

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST,
FLORIDA, AMENDING CHAPTER 70 OF THE CODE
OF ORDINANCES, ENTITLED "TRAFFIC AND
VEHICLES", BY AMENDING ARTICLE XIII
ENTITLED "MOBILE BILLBOARDS" AND BY
AMENDING SECTION 70-803 ENTITLED
"DEFINITIONS" PROVIDING FOR
SEVERABILITY; PROVIDING FOR REPEAL OF
INCONSISTENT PROVISIONS; PROVIDING FOR
AN EFFECTIVE DATE

WHEREAS, the City Commission for the City of Key West
finds that mobile billboard advertisement serves as a
distraction to other drivers of motor vehicles, bicycles
and vessels on the densely occupied streets and waters off
of Key West; and

WHEREAS, the City Commission for the City of Key West
further finds that this regulation is a permissible time,
place and manner on commercial speech pursuant to *Showing
Animals Respect and Kindness et. Al. v City of Hollywood*,
166 Cal. App. 4th 815, Court of Appeal 2nd Dist., Div.1,
California, 2008.: and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY
WEST, FLORIDA:

Section 1: That Article XIII, Section 70-803 is hereby amended in the Code of Ordinances as follows*:

CHAPTER 70 - TRAFFIC AND VEHICLES

* * * * *

ARTICLE XIII. - MOBILE BILLBOARDS IN GENERAL

Sec. 70-803. - Definitions.

Mobile billboard advertising is any advertising of a business, goods, or services ~~for which the mobile billboard owner or operator does not hold a majority ownership interest in~~ that is displayed on a bicycle, vehicle, motor vehicle or vessel that carries, conveys, pulls or transports any sign or billboard for the primary purpose of advertising.

Section 2: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as

*(Coding: Added language is underlined; deleted language is struck through at first reading. Added language is double underlined and double struck through at second reading.)

reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 3: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 4: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

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Read and passed on first reading at a regular meeting held this _____ day of _____, 2024.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2024.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2024.

Filed with the Clerk _____, 2024.

Mayor Danise Henriquez	_____
Vice Mayor Sam Kaufman	_____
Commissioner Lissette Carey	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Donald "Donie" Lee	_____
Commissioner Monica Haskell	_____

DANISE HENRIQUEZ, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK