



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 12-0081, **Version:** 0

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

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmembers Cole and Kraft

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; defining certain terms; imposing certain penalties; providing for certain appeals and reviews; 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)

BY adding

Article 31 - Transit and Traffic
Section(s) 31-108
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, without amendments

Article 31 - Transit and Traffic
Section(s) 36-1, 36-7(1), and 37-1
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article 28 - Taxes
Section(s) 22-5(a)
Baltimore City Code
(Edition 2000)

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-14(e)(5)(§ 14-43)
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

§ 11. 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.]

§ 12. 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

§ 616. Passenger and freight curb loading zones.

(A) DEFINITIONS.

(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 FOR ANY PURPOSE OR PERIOD OF TIME 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 FOR ANY PURPOSE OR PERIOD OF TIME 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.

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

(1) NO PERSON MAY PARK A VEHICLE IN A PASSENGER LOADING ZONE FOR ANY PURPOSE OR PERIOD OF TIME DURING ITS OPERATIONAL HOURS.

(2) No person [shall] MAY stop a vehicle in [the] A PASSENGER LOADING zone for any purpose or period of time DURING ITS OPERATIONAL HOURS [other than for] UNLESS THE VEHICLE IS A PASSENGER VEHICLE STOPPING TEMPORARILY FOR THE PURPOSE OF AND WHILE ACTUALLY ENGAGED IN [the expeditious] EXPEDITIOUSLY 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].

§ 617. 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) PARKING PROHIBITED.

NO PERSON MAY PARK A VEHICLE IN A VALET PARKING ZONE FOR ANY PURPOSE OR PERIOD OF TIME DURING ITS OPERATIONAL HOURS UNLESS THE PERSON:

(1) IS IN THE PROCESS OF SEEKING VALET PARKING SERVICES THEN BEING PROVIDED THERE; AND

(2) HAS BEEN INSTRUCTED BY THE VALET PARKING ATTENDANT TO PARK THERE.

(C) STOPPING PROHIBITED.

NO PERSON MAY STOP A VEHICLE IN A VALET PARKING ZONE FOR ANY PURPOSE OR PERIOD OF TIME 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.

(E) CONTRACT-OPERATOR.

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

(F) DIRECTOR OF TRANSPORTATION.

“DIRECTOR OF TRANSPORTATION” MEANS THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION OR THE DIRECTOR’S DESIGNEE.

(G) EXECUTIVE DIRECTOR.

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

(H) 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.

(I) HOST-OPERATOR.

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

(J) INCLUDES; INCLUDING.

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

(K) OPERATOR.

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

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

(L) 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.

(2) EXCLUSIONS.

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

(M) PRINCIPAL.

“PRINCIPAL”, AS USED WITH RESPECT TO AN OPERATOR OR HOST, MEANS:

(1) A SOLE PROPRIETOR OF THE OPERATOR OR HOST;

(2) A PARTNER, OFFICER, OR DIRECTOR OF THE OPERATOR OR HOST; OR

(3) ANY STOCKHOLDER OF THE OPERATOR OR HOST WHO:

(I) OWNS MORE THAN 25% OF THE VOTING STOCK OF THE OPERATOR OR HOST; OR

(II) NOTWITHSTANDING THE PERCENTAGE OF SHARES OWNED, HAS THE POWER TO DIRECT OR CONTROL THE DIRECTION OF THE OPERATOR’S OR HOST’S MANAGEMENT OR POLICIES.

(N) VALET PARKING SERVICE.

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

- (I) MOVING A VEHICLE FROM ONE LOCATION TO ANOTHER LOCATION FOR PARKING; OR
- (II) RETURNING A VEHICLE FROM ITS PARKED LOCATION TO ANOTHER LOCATION FOR PICK-UP.

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

- (I) A FEE IS CHARGED FOR THE SERVICE OR NOT; OR
- (II) THE SERVICE IS PROVIDED BY THE HOST DIRECTLY OR BY ANOTHER PERSON UNDER CONTRACT WITH THE HOST.

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

(O) VALET PARKING ZONE.

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

§ 142~~1~~ MANDATORY, PROHIBITORY, AND PERMISSIVE TERMS.

(A) MANDATORY TERMS.

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

(B) PROHIBITORY TERMS.

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

(C) PERMISSIVE TERMS.

“MAY” IS PERMISSIVE.

§ 143~~1~~ RULES AND REGULATIONS.

(A) ADOPTION.

(1) THE DIRECTOR OF TRANSPORTATION, IN CONSULTATION WITH THE AUTHORITY, MUST

ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SUBTITLE.

(2) THE DIRECTOR OF TRANSPORTATION MUST OBTAIN PRIOR APPROVAL OF THE BOARD OF ESTIMATES FOR ANY RULE OR REGULATION THAT SETS AN APPLICATION, LICENSE, PERMIT, OR OTHER FEE TO BE IMPOSED UNDER THIS SUBTITLE.

(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 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 DRIVERS OR PASSENGERS USING THE SERVICE;
- (3) THE SERVICE IS BEING PROVIDED:
 - (I) AT A PRIVATE RESIDENCE; OR
 - (II) FOR A PUBLIC ENTITY; AND
- (4) THE SERVICE IS BEING PROVIDED BY THE HOST FOR NO MORE THAN 3 DAYS IN ANY 12-MONTH PERIOD.

(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;
- (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) WITH THE APPROVAL OF THE DIRECTOR OF TRANSPORTATION, THE EXECUTIVE DIRECTOR MAY ALLOW THE OPERATOR TO USE PUBLIC RIGHTS-OF-WAY FOR PARKING, SUBJECT TO THE ISSUANCE OF ALL PERMITS OTHERWISE REQUIRED FOR THE USE OF PUBLIC RIGHTS-OF-WAY.

§ 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 PRINCIPALS, EMPLOYEES, ATTENDANTS OR OTHER AGENTS MAY HAVE 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 REASONABLY PRESCRIBES.

§ 14-9. APPLICATIONS.

(A) FORM.

AN APPLICATION FOR AN OPERATOR'S LICENSE MUST BE SUBMITTED IN THE FORM REQUIRED BY THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE.

(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:

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

(2) THE STREET ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS OF THE APPLICANT'S PRINCIPAL PLACE OF BUSINESS;

(3) THE STREET ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS OF ANY OTHER OF APPLICANT'S PLACES OF BUSINESS IN THE CITY;

(4) THE NAMES, STREET ADDRESSES, TELEPHONE NUMBERS, AND EMAIL ADDRESSES OF THE APPLICANT'S PRINCIPALS;

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

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

(7) A LISTING OF ALL VALET PARKING LICENSES OR VALET PARKING PERMITS ISSUED TO THE APPLICANT OR TO ANY PRINCIPAL OF THE APPLICANT WITHIN THE PRECEDING 5 YEARS, WHETHER BY THE CITY OR ANY OTHER JURISDICTION;

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

(9) CERTIFICATION THAT NEITHER THE APPLICANT NOR ANY OF THE APPLICANT'S PRINCIPALS, EMPLOYEES, ATTENDANTS OR OTHER AGENTS HAVE 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;

(10) CERTIFICATION THAT EACH ATTENDANT EMPLOYED BY THE APPLICANT:

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

(II) IS 18 YEARS OLD OR OLDER; AND

(11) ANY OTHER INFORMATION REQUIRED BY THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE.

(D) SIGNATURE AND VERIFICATION.

THE APPLICATION MUST BE SIGNED, UNDER OATH OR AFFIRMATION, SUBJECT TO THE PENALTIES

OF PERJURY, BY THE APPLICANT AS FOLLOWS:

- (1) IF FOR A SOLE PROPRIETORSHIP, BY ITS OWNER;
- (2) IF FOR A PARTNERSHIP, BY AN AUTHORIZED PARTNER; AND
- (3) IF FOR A CORPORATION, LIMITED LIABILITY COMPANY, OR SIMILAR ENTITY, BY AN AUTHORIZED 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 ON THE 1ST ANNIVERSARY OF ITS EFFECTIVE DATE 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 REQUIRED BY THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE.

§ 14-12. LICENSE FEES.

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

§ 14-13. LICENSE NOT TRANSFERABLE.

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

§ 14-14. LIST OF LICENSEES.

THE PARKING AUTHORITY MUST:

- (1) MAINTAIN A LIST OF ALL CURRENT LICENSEES; AND
- (2) PROVIDE THE DEPARTMENT OF TRANSPORTATION WITH A COPY THE LIST WHENEVER IT IS

UPDATED.

§ 14-15. {RESERVED}

PART III. VALET PARKING ZONE PERMIT

§ 14-16. PERMIT REQUIRED.

(A) IN GENERAL.

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 UNDER THIS SUBTITLE.

(B) ISSUANCE.

A VALET PARKING ZONE PERMIT MAY BE ISSUED BY THE AUTHORITY, WITH THE APPROVAL OF THE DIRECTOR OF TRANSPORTATION.

§ 14-17. QUALIFICATIONS FOR PERMIT.

(A) IN GENERAL.

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

(B) OPERATOR'S LICENSE.

THE HOST MUST:

(1) HOLD A VALID 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 OPERATOR'S LICENSE ISSUED UNDER PART II OF THIS SUBTITLE.

(C) PRIOR INFRACTIONS.

NEITHER THE HOST, OPERATOR, NOR ANY OF THE HOST'S OR OPERATOR'S PRINCIPALS, EMPLOYEES, ATTENDANTS, OR OTHER AGENTS MAY HAVE COMMITTED AN ACT OR OMISSION WITHIN THE PRECEDING 12 MONTHS THAT, UNDER § 14-41 OR § 14-42 OF THIS SUBTITLE, IS CAUSE FOR THE DENIAL, SUSPENSION, OR REVOCATION OF AN OPERATOR'S LICENSE OR A VALET ZONE PARKING PERMIT.

§ 14-18. APPLICATIONS.

(A) FORM.

AN APPLICATION FOR A VALET PARKING ZONE PERMIT MUST BE SUBMITTED BY THE HOST IN THE

FORM REQUIRED BY THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE.

(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:

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

(2) THE STREET ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS 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 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;

(8) CERTIFICATION THAT NEITHER THE APPLICANT NOR ANY OF THE APPLICANT'S PRINCIPALS, EMPLOYEES, ATTENDANTS OR OTHER AGENTS HAVE 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; AND

(9) ANY OTHER INFORMATION REQUIRED BY THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE.

(D) SIGNATURE AND VERIFICATION.

(1) THE APPLICATION MUST BE SIGNED, UNDER OATH OR AFFIRMATION, SUBJECT TO THE PENALTIES OF PERJURY, 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:
 - (I) IF FOR A SOLE PROPRIETORSHIP, ITS OWNER;
 - (II) IF FOR A PARTNERSHIP, AN AUTHORIZED PARTNER; AND
 - (III) IF FOR A CORPORATION, LIMITED LIABILITY COMPANY, OR SIMILAR ENTITY, AN AUTHORIZED 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.

(B) TIMES OF OPERATION; OCCUPANCY.

THE PLAN MUST SPECIFY:

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

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

(C) PHOTOS OF LOCATION.

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

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

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

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

(E) LOCATION OF OFF-STREET PARKING FACILITY.

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

(2) THE PARKING FACILITY MUST BE:

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

(II) LOCATED WITHIN A 1-MILE RADIUS OF THE VALET PARKING ZONE.

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

(II) THE LEASE OR OTHER AGREEMENT MUST SPECIFY:

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

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

(F) TRAFFIC FLOW.

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

(G) NUMBER OF VEHICLES, EMPLOYEES.

THE PLAN MUST STATE:

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

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

(H) SITE MANAGER.

THE PLAN MUST PROVIDE THE NAME(S), THE DAYTIME AND NIGHTTIME TELEPHONE NUMBERS, AND THE EMAIL ADDRESS(ES) OF THE INDIVIDUAL(S) WHO WILL MANAGE THE VALET PARKING SERVICES AT THE LOCATION.

(I) NOTICE TO PUBLIC.

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

(1) THE OWNERS OF THE PROPERTIES ADJOINING THE HOST PROPERTY;

(2) THE OWNERS OF THE PROPERTIES IMMEDIATELY ACROSS THE STREET FROM THE HOST PROPERTY;

(3) THE NEIGHBORHOOD ASSOCIATIONS ON FILE WITH THE DEPARTMENT OF PLANNING AS REPRESENTING THE AFFECTED AREA; AND

(4) THE COUNCILMEMBER(S) WHO REPRESENT THE AFFECTED AREA..

(J) OTHER INFORMATION.

THE PLAN MUST INCLUDE ANY OTHER INFORMATION REQUIRED BY THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE.

§ 1420. PUBLIC NOTICE; OBJECTIONS; HEARING.

(A) POSTING REQUIRED.

ON FILING AN APPLICATION AND VALET PARKING PLAN FOR A PERMIT (OTHER THAN A RENEWAL PERMIT), THE APPLICANT MUST POST THE PROPOSED HOST PROPERTY FOR 15 DAYS, IN ACCORDANCE WITH THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE.

(B) 9 OR FEWER OBJECTIONS.

IF, WITHIN THE 15DAY POSTING PERIOD, THE DIRECTOR OF TRANSPORTATION RECEIVES NO MORE THAN 9 WRITTEN OBJECTIONS FROM PROPERTY OWNERS OR RESIDENTS WITHIN THE SAME ELECTION PRECINCT AS THE PROPOSED HOST PROPERTY, THE VALET PARKING ZONE PERMIT MAY BE ISSUED AS PROVIDED IN THIS SUBTITLE.

(C) 10 OR MORE OBJECTIONS.

(1) IF, WITHIN THE 15DAY POSTING PERIOD, THE DIRECTOR OF TRANSPORTATION RECEIVES 10 OR MORE WRITTEN OBJECTIONS FROM PROPERTY OWNERS OR RESIDENTS WITHIN THE SAME ELECTION PRECINCT AS THE PROPOSED HOST PROPERTY, THE DIRECTOR OF TRANSPORTATION MUST HOLD A HEARING ON THE MATTER.

(2) UNLESS THE APPLICANT AGREES TO A LATER DATE, THE HEARING MUST BE HELD WITHIN 15 DAYS AFTER THE LAST DAY OF THE 15DAY POSTING PERIOD.

(3) AT THE HEARING, PARTIES IN INTEREST AND CITIZENS MUST BE GIVEN AN OPPORTUNITY TO BE HEARD.

(D) DECISION.

(1) THE DIRECTOR OF TRANSPORTATION MUST NOTIFY THE APPLICANT IN WRITING OF HIS OR HER DECISION TO GRANT OR DENY THE PERMIT AS FOLLOWS:

(I) IF NO HEARING IS HELD UNDER § 1420(C) OF THIS SUBTITLE, WITHIN 15 DAYS AFTER THE LAST DAY OF THE 15DAY POSTING PERIOD; AND

(II) IF A HEARING IS HELD UNDER § 1420(C) OF THIS SUBTITLE, WITHIN 15 DAYS AFTER CONCLUSION OF THE HEARING.

(2) ANY DENIAL OF A PERMIT MUST BE BASED SOLELY ON THE QUALIFICATIONS, STANDARDS, AND CONSIDERATIONS SET FORTH IN THIS SUBTITLE.

(3) A NOTICE OF DENIAL MUST:

- (I) SPECIFY THE REASONS FOR THE DENIAL; AND
- (II) NOTIFY THE APPLICANT OF THE OPPORTUNITY TO REQUEST A HEARING UNDER § 1446 {"ADMINISTRATIVE APPEALS"} OF THIS SUBTITLE.

§ 14-21. REVIEW AND CONSIDERATIONS.

(A) REVIEW.

THE EXECUTIVE DIRECTOR MUST:

- (1) REVIEW THE VALET PARKING PLAN FOR COMPLIANCE WITH THIS SUBTITLE; AND
- (2) SUBMIT THE PLAN, TOGETHER WITH HIS OR HER FINDINGS AND RECOMMENDATIONS, TO THE DIRECTOR OF TRANSPORTATION FOR APPROVAL OR DISAPPROVAL.

(B) MINIMUM FINDINGS.

A VALET PARKING PLAN MAY BE APPROVED ONLY IF:

- (1) THE VALET PARKING SERVICES WILL NOT UNREASONABLY DISRUPT VEHICULAR AND PEDESTRIAN TRAFFIC;
- (2) THE VALET PARKING SERVICES WILL NOT POSE A THREAT TO PUBLIC SAFETY; AND
- (3) THE VALET PARKING PLAN PROVIDES FOR ENOUGH ATTENDANTS AND OTHER EMPLOYEES AND AGENTS TO EFFICIENTLY HANDLE THE PROJECTED NUMBER OF VEHICLES DURING ALL HOURS OF VALET PARKING SERVICES.

(C) ADDITIONAL CONSIDERATIONS.

THE FOLLOWING CRITERIA MAY ALSO BE CONSIDERED IN DECIDING WHETHER TO APPROVE A VALET PARKING PLAN:

- (1) THE NUMBER OF OFF-STREET PARKING SPACES THAT WILL BE AVAILABLE 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.

(D) FINAL DETERMINATION.

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

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

§ 14-22. 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 DIRECTOR OF TRANSPORTATION 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
- (3) ENSURE THAT NORMAL VEHICULAR AND PEDESTRIAN TRAFFIC FLOW IS NOT UNREASONABLY DISRUPTED.

§ 14-23. ESTABLISHMENT OF ZONE; ISSUANCE OF PERMIT.

ON APPROVAL OF THE APPLICATION AND THE VALET PARKING PLAN, THE DIRECTOR OF TRANSPORTATION MUST ESTABLISH A VALET PARKING ZONE FOR AND ISSUE A VALET PARKING ZONE PERMIT TO ANY HOST WHO:

- (1) COMMITS TO ABIDE BY AN APPROVED VALET PARKING PLAN;
- (2) COMMITS TO MEET ALL OF THE OTHER REQUIREMENTS OF THIS SUBTITLE; AND
- (3) PAYS THE APPLICABLE PERMIT FEE.

§ 14-24. POSTING OF ZONE.

AS SOON AS PRACTICAL AFTER THE APPROVAL OF 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.

§ 14-25. TERM AND RENEWAL.

(A) TERM.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PERMIT ISSUED UNDER THIS PART EXPIRES ON THE 1ST ANNIVERSARY OF ITS EFFECTIVE DATE AND IS RENEWABLE AS PROVIDED IN THIS SECTION.

(2) BY RULE OR REGULATION ADOPTED UNDER THIS SUBTITLE, THE DIRECTOR OF TRANSPORTATION 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 REQUIRED BY THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE.

(C) PROTEST AND HEARING.

(1) IF, BEFORE THE END OF THE RENEWAL PERIOD, 10 OR MORE WRITTEN OBJECTIONS FROM PROPERTY OWNERS OR RESIDENTS WITHIN THE SAME ELECTION PRECINCT AS THE PERMITTED PREMISES ARE FILED WITH THE DIRECTOR OF TRANSPORTATION, THE DIRECTOR OF TRANSPORTATION MUST HOLD A PUBLIC HEARING ON THE PROPOSED RENEWAL.

(2) PARTIES IN INTEREST AND CITIZENS MUST BE GIVEN AN OPPORTUNITY TO BE HEARD.

(3) ANY DENIAL OF A RENEWAL PERMIT MUST BE BASED SOLELY ON THE QUALIFICATIONS, STANDARDS, AND CONSIDERATIONS SET FORTH IN THIS SUBTITLE.

§ 14-26. PERMIT FEES.

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

§ 14-27. 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.

§§ 14-28 TO 14-30. {RESERVED}

PART IV. STANDARDS OF OPERATION

§ 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 A DESIGNATED VALET PARKING ZONE.

(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, STOP, OR LEAVE A VEHICLE:

(1) ON 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, ETC.

ALL SIGNAGE MUST COMPLY WITH ALL LAWS, RULES, AND REGULATIONS GOVERNING SIGNS AND PERMITS.

§ 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.

AN OPERATOR'S LICENSE OR RENEWAL LICENSE MAY BE DENIED, SUSPENDED, OR REVOKED 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;
- (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.

A VALET PARKING ZONE PERMIT OR RENEWAL PERMIT MAY BE DENIED, SUSPENDED, OR REVOKED 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 UNREASONABLY 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. DENIALS, SUSPENSIONS, OR REVOCATIONS - ENFORCEMENT BY CITATION.

(A) IN GENERAL.

IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE, ANY VIOLATION THAT IS CAUSE FOR SUSPENDING OR REVOKING A LICENSE OR A PERMIT MAY BE ENFORCED, INSTEAD OF OR IN ADDITION TO SUSPENDING OR REVOKING THE LICENSE OR PERMIT, BY ISSUANCE OF AN ENVIRONMENTAL CITATION UNDER CITY CODE ARTICLE 1,

SUBTITLE 40 {"ENVIRONMENTAL CONTROL BOARD"}.

(B) PROCESS NOT EXCLUSIVE.

THE ISSUANCE OF A CITATION TO ENFORCE THIS SUBTITLE DOES NOT PRECLUDE PURSUING ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED BY LAW.

§§ 14-44 TO 14-45. {RESERVED}

§ 14-46. ADMINISTRATIVE APPEALS.

(A) RIGHT OF APPEAL.

AN AGGRIEVED PARTY MAY APPEAL TO THE BOARD OF MUNICIPAL AND ZONING APPEALS:

- (1) THE DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE OR PERMIT;
- (2) THE IMPOSITION OF A FINE; OR
- (3) ANY OTHER DECISION OR RULING UNDER THIS SUBTITLE.

(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 BOARD OF MUNICIPAL AND ZONING APPEALS:

- (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.

§ 14-47. JUDICIAL AND APPELLATE REVIEW.

(A) JUDICIAL REVIEW.

A PARTY AGGRIEVED BY A FINAL DECISION OF THE BOARD OF MUNICIPAL AND ZONING APPEALS UNDER § 14-46 {"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.

PART VI. PENALTIES

§ 14-48. 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.

§ 14-49. 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

§ 31107. 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

§ 3611. In general.

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

§ 3671. \$50 fines.

(1) Parking, stopping, or standing where parking, stopping, or standing is prohibited and impounding is authorized is punishable by a fine of \$50.

Subtitle 37. General Penalties for Violations

§ 3711. 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

§ 2251. Collection and remittance.

(a) [Operator to collect] COLLECTION.

(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 HOST OR THE PERSON SEEKING TO PARK THE VEHICLE, AS THE CASE MAY BE.

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40I4. Violations to which subtitle applies.

(e) Provisions and penalties enumerated.

(5) Article 31. Transit and Traffic

§ 14-43. DENIALS, SUSPENSIONS, OR REVOCATIONS - ENFORCEMENT BY CITATION

FIRST OFFENSE	\$ 500
SUBSEQUENT OFFENSE	\$1,000
....	

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 to be provided or offered on or after the 180th day following the effective date of this Ordinance.

SECTION 4. AND BE IT FURTHER ENACTED, That rules and regulations to carry out Article 14, Subtitle 14, as enacted by this Ordinance, shall be adopted within 90 days of the effective date of this Ordinance. These rules and regulations may provide that, for applications submitted during the 1st year following the effective date of this Ordinance by hosts or operators who were providing valet parking services before the effective date of this Ordinance, the Baltimore City Parking Authority may issue short-term, provisional valet parking licenses and the Department of Transportation may issue short-term provisional valet parking zone permits, pending their respective reviews and considerations of the applications, valet parking plans, applicant qualifications, etc. The rules and regulations may further provide that, on approval of an application, full-term licenses shall be issued. Fees for any short-term licenses shall be prorated.

SECTION 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

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