

1 **BILL NO. 2005-63**

2 **ORDINANCE NO. 5805**

3 AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF VALET PARKING ZONES  
4 IN PUBLIC RIGHTS-OF-WAY WITHIN THE BOUNDARIES OF THE DOWNTOWN  
5 CENTENNIAL PLAN, TO ESTABLISH REGULATIONS WITH RESPECT THERETO, AND TO  
6 PROVIDE FOR OTHER RELATED MATTERS.

6 Sponsored by: Mayor Oscar B. Goodman

Summary: Provides for the establishment of  
valet parking zones in public rights-of-way  
within the boundaries of the Downtown  
Centennial Plan, and establishes regulations with  
respect thereto.

9 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
10 AS FOLLOWS:

11 SECTION 1: Title 11 of the Municipal Code of the City of Las Vegas, Nevada, 1983  
12 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 53, consisting of  
13 the provisions set forth as Sections 2 to 13, inclusive, of this Ordinance.

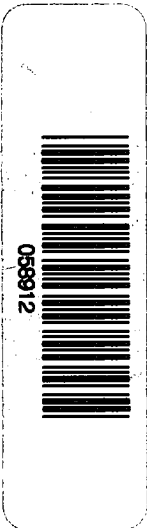
14 SECTION 2: The purpose of this Chapter is to set forth the criteria to be used by the  
15 City for the installation, removal, and regulation of selected areas for valet parking in public  
16 rights-of-way. This Chapter is enacted in response to the need to provide additional parking space,  
17 and facilitate additional parking options, for patrons, guests and residents of commercial and  
18 noncommercial locations in parking-impacted areas within the boundaries of the Downtown  
19 Centennial Plan.

20 SECTION 3: For purposes of this Chapter, the following terms have the meanings  
21 ascribed to them:

22 "Valet parking" means a service by which patrons, guests or residents of commercial or  
23 noncommercial establishments or locations leave their vehicles at the street curblin and attendants  
24 park and retrieve the vehicles, whether or not for consideration.

25 "Valet parking zone" means an area within the public right-of-way that has been set aside by  
26 the City for valet parking in accordance with this Chapter.

27 "Valet parking permit" means a permit issued in accordance with this Chapter for the approved  
28 use of valet parking in a valet parking zone.



1 SECTION 4: The City Traffic Engineer is responsible for the designation of valet  
2 parking zones. In deciding whether or not to designate an area as a valet parking zone, the City Traffic  
3 Engineer shall consider:

- 4 (A) The safety and convenience of the public;
- 5 (B) The actual number of passengers to be served by the valet parking zone;
- 6 (C) The proximity of any existing valet parking zones;
- 7 (D) Existing demands for curb use such as the number and location of existing  
8 transit and taxi loading zones, and existing commercial loading zones in the general area of the  
9 requested zone;
- 10 (E) The availability of on- and off-street parking for the area; and
- 11 (F) Any potential impact on the environment.

12 SECTION 5: (A) The City Traffic Engineer is authorized to issue valet parking  
13 permits pursuant to this Chapter. Application for a valet parking permit shall be made in writing on  
14 a form approved by the City Traffic Engineer and shall be accompanied by a filing fee. The filing fee  
15 shall be as set forth in the fee schedule adopted pursuant to LVMC 13.40.050. The City may also  
16 assess usage fees and parking meter-related fees in amounts set forth in the fee schedule.

- 17 (B) The application for a valet parking permit shall include:
  - 18 (1) The business name and address of the person, corporation, partnership  
19 or other business entity seeking the permit;
  - 20 (2) The identifying number of the applicant's business license, if one is  
21 required;
  - 22 (3) A description and map of the location proposed to be used as a valet  
23 parking zone and the location of the use or uses the valet parking zone is intended to serve;
  - 24 (4) A description and map sufficient to show how the valet parking zone(s)  
25 will be operated;
  - 26 (5) A description and map of the parking lot or lots where vehicles will be  
27 stored, and how vehicles will be moved between the valet parking zone and the vehicle storage sites;  
28 and

1 (6) Any other information that the City Traffic Engineer deems necessary  
2 in order to approve a valet parking permit.

3 SECTION 6: Each valet parking permit issued by the City Traffic Engineer shall be  
4 valid for not more than one year from date of issuance. An application for renewal of the permit shall  
5 be processed in general accordance with Section 5 of this Ordinance. Renewal of a permit is subject  
6 to an inspection of the valet parking zone and its operation. The City may charge a permit renewal  
7 fee and related fees as set forth in the fee schedule adopted pursuant to LVMC 13.40.050.

8 SECTION 7: A valet parking permit authorizes the permittee to provide valet parking  
9 in a valet parking zone that is designated for use in connection with that permit. The approval of a  
10 permit shall be limited by the locations and operational details that were submitted as part of the  
11 application process. Approval of a permit may be made subject to conditions designed to minimize  
12 the impact of the valet parking on the surrounding areas. A permit is also subject to the following:

13 (A) The permittee shall be responsible for ensuring that a valet parking zone is  
14 operated in such a manner as to provide ample opportunity for passenger drop-off or pick-up by  
15 motorists who do not wish to utilize valet parking services.

16 (B) The permittee may operate the valet parking service or contract with an operator  
17 to do so. The permittee must be:

18 (1) The owner or a principal of the business or other concern that is to be  
19 served by the valet parking service; or

20 (2) An employee or contractor of that business or other concern.

21 (C) The permittee or operator shall provide and maintain portable pedestal signs  
22 as may be required by the City Traffic Engineer. Except as otherwise permitted by the City Traffic  
23 Engineer, pedestal signs shall be twenty-four inches wide and not more than four feet high. The signs  
24 shall have three-inch black letters on a white background and shall indicate that the marked area is  
25 designated for valet parking and passenger loading and unloading only. The signs may indicate that  
26 vehicles parked in violation of the restrictions are subject to citation or other enforcement activity.  
27 Sign pedestals must be located within twenty-four inches of the face of the curb and be placed in such  
28 a manner as not to create an impediment to pedestrians.

1 (D) The permittee or operator shall not allow the valet parking zone or any other  
2 public right-of-way to be used for the storage of valet-parked cars.

3 (E) The permittee or operator must obtain the written approval of the City Traffic  
4 Engineer before changing the location or operation of a valet parking zone, including the location of  
5 parking lots upon which vehicles are stored.

6 (F) The applicant must provide the City Traffic Engineer with copies of all  
7 agreements relating to the operation of the valet parking zone, including without limitation agreements  
8 between a permittee and an operator, agreements between a permittee and the businesses and concerns  
9 to be served by the valet parking service, and agreements between the permittee or operator and the  
10 owner or operator of the parking lots to be used for the storage of vehicles.

11 (G) The use of parking lots for the storage of vehicles must be in compliance with  
12 Title 19 and all zoning requirements established thereunder.

13 (H) The operator must demonstrate compliance with any business licensing  
14 requirements applicable to the valet parking operation.

15 (I) The permittee must indemnify the City by means of an indemnification  
16 agreement satisfactory to the City Attorney.

17 (J) The permittee or operator must maintain a policy of liability insurance in an  
18 amount satisfactory to the City in order to protect the City from any claims which may arise from the  
19 valet parking operation.

20 (K) During the operation of a valet parking service, the permittee or operator must  
21 display the applicable valet parking permit in a conspicuous place at the valet parking zone, and must  
22 make it available for inspection on the demand of any peace officer or enforcement official of the City.

23 SECTION 8: (A) Except as otherwise provided in Subsection (B), an area  
24 designated as a valet parking zone pursuant to this Chapter may also be used for public parking or for  
25 the loading and unloading of persons or property, as may be indicated on appropriate signage.

26 (B) During periods of time in which a valet parking zone is being used for valet  
27 parking, a vehicle may not be parked within the zone for longer than is necessary for passenger  
28 loading or unloading, or for a parking attendant to enter the vehicle to drive it to its parking destination

1 or to return it to the valet parking zone for pickup by the valet customer. When such limitations are  
2 in effect, the zone must be posted with approved signage indicating the limitations on the use of the  
3 valet parking zone.

4 SECTION 9: Nothing in this Chapter authorizes the parking of vehicles by the  
5 permittee or operator in a manner contrary to applicable State law or City traffic and parking  
6 regulations.

7 SECTION 10: (A) The permittee (and the operator, if someone other than the  
8 permittee operates the valet parking service) are jointly and severally responsible for the proper  
9 operation of the valet parking service and valet parking zone.

10 (B) The failure to comply with any requirement of this Chapter or any condition  
11 imposed upon a valet parking permit shall be sufficient cause for revocation of the permit by the City  
12 Traffic Engineer. A permit may be revoked if the City Traffic Engineer, after a hearing on the matter,  
13 finds the existence of grounds which would have constituted just cause for refusal to issue the permit,  
14 or finds that the permittee or operator has failed to comply with any requirement of this Chapter or  
15 condition imposed upon the permit. Written notice of the revocation hearing, setting forth the time  
16 and place of hearing and a brief statement of the reason(s) for the proposed revocation, shall be served  
17 on or mailed to the permittee at the business address listed in the permit application not less than ten  
18 days before the hearing.

19 (C) A valet parking permit may be temporarily suspended without a hearing if the  
20 City Traffic Engineer determines that the continued operation of the valet parking service is a hazard  
21 to public safety or is in violation of this Chapter. The suspension shall remain in effect until a hearing  
22 is held and a decision made, but in no event for more than sixty days.

23 SECTION 11: The City Traffic Engineer may delegate any responsibility assigned to  
24 him under this Chapter to one or more employees of the City.

25 SECTION 12: No person shall park a vehicle in violation of Subsection (B) of Section  
26 8 of this Ordinance.

27 SECTION 13: It is unlawful, and a criminal violation, for any person to:

28 (A) Operate, engage in, conduct, manage, or cause to be operated on any public

1 right-of-way a valet parking service without a valid valet parking permit issued by the City;

2 (B) Provide false information in an application for a valet parking permit; or

3 (C) Permit the use or display of a valet parking permit for any purpose other than  
4 that for which the permit is issued.

5 SECTION 14: If any section, subsection, subdivision, paragraph, sentence, clause or  
6 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
7 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
8 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
9 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
10 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
11 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
12 invalid or ineffective.

13 SECTION 15: Whenever in this ordinance any act is prohibited or is made or declared  
14 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is  
15 required or the failure to do any act is made or declared to be unlawful or an offense or a  
16 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall  
17 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than  
18 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such  
19 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

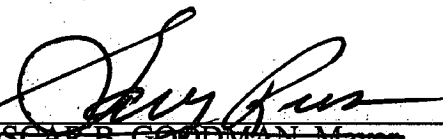
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SECTION 16: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this 21<sup>ST</sup> day of DECEMBER, 2005.

APPROVED:

By   
OSCAR B. GOODMAN, Mayor  
Gary Reese, Mayor Pro-Tem

ATTEST:

  
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Valstead      10-19-05  
Date

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 16<sup>th</sup> day of November, 2005, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 21<sup>st</sup> day of December, 2005, which was a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

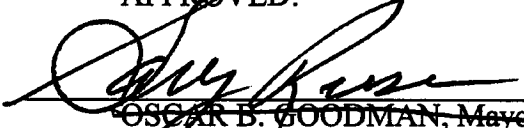
VOTING "AYE": Mayor Goodman  
Councilmembers: Reese, Brown, Weekly, Wolfson, Tarkanian and Ross

VOTING "NAY": None

EXCUSED: None

ABSTAINED: None

APPROVED:

  
~~OSCAR B. GOODMAN, Mayor~~  
Gary Reese, Mayor Pro-Tem

ATTEST:

  
BARBARA JO RONEMUS, City Clerk

**BUSINESS IMPACT STATEMENT  
BILL NO. 2005-63**

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2005-63, that will provide for the establishment of valet parking zones in public rights-of-way within the boundaries of the Downtown Centennial Plan, and establish regulations with respect thereto.

**1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.**

Not applicable

**2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:**

**Adverse effects:**

There is potential for negative impact on particular businesses within the area of a valet parking zone. However, identifying those businesses and impacts is difficult at present, and the potential for impact is essentially no different from what parking limitations and impacts might occur under existing ordinance provisions.

**Beneficial effects:**

There is likely benefit to businesses that might choose to be served by valet parking zones.

**Direct effects:**

None

**Indirect effects:**

There is potential for negative impact on particular businesses within the area of a valet parking zone. However, identifying those businesses and impacts is difficult at present, and the potential for impact is essentially no different from what parking limitations and impacts might occur under existing ordinance provisions. There is potential benefit to businesses that might choose to be served by valet parking zones.

**3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:**

Not applicable

**4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:**

No additional cost

**5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:**

The only additional fees are those that pay for the benefits businesses might seek. There is no fee impact on businesses that don't choose to take advantage of the ordinance.

**6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:**

Fees charged will be used to fund the benefit provided by the ordinance.

**7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:**

Not applicable

Approved by:



Date:

10-19-05

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK  
4397390

2296311LV

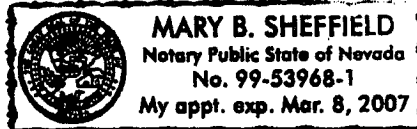
was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/09/2005 to 12/09/2005, on the following days: DEC. 9, 2005

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 12

day of December 2005

Mary B. Sheffield  
Notary Public



2005 DEC 15 A 11: 38  
RECEIVED  
CITY CLERK

**BILL NO. 2005-63**  
AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF VALET PARKING ZONES IN PUBLIC RIGHTS-OF-WAY WITHIN THE BOUNDARIES OF THE DOWNTOWN CENTENNIAL PLAN, TO ESTABLISH REGULATIONS WITH RESPECT THERETO, AND TO PROVIDE FOR OTHER RELATED MATTERS.  
Sponsored by: Mayor Oscar B. Goodman  
Summary: Provides for the establishment of valet parking zones in public rights-of-way within the boundaries of the Downtown Centennial Plan, and establishes regulations with respect thereto.  
At the City Council meeting of NOVEMBER 16, 2005 BILL NO. 2005-63 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE  
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.  
PUB: December 9, 2005  
LV Review-Journal

RECEIVED  
CITY CLERK

2005 DEC 30 A 11: 12

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:  
That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK  
4418838

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/24/2005 to 12/24/2005, on the following days: DEC. 24, 2005

**BILL NO. 2005-63**  
**Ordinance No. 5805**

AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF VALET PARKING ZONES IN PUBLIC RIGHTS-OF-WAY WITHIN THE BOUNDARIES OF THE DOWNTOWN CENTENNIAL PLAN, TO ESTABLISH REGULATIONS WITH RESPECT THERETO, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman  
Summary: Provides for the establishment of valet parking zones in public rights-of-way within the boundaries of the Downtown Centennial Plan, and establishes regulations with respect thereto.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 16th day of November 2005 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 21st day of December 2005, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE":  
Mayor Goodman and Councilmembers Reese, Brown, Weekly, Wolfson, Tarkanian, and Ross  
VOTING "NAY": NONE  
EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 28

day of December 2005

Mary B. Sheffield  
Notary Public

