



## Legislation Details (With Text)

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<b>On agenda:</b>		<b>Final action:</b>	5/7/2013
<b>Enactment date:</b>	5/7/2013	<b>Enactment #:</b>	13
<b>Effective date:</b>	5/13/2013		
<b>Title:</b>	Ordinance amending and supplementing the Pittsburgh Code at Title Five: Traffic, so as to amend Chapter 541: General Parking Regulations, Section 541.05, Registered Owner Responsible for Unlawful Parking, Chapter 543: Parking Meters, Section 543.08 Registered Owner Responsible for Unlawful Parking, and add a new Chapter entitled Chapter 548: Valet Parking.		
<b>Sponsors:</b>	R. Daniel Lavelle, Bruce A. Kraus		
<b>Indexes:</b>	PGH. CODE ORDINANCES TITLE 05 - TRAFFIC		
<b>Code sections:</b>			
<b>Attachments:</b>	1. 2013-1410.doc, 2. 2013-1410 VERSION 2.doc, 3. 2013-1410 VERSION 3.doc, 4. 2013-1410 VERSION 4.doc		

Date	Ver.	Action By	Action	Result
5/14/2013	4	Mayor	Signed by the Mayor	
5/7/2013	4	City Council	AMENDED	Pass
5/7/2013	4	City Council	Passed Finally, As Amended	Pass
5/1/2013	2	Standing Committee	AMENDED	Pass
5/1/2013	3	Standing Committee	Affirmatively Recommended as Amended	Pass
4/24/2013	1	Standing Committee	AMENDED	Pass
4/24/2013	1	Standing Committee	Held in Committee	Pass
4/16/2013	1	City Council	Read and referred	

Ordinance amending and supplementing the Pittsburgh Code at Title Five: Traffic, so as to amend Chapter 541: General Parking Regulations, Section 541.05, Registered Owner Responsible for Unlawful Parking, Chapter 543: Parking Meters, Section 543.08 Registered Owner Responsible for Unlawful Parking, and add a new Chapter entitled Chapter 548: Valet Parking.

**The Council of the City of Pittsburgh hereby enacts as follows:**

**Section 1. The Pittsburgh Code, Title Five, Traffic, is hereby amended at Chapter 541, as follows:**

CHAPTER 541: GENERAL PARKING REGULATIONS

541.05 - REGISTERED OWNER RESPONSIBLE FOR UNLAWFUL PARKING.

Every person in whose name a vehicle is registered shall be responsible for any violation of this Chapter caused by the parking of the vehicle in violation hereof. It shall be no defense that the vehicle was parked illegally by another, unless proof is presented that the vehicle had been stolen and had not been returned to the registered

owner by the date of the violation, or that the vehicle had been valet parked in accordance with Chapter 548 of the City Code.

**Section 2. The Pittsburgh Code, Title Five, Traffic, is hereby amended at Chapter 543, as follows:**

CHAPTER 543: PARKING METERS

543.08 - REGISTERED OWNER RESPONSIBLE FOR UNLAWFUL PARKING.

Every person in whose name a vehicle is registered shall be responsible for any violation of this Chapter caused by the parking of the vehicle in violation hereof. It shall be no defense that the vehicle was parked illegally by another, unless proof is presented that the vehicle had been stolen and had not been returned to the registered owner by the date of the violation, or that the vehicle had been valet parked in accordance with Chapter 548 of the City Code.

**Section 3. The Pittsburgh Code, Title Five, Traffic, is hereby supplemented by adding a new Chapter 548, as follows:**

CHAPTER 548: VALET PARKING

§ 548.01 - DEFINITIONS

For the purpose of this Chapter, the following terms shall have the meanings as set forth:

- (a) **Valet Parking Operator** means a person or business who employs one or more attendants for the purpose of providing a valet parking service or who contracts said services to a business establishment for the purpose of providing a valet parking service to such establishment.
- (b) **Valet Parking Service** means a parking service provided to accommodate patrons of any business establishment by which a valet parking operator or attendant takes temporary custody of the patrons' motor vehicle and moves, parks, stores, and/or retrieves the vehicle for the patrons' convenience, regardless of whether a fee is charged.

§ 548.02 - License

- (a) No valet parking service is permitted unless a license allowing such activity has been issued pursuant to this Chapter. A separate license is required for each valet parking service location.
- (b) Applications for valet parking operator licenses shall be made to the Director of Public Works or his/her designee in a form to be set by the Director. Each valet parking operator license issued shall be for a one-year period only.
- (c) The fee for each valet parking operator license shall be \$100 per year. The renewal of each valet parking operator license shall be \$100 per year. The fees may be adjusted at the discretion of the Director of Public Works, who shall annually report such adjustments to Council.
- (d) Valet parking operator licenses shall be nontransferable.
- (e) A valet parking operator license shall not be issued without proof that the valet parking operator has the required insurance, in a minimum amount of \$500,000.00 public liability, \$100,000.00 property damage, and \$100,000.00 legal liability for the duration of the licensing issuance period.

§ 548.03 - Operating Procedures

- (a) Every business establishment for which a valet parking license is issued shall, during the hours of service, display the following information:

1. A copy of the valet parking operator license
  2. Proof of insurance
  3. The cost of the valet parking to the customer
  4. Where the valet parking operator will park vehicles (address/location)
  5. City approved and issued signs at the parking space or spaces utilized for drop-off and pick-up of valet parking.
  6. **A copy of the driver's license of each valet parking operator or attendant that is parking vehicles.**
- (b) No valet parking operator license, or renewal thereof, shall be issued unless applicant provides proof that, with respect to each business served, the valet parking operator has available legal off-street parking spaces equal in number to fifteen percent (15%) of the occupancy content of that business. An off-street parking space is available if owned or leased by the valet parking operator or if the valet parking operator has a contractual right to place a vehicle in that space.
- (c) No valet parking operator shall park patrons' vehicles upon the public way except under lawful conditions. In accordance with Article VII of the City Code, the fine for any parking violations incurred by a vehicle while in the custody of a valet parking operator shall be the sole responsibility of the valet parking operator and shall, upon the occurrence of a final determination of liability, constitute a debt due and owing to the city. The valet parking operator's failure to pay any such fine shall subject the operator to the penalties set forth in this article and other applicable provisions of this Code.
- (d) The public must not be forced to use the valet service.
- (e) Valet parking operator must ~~have~~ **ensure that** security shall guard~~ing~~ the parked vehicles
- (f) Valet parking operator employees must have clearly distinguishable ID shirts or jackets with company name
- (g) Each valet parking operator shall place on the dashboard of each patron vehicle a sign or placard of a size no smaller than eight and one-half inches by eleven inches (8 ½" x 11") in such a manner so as to be conspicuously visible through the windshield of the patron vehicle. The sign or placard shall contain the following information "This Vehicle Parked by (valet parking operator), Valet Parking Operator License (license number) For Customer of (business establishment)"
- (h) Every valet parking operator or attendant shall carry on his person a valid current driver's license at all times while in control of a patron's vehicle.
- (i) **If the valet service is located in the public right of way, a clear path of travel of 3 feet must be maintained at all times.**

#### § 548.04 - Exceptions

- (a) This Chapter shall not apply to any business establishment that provides patron parking entirely and solely on its premises. However, a valet parking operator license shall be required when the vehicle or the keys to the vehicle are given to the valet parking operator or attendant on any part of the public way, even if the actual parking of the vehicle is done entirely and solely on the establishment's premises.
- (b) Temporary licenses shall be issued for a two (2) day period at the cost of \$20 per license per location. All other provisions of this Chapter shall apply to said temporary licenses.
- (c) **Nothing contained in this chapter is intended to prohibit the ability of private business establishments to exclude public parking on their property, providing it is in conformance with all sections of the**

**Pittsburgh Code of Ordinances and/or any agreement(s) with the property owner by and between the City of Pittsburgh and/or its component units.**

**§ 548.05 - Penalties**

**Any ~~person~~ valet parking operator** convicted of a violation of any provision of this Chapter shall be fined not less than \$100.00 for each offense, and each day that an offense continues shall constitute a separate and distinct offense. In addition, the license of a valet parking operator who has been convicted of three such offenses within a 180-day period shall be revoked.