

## Chapter 76. Valet Parking

### Section

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#### **§76.01 PERMIT REQUIRED**

It shall be unlawful for any person or company to provide, on a continuing basis, a valet parking service which uses public right-of-way for public or private parking spaces either for pick-up, delivery or storage of automobiles without first obtaining a valet parking permit pursuant to these regulations. The occasional provision of a valet parking service, when it occurs no more than once in 6 months for no longer than 3 sequential days, shall not be required to obtain a permit.

Valet parking shall only be operated within a designated valet parking zone.

The Town reserves the right to approve appropriate street locations and times for the operation of valet parking services for each valet permittee as applications are reviewed for approval. The Town reserves the right to add, modify or eliminate street locations and times at annual permit renewals in order to protect pedestrian traffic and improve conditions for the flow of motor vehicular traffic and/or to accommodate changes in land uses at or near parking space locations, both public and private.

#### **§76.02 DEFINITIONS**

A. *Permit* means the Town of Matthews written authorization granted to a person or company to conduct a valet parking service. Permits shall be issued annually and shall run concurrent with a calendar year.

B. *Valet operator* means (a) a person whose business is served by valet parking service, (b) a person who provides valet parking service, and/or participates in the provision of, valet parking service.

C. *Valet parking service* means accepting possession of a vehicle on the right-of-way for the purpose of parking the vehicle for the operator or retrieving a parked vehicle and returning it to the operator on the right-of-way, regardless of whether a fee is charged

#### **§76.03 APPLICATION REQUIREMENTS**

A. The name, address, telephone number, and e-mail and/or website address, where appropriate, of the business to be

served by the valet parking service and, if separate from the business to be served, the same information about the owner/operator of the valet parking service.

B. A written justification of the need for valet parking service by the business to be served.

C. A scale drawing of the location and limits of the proposed valet parking service activities, including an identification of any on-street parking space or loading zones that could be affected by the activities. A traffic plan must be included specifying parking spaces to be used as customer drop-off/pick-up location, and detailing routes to be followed between pick-up and delivery zones and storage area(s).

D. An operation plan that includes the days and times when valet parking services may be provided.

E. A description of any temporary, portable sign or stand proposed to be used by the valet parking service to indicate the client drop-off and delivery zones, along with a site map showing proposed placement and how it will not interfere with driver visibility.

F. Any other information reasonably required by the Town Board of Commissioners.

**§76.04 CERTIFICATE OF INSURANCE REQUIRED.** No permit shall be issued or continued in operation, and no person shall operate a valet parking service unless and until there is in full force and effect a motor vehicle liability insurance policy insuring such owner and each employee thereof, and unless and until such owner shall file with the Town Clerk a written certificate of insurance showing that the policy or policies are in effect and that they cannot be cancelled without 30-day written notice to the Town Clerk. The policy shall have coverage limits of not less than \$1,000,000 for death or injury in any 1 occurrence, and property damage coverage of not less than \$100,000.

#### **§76.05 PERMIT APPROVAL AND RENEWAL**

The initial permit approval shall be valid through the end of the current calendar year or through the end of the following calendar year when initial application is submitted after September 01 of any given year. Valet parking service permits shall be renewed annually. At the time of renewal, either the permit holder and/or the Town Board may request and consider changes to: the times/days when valet service is provided; the drop-off, delivery and storage locations; the route to be used by the valet operator between locations; and any other criteria that may be pertinent. When renewal application is submitted without change, and Town Board does not request any change, then a new permit shall be issued for the ensuing year without a hearing. Renewal shall be submitted by October 15 of any year for the following calendar year.

#### **§76.06 PERMIT APPROVAL CRITERIA**

The Town Board of Commissioners shall issue or deny a valet parking permit taking into consideration the following factors:

A. Whether the application is complete;

B. Whether there are additional date the Board of Commissioners determines they need prior to final determination on issuing a permit;

C. The extent to which the valet parking service might unreasonably disrupt the flow of pedestrian and vehicular traffic;

- D. The extent to which the valet parking might unreasonably interfere with on-street parking;
- E. The proximity of traditional on-street and off-street parking to the business to be served by the valet parking service; and
- F. The proximity and relationship to any other valet parking service.

**§76.07 TEMPORARY SUSPENSION**

The Town may temporarily suspend a permit issued pursuant to this Chapter when warranted by traffic conditions or anticipated traffic conditions.

**§76.08 NO RIGHTS ESTABLISHED**

Nothing in this article is intended to establish any legal right to provide a valet parking service or any legal property interest in a valet parking permit or any legal right to restrict the use of any public parking spaces identified in the permit.

**§76.09 VIOLATIONS, ENFORCEMENT AND APPEALS**

A. Violations: It shall be unlawful for a valet operator to provide or engage in a valet parking service without a valid permit issued pursuant to this Chapter, except for an occasional services as listed in 76.01 above. It shall be unlawful for a valet operator to stop or direct traffic on a public right-of-way.

B. Enforcement: Any person who violates this Chapter shall be subject to suspension, revocation or modification of their permit. Any person who operates a valet parking service without a permit shall be subject to a civil penalty of \$500.00 per day each day such violation occurs.

C. Appeals: the denial, modification, renovation or suspension of a valet parking permit, or the issuance of civil penalties, may be appealed within 10 calendar days after notice of such action. Appeals shall be heard by the Town Board of Commissioners at their next regularly scheduled meeting (Ord. No. 1760, passed 10-25-10)