

**CITY OF BALTIMORE
COUNCIL BILL 07-0803
(First Reader)**

Introduced by: The Council President

At the request of: The Administration (Parking Authority)

Introduced and read first time: September 17, 2007

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Commission, Department of Public Works, Baltimore City Parking Authority Board, Department of Transportation, Department of Transportation, Department of Finance

A BILL ENTITLED

AN ORDINANCE concerning

Valet Parking

FOR the purpose of regulating the provision of valet parking services; requiring valet parking operators to be licensed; requiring permits for valet parking zones; establishing certain standards of operation; establishing an Appeals Board for the review of administrative decisions; providing for judicial and appellate review of Appeals Board decisions; defining certain terms; imposing certain penalties; correcting, clarifying, and conforming related provisions governing passenger loading zones and freight loading zones; designating passenger loading zones, freight loading zones, and valet parking zones as impoundment areas; clarifying responsibility for collecting applicable parking taxes; providing for a special effective date; and generally relating to the licensing and regulation of valet parking services.

BY repealing

Article 31 - Transit and Traffic
Section(s) 1-1(m) and 1-2(e)
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article 31 - Transit and Traffic
Section(s) 6-16
Baltimore City Code
(Edition 2000)

BY adding

Article 31 - Transit and Traffic
Section(s) 14-1 to 14-47, to be under the new subtitle,
“Subtitle 14. Valet Parking”
Baltimore City Code
(Edition 2000)

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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BY adding
Article 31 - Transit and Traffic
Section(s) 31-107
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, without amendments
Article 31 - Transit and Traffic
Section(s) 36-1, 36-9(1), and 37-1
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments
Article 28 - Taxes
Section(s) 22-5
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the
Laws of Baltimore City read as follows:

Baltimore City Code

Article 31. Transit and Traffic

Subtitle 1. Definitions; General Provisions

§ 1-1. Definitions — A to L.

[(m) *Freight {curb} loading zone.*

“Freight {curb} loading zone” means a space adjacent to a curb reserved for the
exclusive use of commercial vehicles during the expeditious taking on or discharging of
property.]

§ 1-2. Definitions — M to R.

[(e) *Passenger {curb} loading zone.*

“Passenger {curb} loading zone” means a space adjacent to a curb reserved for the
exclusive use of vehicles taking on or discharging passengers or passengers’ baggage
transported upon the same vehicle.]

Subtitle 6. Parking, Standing, and Stopping Regulations

Part 2. Places Prohibited

§ 6-16. Passenger and freight curb loading zones.

(A) *DEFINITIONS.*

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(1) *IN GENERAL.*

IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(2) *“FREIGHT LOADING ZONE”.*

“FREIGHT LOADING ZONE” MEANS A SPACE ADJACENT TO A CURB THAT, DURING SPECIFIED TIMES, IS RESERVED EXCLUSIVELY FOR THE USE OF COMMERCIAL VEHICLES DURING THE EXPEDITIOUS LOADING OR UNLOADING OF PROPERTY.

(3) *“PASSENGER LOADING ZONE”.*

(I) “PASSENGER LOADING ZONE” MEANS A SPACE ADJACENT TO A CURB THAT, DURING SPECIFIED TIMES, IS RESERVED EXCLUSIVELY FOR THE USE OF VEHICLES THAT ARE LOADING OR UNLOADING PASSENGERS AND THEIR BAGGAGE.

(II) “PASSENGER LOADING ZONE” DOES NOT INCLUDE A VALET PARKING ZONE ESTABLISHED UNDER TITLE 14 {“VALET PARKING”} OF THIS ARTICLE.

(B) [(a) *Location*] *ESTABLISHMENT OF ZONES*; signs.

(1) The Director of Public Works[: (1) is hereby authorized to] MAY determine the location of AND OPERATIONAL HOURS FOR passenger LOADING ZONES and freight [curb] loading zones[; and].

(2) THE DIRECTOR shall place and maintain AT EACH PASSENGER LOADING ZONE AND FREIGHT LOADING ZONE appropriate signs THAT:

(i) [indicating] INDICATE the location of [such zones] THE ZONE; and

(ii) [stating] STATE the OPERATIONAL hours during which the [following provisions] RESTRICTIONS of this section [are applicable] APPLY.

(C) [(b)] *Freight LOADING zones.*

(1) No person [shall be permitted to] MAY park a vehicle in [any place marked as] a freight [curb] loading zone during ITS OPERATIONAL hours [when the provisions applicable to such a zone are in effect].

(2) No [vehicle shall be permitted to] PERSON MAY stop A VEHICLE in a freight [curb] loading zone DURING ITS OPERATIONAL HOURS unless:

(I) THE VEHICLE IS A COMMERCIAL VEHICLE actually in the process of expeditiously loading or unloading [materials] PROPERTY[.]; OR

(II) [(3) Nothing in this section shall prohibit] THE VEHICLE IS a passenger vehicle [from] stopping temporarily [at a place marked as a freight curb loading zone] for the purpose of and while actually engaged in EXPEDITIOUSLY loading or unloading passengers, [when such] AS LONG AS ITS stopping does not interfere with any [motor] COMMERCIAL vehicle THAT IS [used for transportation of materials which is] waiting to enter or about to enter [such] THAT zone.

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(D) [(c)] *Passenger LOADING zones.*

No person [shall] MAY stop a vehicle in [the] A PASSENGER LOADING zone DURING ITS OPERATIONAL HOURS for any purpose or period of time other than for the expeditious loading or unloading of passengers AND THEIR BAGGAGE [at any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zones are effective, and then, only for a period not to exceed 10 minutes].

§ 6-17. VALET PARKING ZONES.

(A) “VALET PARKING ZONE” DEFINED.

IN THIS SECTION, “VALET PARKING ZONE” HAS THE MEANING STATED IN § 14-1 OF THIS ARTICLE.

(B) *STOPPING PROHIBITED.*

NO PERSON MAY STOP A VEHICLE IN A VALET PARKING ZONE DURING ITS OPERATIONAL HOURS UNLESS:

(1) THE PERSON IS IN THE PROCESS OF SEEKING THE VALET PARKING SERVICES BEING OFFERED THERE; OR

(2) THE VEHICLE IS A PASSENGER VEHICLE STOPPING TEMPORARILY FOR THE PURPOSE OF AND WHILE ACTUALLY ENGAGED IN EXPEDITIOUSLY LOADING OR UNLOADING PASSENGERS, AS LONG AS ITS STOPPING DOES NOT INTERFERE WITH ANY OTHER VEHICLE THAT IS WAITING TO ENTER OR ABOUT TO ENTER THE ZONE FOR VALET PARKING SERVICES.

SUBTITLE 14. VALET PARKING

PART I. DEFINITIONS; GENERAL PROVISIONS

§ 14-1. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *ATTENDANT.*

“ATTENDANT” MEANS ANY INDIVIDUAL WHO DIRECTS, DRIVES, PARKS, OR OTHERWISE ASSUMES CONTROL OF A VEHICLE AS PART OF A VALET PARKING SERVICE.

(C) *AUTHORITY.*

“AUTHORITY” MEANS THE BALTIMORE CITY PARKING AUTHORITY.

(D) *BOARD OF DIRECTORS.*

“BOARD OF DIRECTORS” MEANS THE AUTHORITY’S BOARD OF DIRECTORS.

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(E) *CONTRACT-OPERATOR*.

“CONTRACT-OPERATOR” MEANS AN OPERATOR THAT PROVIDES VALET PARKING SERVICES UNDER CONTRACT WITH A HOST.

(F) *EXECUTIVE DIRECTOR*.

“EXECUTIVE DIRECTOR” MEANS THE EXECUTIVE DIRECTOR OF THE AUTHORITY OR THE EXECUTIVE DIRECTOR’S DESIGNEE.

(G) *HOST*.

“HOST” MEANS ANY BUSINESS ESTABLISHMENT OR OTHER PERSON THAT OFFERS VALET PARKING SERVICES TO ITS PATRONS, WHETHER:

(1) DIRECTLY THROUGH ITS OWN EMPLOYEES OR AGENTS; OR

(2) INDIRECTLY BY CONTRACT WITH ANOTHER PERSON.

(H) *HOST-OPERATOR*.

“HOST-OPERATOR” MEANS A HOST THAT PROVIDES VALET PARKING SERVICES DIRECTLY THROUGH ITS OWN EMPLOYEES OR AGENTS.

(I) *INCLUDES; INCLUDING*.

“INCLUDES” OR “INCLUDING” MEANS BY WAY OF ILLUSTRATION AND NOT BY WAY OF LIMITATION.

(J) *OPERATOR*.

(1) “OPERATOR” MEANS ANY PERSON THAT, THROUGH ITS EMPLOYEES OR AGENTS, PROVIDES OR OFFERS TO PROVIDE VALET PARKING SERVICES.

(2) “OPERATOR” INCLUDES ANY HOST THAT PROVIDES OR OFFERS TO PROVIDE VALET PARKING SERVICES THROUGH ITS OWN EMPLOYEES OR AGENTS.

(K) *PERSON*.

(1) *IN GENERAL*.

“PERSON” MEANS:

(I) AN INDIVIDUAL;

(II) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY KIND; OR

(III) A RECEIVER, TRUSTEE, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY, OR REPRESENTATIVE OF ANY KIND.

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1 (2) *EXCLUSIONS.*

2 “PERSON” DOES NOT INCLUDE, UNLESS OTHERWISE EXPRESSLY PROVIDED, A
3 GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL
4 ENTITY.

5 (L) *VALET PARKING SERVICE.*

6 (1) “VALET PARKING SERVICE” MEANS, EXCEPT AS SPECIFIED IN PARAGRAPH (3) OF THIS
7 SUBSECTION, ANY OF THE FOLLOWING ACTS PERFORMED FOR THE BENEFIT OF A
8 VEHICLE’S DRIVER:

9 (I) MOVING A VEHICLE FROM ONE LOCATION TO ANOTHER LOCATION FOR
10 PARKING; OR

11 (II) RETURNING A VEHICLE FROM ITS PARKED LOCATION TO ANOTHER LOCATION
12 FOR PICK-UP.

13 (2) “VALET PARKING SERVICE” INCLUDES ANY ACT DESCRIBED IN PARAGRAPH (1) OF THIS
14 SUBSECTION, WHETHER:

15 (I) A FEE IS CHARGED FOR THE SERVICE OR NOT; OR

16 (II) THE SERVICE IS PROVIDED BY THE HOST DIRECTLY OR BY ANOTHER PERSON
17 UNDER CONTRACT WITH THE HOST.

18 (3) “VALET PARKING SERVICE” DOES NOT INCLUDE ATTENDANT PARKING AT AN OFF-
19 STREET PARKING FACILITY.

20 (M) *VALET PARKING ZONE.*

21 “VALET PARKING ZONE” MEANS A SPACE ADJACENT TO A CURB THAT, DURING SPECIFIED
22 TIMES, IS RESERVED EXCLUSIVELY FOR VALET PARKING SERVICES.

23 **§ 14-2. MANDATORY, PROHIBITORY, AND PERMISSIVE TERMS.**

24 (A) *MANDATORY TERMS.*

25 “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A REQUIREMENT
26 OR TO IMPOSE A DUTY.

27 (B) *PROHIBITORY TERMS.*

28 “MUST NOT” AND “MAY NOT” ARE EACH MANDATORY NEGATIVE TERMS USED TO
29 ESTABLISH A PROHIBITION.

30 (C) *PERMISSIVE TERMS.*

31 “MAY” IS PERMISSIVE.

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§ 14-3. RULES AND REGULATIONS.

(A) ADOPTION.

(1) THE AUTHORITY'S BOARD OF DIRECTORS MUST ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SUBTITLE.

(2) THE BOARD OF DIRECTORS MUST OBTAIN APPROVAL OF THE BOARD OF ESTIMATES BEFORE ADOPTING ANY RULE OR REGULATION THAT:

(I) SETS THE APPLICATION, LICENSE, PERMIT, OR OTHER FEES IMPOSED UNDER THIS SUBTITLE; OR

(II) GOVERNS THE ISSUANCE OF ANY MINOR PRIVILEGE PERMIT NEEDED FOR A VALET PARKING ZONE.

(B) FILING WITH LEGISLATIVE REFERENCE.

A COPY OF ALL RULES AND REGULATIONS MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE EFFECT.

§ 14-4. {RESERVED}

§ 14-5. EXEMPTIONS FOR CERTAIN TEMPORARY, NONPROFIT OPERATIONS.

(A) FULL EXEMPTION.

THIS SUBTITLE DOES NOT APPLY TO A TEMPORARY VALET PARKING SERVICE IF:

(1) NO PROFESSIONAL OPERATOR IS BEING USED FOR THE SERVICE;

(2) NO FEE IS CHARGED TO USERS OF THE SERVICE; AND

(3) THE SERVICE IS BEING PROVIDED:

(I) AT A PRIVATE RESIDENCE;

(II) FOR A NONPROFIT ORGANIZATION; OR

(III) FOR A PUBLIC ENTITY.

(B) PARTIAL EXEMPTION.

IF A PROFESSIONAL OPERATOR IS BEING USED FOR THE SERVICE, BUT ALL OF THE OTHER CONDITIONS SPECIFIED IN SUBSECTION (A) OF THIS SECTION ARE MET:

(1) A PARKING ZONE PERMIT UNDER PART III OF THIS SUBTITLE IS NOT REQUIRED FOR THE SERVICE;

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(2) THE OPERATOR MUST BE LICENSED UNDER PART II OF THIS SUBTITLE AND, EXCEPT AS PROVIDED IN ITEM (3) OF THIS SUBSECTION, MUST COMPLY WITH ALL OTHER APPLICABLE REQUIREMENTS OF THIS SUBTITLE; AND

(3) THE EXECUTIVE DIRECTOR, IN HIS OR HER DISCRETION, MAY APPROVE A VALET PARKING PLAN SUBMITTED BY THE OPERATOR THAT ALLOWS THE USE OF PUBLIC RIGHTS-OF-WAY FOR PARKING.

§ 14-6. {RESERVED}

PART II. VALET OPERATOR'S LICENSE

§ 14-7. LICENSE REQUIRED.

NO OPERATOR MAY PROVIDE OR OFFER TO PROVIDE ANY VALET PARKING SERVICE WITHOUT FIRST HAVING OBTAINED AN OPERATOR'S LICENSE FROM THE AUTHORITY.

§ 14-8. QUALIFICATIONS FOR LICENSE.

(A) *IN GENERAL.*

TO QUALIFY FOR AN OPERATOR'S LICENSE, AN APPLICANT MUST MEET THE REQUIREMENTS OF THIS SECTION.

(B) *PRIOR INFRACTIONS.*

NEITHER THE APPLICANT NOR ANY OF THE APPLICANT'S EMPLOYEES, ATTENDANTS OR OTHER AGENTS HAS COMMITTED AN ACT OR OMISSION WITHIN THE PRECEDING 12 MONTHS THAT, UNDER § 14-41 OF THIS SUBTITLE, IS CAUSE FOR THE DENIAL, SUSPENSION, OR REVOCATION OF AN OPERATOR'S LICENSE.

(C) *LIABILITY INSURANCE.*

(1) THE APPLICANT MUST HAVE AND MAINTAIN LIABILITY INSURANCE COVERAGE THAT COVERS, AS INSURED PARTIES:

(I) THE APPLICANT;

(II) ALL HOSTS FOR WHICH THE OPERATOR IS OR MAY BECOME UNDER CONTRACT DURING THE TERM OF THE LICENSE; AND

(III) THE MAYOR AND CITY COUNCIL OF BALTIMORE.

(2) THE COVERAGE PROVIDED MUST BE OF THE TYPE AND FOR THE AMOUNT THAT THE CITY'S OFFICE OF RISK MANAGEMENT PRESCRIBES.

§ 14-9. APPLICATIONS.

(A) *FORM.*

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1 AN APPLICATION FOR AN OPERATOR'S LICENSE MUST BE SUBMITTED IN THE FORM THAT
2 THE EXECUTIVE DIRECTOR REQUIRES.

3 (B) *APPLICATION FEE.*

4 (1) THE APPLICATION MUST BE ACCOMPANIED BY A NON-REFUNDABLE APPLICATION FEE
5 TO COVER THE COST OF INVESTIGATING AND PROCESSING THE APPLICATION.

6 (2) THE AMOUNT OF THE FEE IS AS SET FORTH IN THE RULES AND REGULATIONS ADOPTED
7 UNDER THIS SUBTITLE.

8 (C) *CONTENTS.*

9 THE APPLICATION MUST CONTAIN:

10 (1) THE APPLICANT'S FULL LEGAL NAME AND ANY TRADE NAME(S) UNDER WHICH IT
11 OPERATES;

12 (2) THE ADDRESS AND TELEPHONE NUMBER OF THE APPLICANT'S PRINCIPAL PLACE OF
13 BUSINESS;

14 (3) THE ADDRESSES AND TELEPHONE NUMBERS OF ANY OTHER OF APPLICANT'S
15 PLACES OF BUSINESS IN THE CITY;

16 (4) PROOF OF INSURANCE IN THE FORM AND AMOUNT REQUIRED UNDER § 14-8(C)
17 {"QUALIFICATIONS: LIABILITY INSURANCE"} OF THIS SUBTITLE;

18 (5) A STATEMENT AS TO WHETHER THE APPLICANT PROPOSES TO PROVIDE VALET
19 PARKING SERVICES AS A HOST-OPERATOR OR AS A CONTRACT-OPERATOR;

20 (6) A LISTING OF ALL OPERATOR'S LICENSES OR PERMITS ISSUED TO THE APPLICANT
21 WITHIN THE PRECEDING 5 YEARS, WHETHER BY THE CITY OR ANY OTHER
22 JURISDICTION;

23 (6) A LIST OF ALL HOSTS IN THE CITY OR ANY OTHER JURISDICTION THAT HAVE USED
24 THE APPLICANT'S SERVICES WITHIN THE PRECEDING 2 YEARS;

25 (7) CERTIFICATION THAT EACH ATTENDANT EMPLOYED BY THE APPLICANT:

26 (I) POSSESSES A VALID DRIVER'S LICENSE; AND

27 (II) IS 18 YEARS OLD OR OLDER; AND

28 (8) ANY OTHER INFORMATION THAT THE EXECUTIVE DIRECTOR REQUIRES.

29 (D) *SIGNATURE AND VERIFICATION.*

30 THE APPLICATION MUST BE SIGNED, UNDER OATH OR AFFIRMATION, BY THE APPLICANT AS
31 FOLLOWS:

32 (1) IF FOR A SOLE PROPRIETORSHIP, BY ITS OWNER;

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(2) IF FOR A PARTNERSHIP, BY ITS MANAGING PARTNER; AND

(3) IF FOR A CORPORATION, LIMITED LIABILITY COMPANY, OR SIMILAR ENTITY, BY ITS
CHIEF EXECUTIVE OFFICER.

§ 14-10. ISSUANCE OF LICENSES.

THE AUTHORITY MUST ISSUE A LICENSE TO ANY APPLICANT WHO :

(1) MEETS THE REQUIREMENTS OF THIS SUBTITLE; AND

(2) PAYS THE APPLICABLE LICENSE FEE.

§ 14-11. TERM AND RENEWAL OF LICENSES.

(A) *TERM.*

AN OPERATOR'S LICENSE EXPIRES ANNUALLY ON DECEMBER 31 AND IS RENEWABLE AS
PROVIDED IN THIS SECTION.

(B) *APPLICATION FOR RENEWAL.*

(1) TO RENEW AN OPERATOR'S LICENSE, THE LICENSEE MUST APPLY NO LESS THAN 60 NOR
MORE THAN 90 DAYS BEFORE THE LICENSE EXPIRES.

(2) THE APPLICATION FOR RENEWAL MUST BE IN THE FORM AND CONTAIN THE
INFORMATION THAT THE EXECUTIVE DIRECTOR REQUIRES.

§ 14-12. LICENSE FEES.

(A) *ANNUAL FEE.*

THE ANNUAL LICENSE FEE IS AS SET FORTH IN THE RULES AND REGULATIONS ADOPTED
UNDER THIS SUBTITLE.

(B) *INITIAL FEE.*

FOR AN INITIAL LICENSE, THE FEE FOR LESS THAN A FULL YEAR IS PRORATED SEMI-
ANNUALLY.

§ 14-13. LICENSE NOT TRANSFERABLE.

AN OPERATOR'S LICENSE ISSUED UNDER THIS PART IS NOT ASSIGNABLE OR TRANSFERABLE TO
ANY OTHER PERSON.

§§ 14-14 TO 14-15. {RESERVED}

PART III. VALET PARKING ZONE PERMIT

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§ 14-16. PERMIT REQUIRED.

NO HOST MAY PROVIDE OR OFFER TO PROVIDE ANY VALET PARKING SERVICE THAT USES ANY PORTION OF A PUBLIC RIGHT-OF-WAY FOR DROP-OFF, PICK-UP, PARKING, OR TEMPORARY STOPPING OR STANDING, EXCEPT IN COMPLIANCE WITH A VALET PARKING ZONE PERMIT ISSUED BY THE AUTHORITY.

§ 14-17. QUALIFICATIONS FOR PERMIT.

(A) *IN GENERAL.*

TO QUALIFY FOR A VALET PARKING ZONE PERMIT, A HOST MUST MEET THE REQUIREMENTS OF THIS SECTION.

(B) *OPERATOR'S LICENSE.*

THE HOST MUST:

(1) HOLD A VALID HOST-OPERATOR'S LICENSE ISSUED UNDER PART II OF THIS SUBTITLE; OR

(2) PROVIDE ALL VALET PARKING SERVICES UNDER CONTRACT WITH AN OPERATOR THAT HOLDS A VALID CONTRACT-OPERATOR'S LICENSE ISSUED UNDER PART II OF THIS SUBTITLE.

(C) *PRIOR INFRACTIONS.*

NEITHER THE HOST NOR ANY OF THE APPLICANT'S EMPLOYEES, ATTENDANTS OR OTHER AGENTS HAS COMMITTED AN ACT OR OMISSION WITHIN THE PRECEDING 12 MONTHS THAT, UNDER § 14-41 OF THIS SUBTITLE, IS CAUSE FOR THE DENIAL, SUSPENSION, OR REVOCATION OF AN OPERATOR'S LICENSE.

§ 14-18. APPLICATIONS.

(A) *FORM.*

AN APPLICATION FOR A VALET PARKING ZONE PERMIT MUST BE SUBMITTED IN THE FORM THAT THE EXECUTIVE DIRECTOR REQUIRES.

(B) *APPLICATION FEE.*

(1) THE APPLICATION MUST BE ACCOMPANIED BY A NON-REFUNDABLE APPLICATION FEE TO COVER THE COST OF INVESTIGATING AND PROCESSING THE APPLICATION.

(2) THE AMOUNT OF THE FEE IS AS SET FORTH IN THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE.

(C) *CONTENTS.*

THE APPLICATION MUST CONTAIN:

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(1) THE HOST'S FULL LEGAL NAME AND ANY TRADE NAME(S) UNDER WHICH IT OPERATES;

(2) THE ADDRESS AND TELEPHONE NUMBER OF THE HOST'S PRINCIPAL PLACE OF BUSINESS;

(3) THE LOCATION AT WHICH THE HOST PROPOSES TO PROVIDE VALET PARKING SERVICES;

(4) THE NATURE OF THE BUSINESS OR OTHER ACTIVITY CONDUCTED BY THE HOST AT THAT LOCATION;

(5) IF THE HOST WILL BE PROVIDING THE VALET PARKING SERVICES THROUGH ITS OWN EMPLOYEES AND AGENTS, THE IDENTIFICATION NUMBER OF ITS HOST-OPERATOR'S APPLICATION OR LICENSE UNDER PART II OF THIS SUBTITLE;

(6) IF THE HOST WILL BE PROVIDING THE VALET PARKING SERVICES UNDER CONTRACT WITH AN OPERATOR, THE IDENTIFICATION NUMBER OF THE OPERATOR'S CONTRACT-OPERATOR'S LICENSE ISSUED UNDER PART II OF THIS SUBTITLE;

(7) A VALET PARKING PLAN FOR THE LOCATION THAT COMPLIES WITH § 14-19 {"VALET PARKING PLAN"} OF THIS SUBTITLE; AND

(8) ANY OTHER INFORMATION THAT THE EXECUTIVE DIRECTOR REQUIRES.

(D) *SIGNATURE AND VERIFICATION.*

(1) THE APPLICATION MUST BE SIGNED, UNDER OATH OR AFFIRMATION, BY:

(I) THE HOST; AND

(II) ANY CONTRACT-OPERATOR TO BE USED TO PROVIDE THE SERVICE.

(2) THE INDIVIDUAL SIGNING ON BEHALF OF THE HOST OR A CONTRACT-OPERATOR MUST BE:

(1) IF FOR A SOLE PROPRIETORSHIP, ITS OWNER;

(2) IF FOR A PARTNERSHIP, ITS MANAGING PARTNER; AND

(3) IF FOR A CORPORATION, LIMITED LIABILITY COMPANY, OR SIMILAR ENTITY, ITS CHIEF EXECUTIVE OFFICER.

§ 14-19. VALET PARKING PLAN – SUBMISSION.

(A) *IN GENERAL.*

THE APPLICATION MUST BE ACCOMPANIED BY A VALET PARKING PLAN THAT CONTAINS THE FOLLOWING INFORMATION.

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1 (B) *TIMES OF OPERATION; OCCUPANCY.*

2 THE PLAN MUST SPECIFY:

3 (1) THE DAYS OF THE WEEK AND THE HOURS OF THOSE DAYS DURING WHICH VALET
4 PARKING SERVICES WILL BE PROVIDED; AND

5 (2) THE HOST'S SEATING OR OTHER OCCUPANCY CAPACITY.

6 (C) *PHOTOS OF LOCATION.*

7 (1) THE PLAN MUST INCLUDE PHOTOGRAPHS OF THE PROPOSED VALET PARKING ZONE,
8 INCLUDING THE CURB SPACE AND ROADWAY.

9 (2) THE NUMBER OF PHOTOGRAPHS AND THE VIEWS TO BE SHOWN ARE AS SET FORTH IN
10 THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE.

11 (D) *PATTERN OF DROP-OFF AND PICK-UP.*

12 THE PLAN MUST DESCRIBE THE PROPOSED PATTERN OF DROP-OFF AND PICK-UP OF
13 VEHICLES.
14

15 (E) *LOCATION OF OFF-STREET PARKING FACILITY.*

16 (1) THE PLAN MUST IDENTIFY, BY NAME, ADDRESS, AND TELEPHONE NUMBER, THE OFF-
17 STREET PARKING FACILITY AT WHICH VEHICLES WILL BE PARKED.

18 (2) THE PARKING FACILITY MUST BE:

19 (I) LICENSED TO THE EXTENT REQUIRED BY CITY CODE ARTICLE 15, SUBTITLE 12
20 {"PARKING FACILITIES"}; AND

21 (II) LOCATED WITHIN A 2-MILE RADIUS OF THE VALET PARKING ZONE.

22 (3) (I) UNLESS THE PARKING FACILITY IS ON THE HOST'S PREMISES OR OTHERWISE
23 OWNED OR CONTROLLED BY THE HOST, THE PLAN MUST INCLUDE A COPY OF THE
24 LEASE OR OTHER AGREEMENT THAT AUTHORIZES THE FACILITY'S USE FOR VALET
25 PARKING SERVICES.

26 (II) THE LEASE OR OTHER AGREEMENT MUST SPECIFY:

27 (A) THE TOTAL NUMBER OF PARKING SPACES AT THE FACILITY; AND

28 (B) THE NUMBER OF THOSE SPACES THAT ARE SET ASIDE FOR THE EXCLUSIVE
29 USE OF VEHICLES FROM THE VALET PARKING SERVICE.

30 (F) *TRAFFIC FLOW.*

31 THE PLAN MUST SPECIFY THE ROUTE(S) TO BE DRIVEN BETWEEN THE VALET PARKING
32 ZONE AND THE OFF-STREET PARKING FACILITY.
33

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1 (G) *NUMBER OF VEHICLES, EMPLOYEES.*

2 THE PLAN MUST STATE:

3 (1) THE ESTIMATED NUMBER OF VEHICLES THAT WILL BE VALET PARKED DURING EACH
4 HOUR OF OPERATION; AND

5 (2) THE ESTIMATED NUMBER OF EMPLOYEES OR AGENTS THAT WILL PROVIDE VALET
6 PARKING SERVICES DURING EACH HOUR OF OPERATION.

7 (H) *SITE MANAGER.*

8 THE PLAN MUST PROVIDE THE DAYTIME AND NIGHTTIME TELEPHONE NUMBERS OF THE
9 INDIVIDUAL(S) WHO WILL MANAGE THE VALET PARKING SERVICES AT THE LOCATION.

10 (I) *NOTICE TO PUBLIC*

11 THE PLAN MUST CONTAIN VERIFICATION THAT ADVANCE NOTICE OF THE APPLICATION
12 AND VALET PARKING PLAN HAS BEEN PROVIDED TO:

13 (1) THE OWNERS OF THE PROPERTY ADJACENT TO THE HOST; AND

14 (2) THE NEIGHBORHOOD ASSOCIATIONS ON FILE WITH THE DEPARTMENT OF PLANNING
15 AS REPRESENTING THE AFFECTED AREA.

16 (J) *OTHER INFORMATION.*

17 THE PLAN MUST INCLUDE ANY OTHER INFORMATION THAT THE EXECUTIVE DIRECTOR
18 REQUIRES.

19 **§ 14-20. VALET PARKING PLAN – CONSIDERATIONS.**

20 (A) *MINIMUM FINDINGS.*

21 THE EXECUTIVE DIRECTOR MAY APPROVE A VALET PARKING PLAN ONLY IF:

22 (1) THE VALET PARKING SERVICES WILL NOT DISRUPT VEHICULAR AND PEDESTRIAN
23 TRAFFIC;

24 (2) THE VALET PARKING SERVICES WILL NOT POSE A THREAT TO PUBLIC SAFETY; AND

25 (3) THE VALET PARKING PLAN PROVIDES FOR ENOUGH ATTENDANTS AND OTHER
26 EMPLOYEES AND AGENTS TO EFFICIENTLY HANDLE THE PROJECTED NUMBER OF
27 VEHICLES DURING ALL HOURS OF VALET PARKING SERVICES.

28 (B) *ADDITIONAL CONSIDERATIONS.*

29 IN DECIDING WHETHER TO APPROVE A VALET PARKING PLAN, THE EXECUTIVE DIRECTOR
30 MAY CONSIDER THE FOLLOWING CRITERIA:

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- (1) THE NUMBER OF OFF-STREET PARKING SPACES THAT WILL BE USED DURING VALET PARKING SERVICES;
- (2) NORMAL TRAFFIC CONDITIONS AT THE TIME OF VALET PARKING SERVICES;
- (3) THE TIME REQUIRED TO TRAVEL SAFELY, ON FOOT AND BY VEHICLE, TO AND FROM THE VALET PARKING ZONE AND THE OFF-STREET PARKING FACILITY IN WHICH VEHICLES WILL BE PARKED;
- (4) THE ESTIMATED NUMBER OF VEHICLES THAT WILL BE PARKED DURING EACH HOUR OF VALET PARKING SERVICES;
- (5) THE AVERAGE LENGTH OF TIME A VEHICLE WILL BE PARKED DURING VALET PARKING HOURS; AND
- (6) THE DISTANCE BETWEEN THE VALET PARKING ZONE AND THE OFF-STREET PARKING FACILITY IN WHICH VEHICLES WILL BE PARKED.

(C) *FINAL DETERMINATION.*

IN APPROVING A PLAN, THE EXECUTIVE DIRECTOR MAKES THE FINAL DETERMINATION OF:

- (1) THE LOCATION OF THE VALET PARKING ZONE;
- (2) THE SIZE OF THE ZONE; AND
- (3) THE HOURS OF OPERATION.

§ 14-21. SPECIAL CONDITIONS.

(A) *INDEMNIFICATION.*

THE ISSUANCE OF A VALET PARKING ZONE PERMIT IS CONDITIONED ON RECEIPT OF A WRITTEN AGREEMENT BY THE HOST AND BY ANY CONTRACT-OPERATOR PROVIDING SERVICES UNDER THE PERMIT THAT THEY EACH, JOINTLY AND SEVERALLY, WILL SAVE HARMLESS AND INDEMNIFY THE PARKING AUTHORITY OF BALTIMORE CITY THE MAYOR AND CITY COUNCIL OF BALTIMORE, AND THEIR OFFICERS, AGENTS, AND EMPLOYEES FROM ALL SUITS, LOSSES, CLAIMS, LIABILITIES, DAMAGES, OR EXPENSES TO WHICH ANY OF THEM IS SUBJECTED ON ACCOUNT OF THE ISSUANCE OF A VALET PARKING ZONE PERMIT OR THE OPERATION OF VALET PARKING SERVICES.

(B) *OTHER CONDITIONS.*

THE EXECUTIVE DIRECTOR MAY IMPOSE REASONABLE LIMITATIONS AND CONDITIONS ON ANY VALET PARKING ZONE PERMIT ISSUED UNDER THIS PART AS NECESSARY OR PROPER TO:

- (1) PROTECT THE PUBLIC SAFETY;
- (2) PROTECT THE PUBLIC'S RIGHT TO EQUAL ACCESS OF PUBLIC PROPERTY; AND

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(3) ENSURE THAT NORMAL VEHICULAR AND PEDESTRIAN TRAFFIC FLOW IS NOT
DISRUPTED.

§ 14-22. ESTABLISHMENT OF ZONE; ISSUANCE OF PERMIT.

THE AUTHORITY MUST ESTABLISH A VALET PARKING ZONE FOR AND ISSUE A VALET PARKING
ZONE PERMIT TO ANY HOST WHO:

(1) COMMITS TO ABIDE BY A VALET PARKING PLAN APPROVED BY THE EXECUTIVE
DIRECTOR;

(2) MEETS ALL OF THE OTHER REQUIREMENTS OF THIS SUBTITLE; AND

(3) PAYS THE APPLICABLE PERMIT FEE.

§ 14-23. POSTING OF ZONE.

AS SOON AS PRACTICAL AFTER THE AUTHORITY HAS ESTABLISHED A VALET PARKING ZONE,
THE DIRECTOR OF TRANSPORTATION SHALL PLACE APPROPRIATE SIGNS THAT:

(1) INDICATE THE LOCATION OF THE ZONE; AND

(2) STATE THE OPERATIONAL HOURS DURING WHICH RESTRICTIONS APPLY.

§ 14-24. TERM AND RENEWAL.

(A) *TERM.*

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PERMIT ISSUED
UNDER THIS PART EXPIRES ANNUALLY ON DECEMBER 31 AND IS RENEWABLE AS
PROVIDED IN THIS SECTION.

(2) BY RULE OR REGULATION, THE BOARD OF DIRECTORS MAY PROVIDE FOR THE
ISSUANCE OF SHORT-TERM PERMITS FOR SPECIAL EVENTS.

(B) *ANNUAL RENEWAL.*

(1) TO RENEW AN ANNUAL PERMIT, THE HOST MUST APPLY NO LESS THAN 60 NOR MORE
THAN 90 DAYS BEFORE THE LICENSE EXPIRES.

(2) THE APPLICATION FOR RENEWAL MUST BE IN THE FORM AND CONTAIN THE
INFORMATION THAT THE EXECUTIVE DIRECTOR REQUIRES.

§ 14-25. PERMIT FEES.

(A) *GENERAL.*

THE AMOUNT OF THE PERMIT FEES ARE AS SET FORTH IN THE RULES AND REGULATIONS
ADOPTED UNDER THIS SUBTITLE.

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(B) *INITIAL ANNUAL FEE.*

FOR AN INITIAL ANNUAL PERMIT, THE FEE FOR LESS THAN A FULL YEAR IS PRORATED SEMI-ANNUALLY.

§ 14-26. PERMIT NOT TRANSFERABLE OR SHAREABLE.

A PERMIT ISSUED UNDER THIS PART TO ANY HOST IS NOT ASSIGNABLE OR TRANSFERABLE TO, OR SHAREABLE WITH, ANY OTHER HOST NOT IDENTIFIED IN THE PERMIT.

§ 14-27. CHANGES IN OPERATION.

(A) *MAJOR CHANGES.*

(1) NO MAJOR CHANGE MAY BE MADE IN A HOST'S OPERATION WITHOUT FIRST APPLYING FOR AND OBTAINING AN AMENDED PERMIT.

(2) FOR THIS PURPOSE, "MAJOR CHANGE" MEANS:

(I) A CHANGE IN THE OPERATOR PROVIDING THE VALET SERVICE;

(II) A CHANGE IN LOCATION OF THE OFF-STREET PARKING FACILITY;

(III) A CHANGE IN HOURS OF OPERATION;

(IV) A SUBSTANTIAL INCREASE IN NUMBER OF CUSTOMERS; AND

(V) ANY OTHER CHANGE DESIGNATED IN THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE AS A "MAJOR CHANGE".

(3) THE APPLICATION FOR AN AMENDED PERMIT MUST BE IN THE FORM AND CONTAIN THE INFORMATION THAT THE EXECUTIVE DIRECTOR REQUIRES.

(4) THE FEE FOR AN AMENDED PERMIT IS AS SET FORTH IN THE RULES AND REGULATIONS ADOPTED BY THE UNDER THIS SUBTITLE.

(B) *MINOR CHANGES.*

(1) ALL MINOR CHANGES MUST BE REPORTED TO THE AUTHORITY WITHIN 5 BUSINESS DAYS OF THE CHANGE.

(2) FOR THIS PURPOSE, "MINOR CHANGE" MEANS A CHANGE DESIGNATED IN THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE AS A "MINOR CHANGE".

(3) THE REPORT MUST BE MADE IN THE FORM AND CONTAIN THE INFORMATION THAT THE EXECUTIVE DIRECTOR REQUIRES.

§§ 14-28 TO 14-30. {RESERVED}

PART IV. STANDARDS OF OPERATION

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§ 14-31. LICENSED OPERATOR REQUIRED.

NO HOST MAY USE THE VALET PARKING SERVICES OF ANY ENTITY THAT IS NOT A LICENSED OPERATOR OR OF ANY INDIVIDUAL WHO IS NOT AN EMPLOYEE OR AGENT OF A LICENSED OPERATOR.

§ 14-32. LOCATIONS AND HOURS.

VALET PARKING SERVICES MAY BE OFFERED ONLY IN THE LOCATIONS AND DURING THE HOURS SPECIFIED ON THE VALET PARKING ZONE PERMIT.

§ 14-33. VALET PARKING ZONES.

(A) *PICK-UP, DROP-OFF ONLY IN ZONE.*

THE DROP-OFF AND PICK-UP OF VEHICLES FOR VALET PARKING SERVICES MAY BE CONDUCTED ONLY IN DESIGNATED VALET PARKING ZONES.

(B) *OTHER USES OF ZONE PROHIBITED.*

DURING THE HOURS SPECIFIED IN THE VALET PARKING ZONE PERMIT, A VALET PARKING ZONE MAY BE USED ONLY FOR THE IMMEDIATE DROP-OFF AND PICK-UP OF VEHICLES.

§ 14-34. ATTENDANTS.

(A) *QUALIFICATIONS.*

EVERY ATTENDANT MUST:

(1) POSSESS A VALID DRIVER'S LICENSE; AND

(2) BE 18 YEARS OLD OR OLDER.

(B) *UNIFORMS.*

EACH ATTENDANT MUST WEAR A UNIFORM TOP THAT CLEARLY IDENTIFIES THE OPERATOR OF THE VALET SERVICE.

§ 14-35. TRANSPORTING AND PARKING VEHICLES.

(A) *REMOVAL TO PARKING FACILITY.*

ATTENDANTS MUST IMMEDIATELY REMOVE VEHICLES FROM THE VALET PARKING ZONE AND TAKE THEM DIRECTLY TO THE APPLICABLE OFF-STREET PARKING FACILITY.

(B) *NO LEAVING IN RIGHT-OF-WAY.*

THE OPERATOR, ITS ATTENDANTS OR OTHER EMPLOYEES OR AGENTS, MAY NOT PARK OR LEAVE A VEHICLE ON:

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(1) ANY RIGHT-OF-WAY, EVEN IF ON-STREET PUBLIC PARKING IS GENERALLY ALLOWED; OR

(2) ANYWHERE ELSE OTHER THAN IN THE OFF-STREET PARKING FACILITY DESIGNATED IN THE VALET PARKING PLAN.

(C) *COMPLIANCE WITH TRAFFIC LAWS.*

THE OPERATOR, ITS ATTENDANTS OR OTHER EMPLOYEES OR AGENTS, MUST COMPLY WITH ALL APPLICABLE TRAFFIC LAWS AND PARKING REGULATIONS WHEN PROVIDING VALET PARKING SERVICES.

§ 14-36. SIGNAGE.

(A) *REQUIRED.*

DURING ALL HOURS OF OPERATION, THE OPERATOR MUST PROMINENTLY DISPLAY AT LEAST 1 SIGN THAT IDENTIFIES:

(1) THE OPERATOR;

(2) THE HOST FOR WHICH THE OPERATOR IS WORKING; AND

(3) ANY FEE BEING CHARGED FOR THE VALET PARKING SERVICES.

(B) *PLACEMENT.*

THE SIGN MUST BE READILY READABLE AT THE POINT WHERE VEHICLES ARE DROPPED OFF FOR VALET PARKING SERVICES.

§ 14-37. PERMIT INSPECTION.

AT ALL TIMES, THE VALET PARKING ZONE PERMIT AND A COPY OF THE OPERATOR'S LICENSE MUST BE AVAILABLE FOR INSPECTION AT THE HOST'S ESTABLISHMENT.

§§ 14-38 TO 14-40. {RESERVED}

PART V. ADMINISTRATIVE ENFORCEMENT

§ 14-41. DENIALS, SUSPENSIONS, OR REVOCATIONS – OPERATOR'S LICENSE.

THE EXECUTIVE DIRECTOR MAY DENY, SUSPEND, OR REVOKE AN OPERATOR'S LICENSE OR RENEWAL LICENSE FOR ANY OF THE FOLLOWING CAUSES:

(1) MAKING ANY MATERIAL FALSE STATEMENT IN ANY APPLICATION FOR AN OPERATOR'S LICENSE OR IN ANY APPLICATION OR ACCOMPANYING VALET PARKING PLAN FOR A VALET PARKING ZONE PERMIT;

(2) FAILING TO PAY THE APPLICABLE LICENSE FEE ON OR BEFORE ITS DUE DATE;

(3) PROVIDING VALET PARKING SERVICES IN A WAY THAT ENDANGERS PUBLIC SAFETY;

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(4) VIOLATING ANY OTHER PROVISION OF THIS SUBTITLE, OF A RULE OR REGULATION ADOPTED UNDER THIS SUBTITLE, OR OF A LIMITATION OR CONDITION IMPOSED ON A LICENSE OR PERMIT ISSUED UNDER THIS SUBTITLE; OR

(5) OTHERWISE FAILING TO MEET THE QUALIFICATIONS OR OTHER REQUIREMENTS OF THIS SUBTITLE FOR A LICENSE.

§ 14-42. DENIALS, SUSPENSIONS, OR REVOCATIONS – PARKING ZONE PERMIT.

THE EXECUTIVE DIRECTOR MAY DENY, SUSPEND, OR REVOKE A VALET PARKING ZONE PERMIT OR RENEWAL PERMIT FOR ANY OF THE FOLLOWING CAUSES:

(1) MAKING ANY MATERIAL FALSE STATEMENT IN ANY APPLICATION OR ACCOMPANYING VALET PARKING PLAN FOR A VALET PARKING ZONE PERMIT;

(2) FAILING TO PAY THE APPLICABLE PERMIT FEE ON OR BEFORE ITS DUE DATE;

(3) PROVIDING OR KNOWINGLY OR NEGLIGENTLY ALLOWING A CONTRACT-OPERATOR TO PROVIDE VALET PARKING SERVICES IN A WAY THAT ENDANGERS PUBLIC SAFETY;

(4) PROVIDING OR KNOWINGLY OR NEGLIGENTLY ALLOWING A CONTRACT-OPERATOR TO PROVIDE VALET PARKING SERVICES THAT DISRUPT VEHICULAR OR PEDESTRIAN TRAFFIC;

(5) VIOLATING ANY OTHER PROVISION OF THIS SUBTITLE, OF A RULE OR REGULATION ADOPTED UNDER THIS SUBTITLE, OR OF A LIMITATION OR CONDITION IMPOSED ON A LICENSE OR PERMIT ISSUED UNDER THIS SUBTITLE; OR

(6) OTHERWISE FAILING TO MEET THE QUALIFICATIONS OR OTHER REQUIREMENTS OF THIS SUBTITLE FOR A PERMIT.

§ 14-43. CIVIL FINES.

(A) *IN GENERAL.*

FOR ANY VIOLATION THAT IS CAUSE FOR SUSPENDING OR REVOKING A LICENSE OR A PERMIT, THE EXECUTIVE DIRECTOR MAY, INSTEAD OF OR IN ADDITION TO SUSPENDING OR REVOKING THE LICENSE OR PERMIT, IMPOSE A CIVIL FINE OF:

(1) FOR A 1ST OFFENSE, NOT MORE THAN \$500; AND

(2) FOR ANY SUBSEQUENT OFFENSE, NOT MORE THAN \$1,000.

(B) *EACH DAY A SEPARATE OFFENSE.*

EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

§ 14-44. ADMINISTRATIVE APPEALS.

(A) *APPEALS BOARD ESTABLISHED.*

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(1) THERE IS A APPEALS BOARD FOR THE AUTHORITY.

(2) THE APPEALS BOARD COMPRISES 1 DESIGNEE OF EACH OF THE FOLLOWING:

(I) DIRECTOR OF TRANSPORTATION;

(II) DIRECTOR OF PUBLIC WORKS; AND

(III) CITY SOLICITOR.

(B) *RIGHT OF APPEAL.*

AN AGGRIEVED PARTY MAY APPEAL THE FOLLOWING TO THE APPEALS BOARD:

(1) THE DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE OR PERMIT;

(2) THE IMPOSITION OF A FINE; OR

(3) ANY OTHER DECISION OR RULING OF THE EXECUTIVE DIRECTOR.

(C) *HOW AND WHEN TAKEN.*

THE APPEAL MUST BE TAKEN IN WRITING WITHIN 15 DAYS FROM THE DATE OF NOTICE OF THE DENIAL, SUSPENSION, OR REVOCATION, FINE IMPOSITION, OR OTHER DECISION OR RULING.

(D) *HEARING AND DECISION.*

THE APPEALS BOARD:

(1) MUST HOLD A HEARING ON THE APPEAL AS SOON AS PRACTICABLE; AND

(2) MAY AFFIRM, MODIFY, OR REVERSE THE ACTION FROM WHICH THE APPEAL WAS TAKEN.

§ 14-45. JUDICIAL AND APPELLATE REVIEW.

(A) *JUDICIAL REVIEW.*

A PARTY AGGRIEVED BY A FINAL DECISION OF THE APPEALS BOARD UNDER § 14-44 {"ADMINISTRATIVE APPEALS"} OF THIS SUBTITLE MAY SEEK JUDICIAL REVIEW OF THAT DECISION BY PETITION TO THE CIRCUIT COURT FOR BALTIMORE CITY IN ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE.

(B) *APPELLATE REVIEW.*

A PARTY TO THE JUDICIAL REVIEW MAY APPEAL THE COURT'S FINAL JUDGMENT TO THE COURT OF SPECIAL APPEALS IN ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE.

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PART VI. PENALTIES

§ 14-46. IN GENERAL.

ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE, OF A RULE OR REGULATION ADOPTED UNDER THIS SUBTITLE, OR OF A LIMITATION OR CONDITION IMPOSED ON A LICENSE OR PERMIT ISSUED UNDER THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 FOR EACH OFFENSE.

§ 14-47. EACH DAY A SEPARATE OFFENSE.

EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

Subtitle 31. Clear Streets and Impoundment

Part 7. Impounding Areas

§ 31-107. PASSENGER, FREIGHT, OR VALET PARKING ZONES.

WITHIN A PASSENGER LOADING ZONE, FREIGHT LOADING ZONE, OR VALET PARKING ZONE DURING ITS OPERATIONAL HOURS.

Subtitle 36. Parking, etc., Fines, Penalties, and Procedures

§ 36-1. In general.

In addition to the costs stipulated in the Maryland Code, the following fines are imposed for violation of the offenses indicated.

§ 36-9. \$40 fines.

(1) Parking, stopping, or standing where parking, stopping, or standing is prohibited and impounding is authorized is punishable by a fine of \$40.

Subtitle 37. General Penalties for Violations

§ 37-1. General fine.

Any person violating any provision or regulation of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not exceeding \$100 for each and every offense, except where another penalty is specified.

Article 28. Taxes

Subtitle 22. Parking Tax

§ 22-5. Collection and remittance.

(a) [*Operator to collect*] *COLLECTION.*

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(1) (i) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE operator of the parking lot or garage must collect the tax imposed by this subtitle from the person seeking the privilege of parking.

(ii) [(2)] The operator must collect the tax at the same time that the operator collects the fee or other consideration charged for parking, whether that fee or other consideration is charged on an hourly, daily, weekly, monthly, or other basis.

(2) FOR VALET PARKING SERVICES SUBJECT TO CITY CODE ARTICLE 31, SUBTITLE 14 {"VALET PARKING"}, THE OPERATOR OF THE VALET PARKING SERVICE MUST COLLECT THE TAX FROM THE PARKER OR THE HOST, AS THE CASE MAY BE.

(b) *Remittance to Director.*

The tax imposed by this subtitle must be remitted to the Director on or before the 25th day of the month following the month in which the transaction occurred.

(c) *Reports.*

(1) Each remittance must be accompanied by a report of all transactions for the month.

(2) The report must:

(i) be in the form the Director requires;

(ii) identify, for each parking lot and garage, its name, address, account number, capacity, parking fees or rate schedule, and number and type of transactions; and

(iii) contain any other information the Director requires.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance applies to all valet parking services provided or offered on or after July 1, 2008.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.