

ORDINANCE NO. 24-10
CHAPTER 39
ARTICLE V

An ordinance to amend Chapter 39 of the 1984 Detroit City Code, *Parking Facilities*, by Adding Article V, *Valet Staging and Parking*.

AN ORDINANCE to amend Chapter 39 of the 1984 Detroit City Code, *Parking Facilities*, by adding Article V, titled *Valet Staging and Parking*, which shall consist of Division 1, titled 'In General,' containing Sections 39-5-1, 39-5-2 and 39-5-3, Division 2, titled 'Permits for Valet Staging and Temporary Valet Staging,' Subdivision A, titled 'Annual Location Permit for Valet Staging,' containing Sections 39-5-11, 39-5-12, 39-5-13, 39-5-14, 39-5-15, 39-5-16, 39-5-17, 39-5-18, 39-5-19, 39-5-20 and 39-5-21, and Subdivision B, titled 'Temporary Valet Staging Permit,' containing Section 39-5-31, 39-5-32, 39-5-33, 39-5-34, 39-5-35, 39-5-36, 39-5-37 and 39-5-38, Division 3, titled 'Valet Staging Business License,' containing Sections 39-5-51, 39-5-52, 39-5-53, 39-5-54, 39-5-55, 39-5-56, 39-5-57, 39-5-58, 39-5-59, 39-5-60, 39-5-61 and 39-5-62, and Division 4, titled 'License for Valet Parking Attendant,' containing Sections 39-5-71, 39-5-72, 39-5-73, 39-5-74, 39-5-75, 39-5-76, 39-5-77, 39-5-78 and 39-5-79, to define 'alley,' 'Annual Location Permit for Valet Staging,' 'City,' 'civil infraction,' 'Code,' 'commercial building,' 'person,' 'temporary valet staging,' 'temporary valet staging permit,' 'valet parking attendant,' 'valet staging,' 'valet staging business license,' and 'valet staging zone,' to provide for the regulation and enforcement of valet staging of motor vehicles in the curb lane of City streets; to provide for the application, issuance, denial, discontinuance, suspension, and revocation of a location permit for the valet staging of motor vehicles; to provide for the Department of Public Works to submit an annual report to City Council on any Location Permit or Temporary Permit for Valet Staging issued, renewed, or discontinued by the Department; to authorize the Director of the Department of Public Works to promulgate rules for the issuance and discontinuance of location permits for valet staging; to authorize the Director of the Department of Public Works, subject to the approval of City Council, to establish an annual fee for a location permit in conjunction with

the use of the public street for valet staging; to authorize the Municipal Parking Department to recover lost revenue as a result of the use of the public street for valet staging; to provide that a holder of an Annual Location Permit for Valet Staging select a person or company licensed under this article by the City for valet staging; to provide that an Annual Location Permit for Valet Staging shall not be transferable; to provide that the City shall be held harmless for damages or injury as a result of the issuance of a location permit for valet staging; to provide for the application, issuance of temporary business valet staging permits by the Department of Public Works, with notice to the Municipal Parking Department, to provide for the discontinuance of a Temporary Valet Staging Permit by the Department of Public Works; to authorize the Department of Public Works, subject to approval by City Council, to establish a fee for a temporary business valet staging permit; to require that a holder of a Temporary Business Valet Staging Permit select a valet staging company licensed by the City under this article; to provide that a temporary business valet staging permit shall not be transferable; to provide that the City shall be held harmless for damages or injury as a result of the issuance of a Temporary Valet Staging Permit; to authorize the Department of Public Works to promulgate rules for the issuance and discontinuance of permits for temporary business valet staging permits; to provide for the application, issuance, non-renewal, suspension, and revocation of a valet staging license by the City; to authorize the Director of the Buildings, Safety Engineering, and Environmental Department, subject approval by City Council to establish an annual fee for a valet staging business license; to provide for the Buildings, Safety Engineering, and Environmental Department to make determinations concerning the issuance of a valet staging business license based upon the applicant meeting the requirements of this article; to provide for requirements for a valet staging company licensed and operating under this article, including the requirements that licensed valet parking attendants are used; to provide for regulations for valet staging generally; to provide for penalties for

violations of this article; to provide for penalties for the failure of a valet staging company licensed under this article to fail to pay a judgment for damage to a vehicle or for loss of property within a vehicle; to provide that a temporary business valet staging permit shall not be transferable; to provide for the expiration and renewal of a valet staging business license; and to provide for the licensing of valet parking attendants.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 39 of the 1984 Detroit City Code, *Parking Facilities*, by adding Article V, titled 'Valet Staging and Parking,' which shall consist of Division 1, titled 'In General,' containing Sections 39-5-1, 39-5-2 and 39-5-3, Division 2, titled 'Permits for Valet Staging and Temporary Valet Staging,' Subdivision A, titled 'Annual Location Permit for Valet Staging,' containing Sections 39-5-11, 39-5-12, 39-5-13, 39-5-14, 39-5-15, 39-5-16, 39-5-17, 39-5-18, 39-5-19, 39-5-20 and 39-5-21, and Subdivision B, titled 'Temporary Valet Staging Permit,' containing Section 39-5-31, 39-5-32, 39-5-33, 39-5-34, 39-5-35, 39-5-36, 39-5-37 and 39-5-38, Division 3, titled 'Valet Staging Business License,' containing Sections 39-5-51, 39-5-52, 39-5-53, 39-5-54, 39-5-55, 39-5-56, 39-5-57, 39-5-58, 39-5-59, 39-5-60, 39-5-61 and 39-5-62, and Division 4, titled 'License for Valet Parking Attendant,' containing Sections 39-5-71, 39-5-72, 39-5-73, 39-5-74, 39-5-75, 39-5-76, 39-5-77, 39-5-78 and 39-5-79, to read as follows:

**CHAPTER 39. PARKING FACILITIES
ARTICLE V. VALET STAGING AND
PARKING**

DIVISION 1. IN GENERAL

Sec. 39-5-1. Definitions.

For the purposes of this article, the following words and phrases, whether in the singular or the plural, shall have the meanings respectively ascribed to them by this section:

Alley means a public right-of-way within a block primarily intended for service and access to abutting property.

Annual Location Permit for Valet Staging means an annual revocable permit issued by the Department of Public Works to the owner of a commercial building, or its managing agent, or a lessee business within the commercial building, which authorizes the use of a specified portion of a public street for a valet staging zone.

City means the City of Detroit.

Civil infraction means an act or omission

that is prohibited by this Code, which is not a crime, as defined in Section 5 of the Michigan Penal Code, being MCL 750.5, and for which civil sanctions may be ordered.

Code means the 1984 Detroit City Code.

Commercial building means an office building, or a building that contains a bar, hotel, public entertainment, restaurant, or retail establishment, or a residential structure that consists of more than four (4) dwelling units.

Person means an individual, owner, operator, partnership, firm, company, corporation, association, organization, sole proprietorship, joint venture, or any other legal entity.

Temporary valet staging means valet staging offered at a commercial building for a time period not to exceed seventy-two (72) consecutive hours that uses a designated portion of the curb lane of a public City street for valet staging to service clients, patrons, or visitors of the building during a specific event or for a specified time period.

Temporary Valet Staging Permit means a revocable permit issued by the Department of Public Works to the owner of a commercial building, or its managing agent, or a lessee business within the commercial building, which authorizes temporary valet staging by a person licensed under this article.

Valet parking attendant means an individual who 1) is employed by a person licensed under this article to conduct valet staging, and 2) moves motor vehicles from a valet staging zone to an off-street parking location and returns said vehicles to the valet staging zone.

Valet staging means the use of a designated portion of the curb lane of a City street for a time period of not longer than five (5) minutes for the drop-off and pick-up of motor vehicles of clients, patrons, or visitors at a commercial building where the motor vehicles are transported to an approved off-street parking location for or without a fee.

Valet staging business license means a license issued by the Buildings, Safety Engineering, and Environmental Department Business License Center to a person that authorizes the licensee to conduct valet staging from a specified permitted location.

Valet staging zone means a portion of the curb lane of a City street designated in accordance with an Annual Location Permit for Valet Staging, or pursuant to the issuance of a Temporary Valet Staging Permit, where a licensed valet parking attendant takes possession of a motor

vehicle for immediate movement of the vehicle to an off-street parking location and for the return of the vehicle by the attendant to the person who valeted the vehicle.

Sec. 39-5-2. Scope of this article.

(a) This article shall govern valet staging and parking, which uses any portion of the curb lane of any public street within the City for the purpose of the drop-off or pick-up of motor vehicles that are to be moved and parked by a valet attendant at an off-street parking location. This article shall not govern any valet staging or parking, which operates exclusively on private property.

(b) This article shall not govern the operation of any parking lot or station licensed by the Buildings, Safety Engineering, and Environmental Department Business License Center pursuant to Articles II and III of this Chapter, provided, that no portion of any alley, street, or other public right-of-way is used by any person for valet staging, as defined in Section 39-5-1 of this Code, in conjunction with the parking lot or station.

Sec. 39-5-3. Administration and enforcement of article generally.

(a) Pursuant to Section 7-701 of the 1997 Detroit City Charter, the Department of Public Works shall have the authority to establish, plan, issue, suspend or revoke permits, and maintain systems and devices for the regulation of valet staging, as defined in Section 39-5-1 of this Code.

(b) The Buildings, Safety Engineering, and Environmental Department and the Police Department shall have concurrent authority to enforce the permit and licensing requirements of this article.

(c) Pursuant to Section 1-1-9(g)(1) of this Code, the Director of the Buildings, Safety Engineering, and Environmental Department, or his or her designee, is authorized to designate public servants to enforce the provisions of this article.

(d) Motor vehicles parked on a street, or on any other public right-of-way, and not parked in accordance with the article, shall be subject to the parking, standing, and stopping prohibitions, the issuance of civil infractions, towing, and all other parking enforcement actions in accordance with Chapter 55 of this Code, *Traffic and Motor Vehicles*.

Secs. 39-5-4 — 39-5-10. Reserved.

DIVISION 2. PERMITS FOR VALET STAGING AND TEMPORARY VALET STAGING

Subdivision A. Annual Location Permit for Valet Staging

Sec. 39-5-11. Annual location permit required; City to be held harmless as a condition of issuance.

(a) No person shall use a public street in the City for valet staging, as defined in Section 39-5-1 of this Code, unless the person has been issued an Annual Location Permit for Valet Staging for the street location in accordance with this division. A separate location permit for valet staging is required for each valet staging zone in accordance with this article.

(b) As a condition for issuance of the permit that is required in Subsection (a) of this section, a person issued an Annual Location Permit for Valet Staging pursuant to this division shall hold the City, and its officers, agents, and employees harmless from all suits, claims, charges, and judgments, including attorney fees, to which the City, and its officers, agents, and employees may be subject to as a result of the issuance of an Annual Location Permit for Valet Staging and the operation of valet staging at the location, for any injury to any person or damage to any property.

Sec. 39-5-12. Application; approval and issuance of permit; annual reports to City Council.

(a) The owner of a commercial building, or its managing agent, or a lessee business within the commercial building, shall submit a written application to the Department of Public Works to obtain an Annual Location Permit for Valet Staging on a public street adjacent to an entrance used by clients, patrons, or visitors to the building.

(b) The application for approval and issuance of an Annual Location Permit for Valet Staging shall include:

(1) The name and street address of the commercial building;

(2) All names and addresses of the owners of the commercial building, its managing agents, or the business owners occupying space within the commercial building pursuant to a lease;

(3) Where applicable, a copy of the City business license for each business that will have clients, patrons or visitors using the proposed location for valet staging;

(4) The City street proposed to be used for valet staging;

(5) A detailed site survey that includes existing traffic and parking control devices, such as parking restriction signs, street directional signs and a diagram or drawing, or a street map, which indicates the specific portion of the City street proposed to be designated a valet staging zone and the dimensions of existing pavement and lane widths, sidewalk and berm widths, existing curb cuts, building footprints, parking meters, existing signage, and pavement markings at the proposed location;

(6) The proposed days and hours of operation for the proposed valet staging at the location;

(7) An estimate of the number of motor vehicles to be processed daily by the person or company licensed to conduct valet staging at the location;

(8) The proposed off-street parking location where the valeted motor vehicles will be parked;

(9) The proposed route to and from the off-street parking location for valeted vehicles;

(10) The estimated number of valet parking attendants to be used at the location; and

(11) The application fee.

(c) Upon the submission of an application for an application for an Annual Location Permit for Valet Staging, the Department of Public Works shall submit, within three (3) business days after receipt of the application, a copy of the application to the Buildings, Safety Engineering, and Environmental Department's Business License Center, the Municipal Parking Department and the Police Department, and provide a written notice of the receipt of the application to the applicant with the required information concerning the processing of the application. The license applicant shall post a copy of the application and the notification at a place accessible for viewing by the general public that is within the commercial building or the relevant place of business at the proposed location. The posted copy of the application shall include notification that an application for an Annual Location Permit for Valet Staging is pending with the Department of Public Works and that the general public shall have thirty (30) days from the dates of posting to submit comments in support or in opposition to the application for the issuance of the permit to the Department of Public Works at the address specified in the notice. The application shall remain posted for at least thirty (30) days, or until the Department of Public Works makes a determination concerning the application.

(d) Within thirty (30) days of receipt and review of the application for an Annual Location Permit for Valet Staging, the Municipal Parking Department and the Police Department shall submit separate reports and recommendations to the Department of Public Works concerning their respective approval or denial of a permit for the location, including any estimated lost meter revenue as a result of the permit being granted, and any recommended restrictions on the proposed valet staging at the proposed location.

(e) Within thirty (30) days of the receipt of the respective reports and recommendations from the Municipal Parking Department and the Police Department concerning the issuance of an Annual Location Permit for Valet Staging for the location, the Department of Public Works shall make a determination whether to approve or deny the issuance of a permit for the location. When doing so, the Department of Public Works shall consider:

(1) Whether the applicant, or a company or other organization owned or associated with the applicant, has been previously issued an Annual Location Permit for Valet Staging by the City, or has previously operated valet staging in the City or in this state, under a license or permit and has had such valet staging operation, permit, or license suspended or revoked and the reasons therefor;

(2) The location and number of any current permits for valet staging issued by the Department of Public Works in the immediate area of the proposed location; and

(3) Any public comments in support of, or in opposition to, the proposed valet staging, which have been received by the Department of Public Works during the thirty (30) day notice period in accordance with Subsection (c) of this section.

(f) Where the application for an Annual Location Permit for Valet Staging is approved by the Department of Public Works, and upon the payment of the permit fee to said Department, the Department of Public Works shall issue an annual permit to the applicant, which shall expire one year from the date of issuance. The permit shall specify any restrictions or requirements, including the hours of use of the street for valet staging as approved by the Department of Public Works, the Municipal Parking Department, and the Police Department.

(g) The Department of Public Works shall provide an annual report to the City Council, which provides information on location permits for valet staging issued or renewed by the Department of Public Works, including the names and addresses of the permit holders and the street locations approved for valet staging in accordance with this article.

Sec. 39-5-13. Erection and maintenance of signs and devices.

(a) Upon the issuance of an Annual Location Permit for Valet Staging by the Department of Public Works, said Department shall erect and maintain permanent signage that clearly identify the approved valet staging zone.

(b) The location permit holder, or the licensed valet parking company operating at the location, may use removable visible signs or other appropriate devices, such as traffic cones and wind signs that have been approved by the Department of Public Works, to clearly identify the approved valet staging zone.

(c) Approved removable signs and devices shall be used only to provide the designated valet staging zone, the cost per motor vehicle for the valet staging service, and the name of the person licensed under Division 3 of this article to engage in valet staging at the location, provided, that approved signs shall not be stationed in the street, including in the approved valet staging zone.

Sec. 39-5-14. Denial of application for permit; reconsideration of denial.

Where the application for an Annual Location Permit for Valet Staging is denied by the Department of Public Works, the Department shall issue a written determination providing the basis for the denial of the location permit. The applicant may request that the Director of the Department of Public Works reconsider the denial of a permit in accordance with the rules promulgated under Section 39-5-20 of this Code.

Sec. 39-5-15. Fee for location permit.

(a) The Department of Public Works shall establish, subject to the approval of City Council, an application fee and an annual renewal fee for an Annual Location Permit for Valet Staging.

(b) The fee for the annual location permit shall be based upon the cost of issuance and administration of the permit, the amount of square feet being used for the valet staging zone, and, where applicable, the amount of lost parking meter revenue due to the valet staging zone as estimated by the Municipal Parking Department.

(c) The application fee, the annual location permit fee, and the renewal fee are non-refundable.

Sec. 39-5-16. Selection of licensed person for valet staging at the location; discontinuance of location permit.

(a) Any person who is issued an Annual Location Permit for Valet Staging under this division is required to select a person who is licensed under Division 3 of this article to engage in valet staging at the location approved by the Department of Public Works.

(b) Upon seven (7) days notice to the permit holder, a Location Permit for Valet Staging may be discontinued by the Department of Public Works where a find-

ing is made by the Department that the permit holder has failed to select a person licensed under Division 3 of this article to engage in valet staging at the location approved by the Department of Public Works.

Sec. 39-5-17. Suspension or revocation of permit; report to City Council.

(a) The Department of Public Works reserves the right to immediately suspend a location permit at any time where an emergency, adverse traffic conditions, special events, weather, or other conditions warrant such suspension or to preserve the public health, safety, and welfare.

(b) Except as provided in Subsection 39-5-16(b) of this Code and Subsection (a) of this section, upon thirty (30) days notice, the City reserves the right to suspend or revoke a Location Permit for Valet Staging for any violation of this article or where a finding is made by the Director of the Department of Public Works that there is a significant change in pedestrian or traffic conditions, which warrant the discontinuance of the permit.

(c) The Department of Public Works shall include in its annual report to the City Council information concerning any permits for valet staging that were suspended or discontinued under this section.

Sec. 39-5-18. Location permit not transferable.

A Location Permit for Valet Staging issued under this division is non-transferable to another person or to another street location.

Sec. 39-5-19. Renewal of location permit.

An application for the renewal of a location permit shall be submitted to the Department of Public Works thirty (30) days prior to its expiration date. The location permit may be renewed upon the payment of the location permit renewal fee, and a review and determination by the Department of Public Works that the location is in compliance with this article.

Sec. 39-5-20. Rules for location permits.

The Director of the Department of Public Works is authorized, in accordance with Section 2-111 of the 1997 Detroit City Charter, to promulgate rules for the denial, suspension, and revocation of a location permit for valet staging.

Sec. 39-5-21. Violation of this division.

(a) Any person who violates this division, or aids and abets another person to violate this division, may be issued a separate ordinance violation for each day that the violation continues.

(b) Any person who is found guilty of violating this section shall be convicted of a misdemeanor for each ordinance violation that is issued, and, in the discretion of the court, may be fined up to five hundred dollars (\$500.00) and sentenced to up to ninety (90) days in jail, or both, for each ordinance violation that is issued.

Secs. 39-5-22 — 39-5-30. Reserved.

Subdivision B. Temporary Valet Staging Permit

Sec. 39-5-31. Permit required for temporary valet staging; City to be held harmless as a condition of issuance.

(a) No person shall engage in, maintain, agree to, or contract for, temporary valet staging, as defined in Section 39-5-1 of this Code, within the City unless the person has obtained a Temporary Permit for Valet Staging pursuant to this division.

(b) As a condition for issuance of the permit that is required in Subsection (a) of this section, a person issued a Temporary Permit for Valet Staging pursuant to this division shall hold the City, and its officers, agents, and employees harmless from all suits, claims, charges, and judgments, including attorney fees, to which the City, and its officers, agents, and employees may be subject to as a result of the issuance of the Temporary Permit for Valet Staging and the operation of valet staging, for any injury to any person or damage to any property.

Sec. 39-5-32. Application.

(a) The owner of a commercial building, or its managing agent, or a lessee business within the commercial building, who desires to use the curb lane of any portion of a City street for temporary valet staging, as defined in Section 39-5-1 of this Code, for a specific time period shall submit a written application to the Department of Public Works and to the Police Department for a permit for temporary valet staging at least twenty-one (21) business days prior to the specified date for the proposed use of a City street for temporary valet staging.

(b) An application for approval of a permit for temporary valet staging shall include:

(1) The name and address of the commercial building, the name of the commercial building owner or business owner, and the name, sponsor, and type of event at the building or business;

(2) The name, address, and license number of the person licensed under Division 3 of this article to be selected by the holder of the temporary valet staging permit during the time period specified on the application;

(3) The City street to be used for temporary valet staging, including a detailed diagram, drawing or street map, which indicates the specific portion of the City street proposed to be used for the valet staging zone, existing signage, and the parking meters, if any, adjacent to the portion of the street to be impacted by the designated valet staging zone;

(4) The proposed days and hours of operation for the proposed temporary valet staging;

(5) An estimate of the number of motor vehicles to be processed during the permitted period for temporary valet staging;

(6) The proposed off-street parking location where the valet motor vehicles will be parked;

(7) The proposed route to and from the off-street parking location;

(8) The estimated number of valet parking attendants to be used at the location; and

(9) The application fee.

(c) Upon submission of an application for a Temporary Valet Staging Permit to the Department of Public Works and to the Police Department, the Department of Public Works shall immediately notify the Municipal Parking Department of the application. Upon the receipt of any objections, recommendations, restrictions, or lost parking meter revenue estimates, the Department of Public Works shall make a determination within fourteen (14) days whether to issue the temporary permit, and set any restrictions or requirements that should be included in the permit in the event the permit is issued.

(d) Where the application for a permit for temporary valet staging is approved by the Department of Public Works, and upon the payment of the permit fee to said Department, the Department shall issue to the applicant a permit with any restrictions or requirements on the use of the City street for temporary valet staging under this division.

(e) The Department of Public Works shall submit an annual report to the City Council, which provides information on any permits for temporary valet staging issued or renewed by the Department of Public Works, including the names of permit holders and the street locations.

Sec. 39-5-33. Erection and maintenance of signs and devices.

(a) Upon the issuance of a permit for temporary valet staging by the Department of Public Works, the temporary permit holder, or the licensed valet parking company operating at the location, shall erect and maintain removable visible

signs or other appropriate devices such as traffic cones and wind signs that have been approved by the Department of Public Works.

(b) Approved signs and devices shall be used only to provide the designated valet staging zone, the cost per motor vehicle for the valet staging service, and the name of the person licensed under Division 3 of this article to engage in valet staging at the location, provided, that approved signs shall not be stationed in the street, including in the approved valet staging zone.

Sec. 39-5-34. Selection of a licensed person; discontinuance of permit.

(a) Any person who is issued a permit for temporary valet staging under this division is required to select a person who has been licensed under Division 3 of this article to engage in valet staging that is offered pursuant to the permit.

(b) A permit for temporary valet staging that is issued under this division may be immediately discontinued by the Department of Public Works where the permit holder has failed to select a person who has been licensed under Division 3 of this article.

(c) The Department of Public Works reserves the right to immediately suspend a temporary permit at any time where traffic, special events, or other conditions warrant such suspension or to preserve the public health, safety, and welfare.

Sec. 39-5-35. Fee for temporary permit.

(a) The Department of Public Works shall establish, subject to the approval of City Council, a fee for a permit for temporary valet staging.

(b) The fee for the Temporary Valet Staging Permit shall be based upon the cost of issuance and administration of the permit, the amount of square feet being used for the valet staging zone, and, where applicable, the amount of lost parking meter revenue due to the valet staging zone as estimated by the Municipal Parking Department.

Sec. 39-5-36. Permit not transferable; expiration of permit.

(a) All permits for temporary valet staging that are issued under this division are non-transferable to another person or to another location and shall expire after the specified time period.

(b) It shall be unlawful for any person to engage in temporary valet staging by using an expired permit issued for the same location or a permit issued for another location.

Sec. 39-5-37. Rules for temporary permits.

The Department of Public Works is authorized, in accordance with Section 2-111 of the 1997 Detroit City Charter, to promulgate rules for the denial, suspension, and revocation of permits for temporary valet staging under this division.

Sec. 39-5-38. Violations of this division.

(a) Any person who violates this division, or aids and abets another person to violate this division, may be issued a separate ordinance violation for each day that the violation continues.

(b) Any person who is found guilty of violating this section shall be convicted of a misdemeanor for each ordinance violation that is issued, and, in the discretion of the court, may be fined up to five hundred dollars (\$500.00) and sentenced to up to ninety (90) days in jail, or both, for each ordinance violation that is issued.

Sec. 39-5-39 — 39-5-50. Reserved.

**DIVISION 3. VALET STAGING
BUSINESS LICENSE**

Sec. 39-5-51. License required.

No person shall engage in or maintain valet staging, as defined in Section 39-5-1 of this Code, within the City unless the person has a valid valet staging business license, which has been issued pursuant to this division.

Sec. 39-5-52. Application for license.

(a) Every person who desires to obtain a valet staging business license that is required by this division shall file a written application with the Buildings, Safety Engineering, and Environmental Department Business License Center.

(b) Each application for a valet staging business license shall include:

(1) The name and address of the person and, if applicable, the name and address of the owner(s) of the company or organization;

(2) Where the valet staging company is a corporation, the name and address of the resident agent for the corporation;

(3) A copy of the Annual Location Permit for Valet Staging or the Temporary Permit for Valet Staging; and

(4) The name and address of the off-street location where the motor vehicles will be parked after being valeted.

Sec. 39-5-53. Application fee.

(a) A non-refundable application fee shall be charged for the processing and issuance of a license under this division. The Buildings, Safety Engineering, and Environmental Department is authorized, subject to the approval of City Council, to establish a fee for the license, based upon the cost of issuance and administration under this article. The fee shall be posted

on a schedule at the Buildings, Safety Engineering, and Environmental Department Business License Center.

(b) A fee shall be charged to each new applicant and any existing person who is licensed to conduct valet staging and requests renewal of the license.

Sec. 39-5-54. Investigations required.

(a) Upon application and before any license required by this division shall be issued or renewed, it shall be the duty of the Buildings, Safety Engineering, and Environmental Department to refer such application:

(1) To the Chief of Police, or his or her designee, who shall cause an investigation to be completed to determine whether the applicant, or any of the applicant's co-owners, officers, or partners, have been convicted of any offense involving fraud, robbery or any crime involving car jacking or the theft of a motor vehicle, including the unauthorized driving away of a motor vehicle;

(2) To the Finance Director who shall cause an investigation to be completed to determine whether any City property tax or income tax, or special assessment, is unpaid, outstanding or delinquent; and

(3) To the Municipal Parking Department to verify the off-street parking location for the valeted motor vehicles and to issue a report on any lost meter revenue as a result of the valet staging zone.

(b) A valet staging business license shall not be issued or renewed by the Buildings, Safety Engineering, and Environmental Department until:

(1) The Police Department has provided its written confirmation that the applicant does not have any conviction for offenses which are delineated in Subsection (a)(1) of this section, and

(2) The Finance Department has provided its written confirmation that the applicant is not in arrears for taxes or assessments which are delineated in Subsection (a)(2) of this section.

Sec. 39-5-55. Determination and issuance of license.

(a) Within thirty (30) days of receipt of an application, the Buildings, Safety Engineering, and Environmental Department Business License Center shall process the application and review the background and tax and assessment information concerning the applicant that was forwarded to the Department pursuant to Section 39-5-54 of this Code. The Business License Center shall use such information in determining whether to approve or deny the license application.

(b) When making a determination

whether to approve or deny a valet staging business license, the Business License Center shall:

(1) Consider whether such person has previously operated in the City or in this state, or another city or state, under a valet staging business license or permit and has had such license or permit suspended or revoked and the reasons therefor; and

(2) Review the number and location of valet staging permits issued by the Department of Public Works near the commercial building where the person proposes to conduct valet staging.

(c) Upon payment of the fee and approval of the license application, including a renewal application, the Buildings, Safety Engineering, and Environmental Department Business License Center shall issue a valet staging business license.

Sec. 39-5-56. Insurance requirements for valet staging business license.

(a) A person licensed under this division shall maintain, at a minimum and at its expense:

(1) Commercial general liability insurance (broad form comprehensive) in the amounts of one million dollars (\$1,000,000) for each occurrence and two million dollars (\$2,000,000) in the aggregate, which shall name the City of Detroit as an additional insured;

(2) Garage-keepers liability insurance in the amounts of one hundred thousand dollars (\$100,000) for each occurrence and five hundred thousand dollars (\$500,000) in the aggregate, which shall name the City of Detroit as an additional insured; and

(3) Workers' compensation insurance covering employees.

(b) Certificates of insurance that evidence the coverage required in Subsection (a) of this section shall be filed with the Buildings, Safety Engineering, and Environmental Department Business License Center, and approved by the Corporation Counsel.

(c) Each of the insurance contracts described in the certificate of insurance shall contain a clause requiring a ten (10) day notice of cancellation to the City prior to the cancellation of any insurance coverage.

(d) Each of the insurance contracts described in the certificate of insurance required by this section shall include all valet parking attendants employed by the person or company licensed under this article.

Sec. 39-5-57. Regulations for licensed valet staging generally.

(a) Any person licensed under this division shall comply with any requirements of the Department of Public Works and the Police Department concerning the use of the curb lane on the City street for valet staging and the permanent signage for the valet staging zone.

(b) The street signage that is erected by the Department of Public Works shall indicate that parking is restricted to valet staging use including, but not limited to, the hours and days of the restriction and other necessary information as determined by the Department of Public Works.

(c) Upon the issuance by the Buildings, Safety Engineering, and Environmental Department, and after receipt by the applicant, the license for valet parking staging shall be posted at all times by the licensee inside the premises, or, when appropriate, in a temporary, removable structure located near the valet staging zone, where the valet staging is being provided in a conspicuous location near the entrance of the building.

(d) A person licensed to conduct valet staging or a valet parking attendant shall not erect or maintain any form of shelter or structure in the public right-of-way for the use either by any valet parking attendant or by any patron of the service.

(e) A person licensed to conduct valet staging or perform as a valet parking attendant shall not erect or maintain a key box or other device for the storage of keys to motor vehicles attached to, or on, any City property.

(f) A person licensed under this article to conduct valet staging and approved to operate valet staging at an approved location shall provide sufficient valet parking attendants to promptly handle all customer drop-offs for valet parking and to prevent motor vehicles congestion at, and in, the proximity of the valet staging zone.

(g) Motor vehicles to be valeted by a person licensed to conduct valet staging shall be received and returned only at a designated valet staging zone.

(h) Unless otherwise provided for in this article, any motor vehicle not staged at a designated valet staging zone shall be subject to all street parking regulations, the issuance of civil infractions, towing, and all other parking enforcement actions.

(i) A person licensed under this article to conduct valet staging shall require that all valet parking attendants park all motor vehicles at an off-street site that is approved by the Buildings, Safety Engineering, and Environmental Department,

provided, that a motor vehicle may temporarily remain standing at a designated valet staging zone until moved to the off-street location.

(j) A person licensed under this article to conduct valet staging shall not operate during those days, or times of day, that are inconsistent with the days, or times of day, authorized by the Annual Location Permit for Valet Staging and permanent signage, or the Temporary Valet Staging Permit.

(k) A person licensed under this article to conduct valet staging at an approved valet staging zone shall not park a motor vehicle on any alley, street, or other public right-of-way prohibited under Chapter 55 of this Code by the Police Department.

(l) For purposes of a Temporary Valet Staging Permit, the Police Department shall determine the proper location on the public street for valet staging.

Sec. 39-5-58. Requirements for valet parking attendants employed by a person licensed to conduct valet staging.

A person licensed under this article to conduct valet staging on a City Street shall require that all persons employed as valet parking attendants be licensed in accordance with Division 4 of this article.

Sec. 39-5-59. Suspension, revocation, or non-renewal of license.

Pursuant to Chapter 30 of this Code, the Buildings, Safety Engineering, and Environmental Department is authorized to deny renewal, suspend, or revoke a valet staging business license for any violation of this article, including any failure to comply with the requirements for valet staging or for a valet parking attendant.

Sec. 39-5-60. Failure to pay judgment, or order, for damage to valeted vehicles or for loss of property within a motor vehicle.

(a) The failure of a person licensed to conduct valet staging to pay any final judgment, or order of a court, for damage to, or loss of, a motor vehicle or personal property due to the negligence or intentional act of the holder of a valet staging business license, or one of its valet parking attendants, other employees or agents, within sixty (60) days after the judgment or order has become final shall be grounds for the denial of renewal, suspension, or revocation of a license to conduct valet staging.

(b) The Buildings, Safety Engineering, and Environmental Department is authorized to deny renewal, suspend, or revoke a license to conduct valet staging pursuant to Chapter 30 of this Code until the

satisfaction of any such outstanding judgment or order.

(c) A Temporary Valet Staging Permit shall not be issued to any owner of a commercial building, or its agent, who, or a business establishment which, has an outstanding judgment or order as a result of liability or loss as provided for in Subsection (a) of this section.

(d) No agreement, contract, lease, receipt, rule, or regulation shall exempt any person licensed under this article from liability for damage or loss under this section.

Sec. 39-5-61. License non-transferable.

All licenses to conduct valet staging that are issued under this division are non-transferable to another person or to another location.

Sec. 39-5-62. Expiration and renewal dates.

(a) All licenses to conduct valet staging that are issued pursuant to this division shall expire on January 31st of each year.

(b) All renewal applications for valet staging business licenses shall be filed with the Buildings, Safety Engineering, and Environmental Department before November 30th of each year.

Secs. 39-5-63 — 39-5-70. Reserved.

DIVISION 4. LICENSE FOR VALET PARKING ATTENDANT

Sec. 39-5-71. License required.

No person shall be employed or perform as a valet parking attendant within the City unless he or she holds a valid valet parking attendant license and has been issued an identification badge issued pursuant to this division.

Sec. 39-5-72. Application for license.

Every person who desires to obtain a valet parking attendant license and identification badge that is required by this division shall file a written application with the Police Department.

Sec. 39-5-73. Fees for license and badge.

(a) A non-refundable fee shall be charged for the processing and issuance of a license and identification badge under this division. The Police Department shall establish, subject to approval by the City Council, the fee for the license and badge. The fee shall be based upon the cost of issuance and administration of the license. The fee shall be posted on a schedule at the Police Department unit responsible for the issuance of the license and identification badge.

(b) A fee shall be charged each new applicant and any existing licensed valet parking attendant who requests renewal of a license and identification badge.

Sec. 39-5-74. Investigation required.

(a) Upon application, and before any license required by this division shall be issued or renewed, it shall be the duty of the Police Department to cause an investigation to be completed to determine whether the applicant within the last three (3) years has been convicted of any offense involving robbery or any crime involving car jacking or the theft of a motor vehicle, including unauthorized driving away of a motor vehicle.

(b) A valet parking attendant license shall not be issued or renewed by the Police Department until the Department has written confirmation that the applicant does not have any conviction for offenses which are delineated in Subsection (a) of this section.

Sec. 39-5-75. Issuance of license and badge.

Upon payment of the fee and review and investigation of the applicant for a license by the Police Department, an annual license and identification badge shall be issued.

Sec. 39-5-76. Valet parking attendant requirements.

The valet parking attendant shall:

(1) Be subject to all state law and City traffic ordinances applicable to motor vehicles;

(2) Be eighteen (18) years of age or older;

(3) Possess a valid Michigan operator license;

(4) Neither operate during those days or times of day, nor operate upon those streets, alleys, or other public ways or places, prohibited under this article or by the Police Department; and

(5) Wear an identification badge while on duty that is issued by the person or company licensed to conduct valet staging at the permitted location, which includes the employee's full name, a photograph of the employee, and, where applicable, the complete business name of the valet staging company, on the front of his or her garment so that the photograph of the employee and, where applicable, the name of the valet staging company that employs the attendant is visible to the public.

Sec. 39-5-77. License in possession required.

Upon issuance by the Police Department and after receipt, a valet parking attendant shall keep said license in his or her possession at all times while on duty with a valet parking service and conducting valet staging.

Sec. 39-5-78. License non-transferable.

All valet parking attendant licenses and identification badges that are issued under this division are non-transferable.

Sec. 39-5-79. Expiration and renewal dates.

(a) All valet parking service attendant licenses and identification badges issued pursuant to this division shall expire on January 31st of each year.

(b) All applications for renewal of valet parking attendant licenses and identification badges shall be filed with the Police Department before December 15th of each year to facilitate the timely renewal of the license and badge.

Secs. 39-5-80 — 39-5-100. Reserved.

Section 2. All ordinances, or parts of

ordinances, which conflict with this ordinance are repealed.

Section 3. This ordinance is declared necessary for the preservation of public peace, health, safety, and welfare of the People of the City of Detroit.

Section 4. This ordinance shall become effective ninety (90) days after publication in accordance with Section 4-116 of the 1997 Detroit City Charter.

J.C.C.:	October 19, 2010
Passed:	November 16, 2010
Approved:	November 22, 2010
Published:	December 2, 2010
Effective:	March 4, 2011

JANICE M. WINFREY
City Clerk