

## ARTICLE II. VALET PARKING

### 4-232-050 Definitions.

(a) For the purpose of this chapter, the following terms shall have the following meanings:

"Valet parking operator" means a person who employs one or more attendants for the purpose of providing a valet parking service or who contracts his own services, but not in the capacity of employee, to any business establishment, for the purpose of providing a valet parking service to such establishment.

"Valet parking service" means a parking service provided to accommodate patrons of any business establishment, which service is incidental to the business of the establishment and by which an attendant on behalf of the establishment takes temporary custody of the patrons' motor vehicle and moves, parks, stores or retrieves the vehicle for the patrons' convenience.

(b) For the purposes of Sections 4-232-060 through 4-232-080, "commissioner" means the commissioner of consumer services or his designee.

(Coun. J. 12-9-92, p. 25465)

### 4-232-060 License--Required--Application

--Fee.

(a) Except as provided in Section 4-232-090, no person shall conduct a valet parking service unless he has a valid valet parking operator license issued in accordance with this chapter. A separate license is required for each loading area served.

(b) Applications for valet parking operator licenses shall be made to the commissioner of consumer services on forms provided by him for that purpose. Each valet parking operator license issued shall be for a one-year period only, commencing on July 1st, and shall have designated thereon the name and address of the licensee and the business establishment to be served by the licensee. The fee for each license shall be as set forth in Section 4-5-010.

(c) Applications for the renewal of a valet parking operator license shall be made to the commissioner on forms provided by him for that purpose not less than 60 days prior to the expiration of the license to be renewed. The fee for a renewal shall be the same as for a new license.

(d) Valet parking operator licenses shall be nontransferable, and any attempt to transfer a license shall result automatically in the immediate expiration of the license.

(Coun. J. 12-9-92, p. 25465)

### 4-232-065 Licensee's obligation.

It shall be the duty of every holder of a public garage license to admit representatives of the police department, the department of revenue and the city clerk's office to the licensed garage for purposes of ascertaining whether vehicles parked therein are in compliance with Chapter 3-56.

(Added Coun. J. 11-12-03, p. 11505, § 1)

**Editor's note:** Coun. J. 11-12-03, p. 11505, § 1, amended the Code by adding provisions designated as a new § 4-232-070. Inasmuch as provisions already existed so numbered,

the provisions of Coun. J. 11-12-03, p. 11505, § 1, have been included herein as a new § 4-232-065 at the discretion of the editor. See also the Code Comparative Table.

#### 4-232-070 Issuance conditions.

(a) No valet parking operator license, or renewal thereof, shall be issued unless the applicant agrees to park all cars entrusted to him in legal off-street or legal on-street sites.

(b) No valet parking operator license, or renewal thereof, shall be issued unless the applicant provides proof to the commissioner that he has obtained liability insurance covering all locations at which he operates or seeks to operate in the minimum amounts of \$500,000.00 per occurrence for public liability, \$100,000.00 per occurrence for property damage, and \$100,000.00 per occurrence for garage keepers' legal liability. The insurance policy shall be for a term at least coextensive with the duration of the license and shall not be subject to cancellation except upon 30 days prior notice to the commissioner. Upon termination or lapse of the licensee's insurance coverage, any license issued to him shall automatically expire.

(c) No valet parking operator license, or renewal thereof, shall be issued unless the applicant provides proof to the commissioner that the business establishment for which the valet parking service is to be provided has made available a loading zone at least 25 feet in length immediately adjacent to its premises for the pickup and delivery of the patrons vehicles. Where the loading zone is to be on-street, the business establishment shall have applied to the commissioner of transportation in accordance with title 9 of this Code for the designation of a curb loading zone or tow zone, and no license shall be issued for the operation of a valet parking service at that establishment unless and until the designation has been approved and the curb loading zone or tow zone signs have been installed.

(d) No valet parking operator license, or renewal thereof, shall be issued unless the applicant provides proof satisfactory to the commissioner that, with respect to each business served, the valet parking operator has available legal off-street parking spaces equal in number to ten percent of the occupancy content of that business as determined in accordance with Title 13 of this Code. A 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.

(e) No valet parking operator license, or renewal thereof, shall be issued to any applicant who has been found in violation of any provision of Section 4-232-060 or 4-232-080 of this chapter two or more times within the 180-day period prior to the date of the application or three or more times within the 365-day period prior to the date of the application.

(Coun. J. 12-9-92, p. 25465; Amend Coun. J. 10-28-97, p. 54835)

#### 4-232-080 Operating procedures.

(a) Every business establishment for which a valet parking license is issued shall, during the hours of service, display an 18-inch by 24-inch valet parking license sign issued by the department of consumer services. The valet parking license sign is to be attached to the existing loading zone pole during the hours of operation. The valet parking license sign shall only be displayed and the zone shall only be in effect during the hours that valet service is provided. A licensee's improper display of or failure to display

the valet parking license sign, or use of such sign to restrict or exclude public parking at unauthorized times or locations, shall subject the operator to the penalties set forth in this article and other applicable provisions of this Code. Every licensee providing service must post the name of the operator and rate, if any, onto the valet parking license sign in four inch dark blue lettering. The commissioner of consumer services shall inspect such establishments to determine the name, and rates, if any, are accurately and properly posted, and shall suspend any valet parking operator's license as to any business establishment being served for so long as the licensee fails to post its rates and name as required herein.

(b) No valet parking operator shall park or suffer its agents to park patrons' vehicles upon the public way except under lawful conditions upon such main thoroughfares of the city as are designated as snow routes pursuant to Title 9 of this Code. In accordance with Section 9-100-150 of this Code, the fine for any parking or compliance 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 upon notice by the city shall subject the operator to the penalties set forth in this article and other applicable provisions of this Code. The commissioner of consumer services is authorized to seek restitution with respect to any fine paid by the patron of the valet parking operator.

(c) Every valet parking operator shall place or cause his agent to place on the dashboard of each patron vehicle a sign or placard of a size no smaller than eight and one-half inches by 11 inches 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 in red or black letters no less than one inch high: "This Vehicle Parked By (valet parking operator) For Customer Of (business establishment)". In addition, each attendant of valet parking operator shall, while on duty, wear conspicuously placed on his clothing an insignia which identifies the valet parking operator for whom the attendant is working.

(d) All valet parking attendants must, upon taking custody of a patron's vehicle, issue a numbered receipt to each customer containing the name, address and telephone number of the company providing the valet service, a statement that the company has liability insurance as required by Section 4-232-070(b) of the Municipal Code of Chicago, the charge for the valet service, the time and date the valet parking operator took custody of the vehicle, and the license plate number of the vehicle. When a valet parking attendant returns custody of the vehicle to the owner, the attendant must time stamp the receipt with the time and date the valet parking operator surrendered custody of the vehicle, and return it to the patron.

(e) 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. In addition to the penalties otherwise provided for violation of this section, any person violating this subsection shall be subject to a fine of not less than \$100.00 nor more than \$500.00 for each offense. Any penalty for violation of this subsection shall be assessed against, and shall be the responsibility of, the holder of the valet parking operator license.

(f) No valet parking operator may use one-day residential parking permits in the conduct of that operator's valet parking business.

(Coun. J. 12-9-92, p. 25465; Amend Coun. J. 10-7-93, p. 38995; Amend Coun. J. 10-28-97, p. 54835)

4-232-090 Applicability of provisions--Exceptions.

Sections 4-232-060 through 4-232-080 shall not apply to any business establishment that provides patron parking entirely and solely on its premises or to any hotel that provides parking entirely on its premises for guests or for patrons of business establishments located on the hotel's 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 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.

(Coun. J. 12-9-92, p. 25465)

4-232-100 Violation of Sections 4-232-060 and 4-232-080--Penalty.

Any person convicted of a violation of any provisions of Sections 4-232-060 or 4-232-080 shall be fined not less than \$50.00 and not more than \$500.00 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 by the commissioner.

(Coun. J. 12-9-92, p. 25465)