



APPLICATION FOR VALET PARKING SERVICE FRANCHISE, FEE \$50.00

Applicant Name: _____	Phone No.: _____
Mailing Address: _____	Email: _____
Franchise Operator: _____	Phone No.: _____
Mailing Address: _____	Email: _____
Business Address/Valet location: _____	

PARTNERSHIP OR CORPORATION? _____ if yes, provide a copy of articles of incorporation or partnership papers.

Name of partnership/corporation: _____

Mailing address: _____ Phone No.: _____

List officers/partners: _____

Insurance Company: _____

Provide workers comprehensive and employers liability insurance in the minimum amount of \$500,000. Per person/occurrence. Garage liability insurance in the minimum amount of \$500,000. Per person/occurrence covering bodily injury and property damage resulting from the valet parking operator's ramping and storing of vehicles on public property. Garage keepsers legal liability insurance in the minimum amount of \$250,000. Per location/occurrence with maximum deductible of \$1,000 to provide collision and comprehensive coverage for vehicles under the control of the valet parking operator.

Attached:

- Traffic & Operations Plan: _____ (*See attached requirements*)
- FDLE Criminal History: _____ (*FDLE Criminal History required for all officers/partners*)

Application requirements:

- _____ (1) The names, address and telephone numbers of the applicant, a Florida Department of Law Enforcement Criminal History Information Report obtained from the Ocala Police Department at the applicant's request and expense and any other information deemed necessary by the director. If the applicant is a lessee, the owner, and any independent contractor the applicant intends to use as a valet parking operator must provide the same information;
- _____ (2) The proposed location of any valet parking podium, stand, or sign to be used for the valet parking service;
- _____ (3) A written traffic plan which shows in detail the operation of the valet service, including, but not limited to, the size, shape, and location of the valet ramping zone or valet ramping spaces; the size, shape, location, and support of any signage; and the anticipated flow of traffic to and from the ramping spaces or zones;
- _____ (4) The location of the properly zoned and permitted off-street parking area or facility the valet parking operator intends to use for the storage of the vehicles, and a signed contract or agreement showing that the valet parking operator has acquired the legal right to store the vehicles in that area or facility;
- _____ (5) The days and operating hours proposed for the valet parking operation along with an operations plan which shall include a staffing plan and standard operating procedures. The standard operating procedures will include at a minimum a procedure for cars that are not reclaimed, and for cars that are stolen or vandalized while in the possession of licensee;
- _____ (6) Proof of insurance as provided for in [section 22-432](#);
- _____ (7) If a partnership, the full name of the partnership and the names of all the partners, whether general or limited, accompanied by the partnership instrument or a certified copy thereof, and the business address of the partnership;
- _____ (8) If a corporation, the exact corporate name and state of incorporation and the names of all the officers, directors and stockholders owning ten percent or more of the outstanding voting stock, accompanied by the articles of incorporation and all amendments thereto and the certificate of incorporation, or certified copies thereof, and the business address of the corporation and its registered agent.

Please note: After approval of the Valet Parking Service Franchise, a business tax certificate for the Valet Parking Service must be applied for at the One Stop Permit Center located at 201 SE 3rd Street, Second Floor. A FDLE Criminal History Information Report is required for each employee and shall be submitted with the application for a business tax certificate.

Acknowledgement

I have submitted a Florida Department of Law Enforcement Criminal History Information Report as required by Chapter 22. I understand that the findings may result in the denial of my application. I further understand that the franchise is required to abide by all regulations contained in Article II of Chapter 22, Code of Ordinances, City of Ocala, Florida, and that failure to do so could result in revocation of said franchise.

I swear/affirm that all written statements made by me on this application are true and complete. I understand that any omitted, false, or incorrect statements made in connection with my application may stop the processing of this application or result in the revocation of an existing franchise, and have read and understand the regulations pertaining to this franchise.

Applicant's signature _____ Date: _____

Print name: _____

State of Florida

County of Marion

Sworn to/affirmed before me this _____ day of _____, 20____, by
_____, as _____ of _____,
(Name) *(Title)* *(partnership/corporation)*

who is personally known to me or who has produced the following as identification

_____.

Notary public _____

(SEAL)

VALET PARKING SERVICE INDEMNIFICATION AGREEMENT

THIS AGREEMENT, is entered into the ____ day of _____, 20__, by and between the City of Ocala, a Florida municipal corporation (“City”) and _____, a Florida corporation (“Applicant”).

WHEREAS:

- A. Pursuant to Ordinance Section 22-433 any valet parking operator (company), as that term is defined in Ordinance Section, 22-422 shall indemnify and hold harmless against any and all liability, loss, costs, damages or expenses which may accrue to the city by reason of the negligence, default or misconduct of the company in connection with the rights granted to such company under this the City of Ocala’s Valet Parking Ordinance.
- B. Pursuant to Ordinance Section 22-433 a written indemnity and hold harmless agreement in a form satisfactory to the city, in its sole discretion, shall be required as a pre-condition to granting of a franchise to any company.
- C. Pursuant to Ordinance Section 22-424 Applicant has applied for a franchise to operate a Valet Parking Service in the City of Ocala.

NOW THEREFORE, in consideration of the matters set forth above (which are incorporated herein by reference), the grant of a franchise to Applicant herein, and other good and valuable consideration, the parties hereto agree as follows:

- 1. **Indemnity.** Applicant shall indemnify City and its elected officials, employees and volunteers against, and hold City and its elected officials, employees and volunteers harmless from, all damages, claims, losses, costs, and expenses, including attorneys’ fees, which City of its elected officials, employees or volunteers may sustain, or which may be asserted against City or its elected official, employees or volunteers, arising out of the activities contemplated by the Agreement and a grant of the Valet Parking Service franchise to Applicant, including, without limitation, harm or personal injury to third persons during the term of this Agreement or the Applicant’s franchise.
- 2. **Term.** The term of this Agreement shall commence on date set forth above and continue so long as Applicant is franchised by the City of Ocala to operate a Valet Parking Service in the City of Ocala.
- 3. **Relationship of parties.** Neither this Agreement, nor any term, provision, payment or right hereunder shall in ay way or for any purpose constitute or cause City to become or be deemed a partner of Applicant in the conduct of its business, or otherwise, or to cause City to become or be deemed a joint adventurer or a member of a joint enterprise with Applicant by reason of the Agreement or the City’s Ordinance regulating Valet Parking Services.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth above.

OWNER

Witness

Print Witness Name

Type Owner's Name Here

Witness

Print Witness Name

Corporate Acknowledgment

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by

_____ as _____ of

_____ a _____ on behalf of the

Notary Public, State of Florida
Name: _____
(Please print or type)

Commission Number:
Commission Expires:

Notary: Check one of the following:

Personally known OR Produced Identification (if this box is checked, fill in blanks below).

Type of Identification Produced: _____

ATTEST:

CITY OF OCALA, a Florida municipal corporation

Angel B. Jacobs, City Clerk

Jay A. Musleh, City Council President

APPROVED AS TO FORM AND LEGALITY:

Applicant

Patrick G. Gilligan, City Attorney

By: _____
Print Name

Ocala, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> [Chapter 22 - BUSINESSES](#)
>> [ARTICLE VII. VALET PARKING](#) >>

ARTICLE VII. VALET PARKING

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Sec. 22-421. Purpose.

It is the purpose and intent of this article to promote the safe and legal operation of valet parking services for the use and convenience of businesses and the general public; to minimize the disruption of vehicular and pedestrian traffic that valet parking operations may create; and to protect the health, safety, and welfare of the public by minimizing hazardous conditions that valet parking operations may create. It is also the intent of city council to only allow valet parking services for those businesses located in the parking exempted area as defined in [section 122-981](#) of the Code.

(Ord. No. 5859, § 1, 5-9-08)

Sec. 22-422. Definitions.

Unless the context clearly indicates or requires a different meaning, the terms used in this article shall have the meanings ascribed to them in this section:

Director: The director of the department of building, zoning and licensing or his/her designee;

Chief of police: The Chief of Police of the City of Ocala, Florida or his/her designee;

City: The City of Ocala, Florida and its authorized agents;

Licensee: Person who is awarded a valet parking service license by the city to provide a valet parking service for businesses located within the parking exempted area as defined in [section 122-981](#) of the Code;

Parking program: Any formalized and duly authorized parking program approved by city council for the administration and enforcement of public parking programs in the city on public property;

Person: Any individual, firm, corporation, partnership, company, or association;

Public property: Any property owned or controlled by the city, including any right-of-way, bus lane, or utility corridor or any other property owned by a governmental body for the benefit of the public;

Ramping: The loading and unloading of passengers to and from motor vehicles within a city-approved valet ramping zone or space;

Storage: The parking of motor vehicles in a parking facility for a limited time (less than 12 hours) by a valet parking operator;

Traffic: Pedestrians, motor vehicles, buses, and other conveyances either singly or together while using any street or roadway for purposes of travel;

Traffic control devices: Any sign, signal, or device placed or erected by authority of the city or other public body having jurisdiction for the purpose of regulating, warning, or guiding traffic;

Traffic engineer: The traffic engineer of the City of Ocala or his/her designee;

Traffic lane: Any street or roadway improved, designed, or ordinarily used for vehicular travel;

Valet parking operator: Any person who is licensed by the city to provide valet parking service on public property;

Value parking service: The ramping and storage of vehicles by a licensed valet parking operator;

Valet ramping space: A parking space approved by the city for the ramping of vehicles associated with a licensed valet parking service;

Valet ramping zone: Any public property, not regularly used for parking, which is approved by the city for the ramping of vehicles associated with a licensed valet parking service.

(Ord. No. 5859, § 1, 5-9-08)

Sec. 22-423. License required.

- (a) *Requirement.* No person shall operate a value parking service on public property unless licensed to do so by the city.
- (b) *Exemption.* This article only applies to valet parking services operating on behalf of or in conjunction with a commercial establishment or commercial activity. Occasional valet parking service provided at a private residence or in connection with a social, charitable or fundraising activity are hereby exempt from the requirements of this article, but may be subject to other restrictions.

(Ord. No. 5859, § 1, 5-9-08)

Sec. 22-424. Application and eligibility.

- (a) A person wanting to operate a valet parking service on public property or on private property but, requiring the use of public property for the maneuvering of the vehicles, must apply in writing to the director for a valet parking service license. The application shall be made on a form approved by the director, by the commercial property owner or lessee to be benefited by the proposed valet parking service.
- (b) All applications for valet parking service must provide the following information:
- (1) The names, address and telephone numbers of the applicant, a Florida Department of Law Enforcement Criminal History Information Report obtained from the Ocala Police Department at the applicant's request and expense and any other information deemed necessary by the director. If the applicant is a lessee, the owner, and any independent contractor the applicant intends to use as a valet parking operator must provide the same information;
 - (2) The proposed location of any valet parking podium, stand, or sign to be used for the valet parking service;
 - (3) A written traffic plan which shows in detail the operation of the valet service, including, but not limited to, the size, shape, and location of the valet ramping zone or valet ramping spaces; the size, shape, location, and support of any signage; and the anticipated flow of traffic to and from the ramping spaces or zones;
 - (4) The location of the properly zoned and permitted off-street parking area or facility the valet parking operator intends to use for the storage of the vehicles, and a signed contract or agreement showing that the valet parking operator has acquired the legal right to store the vehicles in that area or facility;
 - (5) The days and operating hours proposed for the valet parking operation along with an operations plan which shall include a staffing plan and standard operating procedures. The standard operating procedures will include at a minimum a procedure for cars that are not reclaimed, and for cars that are stolen or vandalized while in the possession of licensee;
 - (6) Proof of insurance as provided for in [section 22-432](#) of this article;
 - (7) If a partnership, the full name of the partnership and the names of all the partners, whether general or limited, accompanied by the partnership instrument or a certified copy thereof, and the business address of the partnership;
 - (8) If a corporation, the exact corporate name and state of incorporation and the names of all the officers, directors and stockholders owning ten percent or more of the outstanding voting stock, accompanied by the articles of incorporation and all amendments thereto and the certificate of incorporation, or certified copies thereof, and the business address of the corporation and its registered agent.
- (c) No application for the operation of a valet parking service shall be processed for any person under the age of 18 years.
- (d) No application shall be processed for any licensee who has, within five years prior to the date of the application for such license, been convicted, been incarcerated, or been on probation or parole as a result of a conviction, of any crime defined by the following Florida Statutes, or their subsequent amendments, or as similarly defined in any other state, or pursuant to federal law:

F.S. § 782.04	Murder
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F.S. § 782.07	Manslaughter; aggravated manslaughter of an elderly person or disabled adult; aggravated manslaughter of a child
F.S. § 782.071	Vehicular homicide
F.S. § 782.072	Vessel homicide
F.S. § 782.08	Assisting self-murder
F.S. § 782.09	Killing of unborn child by injury to mother
F.S. § 782.11	Unnecessary killing to prevent unlawful act
F.S. § 784.011	Assault
F.S. § 784.021	Aggravated assault
F.S. § 784.03	Battery
F.S. § 784.045	Aggravated battery
F.S. § 784.048	Stalking
F.S. § 784.05	Culpable negligence
F.S. § 784.07	Assault or battery of law enforcement officers, firefighters, emergency medical care providers, public transit employees or agents, or other specified officers
F.S. § 784.08	Assault or battery on person 65 years of age or older
F.S. § 787.01	Kidnapping
F.S. § 787.02	False imprisonment
F.S. § 787.03	Interference with custody
F.S. § 787.04	Removing minors from state or concealing minors contrary to state agency order or court order
F.S. § 794.011	Sexual battery
F.S. § 794.05	Unlawful sexual activity with certain minors
F.S. § 800.02	Unnatural and lascivious act
F.S. § 800.03	Exposure of sexual organs
F.S. § 800.04	Lewd, lascivious, or indecent assault or act upon or in presence of child
F.S. § 806.01	Arson
F.S. § 806.031	Arson resulting in injury to another
F.S. § 806.10	Preventing or obstructing extinguishment of fire
F.S. § 806.111	Fire bombs
F.S. § 806.13	Criminal mischief

F.S. § 810.02	Burglary
F.S. § 810.06	Possession of burglary tools
F.S. § 812.014	Theft
F.S. § 812.015	Retail and farm theft; transit fare evasion
F.S. § 812.016	Possession of altered property
F.S. § 812.019	Dealing in stolen property
F.S. § 812.13	Robbery
F.S. § 817.233	Burning to defraud the insurer
F.S. ch. 826	Bigamy; incest
F.S. ch. 827	Abuse of children
F.S. ch. 831	Forgery and counterfeiting
F.S. ch. 837	Perjury
F.S. ch. 838	Bribery; misuse of public office
F.S. ch. 870	Affrays; riots; routs; unlawful assemblies
F.S. ch. 872	Offenses concerning dead bodies and graves
F.S. ch. 873	Sale of anatomical matter
F.S. ch. 876	Criminal anarchy, treason, and other crimes against public order
F.S. § 877.111	Inhalation, ingestion, possession, sale, purchase or transfer of harmful chemical substances
F.S. § 893.13	Sale, purchase, manufacturing, delivery or possession of a controlled substance
F.S. § 893.135	Trafficking
F.S. § 893.147	Use, possession, manufacturing, delivery or advertisement of drug paraphernalia
F.S. ch. 895	Offenses concerning racketeering and illegal debts

- (e) No application shall be processed for any licensee who has, within three years prior to the date of the application for a valet parking service, been convicted, been incarcerated, or been on probation or parole as a result of a conviction, of any crime defined by the following Florida Statutes, or their subsequent amendments, or as similarly defined in any other state, or pursuant to federal law:

F.S. § 316.192	Reckless driving
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F.S. § 316.193	Driving under the influence
F.S. § 316.1935	Fleeing or attempting to elude a law enforcement officer; aggravated fleeing and eluding
F.S. § 790.01	Carrying concealed weapons
F.S. ch. 796	Prostitution
F.S. § 817.234	False and fraudulent insurance claims
F.S. § 817.235	Removing or altering identification marks from personal property
F.S. § 817.52	Obtaining vehicles with intent to defraud, failing to return hired vehicle, or tampering with mileage device of hired vehicle
F.S. § 877.111	Inhalation, ingestion, possession, sale, purchase or transfer of harmful chemical substances

- (f) No application shall be processed for any applicant who has, within two years prior to the date of the application for such license, been convicted, been incarcerated, or been on probation or parole as a result of a conviction, of any crime not listed herein, or their subsequent amendments, or as similarly defined in any other state, or pursuant to federal law.
- (g) A person convicted of any of the crimes mentioned in this section within the timeframes prescribed in this section may appeal to the city council. The city council may waive the prohibition of processing the application if it feels that the applicant is rehabilitated and no longer a threat to the community.
- (h) Any prohibition required by this article as the result of the conviction of a crime set forth in this section shall be waived upon proof that the person's civil rights have been restored, pursuant to F.S. §§ 940.03—940.05 and F.S. §§ 944.292 and 944.293, or their subsequent amendments, or as similarly defined in any other state, or pursuant to federal law.

(Ord. No. 5859, § 1, 5-9-08; Ord. No. 5922, § 8, 12-16-08; Ord. No. 2013-73, § 1, 8-20-13)

Sec. 22-425. Review and issuance.

- (a) *Review.* The director shall forward the application to all city departments which may be affected by the granting of the license being requested. These departments shall include, but not be limited to the police, fire, planning, traffic engineering and any city department administering a parking program. The departments will have 30 days to review and submit comments on the application back to the director.
- (b) *Issuance.* After reviewing the application and the comments submitted by the affected departments, and all the appropriate fees have been paid, the director shall submit to city council within 20 days the application for city council's review and consideration. If it is determined that a valet parking service proposed by the applicant would serve the needs of the applicant and the public by the operation of a valet parking service, then after proof of compliance with the requirements set forth in this article, and upon recommendation of the director, the city council may grant the authority to conduct a valet parking service to the licensee unless denial of the application is warranted under [section 22-427](#) of this article.
- (c) *Renewal.* The valet parking service license shall be renewed annually by submittal of a new application for valet parking service and payment of applicable fees. Any change to the

license regarding ownership/operator, location of the ramping area or parking area will require approval by city council otherwise the building director can approve the annual renewal with a reduced application fee.

(Ord. No. 2013-73, § 2, 8-20-13)

Sec. 22-426. Fees.

- (a) The city council shall adopt by resolution a schedule of fees for a valet parking license.
- (b) The annual fee for a valet parking service license is \$100.00 per valet ramping space, up to a maximum of \$500.00 for five spaces. If the license is for a valet ramping zone, the annual fee will be a flat rate of \$500.00.
- (c) In addition to the other fees required by this section, an applicant must also pay an annual \$50.00 fee for each sign, podium, or stand the applicant intends to place on the public property.
- (d) There will be a one-time fee for each sign that must be placed in the public property by the city as a result of the proposed valet parking service. The fee for each of the city signs will be determined on a case-by-case basis, depending on the actual cost incurred by the city.

(Ord. No. 5859, § 1, 5-9-08; Ord. No. 2013-73, § 3, 8-20-13)

Sec. 22-427. Denial, revocation or suspension of license.

- (a) *Denial.* The city council shall deny any application if:
 - (1) The applicant fails to comply with any of the requirements of any current Parking Program or any other applicable law;
 - (2) The applicant makes any false statement of material fact on the valet parking service application;
 - (3) The city council determines that the operation of a valet parking service at the applied for location would endanger the health, safety or welfare of persons or property; unreasonably interfere with pedestrian or vehicular traffic; unreasonably interfere with the use of any pole, sign, fire hydrant, traffic signal or any other object already permitted at or near the proposed valet parking service location; unreasonably interfere with any other permitted use permitted at or near the proposed valet parking service location; not be in compliance with the submitted and approved traffic plan as required by [section 22-424\(b\)\(3\)](#) and (4), of this article or otherwise not be in the public interest.
- (b) *Revocation.* The city council may revoke an existing valet parking service license if:
 - (1) The licensee fails to comply with the requirements of the valet parking service license, the Parking Program, or any other applicable law;
 - (2) The licensee makes any false statement of material fact on the valet parking service application;
 - (3) The city council determines that the operation of a valet parking service at the applied for location would endanger the health, safety or welfare of persons or property; unreasonably interfere with pedestrian or vehicular traffic; unreasonably interfere with the use of any pole, sign, fire hydrant, traffic signal or any other object already permitted at or near the proposed valet parking service location; unreasonably interfere with any other permitted use permitted at or near the proposed valet parking service location; not be in compliance with the submitted and approved traffic plan as

required by [section 22-424\(b\)\(3\)](#) and (4), of this article or otherwise not be in the public interest.

- (4) The city council may at any time unconditionally revoke a valet parking services license issued by the director pursuant to this article if the city council finds that such a revocation would be in the public interest.
 - (5) The city council shall have the right to revoke a licensee's right to operate a valet parking service upon the licensee or its employees conviction of those crimes contained in [section 22-424](#), for the period of time set forth in that section.
- (c) *Suspension.* The director or chief of police may temporarily suspend a valet parking service license if the public property being used by the valet parking service is needed in an emergency. The director or chief of police may temporarily suspend a valet parking service license upon two weeks notice if the public property being used by the valet parking service is needed for a special event, or other use including, but not limited to, construction, maintenance, or repair of a street, utility, or any other component of the city infrastructure. The director may authorize a refund of a portion of the annual license fee if the suspension is for three months or longer and if the licensee is not the cause of the conditions necessitating the suspension.

(Ord. No. 5859, § 1, 5-9-08)

Sec. 22-428. Rules and regulations.

In addition to any other requirements of this article, any valet parking operator authorized by the city to provide value parking service on public property shall comply with the following requirements:

- (1) The valet parking operator shall possess a valid occupational license to operate the valet parking service within the city;
- (2) The parking operator shall operate in accordance with the written traffic plan submitted and approved per [section 22-424\(b\)\(3\)](#), of this article;
- (3) The valet parking operator shall maintain a key control booth at all valet parking locations that will remain open in accordance with the operations plan submitted as required in [section 22-424](#) or until all cars are claimed;
- (4) The valet parking operator shall not load or unload passengers within traffic lanes that are open to through traffic unless specifically authorized by the director and is part of the written traffic plan submitted and approved per [section 22-424\(b\)\(3\)](#), of this article;
- (5) The valet parking operator shall not store cars in the valet ramping spaces or zone. A vehicle is considered stored if it remains in the valet ramping spaces or zone for more than 15 minutes;
- (6) The valet parking operator shall comply with all applicable federal, state, and local statutes, laws, ordinances, rules, and regulations relating to traffic safety;
- (7) A licensee wishing to change its location, size, or hours of operation must submit a new application to the director as per [section 22-424](#) of this article;
- (8) The valet parking service shall not interfere with the regular flow of pedestrian traffic.
- (9) The valet parking service cannot operate between the hours of 7:00 a.m. and 5:00 p.m.

(Ord. No. 5859, § 1, 5-9-08)

Sec. 22-429. Traffic control devices.

- (a) The city may require the licensee (at its sole cost and expense) to set up the appropriate traffic control devices as approved by the city in order to facilitate the movement of traffic in an expeditious manner. No traffic control devices or signage of any kind shall be placed upon or within traffic lanes without the prior approval of the traffic engineer.
- (b) If, in the determination of the traffic engineer or chief of police, a valet parking operation on public property creates or contributes to an unsafe or hazardous condition, or a valet parking operation on other property impacts adjacent streets or sidewalks to the extent that it threatens the safety of vehicular and/or pedestrian movement in the area, then the traffic engineer or chief of police may require the valet parking operator to provide, at its sole cost and expense, special duty, uniformed police officers to direct traffic in the traffic lanes adjacent to the valet parking zone. If, in the sole determination of the traffic engineer or chief of police, the hiring of such special duty officers to direct traffic does not adequately address the threat to public safety, then the traffic engineer or chief of police, in the interest of protecting the public health, safety, and welfare, may order the termination of the valet parking service at a particular location until the threat to public safety has been adequately addressed.

(Ord. No. 5859, § 1, 5-9-08)

Sec. 22-430. Employees.

Employees of the valet parking operator shall at all times comply with the following requirements:

- (1) All employees shall possess and carry a valid Florida Driver's license;
- (2) All employees must be on the payroll of the valet parking operator and not be independent contractors;
- (3) All employees shall display a name tag with current photograph of the employee identifying the valet parking operator and the employee's name;
- (4) All employees shall comply with the requirements of this article, including [section 22-424](#) and all applicable laws, statutes, ordinances, rules and regulations relating to traffic safety.
- (5) All employees of any licensee shall be registered with the director with sufficient background and identifying information as required by the director to assure him that the employees are also not in violation of the criminal conviction requirements of [section 22-424](#)

(Ord. No. 5859, § 1, 5-9-08)

Sec. 22-431. Ramping and storage of vehicles.

- (a) *Ramping of vehicles.* The ramping of vehicles shall be allowed within city-approved valet ramping spaces and zones only. The ramping of vehicles within traffic lanes or outside the city-approved valet ramping space and zone is a violation of this article and subject to the penalty provided in [section 22-434](#)
- (b) *Storage of vehicles.*
 - (1) *On private property.* The valet parking operator may store vehicles on private lots which are properly permitted and zoned as parking areas and for which the valet parking operator has provided to the director documentation from the parking facility owner authorizing the valet parking operator to use the facility as part of the written traffic plan submitted and approved per [section 22-424\(b\)\(3\)](#), of this article.

- (2) *On public property.* The valet parking operator may lease city parking spaces in order to store vehicles to the extent that city parking spaces are readily available. The city and valet parking operator shall enter into a lease for the city spaces. The fee for such spaces shall be established by the Parking Program and approved by city council. The use of city parking spaces must be included in the written traffic plan as submitted and approved per [section 22-424\(b\)\(3\)](#), of this article.
- (3) A valet parking operator wishing to store its vehicles in a parking area or facility other than the one(s) identified in the license application must notify the director a minimum of 45 days before the change is to take place by submitting a revised written traffic plan with the same required documentation as a new application per [section 22-424\(b\)\(3\)](#). The revised written traffic plan shall be subject to the same review and issuance provisions of [section 22-425](#) of this article.
- (4) The storage of vehicles within a city-approved valet ramping space or zone is prohibited. A vehicle is considered stored if it remains in the valet ramping space or zone for more than 15 minutes.

(Ord. No. 5859, § 1, 5-9-08)

Sec. 22-432. Insurance.

- (a) The valet parking operator shall purchase, maintain, and keep in full force and effect insurance written for not less than the limits of liability specified below or required by law, whichever is greater:
 - (1) Workers' compensation and employer's liability insurance in the minimum amount of \$500,000.00 per person/per occurrence;
 - (2) Garage liability in the minimum amount of \$500,000.00 per person, per occurrence covering bodily injury and property damage resulting from the valet parking operator's ramping and storing of vehicles on public property;
 - (3) Garage keepers legal liability insurance in the minimum amount of \$250,000.00 per location, per occurrence with a maximum deductible of \$1,000.00 to provide collision and comprehensive coverage for vehicles under the control of the valet parking operator.
- (b) All insurance companies providing the required coverage shall be rated A- or better by Best's Rating Guide.
- (c) The city shall be named as an additional insured on all liability insurance required herein except workers' compensation.
- (d) Insurance certificates evidencing all required insurance coverages and providing that the coverage shall not be cancelled or modified without 30 days prior written notice to the city shall be filed with the director prior to the operation of the valet service.

(Ord. No. 5859, § 1, 5-9-08)

Sec. 22-433. Indemnification of city.

The valet parking operator shall agree in writing to indemnify, hold harmless and defend the city, its representatives, employees, agents and elected and appointed officials, from and against all liability, claims, damages, suits, losses, and expenses of any kind, including reasonable attorney's fees and costs (and reasonable attorney's fees and costs on appeal) arising from its use of public property in providing valet parking service and arising from any negligent act, omission or error of the valet parking operator, its agents or employees, or arising from the failure of the valet parking

operator, its agents or employees, to comply with each and every requirement of this article or with any other federal, state, or local traffic law.

(Ord. No. 5859, § 1, 5-9-08)

Sec. 22-434. Penalty.

Any person who violates any of the provisions of this article shall be punished as provided in [section 1-9](#) of the City Code.

(Ord. No. 5859, § 1, 5-9-08)

Sec. 22-435—22-440. Reserved.