

93-O-96  
AN ORDINANCE  
Amending Section 7-2-6 of the Evanston City Code, 1979  
Establishing Regulations for Valet Parking

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That the Evanston City Code, 1979, as amended, be and hereby is further amended by adding to Section 7-2-6, Occupation of Public Ways for Business Purposes; Permits, the following new sub-paragraph:

(F) Valet Parking Operations on Public Ways:

1. Purpose: The purpose of this subsection is to allow businesses to provide or contract to provide valet parking services where the transfer of vehicles from customers to the valet parker and from the valet parker back to the customer occurs on the public way. Further, the purpose is to allow certain public parking spaces to be reserved for the transfer of the vehicle without obstructing traffic. Finally, the regulations are intended to ensure that, once accepted by the valet parking operator, vehicles are not parked on the public way.

2. Definitions:

PUBLIC WAY:	Any portion of City right-of-way available for use for travel by the general public, including streets and alleys. Public parking lots are not included in this definition.
BUSINESS:	The entity desiring to provide valet parking service for its customers.
CUSTOMER:	A person allowing a vehicle under his or her control to be parked by a business or persons under contract with the business.
VALET PARKING:	The act of accepting a vehicle from a customer, temporarily storing it, and returning it to the customer. This can be done for a fee or free of charge to the customer.

3. Permit Required; Application: No one shall conduct a valet parking operation on the public way without first having obtained a permit from the Director of Public Works or his or her designee. Application for the permit shall be on a form provided by the Director. If the business desiring to provide valet parking service proposes to contract with another company to provide this service, then both the business and the valet parking company shall be listed on the application. If the permit is approved, the permit-holder shall be the business. The applicant must specify where the vehicles accepted for parking will be stored. The area must be off of the right-of-way and may be a private or public lot. If the property is not owned by the applicant, a lease or other evidence of agreement for the use of the property must be provided with the application. Such permit shall be non-transferable.

4. Use of parking spaces: The transfer of all vehicles between the customer and the valet parker shall occur at the street curb. If there is an existing space on the right-of-way which will allow for the transfer of the vehicle between the customer and the valet parker without obstructing traffic (such as a loading zone or no parking zone), then no additional spaces will be reserved. If the provision of an acceptable transfer area requires occupying existing legal parking spaces, then up to two spaces may be reserved for this purpose. The City Traffic Engineer shall determine the acceptability of the transfer area, and his or her decision shall be final. Once the vehicle is transferred from the customer to the valet parker, it shall be moved to the off-street parking area identified in the application. The vehicle may not be double-parked or parked in a legal or illegal on-street space at any time. The violation of this regulation is cause for revocation of the permit.

5. Parking Tax: The valet parking transaction shall be exempt from the City Parking Tax.

6. Hold Harmless Agreement; Insurance: An indemnification and a hold harmless agreement shall be a part of the application form. No application may be approved without such agreement being executed. The applicant shall furnish the City with a certificate of insurance in the amount of one million dollars (\$1,000,000) naming the City as additional insured.

7. Sign: Each applicant, upon approval of the application by the City, is eligible to place one sign on the right-of-way indicating the availability of valet parking. The sign shall conform to the sign specifications found in Section 7-2-6(E), paragraph 5, of this Title. A drawing to scale of the proposed sign shall accompany the application. The location of the sign shall be approved by the City Traffic Engineer.

8. Fees: If no existing legal parking spaces are reserved as described in paragraph 4 of this Section, then the annual fee is one hundred fifty dollars (\$150.00). If one or two existing legal parking spaces are reserved for the transfer area, then the annual fee shall be three hundred dollars (\$300.00). The period during which the permit is valid is one year beginning on the date the permit application is approved by the Director of Public Works.

9. Hours of Operation: Valet parking shall occur only during the hours specified on the permit, generally between the hours of 6:00 P.M. and midnight.

10. Display of Permit Required: The permit shall be displayed in a prominent location, visible from the sidewalk in front of the business.

11. Penalty for Operation Without Permit: A one hundred dollar (\$100.00) fine shall be assessed if a business provides valet parking services without first having obtained the required permit from the Director of Public Works. Each day the valet parking is operated without a permit shall be considered a separate violation.

12. Revocation of Permit; Fines: Parking vehicles on the public way after receiving them as part of a valet parking operation is expressly prohibited. Two warnings shall be issued, sent by certified mail to the applicant at the address indicated on the permit. If any vehicles are parked on the public way after the second notice is issued, then the permit shall be revoked and no application to operate valet parking will be accepted from the business for a period of one year after the revocation of the permit. No fee refund will be issued if the permit is revoked for this reason. In addition, a permit may be revoked or a one hundred dollar (\$100.00) fine assessed if the permittee violates any other provision of this sub-paragraph or any provision of the permit. Each day an infraction occurs shall be considered a separate violation.

13. Revocation of Permit; Public Safety: The permit is revocable by the City. The public safety and convenience are of paramount importance and prevail over any private use of public space. If the valet parking operation interferes with the public safety or convenience and no acceptable alternate location can be found, then the permit shall be revoked and a prorated refund shall be issued. The occupation of the right-of-way as described in this subsection 7-2-6(F) creates no vested interests in the permittee. A permit may be revoked or denied at the sole discretion of the City. No hearing is provided in the event the City revokes or denies a permit.

14. Enforcement: The enforcement of the provisions of this ordinance shall be the responsibility of the Director of Public Works or his or her designee.

SECTION 2: That ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

Introduced: September 30, 1996.

Adopted: October 14, 1996.

Approved: October 17, 1996

Lorraine H. Morton  
Mayor

ATTEST:

Kristen Davis  
City Clerk

Approved as to form:

[Signature]  
Corporation Counsel