



THE CITY OF KEY WEST
201 William Street
KEY WEST, FLORIDA 33040
www.keywestcity.com

Port and Marine Services
(305) 809-3790

December 17, 2018

Dear Key West Bight Commercial Marina Tenant,

You have been identified as a commercial marina tenant that is currently in violation of your lease by allowing overnight stays of guests on your vessel. The City has classified this type of operation as a "Term Charter".

The City Commission and the Key West Bight Management Board have approved a new lease and set of Requirements and Regulations that now allow for Term Charters to operate within the Key West Bight. If you feel that the original intent of your business model when you entered into a lease with the marina was to operate as a Term Charter, you must now follow the Application Process as described in the attached Term Charter Requirements and Regulations in order to continue to operate. If approved by the Bight Board you will be required to enter into a new lease and meet all the Requirements and Regulations.

The Key West Bight Board has made it clear that it is **NOT** the intention of this new lease to allow any form of AirBnB or "Boatels" to operate or the conversion of a non-term charter type businesses such as fishing charters, sunset cruises, etc to become a Term Charter business.

Application must be submitted to my office no later than January 28, 2019. Complete applications will be presented to the Bight Board on February 13, 2019. Your presence will be required.

Any applicant that is not approved to operate as a Term Charter will be considered in violation of their lease on February 14, 2019 and subject to lease termination as determined by the Port and Marine Services Director.

If you have further questions or need additional information, please do not hesitate to contact me at 305-809-3792 or at dbradshaw@cityofkeywest-fl.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "DR", with a long horizontal flourish extending to the right.

Doug Bradshaw
Port and Marine Services Director

Key to the Caribbean – Average yearly temperature 77° F.

TERM CHARTER REQUIREMENTS AND REGULATIONS

The hiring of a private vessel for yachting, sailing, or motoring for a specific period of time with a customized itinerary. Charters are private and arranged by guests for use of the entire vessel (family, friends or corporate/office).

Definitions

- **Term** infers “Time” - a specific block of time consisting of 24 hour period(s)
- **Charter** means- a private group agrees to take “temporary use” and/or control of where and what a vessel will be doing under their direction, with a Licensed Captain who meets or exceeds licensure.

Requirements

- Agreement letter/contract with charter clients will include rules & regulations as set forth by Key West Bight Management Board (Board);
- Must comply with all Federal, State, and Local requirements
- Vessel shall have fully functional “galley”/kitchenette;
- Vessel will have independent running water system with water storage tank;
- Vessel should have capability for shore power/electricity, and DC battery power;
- Vessel must include working “heads” / toilets, holding tank, and onboard shower/bathing facilities;
- Vessels must have permanent enclosed safe bunking to sleep the number of chartered passengers and provide towels and linens;
- Owner will be responsible for guests and respond to all emergency calls at the Dock;
- Vessel will comply with all USCG regulations for vessel safety and equipment operation on board including licensed captain operating as written in the Federal Code of Regulations (CFR) No(s). 46 & 47;
- Owner cannot advertise as accommodations in lieu of a land based hotel or rental;
- Must maintain a detailed daily log tracking all rentals, overnight stays, number of guests, and trips leaving the dock which will be available to staff upon request.
- At a minimum for a charter of up to 3-days one trip away from the dock is required and a charter from 4 to 7-days requires two trips away from the dock.

Application Process

- To be considered for Term Charter status a commercial tenant shall make application to the Board;
- Tenants application shall provide a full description of intended operations as well show the Board that the applicant meets all the above requirements;
- The Board shall have final say on granting of Term Charter status;

Violation

- Any Owner that is found to be violating any of the above provisions above will have their Term Charter status revoked;
- Revocation of Term Charter status will be at the discretion of the Port and Marine Services Director and all decisions will be final.