city of CINCINNATI
Interdepartment Correspondence Sheet

May 30, 2024

To: Mayor and Members of City Council

From: Sheryl M.M. Long, City Manager 202401487

Subject: **Emergency Ordinance – Operations Agreement – Access to Capital Fund**

Attached is an Emergency Ordinance captioned:

> **MODIFYING** Chapter 413, "Parking Garages and Parking Lots," and Title XV, Code Compliance and Hearings," of the Cincinnati Municipal Code by **AMENDING** Sections 413-1-D, "Director,", 413-5, "Application for License," 413-9, "License Fees," 413-11, "Issuance of License," 413-13, "Renewal of License," 413-15, "Changes After Issue of License," 413-21, "Parking Tickets," 413-31, "Inspections by Department of Public Utilities," 413-33, "Liability Insurance," 413-37, "Bond in Lieu of Insurance," 413-45, "Revocation or Suspension Procedure," 413-99, "Penalties," and 1501-14, "Class E1 Civil Offenses," and **REPEALING** Section 413-35, "Extent of Insurance Coverage," to establish a clear and effective framework for ensuring the safety, security, and welfare of persons using parking lots and parking garages so as to prevent fraud and neglect and further authorize the City Manager to establish fees to recoup costs associated with licenses issued for the operation of parking lots and garages.

STATEMENT

The Private Parking Lot licensing program is transitioning within the Administration from the Department of Public Services to the Parking Division of Community & Economic Development.

BACKGROUND

In 1962 the City established a licensing requirement and associated standards for privately owned parking lots and garages within the City.

This licensing program has been most recently managed by the Department of Public Services and will be transitioning to the management and oversight of the Department of Community & Economic Development, Parking Division (DCED-Parking) effective the fall of 2024.

PROGRAM CHANGES

As part of transitioning the management of the program to DCED-Parking, a number of updates to the Cincinnati Municipal Code 413 are necessary. They are summarized as follows:

1. Update to Department responsible for the program. The City Manager's designee will be the Department of Community & Economic Development – Parking Division
2. Update to application requirements to include a certificate of good standing from the City's Income Tax Division and a zoning compliance letter from City Planning & Engagement among other changes.
3. Update to licensing fees to ensure cost of program administration are recovered. The Administration will update the fee as program administration costs increase or decrease over time.
4. Update to licensing term (now one year from issuance). Previously all licenses expired September 30 of each year. Short term licenses can also still be issued.
5. Update to requirements for receipts for payment to allow for digital receipts. Previously a paper receipt was the requirement for the license.
6. Update to requirements for liability insurance. The Administration will set the liability limits and insurance types each year for licenses and this change will allow this without requiring a change to the municipal code each year.
7. Update to the penalty for non-compliance with the licensure requirements. Previously this license had a separate penalty requirement, but this change will make the penalty a civil offense under CMC 1501.

These changes will allow DCED-Parking to assume administration of the program and will provide ample time to notify current program participants of the change in administration and program requirements outlined above before the expiration of the current licenses in September of 2024. Additionally, as a process improvement starting in the fall of 2024, an online application through Open Counter will be utilized to accept application requests and approvals. This will allow the City to provide improved customer service delivery. Upon passage of this legislation, DCED-Parking intends to notify current licensees of the changes in preparation for their submission of a new application for license in the fall of 2024.

DCED-Parking anticipates returning to Council later in FY25 with additional legislation that will further assist in administration of the program, including legislation to create a classification specific to the inspection of private parking lots within DCED-Parking. DCED-Parking is working to create a class specification with the Department of Human Resources, but that process is not finished at this time.

RECOMMENDATION

The Administration recommends approval of this Emergency Ordinance. The purpose of the emergency is to allow the City Manager to establish permit fees as soon as possible so they will be effective for the upcoming fiscal year.

Attachment: Ordinance

Copy: Markiea L. Carter, Director, Department of Community & Economic Development