



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604

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Consent
October 27, 2009

Honorable Mayor and
Members of the City Council

Title: Adopt an Ordinance adding Chapter 10.46 to the Sacramento City Code relating to Valet Parking

Location/Council District: Citywide

Recommendation: 1) Adopt an **Ordinance** adding Chapter 10.46 to the Sacramento City Code relating to valet parking; 2) Adopt a **Resolution** establishing permit fees for valet parking.

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

Presenters: None

Department: Transportation

Division: Parking Services

Organization No: 15001211

Description/Analysis

Issue: Permits for valet parking are currently issued as encroachment permits under City Code section 12.12. Since section 12.12 does not specifically address valet parking, there are no existing rules governing valet parking operations. Without an ordinance specifically regulating valet operations, it is difficult to: protect the safety of customers; ensure the availability of on-street parking spaces for customers; support businesses; and support valet operators.

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, September 2006) to "Update valet parking requirements and permitting process."

Environmental Considerations:

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.

Other: None.

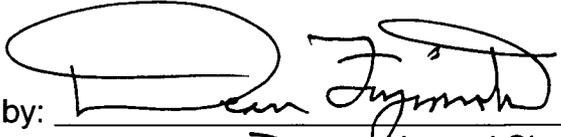
Commission/Committee Action: On September 15, 2009, the Law and Legislation Committee forwarded the ordinance to the City Council with a recommendation for approval.

Rationale for Recommendation: Permits for the operation of a valet parking service are currently issued pursuant to City Code section 12.12. This section generally governs encroachment permits. As section 12.12 does not specifically address valet parking, there are no standards governing valet parking operations. Based on feedback and support from various community groups (e.g. Midtown Business Association, valet operators, Neighborhood Advisory Group, Old Sacramento Business Association Board, etc.), this Valet Ordinance was developed with input and support from the community. Both the Midtown Business Association and the Old Sacramento Business Association Board have submitted letters of support for the Valet Ordinance.

The Valet Ordinance is consistent with the Central City Parking Master Plan in providing more specific parking requirements and further defining the valet application and permitting processes. In addition, the Valet Ordinance will provide a more fair and equitable administration and enforcement process for valet permits and valet operations. This will better support the businesses and the residents by ensuring greater availability of on-street parking. This ordinance will also 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. The second valet permit fee of \$65 is an annual renewal fee for existing valet locations. Valet permits expire December 31 each year. The fees are cost neutral to the General Fund and offset the City's costs for evaluating new valet locations and for reviewing and approving the appropriate documents (e.g. a traffic plan, feasibility of the proposed location, etc.) related to valet permits. Existing valet locations are inspected annually to ensure ordinance standards are met. The City currently has issued 35 valet permits, thus it's estimated that these fees will annually generate \$2,275 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): Not applicable.

Respectfully Submitted by: 
for Howard Chan
Parking Services Manager

Approved by: 
for Jerry Way
Director of Transportation

Recommendation Approved:

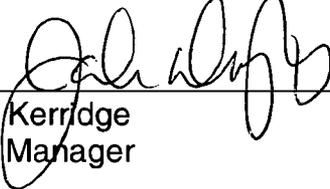

Ray Kerridge
City Manager

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Attachment 1

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

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 in 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 that provides parking solely on its premises and does not use a valet parking service zone for valet parking.

10.46.030 Use of Permit

A permit shall authorize 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 under this chapter. The valet parking operator shall not interfere with the use of the designated valet parking service zone 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 to facilitate the administration and implementation of this chapter. A copy of the regulations shall be provided to each applicant upon submission of an application.

10.46.050 Application for Permit

- A. An application for a valet parking permit shall be made on a form provided by the parking manager. The completed application shall be signed by the applicant and by the owner of the business to be served by the applicant and submitted to the parking services division. A separate application and permit shall be required for each business location to be served. Each application 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 the following: the specific days and hours of operation requiring use of the valet parking service zone, justified by traffic conditions and business operations of the owner; the 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 city and set forth in the regulations are satisfied; and other factors the city traffic engineer, the parking manager, or designee(s), determines relevant to the necessity and justification for use of the valet parking service zone.

10.46.060 Approval/Administration of Permit

The parking manager shall approve an application for a valet parking permit unless the parking manager determines any of the following:

- A. The application fails to provide the information required by this chapter or by the permit application form; or

- B. The submitted route for transporting vehicles from the valet parking service zone to the fixed parking location is unsafe or inappropriate; or
- C. The proposed valet parking operation would be detrimental to 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 or the regulations established by the parking manager.

The administrative penalty for each violation of any provision of this chapter or the regulations established by the parking manager 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 deny approval of an application for renewal of the operator's permits for any and all locations for a period of 1 year if the operator receives a final administrative penalty order for a violation of this chapter or the regulations established by the parking manager three times within a two-year period.

Attachment 2

RESOLUTION NO.

Adopted by the Sacramento City Council

VALET PARKING ORDINANCE

BACKGROUND

- A. Permits for valet parking are currently issued as encroachment permits under City Code section 12.12.
- B. The Central City Parking Master Plan, adopted by City Council in September 2006, recommends providing more specific parking requirements and permitting processes related to Valet Operations.
- C. Input and support from community stakeholders (e.g. Midtown Business Association, Old Sacramento Business Association Board, Neighborhood Advisory Group, valet operators, etc.) was a valuable part of developing the Valet Ordinance.
- D. The Valet Ordinance will provide a more fair and equitable administration and enforcement process for valet permits and valet operations.
- E. The Valet Ordinance includes two new valet permit fees. The first fee of \$200 would be for valet permits for new valet locations. The second valet permit fee of \$65 is an annual renewal fee for existing valet locations. Valet permits expire December 31 each year. The fees are cost neutral to the General Fund and offset the City's costs for evaluating new valet locations and for reviewing and approving the appropriate documents (e.g. a traffic plan, feasibility of the proposed location, etc.) related to valet permits. Existing valet locations are inspected annually to ensure ordinance standards are met.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. An Ordinance adding Chapter 10.46 to the Sacramento City Code relating to Valet Parking is hereby adopted.
- Section 2. The following valet parking permit fees are hereby adopted:
 - New Valet Locations—\$200
 - Annual Renewal Fee—\$65