

REPORT TO LAW & LEGISLATION COMMITTEE City of Sacramento

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Staff Report
September 15, 2009

**Honorable Members of the
Law and Legislation Committee**

Title: Valet Ordinance

Location/Council District: Citywide

Recommendation: 1) Review and approve a Valet Ordinance adding Chapter 10.46 to the Sacramento City Code; 2) forward the proposed ordinance to City Council for adoption.

Contact: Dean Fujimoto, Operations General Supervisor, 808-5579

Presenters: Dean Fujimoto, Operations General Supervisor, 808-5579

Department: Transportation

Division: Parking Services

Organization No: 15001511

Description/Analysis

Issue: Currently, the issuance of permits for valet services is done pursuant to Sacramento City Code (SCC) §12.12, which allows valet operators to encroach in the right of way. Since SCC §12.12 is not specific to the operations of valet services, existing rules do not explicitly define standards related to valet operations. In addition, without a specific valet ordinance it is difficult to properly: support valet operators; support the businesses they contract with; protect the safety of customers; and turn over the on-street parking spaces for customers.

Policy Considerations: The recommendation is consistent with 1) The City's strategic plan and the goal of the City Council to expand economic development throughout the City; and 2) Goal 3.4.3 of the Central City Parking Master Plan adopted by City Council in September 2006.

California Environmental Quality Act (CEQA): This Ordinance is not subject to the provisions of the California Environmental Quality Act (CEQA) under the general rule (Section 15061 (b)(3)) that CEQA applies only to projects that have the potential for causing a significant effect on the environment.

Sustainability Considerations: This ordinance supports the City of Sacramento's sustainability goals to improve and optimize transportation infrastructure.

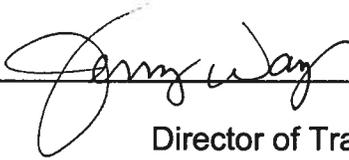
Commission/Committee Action: None

Rationale for Recommendation: Currently, the issuance of permits for valet services is done pursuant to SCC §12.12, which allows valet operators to encroach in the right of way. Since SCC §12.12 is not specific to the operations of valet services, existing rules do not explicitly define standards related to valet operations. Based on feedback from various community groups (e.g. Midtown Business Association, Valet Operators, Neighborhood Advisory Group, Old Sacramento Management, etc.), this Valet Ordinance was developed with input from the community. In addition, consistent with the Central City Parking Master Plan, the Valet Ordinance will provide more specific parking requirements and will further define the valet application and permitting processes. As well, the Valet Ordinance will provide a more fair and equitable administration and enforcement of valet permits and valet operations, which will better support the businesses and the residents by ensuring greater availability of on-street parking. In addition, the valet ordinance will help to ensure the safety of our community with preapproved traffic plans as part of the permitting process.

Financial Considerations: The Valet Ordinance includes two new valet permit fees. The first fee of \$200 would be for valet permits for new valet locations, and the second fee of \$65 would be for valet permits for existing valet locations. The new fees will be cost neutral to the General Fund and have been created to offset the City's costs for evaluating each valet location and for reviewing and approving the appropriate documents (e.g. a traffic plan, feasibility of the proposed location, etc.) related to valet permits. The City currently has issued thirty-five (35) valet permits, thus it's estimated that this fee would generate \$2,275 annually to offset General Fund costs. The cost for enforcement of valet operations will be absorbed by the existing Parking Enforcement operations and these costs are already included in the FY 09/10 operating budget.

Emerging Small Business Development (ESBD): There is no ESBD considerations associated with the Valet Ordinance.

Respectfully Submitted by: 
for  Howard Chan
Parking Services Manager

Approved by: 
Jerry Way
Director of Transportation

Recommendation Approved:

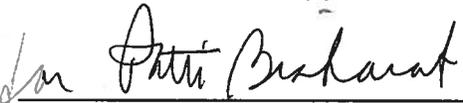
for 
Ray Kerridge
City Manager

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Attachment 1

ORDINANCE NO.

Adopted by the Sacramento City Council

**AN ORDINANCE ADDING CHAPTER 10.46 TO THE
SACRAMENTO CITY CODE, RELATING TO VALET
PARKING**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1

Chapter 10.46 is added to the Sacramento City Code to read as follows:

Chapter 10.46 Valet Parking

10.46.010 Definitions.

The following terms used in this Chapter shall have the following meanings:

“Applicant” means a valet parking operator making an application for a permit.

“Attendant” means a person who performs any service relating to valet parking

“Permit” means a permit which allows a person to provide valet parking.

“Valet parking” means receiving a vehicle from the vehicle operator, whether or not a fee is charged, and parking it for the vehicle operator.

“Valet parking operator” means any person that provides valet parking.

“Valet parking service zone” means a white zone, as defined by section 10.36.130C, for which a permit has been issued pursuant to this chapter.

10.46.020 Requirement of Permit.

A. No person shall solicit or engage in valet parking unless the person holds a permit issued by the city.

B. This requirement shall not apply to any person who provides parking solely on their premises and does not use a valet parking service zone for valet parking.

10.46.030 Use of Permit

A permit shall allow a valet parking operator to use a designated valet parking service zone for valet parking subject to the provisions of this chapter and the regulations established by the parking manager. The designated valet parking service zone shall also be available for the loading or unloading of passengers by persons other than the valet parking operator as permitted by section 10.36.130C.

10.46.040 Regulations

The parking manager shall establish regulations governing valet parking. A copy of such regulations shall be provided to each applicant upon submission of an application.

10.46.050 Application for Permit.

- A. Applications to obtain a permit shall be made by the applicant on application forms provided by the parking manager. The application shall be complete, signed by the applicant, signed by the owner of the business served by the applicant for each location, and submitted to the Parking Services Division. Applications shall be accompanied by a fee in an amount set by resolution of the City Council.
- B. The applicant shall provide all of the information required by the application, which shall include, but not be limited to: specific days and hours of operation requiring use of the valet parking service zone justified by traffic conditions and business operations of the owner; routes proposed to be used in transporting vehicles from the valet parking service zone to the fixed parking locations that will be used by the valet parking operator to park its client's cars; proof that the valet parking operator has the legal right to use the fixed parking location to park its client's cars; proof that all insurance requirements established by the parking manager and set forth in the regulations are satisfied; and other factors the city traffic engineer, or designee, determines relevant to the necessity and justification for use of the valet parking service zone.

10.46.060 Approval/Administration of Permit.

Each valet parking application will be reviewed by the parking manager and the city traffic engineer, or his/her designee(s). The application shall be approved unless the application: fails to provide the information required by this chapter or by the permit; the submitted route for transporting vehicles from the valet parking service zone to the fixed parking location is determined to be unsafe or inappropriate; or for other reasons which may affect the public health, safety and welfare.

10.46.070 Non-transferability and Term of Permits.

Permits are not transferable or assignable. Permits shall be valid for no more than one year and may be renewed annually upon completion of an application for renewal and payment of an annual renewal fee.

10.46.080 Prohibition of Using On-Street Parking.

Valet parking operators shall not utilize on-street parking spaces, whether metered or not, for valet parking.

10.46.090 Administrative Penalties

- A. The parking manager may issue an order imposing an administrative penalty to any person violating any provision of this chapter, regulations established by the parking manager or requirement of the permit.

The administrative penalty for each violation of any provision of this chapter, regulations established by the parking manager, or any requirement of the permit shall be one thousand dollars (\$1,000.00).

- B. The administrative penalty order shall be imposed in accordance with the provisions of Section 1.28 of this code.

10.46.100 Revocation/Non-Issuance of Permit

The parking manager may revoke a valet parking operator's permits and/or withhold issuance of renewed permits for any and all locations for a period of one year, after the operator receives a final administrative penalty order for a violation of this chapter, regulations established by the parking manager, or any requirement of the permit three times within a two-year period.

10.46.110 Temporary Valet Permit

A temporary valet permit may be issued by the parking manager for valet services required for special events and/or circumstances for a period of seven days or less. Temporary permits shall be issued subject to the regulations established by the parking manager.