

Chapter 14 LOCAL BUSINESS TAX AND BUSINESS REGULATIONS

Article V. VALET PARKING

Sec. 14.74 Prohibition.

Operation of a valet service in Miami Shores Village by a company without a business license issued by the village is prohibited.

Sec. 14-75 License required, fee.

- (a) Every person engaged in the business of valet parking must obtain a village license.
 - (1) A business license may be obtained upon application to the village clerk.
 - (2) The fee for an initial license is \$250.00 and the fee for such license is \$250.00 per year thereafter.
- (b) Valet parking service must be operated only by commercially licensed and insured vendors of parking services holding a valid license from the village.

Sec. 14-76. - License expiration unless revoked.

Licenses expire on September 30 of each calendar year and are valid for that portion of the year remaining from the date of issue to the following September 30. All licenses must be renewed annually.

Sec. 14-77. - Employees.

- (a) Valet parking service employees and independent contractors of the valet parking service must meet the following requirements:
 - (1) All employees which operate motor vehicles must have a valid state driver's license and must follow all traffic regulations.
 - (2) All employees must display a name tag identifying the valet company, or in the event that the valet parkers are employees of the business the name tag must display the name of the business, and the individual's name.
 - (3) All employees must be in a similar uniform.
 - (4) All employees must comply with all applicable laws and statutes that relate to traffic safety.

Sec. 14-78. - Inspection.

The village manager or authorized designee, or a code compliance officer of the village must be entitled to inspect the operation of the valet service with such frequency

as deemed warranted in order to determine that the permittee is complying with the terms of this article as well as other applicable laws, ordinances and regulations. By accepting a valet service permit, the permittee agrees to allow inspections to take place and must cooperate fully with the village in the conduct of the inspection to assist the village to obtain such information as is required in order to determine compliance by the permittee.

Sec. 14-79. - Liability and insurance.

- (a) Prior to the issuance of a permit, the permittee/operator must furnish the planning director with a signed statement, approved by the village attorney, that the permittee/operator must hold-harmless, indemnify and defend the village, its officers and employees for any claims for damages to property or injury to persons which may be occasioned by any activity carried on under the terms of the permit.
- (b) Permittee must furnish and maintain such public liability and property damage insurance to protect from all claims and damage to property or bodily injury, including death, which may arise from operations under the permit or in connection therewith. Such insurance must be provided from an insurance company with an A.M. Best rating of not less than "A" and must provide coverage of not less than \$1,000,000.00 for bodily injury, and property damage respectively per occurrence. Such insurance must be without prejudice to coverage otherwise existing therein and must name as additional insured the village, its officers and employees, and must further provide that the policy must not terminate or be canceled prior to the completion of the permit period without 45 days written notice to the village manager and the planning director at the address shown in the permit. Additionally, permittee must provide "garage keepers" legal liability insurance providing collision and comprehensive coverage for vehicles under the control of the valet parking operator with a minimum of \$500,000 per location with a maximum self-insured retention (SIR) or deductible of \$1,000.00.

Chapter 20 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

Article VIII VALET PARKING

Sec. 20-160. – Permit application to provide valet services.

- (a) A business or business association located within a commercial zoning district in the village may obtain a valet parking permit pursuant to the provisions of this section to provide valet parking services in connection with the conduct of a business or businesses located in the district. Valet parking permits are issued by the village clerk.
- (b) Submit a complete valet parking permit application to the planning director for review and approval. The planning director will notify the village clerk if the requirements for granting of a valet parking permit have been met and will notify the applicant if the conditions for granting a permit have not been met. The application must contain the following information to be complete and must meet the following standards:
 - (1) Name and address of the proposed permittee/operator. If incorporated, permittee/operator must provide proof that the agent signing official documents is authorized to sign on behalf of the company;
 - (2) Copy of a valid valet service business license issued by the village;
 - (3) Copy of current liability insurance in accordance with the provisions of Sec. 14-79;
 - (4) Site plan (at an appropriate scale) showing the proposed parking area, tandem parking arrangement, if any, the lay-out and dimensions of the existing public right-of-way and adjacent private property, proposed location, size of proposed mobile stands, tables, chairs, umbrellas, keybox, location of doorways, location of trees, parking meters, parking pay box, bus shelters, sidewalk benches, trash receptacles, driveways, and any other sidewalk obstruction either existing or proposed within the pedestrian areas. Under no circumstances will permanent structures or equipment be permitted. The site plan must clearly identify the valet parking service area located within the right-of-way or on private property, and will also show the proposed location, number of parking stalls and distance to the off-street parking facility providing the parking spaces for the valet parking service;
 - (5) Photographs, drawings, or manufacturers' brochures fully describing the appearance of all proposed mobile stands, tables, chairs, umbrellas, keybox or other objects related to the valet parking service; and

- (6) Copy of the agreement/contract for the provision of the off-street parking spaces that includes identification of the location of vehicle storage spaces.
- (7) The application must be jointly submitted by the business association if any and the person or entity owning the business that will use the valet service as well as the person or entity actually providing the valet service. The form of the application will be supplied by the village and the applicants will provide all information requested. The application will not be accepted or reviewed by the planning department until such time as all required information is submitted and complete;
- (8) The application will also include a schematic traffic circulation plan, which will provide the following information:
 - a. The primary route between the staging area and the vehicle parking areas;
 - b. The hours of operation of the valet services;
 - c. The number of valet parkers intended to be employed and the periods of the day during which they will be employed;
 - d. The projected number of trips from the staging area to the parking areas, and from the parking areas to the staging area during the normal operation hours of the valet service; and
 - e. A clear pathway, parallel with the street or parking lot, with a minimum width of five (5) feet will be maintained for through pedestrian traffic. If such five-foot clear pathway cannot be maintained, no permit will be issued. A greater width may be required as a condition of approval.
- (9) Prior to the issuance of a permit, the applicant will furnish a signed statement that the permittee will hold harmless the village, its officers and employees and will indemnify the village, its officers and employees from any claims for damages to property or injury to persons which may be occasioned by any activity carried on under the terms of the permit.
- (10) A copy of the revocable valet parking services permit will be available on site during business hours.

Sec. 20-161. – Authorized valet parking services licensed under Article V Valet Parking.

- (1) Valet parking may be provided to a business or business association for required on-site parking or off-site parking under Sec. 521 (c). Notwithstanding the distance limitation of Sec. 521 (c) (1), off-site parking provided by valet service may be located up to one-half mile from the main parcel of the business, or in the Miami Shores Downtown District may be provided in compliance with Sec. 549 (2), whichever is greater.

- (2) Valet parking may be provided under Chapter IV Alcoholic Beverages to provide for the parking needs of businesses granted special approval.
- (3) Valet parking services may be utilized under Sec. 521.64 to meet the parking requirement for a business and as an alternative to reduce parking requirements.

Sec. 20-162. - Staging of motor vehicles in on-street parking spaces.

- (1) The revocable valet parking service permit will specify the terms and conditions applicable. When the staging area will utilize on-street parking spaces, the following will apply:
 - a. All traffic control devices will be strictly adhered to.
 - b. All applicable statutes, ordinances and regulations concerning movement and parking of motor vehicles will be adhered to.
 - c. The issuance of a valet parking service permit will give the permittee no special rights with respect to the use of the on-street parking spaces, different from the rights of the general public, other than the limited right to temporarily use a staging area to receive motor vehicles.
 - d. At any time, if the village manager or designee should determine that the use of the staging area by the permittee is creating a situation which is adverse to the public health, safety and welfare or, to the use of the parking aisle by the public in general, the valet service permit may be further conditioned, by the village manager or designee, so as to eliminate adverse impacts, or the permit may be revoked.
 - e. Staging areas shall be restricted to the staging areas permitted pursuant to the valet parking service permit. There shall be no storage of vehicles in the area used for staging. A vehicle will be considered stored if it remains in the staging area for more than five (5) minutes. Staging shall not occur in any location other than in the area provided for staging as indicated in the permit. Egress and ingress of the commercial development shall not be obstructed by unattended vehicles waiting to be parked. At no time shall unattended vehicles be left in the staging area.
 - f. There shall be no signage on site for the valet parking spaces that restrict such parking spaces to "valet only," however up to two (2) on street parking spaces, 48 linear feet where parallel parking is not marked, may be blocked off by orange construction cones during the hours of valet service as approved per the valet parking services permit.

Sec. 20-163. – Valet parking limitations.

- (a) Valet parking will not use parking spaces that provide required parking for businesses not a part of the valet service agreement.
- (b) Valet parking services must not use on-street parking spaces or municipal parking lots for parking unless approved in an agreement with the village.

Sec. 20-163. – Enforcement and penalties.

Any business or valet found to be in violation under the terms of their permit will be fined in the following manner:

- (a) Operating valet parking service business without a valid Miami Shores Village license \$500.00
- (b) All other violations of this article
 - a. Civil penalty:
 - 1. First offense\$100.00
 - 2. Second offense\$250.00
 - 3. Third offense\$500.00

Sec. 20-164. - Revocation or modification of permit by village.

- (a) Any permit issued pursuant to this article will be deemed automatically revoked if the permitted does not have a valid contract with the valet service company that was identified in the permit.
- (b) Any permit issued pursuant to this Chapter will be deemed automatically revoked for failure of the valet service, on three (3) occasions in any 24-month period, to adhere to any standard or requirement of this Chapter as determined by the village or of state law as determined by the entity with jurisdiction over said matter. In addition, said permit may be revoked on a determination that the operations of the permittee conflict with the rights of the public to use the parking aisles or that the permittee's valet service adversely impacts the business or property of others.
- (c) The village will follow the following revocation process where the revocation is not automatic:
 - (1) The permittee will be given written notice of a violation, the action necessary to correct the same or the modifications required with reference to the permittee's valet operations. Notice may be hand delivered, posted, or mailed by U.S. registered mail, return receipt requested. Hand delivery will include handing the notice to any employee of the permittee. Posting will be in an observable location at the place of business providing the valet service.

- (2) The notice will specify the time for the valet service to correct the violation or implement modification, in those circumstances where such corrective action is possible. Should the valet service fail to correct the violation or implement modifications within the time given, the revocable valet service permit will be revoked and will be of no further force and effect. Once [the permit has been] revoked, the permittee will cease valet services.
- (3) Within five (5) days of the date of the revocation of the permit, the permittee may appeal the revocation to village council by submitting a written appeal request to the village clerk. All appeals will be accompanied by the processing fee and other supporting evidence pertaining to the appeal and the grounds or reasons therefore.