

From: Loretta DiTocco <lorettamdt@outlook.com>

Sent: Tuesday, February 10, 2026 6:43 PM

To: Mayor E-Mail <mayor@cityofkeywest-fl.gov>; City Clerk External E-Mail <clerk@cityofkeywest-fl.gov>; Kendal Harden <kendal.harden@cityofkeywest-fl.gov>

Subject: [EXTERNAL] Rainbow Fence Issue - Request for Commission Action

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Dear Mayor Henriquez,

I am writing regarding the February 11 agenda item on HARC review and code enforcement. As a Key West resident, I am requesting that the Commission take concrete action to resolve the ongoing confusion about rainbow-colored fence pickets.

For months, residents have been in Limbo. Some received citations (like the December 19 citation), but enforcement appears to have informally paused with no official guidance. At the December HARC meeting, the Assistant City Attorney couldn't provide clarity. This uncertainty serves no one.

1. Adopt a resolution formally suspending enforcement of fence color violations for rainbow pickets while completing a text amendment process. This provides clarity and fairness while the rules are being reconsidered.

2. Create a text amendment establishing a streamlined permit process for temporary expressive fence displays, including:

- Simple \$50 application fee
- 24-36 month time limit
- Clear approval criteria
- Restoration requirement when permits expire
- Amnesty for existing installations
- Dismissal of pending violations once permits obtained

This approach is **fair, clear, proper, and balanced**.

I understand the City Attorney has raised concerns about selective enforcement. However, a formal legislative moratorium during rule review is legally sound and actually **strengthens** the framework by providing structured flexibility rather than inviting constitutional challenges.

I support both preservation and temporary community expression and I'm concerned about lack of transparency in how this is being handled . Also,I want clear, fairly applied rules

Following the update, please direct staff to prepare:

1. A resolution suspending enforcement for the next meeting
2. A text amendment ordinance for full public process

I will attend the February 11 meeting and hope to see the Commission committed to resolving this fairly and promptly.

Thank you for your attention to this matter.

Respectfully,

Loretta M Di Tocco

Key West

CC: City Commissioners, City Attorney Downs