

CITY OF KEY WEST PUBLIC FACILITY NAMING POLICY

Section 1. Purpose and Intent

The names carried by Key West's public buildings, parks, and facilities are a form of civic speech. They tell residents and visitors what this community values, whom it honors, and how it understands its own history. Because a name placed on a public building is expected to outlast the Commission that confers it, and because removing a name is far harder than granting one, naming decisions deserve deliberation, published standards, and a meaningful opportunity for public participation.

It is the intent of the City Commission that:

(a) The naming of a City facility is a legislative act of the City Commission, undertaken at the City's own initiative and in the interest of the public, and incorporated into the City's Code of Ordinances and other official City records as applicable.

(b) Naming decisions be made openly, on the record, against known criteria, and never as a matter of political convenience, personal favor, or reward for support.

(c) Names be durable. A name should be one the community can be expected to defend a generation from now.

(d) Geographic, historical, neighborhood, and descriptive names be preferred, because they are stable, immediately useful to the public for wayfinding, and reflect the character of the place itself.

(e) Honorific naming be reserved for extraordinary and sustained contribution, and be granted sparingly, so that the honor retains meaning.

(f) The City conform its practice to Florida law, including the prohibition against naming public facilities for living persons pursuant to Sec. 267.062, Florida Statutes.

Section 2. Definitions

For purposes of this policy:

"City facility" means any building, structure, park, playground, beach, recreational complex, athletic field, court, pool, pier, dock, marina, plaza, square, cemetery section, parking facility, bridge, or other real property improvement owned, leased, or operated by the City of Key West, and includes any distinct interior space, wing, room, or component feature thereof.

"Co-naming" means the addition of a secondary honorific designation to a facility that retains its existing primary name.

"Commemorative marker" means a plaque, bench, tree, paver, or similar object placed at a facility to recognize a person or event, without conferring a name upon the facility.

“Honorific naming” means a name conferred to recognize a person, family, organization, or group.

“Naming” means conferring a name on a City facility that has not previously been named, or on a newly acquired or newly constructed facility.

“Proposal” means a naming, renaming, or co-naming initiated under Section 6.

“Renaming” means changing, removing, or replacing an existing name of a City facility.

Section 3. Applicability

(a) This policy applies to all naming, renaming, and co-naming of City facilities.

(b) This policy does not apply to:

1. Street naming, street renaming and honorary street designations, which are governed by current City Code and, where applicable, by Monroe County and Florida Department of Transportation procedures;
2. Commemorative markers and memorial benches which are governed by current City Code provided that no such marker may be used to confer a name in fact upon a facility or to circumvent this policy;
3. Works of art and their titles, which remain subject to the jurisdiction of the Art in Public Places Board;
4. Interior spaces of a purely functional character, such as storage rooms, mechanical rooms, and restrooms;
5. Temporary designations used during design or construction, which shall not create any expectation of a permanent name.

(c) Where a City facility is located within a historic district or is a contributing structure, any signage implementing a name remains subject to review by the Historic Architectural Review Commission.

Section 4. Compliance With Florida Law

4.1 Prohibition against naming for living persons

Section 267.062(1), Florida Statutes provides that, except as specifically provided by law, no state building, road, bridge, park, recreational complex or other similar facility, or who receive state funding or State interests are involved or grant condition apply, shall be named for any living person. The statute contains a limited exception, at Section 267.062(3), permitting a state university board of trustees to name a university facility for a living person in accordance with regulations adopted by the Board of Governors of the State University System. A parallel restriction appears at section 1013.79(11), Florida Statutes, which provides that a facility

constructed under the University Facility Enhancement Challenge Grant Program shall not be named after a living person without prior approval by the Legislature.

Accordingly:

(a) **Mandatory application.** The prohibition in section 267.062, Florida Statutes, shall be applied by the City as a binding legal requirement with respect to any facility that is owned by the State of Florida, that is or will be constructed, acquired, renovated, or operated in whole or in part with state funds, or that is subject to a grant agreement, lease, interlocal agreement, or other instrument incorporating that requirement. Before any proposal is placed on a Commission agenda, the City Manager shall determine whether state funds or state property interests are involved, and the City Attorney shall confirm whether section 267.062 or any grant condition applies.

(b) **Adoption as local standard.** The City Commission recognizes that section 267.062 addresses state facilities and does not, of its own force, govern every naming decision concerning municipal property acquired and maintained with local funds. The Commission nevertheless finds the policy underlying the statute to be sound: honors conferred on the living are conferred before a life's record is complete, they invite the appearance of political reward, and they expose the City to the cost and controversy of removal. The City Commission therefore adopts the substance of section 267.062(1) as the naming standard of the City of Key West, and directs that no City facility shall be named or co-named for a living person, whether or not state funds or state property are involved.

(c) **No local exception.** The university exception at section 267.062(3) has no application to City facilities and shall not be treated as authority for any City naming.

(d) **Waiting period after death.** In addition to the requirement that an honoree be deceased, no City facility shall be named for a person until at least two (2) years have elapsed since the honoree's death, so that the naming reflects considered judgment rather than the immediate aftermath of loss. The Commission may waive this waiting period only by five (5) affirmative votes and only upon a written finding of extraordinary and unique circumstances.

4.2 Offensive or derogatory place names

Section 267.0625, Florida Statutes, addresses offensive or derogatory place names on publicly owned structures and lands and imposes obligations on political subdivisions of the state. No name shall be conferred under this policy that constitutes a racial, ethnic, or religious slur or that is otherwise offensive or derogatory within the meaning of that section. The City Manager shall review existing City facility names for compliance and shall report any findings to the Commission.

4.3 Open government

All proceedings under this policy are subject to the Government in the Sunshine Law, section 286.011, Florida Statutes, and to chapter 119, Florida Statutes. All staff reports, correspondence, and supporting materials generated under this policy are public records.

4.4 Other law

Nothing in this policy authorizes any naming that would violate the City Charter, the Code of Ordinances, chapter 112, Florida Statutes (standards of conduct for public officers and employees), the terms of any deed restriction, plat dedication, easement, bond covenant, or grant agreement, or any applicable federal or state requirement.

Section 5. Criteria

5.1 Preferred naming conventions

In the absence of a compelling reason to do otherwise, City facilities should be named for:

(a) The neighborhood, district, street, or geographic feature in which the facility is located; (b) A historically documented name associated with the site; (c) The function the facility serves; (d) A significant natural, cultural, or maritime feature of Key West or the Florida Keys; or (e) An event of enduring local, state, or national significance.

5.2 Honorific naming for individuals

An individual may be considered for honorific naming only if all of the following are satisfied:

- (a) The individual is deceased, and the waiting period in Section 4.1(d) has elapsed;
- (b) The individual made a contribution to the City of Key West, or to the nation or the world while identified with Key West, that was extraordinary, sustained, and of lasting benefit, and that is documented in the record by more than personal testimonial;
- (c) The contribution is reasonably connected to the facility proposed to be named, whether by geography, by function, or by the individual's own work;
- (d) The individual's overall record, considered as a whole and including any conduct that would today be regarded as inconsistent with the City's stated values, is such that the community can be expected to sustain the honor over time; and
- (e) The name will not create confusion with an existing City facility, a public safety address, or another named facility in Monroe County.

5.3 Restrictions

(a) **Sitting officials and employees.** No City facility shall be named or co-named for any person who is serving, or who has served within the preceding two (2) years, as an elected official of the City, as a member of a City board, or as a City employee. This restriction operates independently of, and in addition to, the requirement that an honoree be deceased.

(b) **Multiple namings.** No individual shall have more than one City facility named in that individual's honor, absent five (5) affirmative votes of the Commission.

(c) **Annual limit.** Not more than three (3) honorific namings shall be approved in any fiscal year, so that each naming receives individual consideration and the honor is not diluted.

(d) **Commercial names.** No City facility shall be named or co-named for a for-profit business, product, or brand.

(e) **Political and religious content.** No facility shall be named in a manner that endorses a political party, a candidate for office, a ballot measure, or a religious denomination.

Section 6. Initiation

(a) **Exclusive means of initiation.** A proposal may be initiated only by:

1. A member of the City Commission, by placing the item on a Commission agenda in accordance with the Commission's rules of procedure; or
2. The City Manager, upon determining that a City facility requires a name or that a change is warranted under Section 9.

(b) **No right of application.** This policy establishes no application process and creates no right, entitlement, or expectation in any person to initiate a proposal, to obtain a naming, to compel the City to consider a name, or to receive a hearing on a name. Communications received by the City suggesting a name impose no obligation on the City and do not commence any proceeding under this policy. Nothing in this subsection limits the right of any person to address the City Commission during public comment as provided by law.

(c) **No naming by contribution.** A name shall not be sold, exchanged, or otherwise made available in return for anything of value.

(d) **Content of the initiating item.** Each proposal placed before the Commission shall identify the facility by address and legal description, state the proposed name and the exact wording proposed for any signage, and explain how the proposal satisfies Sections 4 and 5.

Section 7. Review Procedure

(a) **Staff report.** For each proposal, the City Manager shall prepare a written report analyzing the proposal against Sections 4 and 5 and addressing operational effects, signage and wayfinding,

grant and deed restrictions, addressing and emergency response implications, and estimated cost. The report shall include supporting documentation, which may include historical records, published accounts, and official records. Where an honoree has surviving family, the report shall document the family's notification and any response received. The City Attorney shall provide a written determination on the application of section 267.062, Florida Statutes, and any other legal constraint.

(b) **Advisory review.** The City Manager shall refer the proposal to the appropriate City department or advisory body with subject matter jurisdiction, which shall include:

1. For parks, beaches and recreational facilities, the City's Parks and Recreation Department;
2. For facilities of historical significance or facilities within a historic district, the Historic Preservation and Historic Architectural Review Commission;
3. For facilities located within an identifiable neighborhood, the applicable neighborhood or district advisory body.

Where no advisory body exists for the applicable subject matter, the appropriate City department shall instead hold a publicly noticed workshop to solicit public input in lieu of advisory body review.

The advisory body or appropriate City department shall hold a publicly noticed meeting or workshop, take public comment, and forward a written recommendation within sixty (60) days. Failure to act within that period shall not prevent the proposal from proceeding.

(c) **Public comment period.** Upon transmittal of the staff report, the City Clerk shall publish notice of the proposal on the City website and at the affected facility for a period of not less than thirty (30) days, during which written comment shall be received.

(d) **Notice to neighbors.** For any proposal concerning a park or a facility located in a residential area, written notice shall be mailed to owners of record within 300 feet of the facility.

Section 8. Commission Action

(a) **Public hearing.** The Commission shall consider the proposal at a duly noticed public hearing at which public comment is taken.

(b) **Vote required for naming.** Approval of a naming requires five (5) affirmative votes of the City Commission.

(c) **Vote required for renaming.** Approval of a renaming requires six (6) affirmative votes and two public hearings held at separate regular meetings.

(d) **Written findings.** Any approval shall be accompanied by written findings addressing each criterion in Section 5 and confirming compliance with Section 4.

(e) **Effect of denial.** A proposal that has been denied shall not be reconsidered as to the same facility and the same name for two (2) years absent materially new information.

Section 9. Renaming and Revocation

(a) **Presumption against renaming.** There is a strong presumption against renaming a City facility. Renaming imposes costs, disrupts public wayfinding, and diminishes the meaning of every name the City confers. A name shall not be changed merely because a different name would be preferred.

(b) **Grounds.** A renaming may be approved only upon a written finding of one or more of the following:

1. The existing name is offensive or derogatory within the meaning of section 267.0625, Florida Statutes;
2. The honoree engaged in conduct, whether known at the time of naming or discovered afterward, that is fundamentally inconsistent with the values of the City, including conviction of a felony or documented conduct involving violence, exploitation, corruption, or persecution;
3. The facility has been demolished, replaced, or repurposed such that the name no longer has meaning;
4. The name was conferred in violation of law or of this policy; or
5. The honoree's family or estate requests removal.

(c) **Procedure.** A renaming follows the full procedure in Sections 6 through 8, with the additional requirements of Section 8(c). Where practicable, the City Manager shall give written notice to the honoree's surviving family or estate at least thirty (30) days before the first public hearing.

(d) **Historical record preserved.** Removal of a name shall not be accompanied by removal of the historical record. The City Clerk shall retain in the registry a permanent entry documenting any name previously conferred, the date it was conferred, and the date and stated grounds for its removal.

Section 10. Signage and Implementation

(a) All signage shall conform to City design standards and, where applicable, to Historic Architectural Review Commission approval.

(b) The City retains ownership and control of all signage and may relocate, repair, or replace it in the ordinary course.

(c) A naming takes effect upon installation of signage or upon the date stated in the approving instrument, whichever is later. The City Manager shall notify the United States Postal Service, Monroe County emergency dispatch, and other affected agencies of any name affecting addressing or emergency response.

Section 11. Registry

The City Clerk shall establish and maintain a public registry of all named City facilities, published on the City website, containing for each facility the current name, the date and instrument of naming, a summary of the findings supporting the naming, and the record of any prior names as required by Section 9(d).

Section 12. Existing Names

Names in effect on the effective date of this policy remain in effect and are not disturbed by its adoption. This policy governs all proposals pending on the effective date and all proposals initiated thereafter.

Section 13. Administrative Naming of Minor Features

The City Manager may administratively assign functional or descriptive designations to interior rooms, meeting spaces, and minor components of City facilities, provided that no such designation is honorific, no such designation is made for any person, and a list of such designations is reported annually to the Commission.