



THE CITY OF KEY WEST

POST OFFICE BOX 1409
KEY WEST, FLORIDA 33041-1409

Dear Tour Bus Company:

RE: Key West Tour Ordinance No. 0037

Dear Tour Bus Owner:

Effective October 1, 2001, the City Tour Bus Ordinance will become effective and will be enforced.

The City of Key West appreciates the business brought in by the tour buses. Because of the increased number of buses touring the historic district the City finds it necessary to regulate the buses bringing tours to our City and those who wish to provide guided tours throughout the City.

The attached map shows the tour bus route, drop off points and parking area for the buses.

The following summarizes the ordinance regulations:

Tour Buses

- A "bus tour" is a sightseeing tour on the streets of Key West provided for passengers by the operator of a bus or motor coach.
- Only buses of thirty-one (31) feet or less are permitted to tour the historic area of Key West and they must have a permit from the City's License Division. Other vehicles franchised by the City such as the Conch Train or Trolley may also be used for touring.
- Only six (6) permits are available on a daily basis for all operators. Only one tour is allowed per permit.
- In addition to a driver, each bus providing a bus tour shall carry a guide. The guide (or the guide's company - shall hold an occupational license of the City of Key West.
- Tour buses carrying licensed guides shall proceed only on streets of the historic district that are so designated on the attached map.

- Guided tour buses may drop off only at locations designated on the attached map and may park only on private property or at parking places designated by the City.
- These tour buses shall display a permit issued by the City.

Destination buses (those not doing tours)

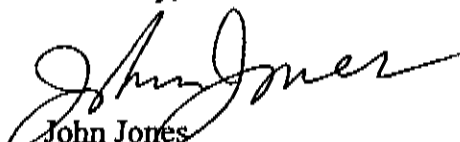
- These are buses that enter Key West for the purpose of taking passengers to a specific location. These buses shall display a permit issued by the City. There is no limit on the number of destination bus permits. After entering the island they shall proceed on a direct route to private property or shall unload their passengers at drop-off locations designated on the attached map.
- It is unlawful for a tour bus or destination bus to park, allow to be parked or allow to remain standing or stationary (other than in the normal course of traffic flow) any bus, whether or not, attended or not attended, except for the purpose of loading or unloading of passengers or property at loading zones designated by the attached map.

Violations

- Violation of this section 63.20 may be enforced by the issuance of a parking ticket or a citation pursuant to Section 1.13 of the Code of Ordinances, as applicable.

The City of Key West is very much interested in accommodating the Tour Bus industry. Please call me at 305-292-8117 (e-mail JJones@keywestcity.com) You can also obtain additional information at the City's website www.keywestcity.com . I need your help and suggestions.

Sincerely,


John Jones
Assistant City Manager

ORDINANCE NO. 01-17

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,
AMENDING CHAPTER 63 OF THE CODE OF ORDINANCES
ENTITLED "TRAFFIC" BY AMENDING SECTION 63.20
TO PROVIDE REVISED REGULATIONS FOR BUS TOURS
IN THE HISTORIC DISTRICT; PROVIDING FOR
SEVERABILITY; PROVIDING FOR REPEAL OF
INCONSISTENT PROVISIONS; PROVIDING FOR AN
EFFECTIVE DATE

WHEREAS, the City Commission finds that a simplification of
its tour bus ordinance would promote the health, safety and welfare
of the citizens of Key West.

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

Section 1: that Section 63.20 of the Code of Ordinance is
hereby amended as follows *:

Sec. 63.20 Bus tours restricted
 in historic district;
 additional bus regulations.

(a) No person or firm shall operate a bus tour using a bus in
excess of thirty-one (31) feet in length on the streets of the

*(Coding: Added language is underlined; deleted language is ~~struck~~
through.)

historic district. The "historic district" shall mean all areas of the city with an historic zoning designation. A "bus tour" shall mean a sightseeing tour or an excursion to or through places of tourist interest in Key West. A bus in excess of thirty-one (31) feet taking passengers directly to a specific destination may use the streets of the city and its historic district, but only those streets designated by the city manager. (A map of those streets is attached to and made a part of this ordinance.) If the origination of a thirty-one (31) foot bus to be used for a bus tour is Key West or Monroe County, notwithstanding the origination of its passengers, then the operator must obtain a franchise from the City of Key West in order to operate a bus tour on the public right-of-way.

~~(e)~~ (b) On any street or other public right-of-way of the city, it shall be unlawful for any person to park, allow to be parked or allow to remain standing or stationary (other than in the normal course of traffic flow) any bus, whether occupied or not, attended or unattended, except for the purpose of loading or unloading passengers or property at loading zones designated by the City Manager. All buses must park on private property (with the permission of the property owner) or at locations designated for such purpose by the City Manager.

(c) Violations of this section 63.20 may be enforced by the issuance of a parking ticket or by a citation pursuant to Section 1.13 of the Code of Ordinances, as applicable.

~~(a) Except as provided in subsection (c) hereof, bus tours are prohibited in the historic district. The historic district shall mean all areas of the City with an historic zoning designation. The city manager, or his designee, shall cause to be erected signs advising bus drivers of the regulations contained in this section 63.20~~

~~(b) For the purposes of this section:~~

~~(i) "bus tour" shall mean a sightseeing tour on the streets of Key West or an excursion to or through places of interest in Key West, provided to passengers by the operator of a bus or motor coach not greater in length than thirty one (31) feet and notwithstanding the place of origination of the transportation source.~~

~~(ii) A "destination bus" shall mean any bus, other than school buses, City public transit buses, or buses used for other governmental purposes, that enter Key West for the purpose of taking passengers directly to a specific destination.~~

~~(c) Bus tours shall be permitted according to the following regulations:~~

~~(i) A permitted bus providing a bus tour in the historic district shall be no greater than thirty one (31) feet in length.~~

~~(ii) Each tour bus using the streets of the historic district as provided in subsection (i) shall display a permit issued by the City. The operator of the tour bus shall apply for the permit in advance of the tour from the City's licensing division. The number of permits available on a daily basis for all operators shall be limited to six (6). The city manager shall~~

~~establish an allocation system to ensure a fair distribution of permits among applicants. A permit fee shall be established by Resolution.~~

~~(iii) In addition to a driver, each bus providing a bus tour shall carry a guide. The guide (or the guide's company) shall hold an occupational license of the City. A guide shall mean any person who for compensation shows and describes the points of interest and historical places of the city. In order to obtain an occupational license, all guides must submit a letter to the Licensing Division demonstrating a knowledge of this ordinance, its permissible routes and drop off locations.~~

~~(iv) Tour buses carrying licensed guides shall proceed only on streets of the historic district that are so designated by the city manager. Guided tour buses may drop off passengers only at locations designated by the city manager.~~

~~(v) All other buses (including, but not limited to destination buses and non guided tour buses) entering the island shall proceed on a direct route to private property or shall unload their passengers at drop off locations designated by the city manager. These buses shall display a permit issued by the City. A bus carrying school children may stop temporarily to load and unload at any location that is deemed by the operator of the bus as safe for children.~~

~~(vi) All tour buses and destination buses shall park only on private property or at locations designated by the city manager.~~

~~(vii) Violations of this section 63.20 may be enforced by the issuance of a parking ticket or by a citation pursuant to Section 1.13 of the Code of Ordinances, as applicable.~~

~~(d) No permit shall be issued to a bus tour company that has been convicted of or has pleaded no contest to two (2) violations hereunder. Such tour bus company may apply to the city manager for reinstatement of permit eligibility one (1) year after the second finding of violation.~~

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 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.

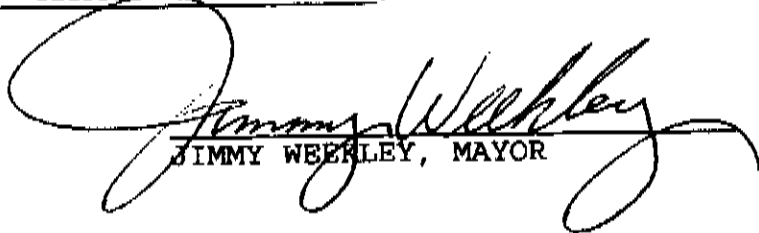
Section 4. This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 3rd day of October, 2001.

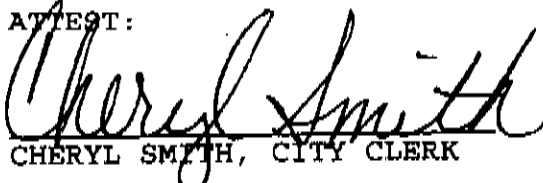
Read and passed on final reading at a regular meeting held this 16th day of October, 2001.

Authenticated by the presiding officer and Clerk of the Commission on 17th day of October, 2001.

Filed with the Clerk October 17th, 2001.


JIMMY WEERLEY, MAYOR

ATTEST:


CHERYL SMITH, CITY CLERK

TOUR BUS DROP OFF POINTS

- 1) Whitehead Street South of Greene Street
adjacent to the Treasure Museum
- 2) North end of Simonton Street, adjacent to
Mac Sea Garden
- 3) Key West Bight
- 4) Flagler Museum on Caroline Street
- 5) South end of Duval Street adjacent to the
Butterfly Museum