Appendix A to the Code of the City of Richmond (2015) be and is hereby amended and reordained by adding therein new fees for section 24-269 of the Code of the City of Richmond (2015) as follows:

| <i>Code Section</i> | <i>Description</i>                                     | <i>Fee</i> |
|---------------------|--------------------------------------------------------|------------|
| 24-269              | Application fee for permanent permit                   | \$100.00   |
|                     | Application fee for annual renewal of permanent permit | \$25.00    |



|                                                              |          |
|--------------------------------------------------------------|----------|
| Application fee for transferred permit                       | \$25.00  |
| Application fee for modified permit                          | \$50.00  |
| Application fee for temporary permit                         | \$25.00  |
| Fee for noncompliance with permit, per month until compliant | \$250.00 |

§ 3. Any person, legal entity, unincorporated association, or governmental organization offering valet parking services for any business or event at the time this ordinance becomes effective shall apply for a permit as provided in section 1 of this ordinance no later than 90 days after the date on which this ordinance becomes effective.

§ 4. This ordinance shall be in force and effect upon adoption.



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O & R REQUEST

AUG 22 2016

Chief Administration Office
City of Richmond

4-5501

O&R REQUEST

DATE: June 27, 2016 EDITION: 1
TO: The Honorable Members of City Council
THROUGH: Dwight C. Jones, Mayor
THROUGH: Selena Cuffee Glenn, Chief Administrative Officer
THROUGH: John J. Buturla, DCAO of Operations
FROM: Dr. Emmanuel O. Adediran, Director of Public Works
RE: Authority to create a Valet Parking Permit Ordinance

RECEIVED

SEP 05 2016

OFFICE OF CITY ATTORNEY

ORD. OR RES. No.

PURPOSE: To authorize the Chief Administrative Officer (CAO), on behalf of the City of Richmond, to create a Valet Parking Permit Ordinance.

REASON: To enable the Department of Public Works to regulate valet parking and create standard operating procedures.

RECOMMENDATION: The adoption of this ordinance is recommended by the Department of Public Works and will allow the Director of Public Works or the Parking Administrator to regulate valet parking operations in the City.

BACKGROUND: With the emergence of restaurant and entertainment venues in the Central Business District and vicinity, the demand for valet parking has increased. The Valet Parking Permit Ordinance will outline the City's policies and regulations pertaining to valet operations in the City of Richmond. The Director of Public Works or the Parking Administrator may issue a permit for valet parking within the Central Business District or other areas as deemed appropriate. No company or entity, may engage in the business of offering and providing valet parking services within the City without obtaining a permit from the Department of Public Works.

The Director of Public Works or the Parking Administrator or designee will determine the appropriate location for the valet stand and loading/unloading zone. The designated valet-loading

zones will be located to ensure public safe and the safe passage of vehicular and pedestrian traffic.

**COST TO CITY:** No additional cost to the City.

**REVENUE TO CITY:** Nominal

**FISCAL IMPACT:** None

**DESIRED EFFECTIVE DATE:** Upon Adoption

**REQUESTED INTRODUCTION DATE:** September 12, 2016

**CITY COUNCIL PUBLIC HEARING DATE:** September 26, 2016

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** Government Operations (September 22, 2016)

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** None

**AFFECTED AGENCIES:** None

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None

**REQUIRED CHANGES TO WORK PROGRAM(S):** None

**ATTACHMENTS:** Valet Application Checklist

**STAFF:**

Travis Bridewell, DPW (646-5745)

Steven Bergin, DPW (646-3724)

Lynne Lancaster, DPW (646-6006)

## Valet Zone Application Checklist

Per City Council Ordinance, xxxxxx, any establishment wishing to use the public streets for valet pick-up/drop-off of vehicles must do so in a valet zone that is designated by the City. To apply for a valet zone, please complete one application per requested zone. If you are requesting transfer of an existing valet zone, you must submit a completed application with all the information requested below.

**ATTACHMENT A (page 4 of this application) – Submit with application**

Valet parking plan - include traffic flow plan and a map describing the vehicle routing on a sheet of paper at least 8.5 x 11" or 11 x 17" (see page 4 of this application). The diagram must include:

- On-street location of proposed valet zone
- All addresses, buildings, parking layouts, streets, street width, parking restrictions, parking meters, and fire hydrants within 150 feet of proposed valet parking operations
- Photo of proposed valet zone location pictured from the opposite side of the street
- Measure and detail on site plan the width of the street where the proposed valet zone will be located
- Routes that vehicles will be driven to and from valet parking storage areas
- Number of attendants working at zone

**ATTACHMENT B – Submit with application**

Description of vehicle storage location

- A copy of the contract or agreement allowing the storage of vehicles in an off-street facility
- The address for valet parking storage
- Number of spaces at off-street location for valet parking storage
- Provide proof of approval of adjacent occupants

**ATTACHMENT C – Submit with application**

Plan for safe and reasonable accommodations for persons with disabilities who wish to utilize the valet zone

**ATTACHMENT D – Submit with application**

Copy of Valet Parking Service permit held by valet parking operator

**PERMIT FEES (TAX RATE xxx%) All fees are nonrefundable. ( cash, check, credit card or money order payable to the City of Richmond)**

1. Permanent valet zone application - \$100 (for first-time zone applications)
2. Temporary valet zone - \$25
3. Existing Valet Zone transfer of ownership-\$25
4. Modify existing zone-\$50
5. Annual Valet Zone renewal fee- \$25
6. Non-compliance violation- \$250 per month until complaint

## Valet Zone Provisions

1. Valet zones shall be a minimum length of 44'. The maximum length will be decided on a case by case basis not to exceed 66'.
2. Proposed valet zones must not impact street operations:
  - a. Must allow two-way flow on two-way streets or maintain one lane open on one-way streets
  - b. Access by emergency vehicles must be maintained at all times
  - c. No interference to pedestrian or vehicular traffic will be permitted.
  - d. Minimum unobstructed pedestrian passage is not less than five feet
3. Adhere to City Parking laws.  
[http://library.municode.com/HTML/16118/level3/PTIICICO\\_CH102TRVE\\_ARTVISTSTPA.html](http://library.municode.com/HTML/16118/level3/PTIICICO_CH102TRVE_ARTVISTSTPA.html)
4. All posted parking restrictions shall be observed.
5. A vehicle cannot remain in the staging area for more than ten minutes will be strictly enforced.

## Valet Zone Rules and Regulations

1. Business establishments must obtain all proper permits before conducting valet service. Permits must be kept at the location of the valet service and shown to city officials when requested.
2. Valet parking operator must provide General Liability Insurance, Auto Insurance and Workers Compensation Insurance. An additional insured endorsement must be provided for both along with the Certificate of Insurance. The insurance must be approved by the City's Risk Management prior to commencement of valet operation.
3. Business establishment owner is responsible for the conduct and actions of their patrons, employees, and valet service.
4. Valet parking operator must provide adequate staffing to provide valet service at business establishment. Vehicles cannot block travel lane while waiting to drop-off/pick-up patrons. No vehicle queuing is allowed on travel lane at any time.
5. Pedestrian walkway, where valet is taking place, must not be blocked at any time and must provide pedestrian passing clearance of at least (5) five feet.
6. Valet parking operation shall only be conducted at the location and during hours stated on the valet parking permit and approved by Public Works. Only parking spaces approved by the City shall be utilized.
7. All posting of temporary "No Parking" signs shall be completed twenty four (24) hours prior to the effective time of the prohibition. Signs shall be removed after valet permit expires.
8. City reserves the right to revoke or suspend valet parking permit at any time if above conditions are not met.

**Valet Zone Application**

Check One:  Permanent Valet Zone- New     Temporary Valet Zone     Non-Complaint  
 Check One:  Permanent Valet Zone- Renewal     Transfer     Change (valet operator, days, hours)

Applicant's Name: \_\_\_\_\_ Phone number: \_\_\_\_\_  
 Applicant Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Company's Name: \_\_\_\_\_  
 Company Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Company Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_  
 Owner's Name: \_\_\_\_\_ Phone number: \_\_\_\_\_  
 Owner's Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

To list additional owners or additional commercial establishments served by this valet zone, please use a blank sheet of paper and attach to this page.

Street Name, Block Number: \_\_\_\_\_  
 Requested Days:                      From: \_\_\_\_\_ To: \_\_\_\_\_  
 Requested Hours of Use:              From: \_\_\_\_\_ To: \_\_\_\_\_

Affected Side of the Street: (Circle One OR Explain Below) N S E W  
 \_\_\_\_\_

Briefly explain reason for request (attach another sheet of paper if necessary):  
 \_\_\_\_\_  
 \_\_\_\_\_



|                                |                                        |
|--------------------------------|----------------------------------------|
| <b>For internal use only</b>   |                                        |
| Number of Lanes Requested:     | Number of Travel Lanes Currently Open: |
| Total Number of Parking Lanes: |                                        |

This application is to provide the Department of Public Works Parking Division with information necessary to process your request. Additional information may be required. Submission of an application does not give the applicant any authority or permission to use or occupy any portion of the public street or right-of-way; an approved valet zone designation from the Parking Official is necessary before a valet operator may use a designated zone on the approved days and times. To ensure safe and efficient flow of traffic and pedestrians, the application may be modified, disapproved, and any previously-issued permits may be modified or revoked at the sole discretion of Parking Division in consultation with the Traffic Engineer's Office. **Permanent valet zones must be renewed annually. Submit application to Department of Public Works/ Parking Division, Room 102, City Hall 900 E. Broad Street, Richmond, VA 23219.**

\_\_\_\_\_  
 Signature Date

**Attachment A**

**PROPOSED VALET ZONE SITE PLAN**

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <div style="text-align: center;"> <br/> <u><b>NORTH DIRECTION</b></u> </div> <p><b><u>Site Plan Check List</u></b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Indicate proposed valet zone</b><br/>(  )</li> <li><input type="checkbox"/> <b>Street names</b></li> <li><input type="checkbox"/> <b>Indicate street width, sidewalk, fire hydrant</b></li> <li><input type="checkbox"/> <b>Indicate parking restrictions</b></li> <li><input type="checkbox"/> <b>Indicate north direction</b></li> <li><input type="checkbox"/> <b>Indicate one-way or two-way traffic flow</b></li> <li><input type="checkbox"/> <b>Indicate picture of proposed valet zone location</b></li> <li><input type="checkbox"/> <b>Describe accommodations for disabled patrons loading/unloading</b></li> <li><input type="checkbox"/> <b>Provide map of valet route to/from proposed parking/storage location/s</b></li> <li><input type="checkbox"/> <b>Provide map of proposed storage location/s</b></li> <li><input type="checkbox"/> <b>Bus Routes on streets</b></li> </ul> |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## **Additional Information**