



**The City of
OKLAHOMA CITY**

PUBLIC WORKS DEPARTMENT – TRAFFIC MANAGEMENT DIVISION

Instructions for
VALET LOADING ZONE DESIGNATION
and application for
VALET PARKING SERVICE REVOCABLE PERMIT

On July 15, 2008, the Oklahoma City Council amended the Oklahoma City Municipal Code, 2007, Chapter 32, by passage of Ordinance 23,642. This ordinance, effective August 14, 2008, created a process by which (1) a person or company can make an application to the Oklahoma City Traffic and Transportation Commission (Commission) to have a passenger loading zone on City right-of-way designated and signed for use as a valet loading zone and (2) a person or company can make an application to the City's Public Works Director for a revocable permit to operate a valet parking service within a Commission-designated valet loading zone.

All companies offering and operating valet services from the City's public right-of-way must have a revocable permit with the City in order to do so. Operation of an unpermitted valet parking service or the illegal operation of a permitted valet parking service on public right-of-way not designated for that purpose is a Class "a" offense.

The penalty for a Class "a" offense, under Municipal Code § 1-6, is as follows:

§ 1-6. Penalty for violations.

(a) In this section "violation of this Code" means any of the following:

- (1) doing an act that is prohibited or made or declared unlawful or an offense by ordinance or by rule or regulation authorized by ordinance; or
- (2) failure to perform an act that is required to be performed by ordinance or by rule or regulation authorized by ordinance.

(b) In this section "violation of this Code" does not include the failure of a City officer or City employee to perform an official duty unless it is provided that failure to perform the duty is to be punished as provided in this section.

(c) Except as otherwise expressly provided in this Code, all violations of this Code are declared to be misdemeanors and are classified as either a Class "a" offense or a Class "b" offense. In the absence of provisions to the contrary, including but not limited to a specific penalty, violations of this Code are a Class "a" offense. A person convicted of a Class "b" offense shall be punished by a fine not exceeding \$1,200.00 plus costs and fees or imprisonment in the City Jail not exceeding six months or by both such fine and imprisonment. **A person convicted of a Class "a" offense shall be punished by a fine not exceeding \$500.00, excluding costs and fees.** With respect to violations of this Code that are continuous with respect to time, each day the violation continues is a separate offense.

The filing of a revocable permit application to operate a valet parking service does not grant the authorization to operate a valet parking service until such time that the application is approved.

Contact the City Traffic Engineer at the address and phone number listed below with any questions about or for assistance with the valet loading zone designation and revocable permitting processes.



The City of
OKLAHOMA CITY

PUBLIC WORKS DEPARTMENT – TRAFFIC MANAGEMENT DIVISION

**VALET LOADING ZONE DESIGNATION
TRAFFIC AND TRANSPORTATION COMMISSION
PUBLIC HEARING AND REVIEW PROCESS**

The first step toward obtaining approval to operate a valet parking service on City right-of-way is the designation of a passenger loading zone for use as a valet loading zone. This process is initiated by submitting a written request to the Traffic Management Division in order to have it presented before the Oklahoma City Traffic and Transportation Commission. The Traffic and Transportation Commission is that body responsible for conducting public hearings on such requests. Identification and approval of the valet loading zone must be done before a revocable permit to operate a valet parking service can be approved by the Public Works Director.

The Traffic and Transportation Commission's regularly scheduled meetings are on the third Monday of every month with the exception of January, in which case it is on the Friday following the third Monday due to the City's observance of Martin Luther King, Jr. Day. The Commission's meetings are conducted in the City Council Chambers, located at 200 N. Walker Avenue, at 1:30 p.m.

The request letter needs to clearly identify the location of the passenger loading zone to be also designated as a valet loading zone and the necessity for the request.

**VALET PARKING SERVICE
REVOCABLE PERMIT
APPLICATION**

The following are required for a complete revocable permit:

- REVOCABLE RIGHT-OF-WAY USE PERMIT DOCUMENT:** All applicants must submit a completely executed valet parking service right-of-way revocable use permit. All information must be provided. The only allowable blanks on the permit form are those for the permit's effective starting date (provided in section 3 of the permit) and the signatures of the Public Works Director and Assistant Municipal Counselor.
- EXHIBIT "A":** This is a graphic illustration of the valet loading zone described on the first page of the permit document. It serves to clearly show the limits of the loading zone with respect to actual physical features. This must be a valet loading zone that has already been approved by the Traffic and Transportation Commission.

- EFFECTIVE PERMIT DATE:** The effective permit start date (provided in section 3 of the permit) is determined after the Commission hearing therefore this part of the permit documents needs to be left blank.

- EXHIBIT “B” COPY OF EXECUTED PARKING CONTRACT.** Permit applicants must furnish either an executed copy of their parking agreement contract or a contract contingent only upon approval of the revocable parking service permit as required in section 6 of the permit. The contract demonstrates that the applicant service has contracted with a parking lot operator. At minimum, the contract must cover a period of at least one year.

- EXHIBIT “C” TEMPORARY KIOSK EXHIBIT :** An exhibit showing the proposed temporary kiosk is required in order to insure compliance with the requirements of section 10 of the permit. Photographs or scale illustrations of the proposed kiosk must be provided and also illustrate how the following permit requirements will be displayed :
 - Name and telephone number of the valet service company
 - Hours of operation
 - Cost for valet services

- EXHIBIT “D” INSURANCE :** A standard ACCORD insurance policy is required. Insurance requirements as specified in section 17 of the permit must be satisfied. The City of Oklahoma City must also be clearly listed as an additional insured.

- EXHIBIT “E” CURRENT OKLAHOMA STATE BUREAU OF INVESTIGATION (OSBI) BACKGROUND REPORTS FOR ALL VALET PARKING SERVICE EMPLOYEES :** Current OSBI background reports on all valet parking service employees are required with the application as specified in section 18 of the permit.

- EXHIBIT “F” ORIGINAL SIGNED APPROVAL LETTERS FROM ALL PRIVATE PROPERTY OWNERS ABUTTING THE PROPOSED VALET PARKING ZONE :** A letter from each and every private property owner immediately abutting the proposed valet loading zone clearly indicating their approval of the requested zone and understanding of its use.

Once a completed revocable permit application has been submitted, it will be reviewed by the Public Works Director, who will determine whether the permit shall be granted.

Please note that as currently written, the permit is valid for a period of one (1) year from approval. All valet parking services must renew their permits annually by updating their revocable permit applications for reconsideration by the Public Works Director.

REVOCABLE RIGHT-OF-WAY USE PERMIT

VALET PARKING SERVICE

This Revocable Right-of-Way Use Permit for a Valet Parking Service is made and entered into by THE CITY OF OKLAHOMA CITY, a municipal corporation, acting by and through its Director of Public Works (hereinafter called “Director”) and _____(hereinafter called “Permittee”).

Permittee desires to operate a Valet Parking Service, as defined by Section 32-401 of the Oklahoma City Municipal Code, 2010, on public property described more fully as:

description of the proposed valet loading zone

Said location (hereinafter called “Valet Loading Zone”) is set out graphically on “**Exhibit A**” attached and incorporated herein by reference.

It is in the interest of the citizens of the City of Oklahoma City that the Valet Parking Service be operated by Permittee in a manner so as not to jeopardize the health, safety or welfare of: (1) the citizens using the service offered by the Permittee, (2) the traveling public and (3) pedestrians using public or private property adjacent to the Valet Loading Zone.

It is mutually agreed by the parties hereto as follows:

1. The Director hereby grants Permittee a revocable permit for use of the public right-of-way, hereinafter called the “Permit,” for the purpose of operating a Valet Parking Service within the public rights-of-way (Valet Loading Zone) as described above and illustrated on “**Exhibit A.**”
2. The Permit shall be subject to, and subordinate to, any franchise for the use of the public ways previously or subsequently granted by the City to any public utilities,

firms or corporations, and the Permit shall further be subject to, and subordinate to, the right and power of the City to construct, operate and maintain any public utilities or public facilities in, above and under the public right-of-way.

3. This Permit shall be effective beginning on _____, and shall expire one (1) year thereafter, unless terminated earlier by either party. If for any reason, either party wishes to terminate the Permit prior to the one-year term, they may do so upon written notice to the other party. Said notice shall be given to the Director c/o City Traffic Engineer, 420 West Main Street, Suite 600, Oklahoma City, Oklahoma, 73102. Notice shall be given to the Permittee at:

Name of Permittee

Physical Mailing Address

4. Free, unregulated access to private businesses and their operations, within or adjacent to the Valet Loading Zone, shall not be inhibited by the Permittee's operations of the Valet Parking Service.
5. The Permittee shall not make or suffer any use or occupancy of the Valet Loading Zone contrary to any law, State statute or City ordinance currently in effect or hereafter adopted. At all times during the operation of the Valet Parking Service, the Permittee shall comply with all requests and requirements made by representatives of the City Manager, Chief of Police, Fire Chief, Director of Parks and Recreation and Director of Public Works of the City with respect to security, public safety, traffic circulation, pedestrian matters, fire safety and all matters

related thereto; and at all times the foregoing City officials and their designated agents shall be allowed to fully inspect the Permittee's operations.

6. Before a Permit will be approved, Permittee shall provide the Director a copy of an executed one-year contract, contingent only upon approval of a revocable permit for a Valet Parking Service, between the Permittee, or the Permittee's independent contractor, and the owner of a parking facility which Permittee will use to park vehicles. Any such contract shall specify that such contract shall not be terminated without a minimum of sixty (60) days written notice to the Director and it shall specify the number of parking spaces committed to the Permittee. Said contract is "**Exhibit B**" and is attached and incorporated herein by reference.
7. Trespassing onto private property is not permitted. This requirement shall in no way limit permissive use of private property.
8. The Permittee agrees to assume full responsibility for clean up of trash and other debris generated or otherwise occurring within the Valet Loading Zone and adjacent areas, as a result of the operations of Permittee.
9. The Permittee agrees that its operations shall not result in any damage, drilling, painting or construction upon City streets, sidewalks or other property. It is understood and agreed that Permittee shall assume full responsibility for ensuring the protection of all City property within the Valet Loading Zone including, but not limited to, streets, sidewalks, trees, plants, shrubs, buildings and the like. Any damage which may occur to City property will be the responsibility of Permittee if the same occurs within the Valet Loading Zone during the term of this Permit

and as a result of the Permittee's operations. This section specifically excludes normal wear and tear as determined by the Director.

10. Permittee is authorized to locate a temporary kiosk on the public sidewalk in the Valet Loading Zone. Any such temporary kiosk shall not block the public use of the public sidewalk. The temporary kiosk shall prominently display the cost to the public of the Valet Parking Service, hours of operation, and name or identity of the business or event being served by such Valet Parking Service. The temporary kiosk shall be removed from the public sidewalk during all hours that the Valet Parking Service is not in operation. The City reserves the right to remove and retain the ownership, use, occupancy or possession of any such kiosks located in the public rights-of-way after normal operating hours or subsequent to revocation of this Permit. Photographs and/or scale illustrations of the proposed kiosk are set out graphically on "**Exhibit C**" and are attached and incorporated herein by reference.
11. Vehicles may be moved by Permittee to and from the Valet Loading Zone only. The Permittee shall provide adequate staffing to receive, park and return vehicles so that traffic is not impeded in any way or for any length of time by the operations of the Permittee. When receiving vehicles for parking, Permittee shall move vehicles to a parking lot as expeditiously as possible. Under no circumstances shall cars be double-parked in or adjacent to the Valet Loading Zone. The Valet Loading Zone shall not be used for short-term parking.
12. The Permittee shall not operate the Valet Parking Service contrary to applicable municipal parking and traffic ordinances.

13. The Permittee shall bear, pay and discharge all taxes, assessments, duties, impositions and burdens whatsoever assessed, charged or imposed within or upon and in connection with the use of the Valet Parking Service by Permittee except as may be exempted by local, state or federal laws or regulations.
14. Permittee shall bear, pay and discharge any and all obligations, costs, fees or expenses incurred by Permittee for the erection and removal of any kiosk within the Valet Loading Zone, and shall bear, pay and discharge all costs or expenses incurred by Permittee in connection with the maintenance or repair of any such kiosk within the Valet Loading Zone during the term of the Permit.
15. Before the expiration of this Permit, Permittee shall dismantle and remove any improvements not retained by the City and shall clean up trash and debris. In the event that Permittee fails to fulfill these obligations in a timely manner, the City shall have the right to do or have done such work and recover the cost of such work from Permittee. Permittee shall surrender possession of the Valet Loading Zone in good condition, usual wear and tear excepted.
16. The Permittee shall indemnify and hold the City of Oklahoma City harmless from all claims, suits, actions or judgments, including but not limited to all expenses, attorneys' fees, witness fees, and all other costs of defending any such action or claim or appeals therefrom, arising out of: (1) any defect on the premises of the Valet Loading Zone; (2) from the maintenance, including failure to maintain, or operation of the Valet Parking Service by Permittee, its agents, servants or employees or its invitees or licensees; or (3) Permittee's failure to comply with any law, State statute or City ordinance.

17. Permittee shall obtain and maintain in effect an insurance policy with Comprehensive General Liability coverage sufficient to pay the City's maximum liability under the Governmental Tort Claims Act (51 Okla. Stat. §§ 151 *et seq.*) as it may be amended from time to time, covering any alleged liability and costs of defense of the City for any claim under any theory arising in connection with the Valet Parking Service. The current required minimum tort and premises liability coverage is \$175,000.00 per person for bodily injury or death and \$25,000 for property damage and \$1,000,000 for any number of claims arising out of a single accident or occurrence. Said coverages shall be effective during the entire term of the Permit on an occurrence basis. Said insurance policy shall name the City of Oklahoma City as additional insured and provide that coverage cannot be canceled or materially modified except upon 10 days prior written notice to the City of Oklahoma City of said cancellation or modification. Permittee shall pay any and all insurance deductibles that are required to be paid under the insurance policy. A copy of the insurance policy, "**Exhibit D**", is attached and incorporated herein by reference.

18. Permittee shall ensure that all persons operating the Valet Parking Service, whether they be employees or independent contractors of the Permittee, have not been convicted of any of the following: (1) any felony which reasonably and directly indicates a risk to the public such as any conviction involving acts of violence, sex offenses, drug or alcohol violations; (2) any misdemeanor within the five years prior to receipt of the applicable OSBI report by the Director, which reasonably and directly indicates a risk to the public such as any conviction

involving acts of violence, sex offenses, drug or alcohol violations; (3) any felony for burglary, larceny or robbery. To ensure compliance with this section, Permittee shall be required to submit current OSBI (Oklahoma State Bureau of Investigations) reports on all employees, agents and/or independent contractors operating the Valet Parking Service for Permittee. An OSBI report shall be considered current if dated no more than 30 days prior to receipt by the Director. OSBI reports shall be provided to the Director (1) when making an application for a Permit; (2) when hiring any new employees, agents and/or independent contractors and (3) annually, when the permit is renewed, for all such employees, agents and/or independent contractors. Copies of all OSBI reports, **“Exhibit E”**, are attached and incorporated herein by reference.

19. Prior to issuance of any revocable permit, Permittee shall provide the Director with signed letter(s) from the private property owner(s) abutting the Valet Loading Zone, stating the private property owner(s)' approval for said Permittee to operate abutting his/her private property. All original signed letters, **“Exhibit F”**, are attached and incorporated herein by reference.

(remainder of page left blank intentionally)

Approved by the Director of Public Works for the City of Oklahoma City

this _____ day of _____, 20__.

Director

Approved and accepted by _____

this _____ day of _____, 20__.

By: _____
Corporate Officer or Authorized Agent

Printed Name and Title

Acknowledged before me this ____ day of _____, 20__.

NOTARY PUBLIC

Commission number: _____

My commission expires: _____

Reviewed for form and legality.

ASSISTANT MUNICIPAL COUNSELOR