

ORDINANCE NO. 23-35

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES, ENTITLED "BUSINESSES" BY CREATING ARTICLE XIV TITLED "FITNESS CENTERS", DIVISION 1, ENTITLED "AUTOMATED EXTERNAL DEFIBRILLATORS"; CREATING SECTION 18-710 TITLED "DEFINITIONS"; CREATING SECTION 18-711 ENTITLED "REGULATIONS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, it is the goal of the City of Key West that an automated external defibrillator be used by any person for the purpose of saving the life of another person in cardiac arrest in fitness centers; and

WHEREAS In order to achieve that goal, the City of Key West intends to encourage training in lifesaving first aid and set standards for and encourage the use of automated external defibrillators in fitness centers; and

WHEREAS, the City Commission finds that creating Article XIV section 18-710 and section 18-711, to regulate all Fitness Centers in the use and possession of automated external defibrillators thus promote the health and welfare of the citizens and visitors of the City of Key West.

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

Section 1: That Chapter 18, Article XIV, Division 1,
Section 18-710 of the Code of Ordinances is hereby created as
follows*:

18- 710 DEFINITIONS

(1) As used in this section, the term:

(a) "Automated external defibrillator" means a device as defined in
F.S. [768.1325](#) (2) (b) .

(b) "Defibrillation" means the administration of a controlled
electrical charge to the heart to restore a viable cardiac rhythm.

(c) "Fitness Center" means a place or club where an individual can
go to exercise by spinning, aerobic classes, utilizing machines,
weights, treadmills and other exercise equipment or associated
classes where the fitness goal is achieved through aerobic activity.
It shall exclude Yoga and Pilates studios that do not have any aerobic
exercise equipment.

(2) In order to promote public health and safety:

(a) All persons who use an automated external defibrillator are
encouraged to obtain appropriate training, to include completion of
a course in cardiopulmonary resuscitation or successful completion
of a basic first aid course that includes cardiopulmonary
resuscitation training and demonstrated proficiency in the use of an
automated external defibrillator.

(b) Any person or entity in possession of an automated external
defibrillator is required to notify the local emergency medical

services medical director or the local public safety answering point, as defined in s. 365.172(3), of the location of the automated external defibrillator.

(c) Any person who uses an automated external defibrillator shall activate the emergency medical services system as soon as possible upon use of the automated external defibrillator.

(3) Tampering with an Automated External Defibrillator is a violation of F.S. 401.2915(3)

Section 2: That Chapter 18, Article XIV, Division 1, Section 18-711 of the Code of Ordinances is hereby created as follows*:

18-711 - Automated External Defibrillators; User Training

- (1) All fitness centers must have an automated external defibrillator on the premises, located in an area readily accessible to patrons.
- (2) Each fitness center must ensure that all employees or volunteers who are reasonably expected to use the device obtain appropriate training, including completion of a course in cardiopulmonary resuscitation or a basic first aid course that includes cardiopulmonary resuscitation training, and demonstrated proficiency in the use of an automated external defibrillator.
- (3) The location of each automated external defibrillator must

be registered with a local emergency medical services director.

- (4) The use of automated external defibrillators by employees and volunteers is covered under FS 768.13 and 768.1325.
- (5) Any violation of this ordinance is punishable under Chapter 2, Article 6, Division 3, Sec. 2-677, Sec. 2-678, and Sec. 2-679.

Read and passed on first reading at a regular meeting held
this 12th day of October, 2023.

Read and passed on final reading at a regular meeting held
this 12th day of October, 2023.

Authenticated by the presiding officer and Clerk of the
Commission on 16th day of October, 2023.

Filed with the Clerk October 16, 2023.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Lissette Carey	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Clayton Lopez	<u>Absent</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>

TERI JOHNSTON, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK