



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION**

NOVEMBER 10, 2020, 4:30 P.M.

**CITY COUNCIL CHAMBERS
106 PUBLIC SQUARE
CLARKSVILLE, TENNESSEE**

**IN AN EFFORT TO FACILITATE THE CONTINUED RESPONSE TO THE
CORONAVIRUS DISEASE (COVID-19), THIS MEETING WILL BE CONDUCTED VIA
GOOGLE MEETS AND LIVE STREAMED ON CITYOFCLARKSVILLE.COM**

AGENDA

1) CALL TO ORDER *Mayor Joe Pitts*

2) PRAYER *Councilman Ron Erb*

PLEDGE OF ALLEGIANCE *Councilman Gary Norris*

3) ATTENDANCE *City Clerk*

4) APPROVAL OF ELECTRONIC MEETING

"In order to comply with the technical aspects of the Governor's Executive Order regarding holding open meetings in a forum other than in the open and in public, this governing body determines that meeting electronically is necessary to protect the health, safety, and welfare of its citizens due to the COVID-19 outbreak."

5) **ORDINANCE 42-2020-21** (Second Reading) Amending the Official Code relative to valet parking *Councilman Burkhart*

6) **ORDINANCE 47-2020-21** (Second Reading) Temporarily waiving credit card processing fees for online property tax collection *Councilman Burkhart*

7) ADJOURNMENT

ORDINANCE 42-2020-21

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE
RELATIVE TO VALET PARKING

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Official Code of the City of Clarksville, Tennessee, Title 5, “Business, Professions, and Occupations,” is hereby amended by adding the following new Chapter 15.

TITLE 5 – BUSINESS, PROFESSIONS, AND OCCUPATIONS

CHAPTER 15 - VALET PARKING

Sec. 5-1501 - On-Street Valet Parking Services Permits, Terms

- (a) The Clarksville Parking Commission may issue valet parking permits for businesses citywide to reserve on-street parking space(s) and/or City of Clarksville Parking Lots for the purpose of providing valet parking services to their customers.
- (b) The application for a valet parking permit shall contain the name, address, and telephone number of the owner of the business for which the valet services will be provided; the name, address, and telephone number of a point of contact during which time the valet services will be provided; the name, address, and phone number of the valet service provider; the address of the off-street parking lot or garage where vehicles will be parked; and the street address and parking meter number(s) for each space requested and the date(s) the space(s) are needed.
- (c) Valet parking service stands shall be located on the property of businesses. When private space is not available, the valet stands and personnel shall be positioned to keep clear a minimum of five-foot (5') pedestrian passage on a city sidewalk or right-of-way.
- (d) In order to compensate for the review process and marking of valet parking zones, applicants for a valet parking permit shall pay a processing fee of fifty dollars (\$50.00).
- (e) Upon approval of an application for a valet parking permit, the applicant shall remit a fee in an amount to be determined by the Clarksville Parking Commission and / or the Department of Finance and Revenue, according to the following guidelines:
 - (1) Regardless of the time of day in which the spaces will be used, the permittee shall pay a minimum fixed fee of three dollars (\$3.00) per day to be assessed for each valet parking and/or loading space used.
 - (2) During the times and days of valet operation, when otherwise the spaces are unavailable to the general public, the permittee shall pay a fee equivalent to standard meter fees that would be assessed to the general public to lawfully pay the meter during those times.

- (3) For all permittees, regardless of the amount of time the parking spaces are unavailable to the general public, the maximum fee shall be fifteen dollars (\$15.00) per day.
- (4) Redevelopment and new construction projects may request a waiver of fees for up to thirty (30) days. Requests for waivers may only occur at the time of the valet parking permit application and will be considered at the sole discretion of the Clarksville Parking Commission and / or Department of Finance and Revenue.
- (f) The Clarksville Parking Commission may, at its discretion, limit the number of spaces and duration of the permit. The Clarksville Parking Commission shall not issue any valet parking permit if, as determined by the Clarksville Parking Commission, the use of such requested parking space(s) would interfere with any work in the right-of-way or with any event to be held in the right-of-way.
- (g) Upon approval of a permit, the Clarksville Parking Commission shall designate the parking spaces to be used by placing a bag over any meter(s) or signing and using pavement markings to define the space(s) reserved by the permit.

Sec. 5-1502 - Privileges and Restrictions on Valet Parking Permits

A permittee shall be permitted to temporarily stand or park a motor vehicle in the designated space(s) during such times as authorized by the permit. Valet parking operators may only park cars in on-street metered parking spaces for which the permittee has a permit and may only park in legal off-street sites listed on the permit. Any use of the designated parking space(s) by a person other than the permittee shall constitute a violation of this Chapter. The valet must be staffed sufficiently to prevent queuing traffic, and valeted vehicles must be moved to off-street lots or garages. A copy of the valid permit must be on hand at the valet station during operation.

Sec. 5-1503. - Revocation and Suspension of Valet Parking Permit.

- a) The Clarksville Parking Commission may suspend or revoke the valet parking permit of any permittee for any reason in the interest of the public health, welfare, or safety. Upon written notification of such suspension or revocation, the permittee shall surrender such permit to the Clarksville Parking Commission and / or Department of Finance and Revenue. Failure to surrender a revoked valet parking permit shall constitute a violation of this Code.
- b) At any time, the Clarksville Parking Commission determines that the continued use of any such valet parking permit may constitute a danger to public health, welfare, or safety, the Clarksville Parking Commission shall suspend further use of such permit until such time as the Clarksville Parking Commission determines that further use of such permit shall no longer constitute a danger to public health, welfare, or safety.
- c) The use of a revoked or suspended valet parking permit shall constitute a violation of this Chapter.

- d) Nothing in this Chapter is intended to establish any legal right to provide a valet parking service or any legal property interest in a valet parking permit.

Sec. 5-1504 - Insurance Requirements

No valet parking permit shall be issued pursuant to this section unless there is in full force and effect a general liability insurance policy covering the valet parking operator in the minimum amounts of one million dollars (\$1,000,000.00). Such liability insurance policy shall be with an insurance company authorized to do business in Tennessee and approved by the City of Clarksville Risk Manager. The liability insurance policies required in this section shall name the City of Clarksville as an additional insured.

FIRST READING: November 5, 2020

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 47-2020-21

AN ORDINANCE TEMPORARILY WAIVING CREDIT CARD PROCESSING FEES FOR
ONLINE PROPERTY TAX COLLECTION

WHEREAS, In accordance with Title 9, Chapter 1, Section 108 of *Tennessee Code Annotated* the City of Clarksville is provided with the ability to receive payment by credit card or debit card.

WHEREAS, *TCA 9-1-108* currently states any municipal entity collecting payment by credit/debit card “shall” set and collect a processing fee. Also, provided for is a waiver of the processing fee by the governing body.

WHEREAS, Under certain situations, generally where a consumer is paying for a service or the processing fees may limit the ability to utilize a credit card, the costs associated with credit/debit card acceptance is included as a normal cost of operations. A waiver to collect processing fees is required.

WHEREAS, In an effort to reduce in-person transactions and assist our citizens during this pandemic, we are requesting a waiver of credit card fees from the effective date of this Ordinance to March 1, 2021 for online transactions.

*NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
CLARKSVILLE, TENNESSEE:*

The City waives the requirement to collect credit/debit card processing fees for citizens making property tax payments online from the effective date of this ordinance to March 1, 2021.

BE IT FURTHER ORDAINED:

This waiver in no way prohibits a City Department from changing their credit card acceptance model to include credit/debit card processing fees.

FIRST READING: November 5, 2020

SECOND READING:

EFFECTIVE DATE: