

Chapter 413 - PARKING GARAGES AND PARKING LOTS

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Sec. 413-1. - Definitions.

For the purpose of this chapter the words and phrases defined in the sections hereunder shall have the meanings therein respectively ascribed to them unless a different meaning is clearly indicated by the context.

(Sec. 413-1; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-1, eff. Jan. 1, 1972)

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Analogous to C.O. 413-1; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-1-A. - Attendant.

"Attendant" shall mean any person engaged in rendering any service for patrons of a licensed parking garage or licensed parking lot.

(Sec. 413-1i; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; renumbered to C.M.C. 413-1-A, eff. Jan. 1, 1972)

Sec. 413-1-C. - City.

"City" shall mean the city of Cincinnati.

(Sec. 413-1a; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; renumbered to C.M.C. 413-1-C, eff. Jan. 1, 1972)

Sec. 413-1-D. - Director.

"Director" shall mean the director of safety.

(Sec. 413-1b; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; renumbered to C.M.C. 413-1-D, eff. Jan. 1, 1972; a. Ord. No. 203-1980, eff. June 7, 1980)

Analogous to C.O. 413-1a; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-1-L. - Licensee.

"Licensee" shall mean any person licensed as an owner, lessee or operator of a parking garage or parking lot.

(Sec. 413-1h; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; renumbered to C.M.C. 413-1-L, eff. Jan. 1, 1972)

Sec. 413-1-O. - Operator.

"Operator" shall mean any person conducting or operating a parking garage or parking lot.

(Sec. 413-1f; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; renumbered to C.M.C. 413-1-O, eff. Jan. 1, 1972)

Analogous to C.O. 413-1d; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-1-P. - Parking Garage.

"Parking garage" shall mean a privately owned building or part thereof containing at least 1,500 square feet of parking area open for use of the public for parking of vehicles on an hourly, daily, weekly, monthly or seasonal basis upon payment of compensation therefor.

(Sec. 413-1c; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; renumbered to C.M.C. 413-1-P, eff. Jan. 1, 1972)

Analogous to C.O. 413-1b; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-1-P1. - Parking Lot.

"Parking lot" shall mean a privately owned area other than a parking garage, containing at least 1,500 square feet of parking area, open for use of the public for parking of vehicles on an hourly, daily, weekly, monthly, or seasonal basis upon payment of compensation therefor.

(Sec. 413-1d; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; renumbered to C.M.C. 413-1-P1, eff. Jan. 1, 1972)

Analogous to C.O. 413-1c; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-1-P2. - Person.

"Person" shall mean any individual, partnership, association, fiduciary, company, firm or corporation.

(Sec. 413-1e; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; renumbered to C.M.C. 413-1-P2, eff. Jan. 1, 1972)

Sec. 413-1-T. - Transfer Station.

"Transfer station" shall mean a parking garage or parking lot which is attended at all times and which is used under regulations herein for parking vehicles removed at closing time from another parking garage or parking lot.

(Sec. 413-1g; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; renumbered to C.M.C. 413-1-T, eff. Jan. 1, 1972)

Analogous to C.O. 413-1e; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-3. - Garages and Lots to be Licensed.

No person shall operate a parking garage or parking lot without first having obtained a proper license in accordance with the provisions of this chapter.

(Sec. 413-3; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-3, eff. Jan. 1, 1972)

Analogous to C.O. 413-2; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Cross reference— Penalty, § 413-99.

Sec. 413-5. - Application for License.

Application for a license shall be made on forms supplied by the director. The applicant shall set forth the following information and facts stated under oath or affirmation:

- (a) The name of applicant, and location of the parking garage or parking lot.
- (b) If a firm, the firm name, the name and address of each member of the firm, and the location of the principal office or place of business.
- (c) If a corporation, the date and state of incorporation, the names of the president, secretary, and the business manager or superintendent thereof, and the addresses of such persons.

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- (d) Type of license desired - special or regular. If a special license is desired, the number of days of operation and the approximate dates of operation shall be specified.
- (e) The type of parking garage or parking lot to be operated by applicant.
- (f) The name and address of the person in charge of the garage or lot.
- (g) Name and address of local representative who must be a resident of the city of Cincinnati.
- (h) Owner of the real estate property on which parking garage or parking lot is located.
- (i) A statement of any prior revocation of license or refusal by the city to issue a license to applicant, or any partner, employee, officer or director of the company.
- (j) A drawing or sketch of the premises used in operation of the parking garage or parking lot showing dimensions of business area, location of entrances and exits, abutting city streets or alleys, parking area surface, number of parking spaces, number and siting of required bicycle parking spaces, barrier enclosures, driveway dimensions, any other information required for determination of compliance with the city ordinances pertaining to use of property and operation of the business.
- (k) A statement of days and hours of attended operation.
- (l) Any information relative to operation of a parking garage or parking lot which is deemed necessary by the director for the purposes of determining that a license should be issued or refused.

(Sec. 413-5; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-5, eff. Jan. 1, 1972; a. Ord. No. 065-2010, § 2, eff. April 17, 2010)

Analogous to C.O. 413-3; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-7. - Separate License.

A separate license shall be required for each parking garage or parking lot.

(Sec. 413-7; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-7, eff. Jan. 1, 1972)

Analogous to C.O. 413-5; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Cross reference— Penalty, § 413-99.

Sec. 413-9. - License Fees.

The annual license, whether regular or special, shall be effective for the 12-month period beginning October 1 and ending September 30 of each year. The annual license fees for a regular license, payable to the city treasurer for each parking garage or parking lot, shall be based upon the following rates per square foot for the total number of square feet of floor or ground area of each parking garage or parking lot:

\$.0060 per square foot for the first 50,000 square feet;

\$.0040 per square foot for any amount above the initial 50,000 square feet.

Except that if a license is issued on or after April 1 of any year, the fee therefor shall be one-half the applicable annual fee.

The fee for a special annual license which shall permit a licensee to operate for only 20 days during a license year shall be 20 percent of the annual fee for a regular license.

The minimum license fee shall be \$12.

(Sec. 413-9; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; a. Ord. No. 90-1969, eff. Apr. 1, 1969; reordained as C.M.C. 413-9, eff. Jan. 1, 1972; a. Ord. No. 327-1975, eff. Sept. 1, 1975; a. Ord. No. 282-1979, eff. Sept. 1, 1979; Emer. Ord. 463-2010, § 15, eff. Dec. 30, 2010)

Analogous to C.O. 413-7; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-11. - Issuance of License.

All matters pertaining to the application for a license shall be investigated by the director, who shall approve the issuance of the license if the parking garage or parking lot and the proposed operation thereof comply with all applicable ordinances of the city. Upon approval of an application, the director shall notify the city treasurer who shall issue a license to the applicant upon payment of the proper license fee.

(Sec. 413-11; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-11, eff. Jan. 1, 1972)

Analogous to C.O. 413-6; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-13. - Renewal of License.

All licenses issued as provided in this chapter shall expire on the last day of September of each year.

Application for renewal shall be made to the director on forms to be supplied by the director. Upon approval of renewal application by the director, the city treasurer shall issue a renewal license.

In the event of refusal to renew a license, the proceedings as to revocation, suspension or refusal of license shall apply and appeal shall be the same as in cases where an original application is denied.

(Sec. 413-13; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-13, eff. Jan. 1, 1972)

Sec. 413-15. - Changes After Issue of License.

If, after issuance or renewal of a license, any change is made in the firm ownership, officers, manager, or nature of business, written notice shall be given within 10 days by licensee to the director for insertion in the records.

Prior written approval of the director is required for any change made in entrance and exit areas, expansion of parking area, or any changes which affect public usage of parking area or the abutting streets and highways.

In the case of special licenses, if the parking operations are not held on the dates specified in the application, or if the parking operations are held on dates different from those specified in the application, the director shall be notified thereof within 10 days.

(Sec. 413-15; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-15, eff. Jan. 1, 1972)

Analogous to C.O. 413-8; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-16. - Bicycle Parking.

A. *Purpose.* The requirements for bicycle parking are established for the purpose of ensuring secure, weather-protected facilities to accommodate short and long-term bicycle parking and to encourage the use of bicycles for travel as an alternative to the use of motorized vehicles.

B. *Applicability.* Bicycle parking facilities shall be provided in every new parking garage, and for every expansion of an existing parking garage when the expansion includes the provision of sixty (60) or more additional motor vehicle parking spaces.

C. *Duties of Garage Owners.* Whether a garage is public or private, the owner of the garage shall be responsible for fulfilling the requirements of this Section.

D. *Time of Compliance.* Required bicycle parking spaces shall be provided prior to the issuance of a new license or the renewal of an existing license if an expansion requiring the addition of bicycle parking has been completed.

E. *Number of Bicycle Parking Spaces.* Bicycle parking spaces shall be provided at a rate of one (1) bicycle parking space for every twenty (20) motor vehicle parking spaces provided. In the case of a garage providing bicycle parking spaces based on an expansion, the number of bicycle parking spaces required shall be calculated based on the number of additional motor vehicle spaces created by the expansion.

1. *Maximum.* No parking garage shall be required to provide more than twenty-four (24) bicycle parking spaces.

2. *Fractional Spaces.* When the units of measurement determining the number of required parking spaces result in requirement of a fractional space, any fraction up to and including one-half is rounded down to the nearest whole number and fractions of over one-half are rounded up to the next whole number.

F. *Location of Bicycle Parking Spaces.*

1. Bicycle parking shall be located no lower than the first complete, contiguous parking level below grade, and no higher than the first complete, contiguous parking level above grade. There shall be no stairs on the access route to bicycle parking areas.

2. Bicycle parking spaces shall be located inside the garage in an area that is protected from inclement weather.

3. Bicycle parking spaces shall be equipped with one of the following: a bicycle locker; a securely anchored floor, wall, or ceiling rack; or a similar system for securing the bicycle.

4. Bicycle parking shall be located in a highly visible area to minimize theft and vandalism.

5. Bicycle parking spaces shall be separated from motor vehicle parking spaces and lanes of traffic by a physical barrier (such as a curb or bollard).

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6. An aisle or other space at least 5 feet wide shall be provided behind all required bicycle parking to allow room for bicycle maneuvering.

G. *Standards for Bicycle Racks.* Where required bicycle parking is provided by racks, the racks must meet the following standards:

1. The bicycle frame and one wheel can be locked to the rack with a high security, U-shaped shackle lock and cable lock if both wheels are left on the bicycle. Bicycle racks that support the wheel but not the frame of the bike may not be used to fulfill a bicycle parking requirement.
2. A bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components.
3. The rack must be securely anchored.

The Department of Transportation and Engineering maintains a handbook of racks and siting guidelines that meet the standards of this Section.

H. *Size of Bicycle Parking Spaces.* An area of at least two feet in width by six feet in length shall be provided for each bicycle space. However, the area for each bicycle space may be reduced upon application to the Superintendent of Parking to certify that the proposed layout adequately accommodates the specified number of bicycles.

I. *Duration of Bicycle Parking.* Garages offering automobile parking on an hourly basis shall offer bicycle parking on the same basis. Garages offering automobile parking on a weekly or longer basis shall provide bicycle parking on the same basis.

J. *Fees for Bicycle Parking.* This Section shall not interfere with the rights of garage owners to charge rent or other fees for bicycle parking.

K. *Enforcement.* Section 413-16 shall be enforced by the Superintendent of Parking. Upon complaint, the Superintendent of Parking shall investigate. If the Superintendent of Parking concludes that a violation exists, he or she shall provide written notice to the garage owner of the violation and allowing 30 days to cure the violation. The written notice shall state the grounds for the Superintendent of Parking's conclusion that a violation exists and shall afford the garage owner opportunity to appeal such determination in writing to the Superintendent of Parking.

1. Where a violation of this Section occurs, if such violation has not been cured within the allotted 30 day period, the Superintendent of Parking shall add the name and address of such garage and the name of the garage owner to a list of garages currently in violation of this Section. Upon request, the Parking Superintendent shall provide a copy of this list to members of the public.
2. Violation of this Section is cause for revocation, suspension or refusal to issue or renew a license, in accordance with Section 413-43

L. *Ingress and Egress.* Bicyclists may be required to walk their bicycles inside the garage.

M. *Notice of Bicycle Parking.* A sign shall be provided at each point of bicycle entry to the parking garage, mounted with its center between four and six feet above the ground, directly visible and unobstructed from the street. The entry sign shall match exactly the designated sign on file with the Department of Transportation & Engineering.

N. *Patron Access Requirements.* A parking facility must allow bicycle parkers access to bicycle parking spaces to the same extent the facility allows automobile parkers access to automobile parking spaces. If a parking facility offers automobile parking exclusively to employees or patrons of a certain business, or to residents of a particular dwelling, the facility can similarly limit bicycle parking to such employees, patrons or residents.

(Ordained by Ord. No. 065-2010, § 1, eff. April 17, 2010)

Sec. 413-17. - Walls or Fences Surrounding Parking Lot.

Any person operating a parking lot business adjacent to sidewalk or streets shall keep the parking area enclosed with an approved fence, wall, curbing, wheelblock, or other barrier along streets and sidewalks upon which parking places adjoin so that motor vehicles cannot be removed from such place except at the regular established entrances and exits.

The fence, wall, curbing, wheelblock, or barrier shall be constructed in accordance with applicable city ordinances and shall be placed so as to prevent any part of the parked car from overhanging the property line of the lot and to protect adjoining buildings from damage.

Each licensee shall keep the sidewalks surrounding the parking place free from dirt, ice, sleet, snow and debris.

(Sec. 413-17; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-17, eff. Jan. 1, 1972)

Cross reference— Penalty, § 413-99.

Sec. 413-19. - Posting of Signs.

Each parking garage or parking lot shall post in a prominent location at each entrance, signs of a permanent nature and clearly legible at all times, with all lettering a minimum of five inches high. Signs shall comply with city of Cincinnati ordinances and regulations of the director. The director may approve a sign location other than at the entrance. Signs shall bear the following information:

- (a) The trade name of the business, and the full name and address and telephone number of the operator.
- (b) The hours and days of operation and whether there are different rates on certain days or times of the day.
- (c) A schedule of rates and charges by the hour and the day in effect for the parking of cars and bicycles. No customer shall be charged any rate different from the rate posted at the time customer entered the parking garage or parking lot. If more than one rate is charged for the parking of a motor vehicle, the letters and figures designating each such rate shall be of the same size. Any outdoor parking lot which has the rates and charges posted on a sign, shall post the sign not less than eight feet above the sidewalk level, and such sign shall not bear any advertising or other matter than the substance required by this chapter.
- (d) The number of the license issued under the provisions of this chapter for the particular parking garage or parking lot.
- (e) In the case of a parking lot, if the operator provides a transfer station for cars left during the

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unattended hours, the sign shall designate the name and address and telephone number of the transfer station.

(f) Each parking garage and parking lot shall post an international parking symbol in a prominent location at each entrance.

An official city of Cincinnati sign indicating an approved licensed parking garage or parking lot may be furnished by the director, and when furnished shall be posted at or near the aforesaid information sign.

(Sec. 413-19; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-19, eff. Jan. 1, 1972; a. Ord. No. 221-1995, eff. June 25, 1995; a. Ord. No. 065-2010, § 4, eff. April 17, 2010)

Analogous to C.O. 413-11; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-21. - Parking Tickets.

When a vehicle is brought into a parking garage or parking lot for hourly or daily parking, the person in control or possession of the vehicle shall be furnished with a parking ticket upon which shall be printed the name and address of the parking garage, or parking lot. This ticket shall be numbered to correspond with a number on a ticket placed upon said vehicle.

Where a vehicle is stored for a period of more than 24 hours, a written receipt or memorandum shall be given to the person storing the vehicle stating this parking arrangement and showing the name and address of the parking garage, parking lot or transfer station.

The director may authorize a waiver of the use of tickets for parking in a parking garage or parking lot.

(Sec. 413-21; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-21, eff. Jan. 1, 1972)

Analogous to C.O. 413-12; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-23. - Removal of Vehicles, Unauthorized Use.

No licensee shall make or permit any use for any purpose whatsoever of a vehicle left in licensee's custody unless such use shall have first been expressly authorized in writing by the owner or person in possession or control of such vehicle.

No licensee shall transfer or cause to be moved or transferred any parked vehicle through or upon the city streets or alleys, except for transferring a vehicle from one space to another space at the same location, or at closing time moving the vehicle to an authorized transfer station or picking up or delivering a vehicle to the owner thereof.

(Sec. 413-23; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-23, eff. Jan. 1, 1972)

Analogous to C.O. 413-13; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Cross reference— Penalty, § 413-99.

Sec. 413-25. - Sidewalk or Street Parking.

No licensee shall park, permit or cause to be parked a vehicle of any patron upon a public street, alley

or sidewalk; or to permit or cause a patron's vehicle to encroach upon any street, alley or sidewalk.

(Sec. 413-25; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-25, eff. Jan. 1, 1972)

Cross reference— Penalty, § 413-99; streets and sidewalks, use regulations, ch. 723.

Sec. 413-27. - Protection Against Theft or Conversion.

Every parking garage or parking lot shall be operated and managed so as to afford protection from theft or conversion of vehicles parked. Whenever an operator is unable to immediately deliver a car to a patron, such fact shall be immediately reported to the division of police and to the director of safety.

(Sec. 413-27; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-27, eff. Jan. 1, 1972; a. Ord. No. 203-1980, eff. June 7, 1980)

Analogous to C.O. 413-16; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Cross reference— Penalty, § 413-99.

Sec. 413-28. - Reports as to Vehicles Stored More Than Seventy-two Hours.

Whenever on any Monday, at 12 a.m. (noon), there shall be in the care of the owner of any parking lot or public garage business, one or more vehicles which have been left continuously on the said parking lot or public garage premises for more than 72 hours, such owner shall, before 6 p.m. of such Monday, file with the chief of police a report setting forth the state license registration number of each such motor vehicle and any other information which the chief of police shall require. No vehicle shall be reported more than once on any consecutive stay.

(C.O. 737-8; renumbered to C.M.C. 413-28, eff. Jan. 1, 1972)

Cross reference— Penalty, § 413-99-A.

Sec. 413-29. - Sanitary Conditions.

The operator of a parking garage or parking lot shall keep the premises thereof in a safe, sanitary condition, free of any nuisance.

(Sec. 413-29; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-29, eff. Jan. 1, 1972)

Analogous to C.O. 413-15; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-31. - Inspections by Department of Public Utilities.

The director or an authorized representative is authorized to make periodic inspections of parking garage and parking lots for the purpose of carrying out the provisions of this chapter, and for gathering factual data as to number of vehicles parked and the total vehicles parked in any parking garage or parking lot.

(Sec. 413-31; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-31, eff. Jan. 1, 1972)

Cross reference— Stormwater management code, § 720 et seq.

Sec. 413-33. - Liability Insurance.

No license to operate a parking garage or parking lot shall be issued or renewed by the city treasurer, and no person shall operate any parking garage or parking lot or permit such to be operated, unless and until the applicant shall deposit with the city treasurer a policy or policies of liability insurance issued by a responsible insurance company, approved as to sufficiency by the city treasurer and approved by the city solicitor as to form, type and as to the amounts provided for in Sections 413-35 and 413-37.

(Sec. 413-33; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-33, eff. Jan. 1, 1972)

Sec. 413-35. - Extent of Insurance Coverage.

Every operator shall carry no less than the following minimum insurance:

Public Liability

Fifty thousand dollars personal injury or death for one person;

One hundred thousand dollars for any one accident;

Ten thousand dollars property damage in any one occurrence.

In addition to the above mentioned public liability insurance, every licensed operator of a parking garage or parking lot shall carry legal liability insurance for fire, theft and explosion in the following amounts:

Parking Garages - \$200 per car space; minimum coverage \$25,000.

Parking Lots - \$100 per car space; minimum coverage \$10,000.

(Sec. 413-35; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; a. Ord. No. 332-1963, eff. Oct. 2, 1963; reordained as C.M.C. 413-35, eff. Jan. 1, 1962)

Sec. 413-37. - Bond in Lieu of Insurance.

In lieu of any policy or policies of insurance required by Sections 413-33 and 413-35, applicant may furnish a bond executed by a surety company authorized to do business in the state of Ohio, approved as to sufficiency by the city treasurer and as to form by the city solicitor, holding and binding the principal and sureties to the same liability, and subject to the same conditions as in the case of policies of insurance provided for herein.

It shall further be permissible for the applicant to furnish insurance for personal injuries, including death, and an indemnity bond or bonds as to the property damage, or vice versa.

(Sec. 413-37; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-37, eff. Jan. 1, 1972)

Sec. 413-39. - Notice of Insurance or Bond Termination.

Every such policy or certificate of insurance or bond shall contain a clause obligating the insurer or surety to give to the city treasurer at least 10 days' written notice before the cancellation, expiration,

lapse or other termination of such insurance, or the expiration, withdrawal of the surety therefrom or other termination of such bond; and the license, granted shall be suspended upon the termination of the insurance or bond, or upon the termination of the liability of the insurer or surety thereon in accordance with such notice, unless and until a new policy or certificate of liability insurance or a new indemnity bond, approved as hereinbefore provided, shall be substituted therefor.

Failure to give the notice required shall operate to continue the liability of the insurer or surety for the benefit of persons injured or damaged, and the policy shall continue in full force and effect.

(Sec. 413-39; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-39, eff. Jan. 1, 1962)

Sec. 413-41. - Rules and Regulations.

The director is hereby authorized and directed to establish necessary rules and regulations consistent with the provisions of this chapter.

(Sec. 413-41; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-39, eff. Jan. 1, 1972)

Sec. 413-43. - Revocation, Suspension or Refusal to Issue or Renew License.

Any license provided for in this chapter may be revoked, suspended or refused by the director for any of the following causes:

- (a) Misrepresentation or false statement made in obtaining a license.
- (b) Any violation of any applicable provisions of the Cincinnati Municipal Code.
- (c) Failure to comply with any lawful order of any officer of the city having jurisdiction.
- (d) Any fraudulent or dishonest use of a license.

(Sec. 413-43; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-43, eff. Jan. 1, 1972)

Analogous to C.O. 413-18, r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-45. - Revocation or Suspension Procedure.

No license provided for in this chapter shall be suspended or revoked without a hearing or opportunity to be heard before the director. When the charges as to one or more of the items set forth in Section 413-43 have been sustained, the director shall notify the city treasurer of such finding and the city treasurer shall thereupon suspend or revoke the license in accordance with the decision of the director.

(Sec. 413-45; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-45, eff. Jan. 1, 1972)

Sec. 413-47. - Appeal.

When the director shall have refused, suspended or revoked a license provided for in this chapter, the applicant or licensee may appeal within 10 days after such refusal, suspension or revocation, by filing with the director and city manager a written notice of appeal. The city manager or person designated by

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the city manager, upon hearing such appeal, may either affirm, modify, or set aside the findings of the director.

(Sec. 413-47; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; reordained as C.M.C. 413-47, eff. Jan. 1, 1972; a. Ord. No. 487-1974, eff. Dec. 20, 1974)

Analogous to C.O. 413-19; r. Ord. No. 297-1962, eff. Aug. 1, 1972.

Sec. 413-99. - Penalties.

Whoever violates any provision of this chapter for which another penalty is not specifically provided shall be fined not more than \$100. Each day's violation of any section shall constitute a separate offense.

(Sec. 413-49; ordained by Ord. No. 297-1962, eff. Aug. 1, 1962; renumbered to C.M.C. 413-99, eff. Jan. 1, 1972)

Analogous to C.O. 413-17; r. Ord. No. 297-1962, eff. Aug. 1, 1962.

Sec. 413-99-A. - Violation of Section 413-28.

Whoever violates any provision of Section 413-28 shall be fined not more than \$25. Each day's failure to make a report required shall constitute a separate offense.

(C.O. 737-8; renumbered to C.M.C. 413-99-A, eff. Jan. 1, 1972)