

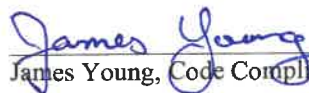


AFFIDAVIT OF CODE COMPLIANCE DIRECTOR JAMES YOUNG

BEFORE ME, the undersigned authority appeared James Young, after being duly sworn deposes and says as follows:

1. My name is James Young. I am more than 18 years of age and of sound mind, and I render and affirm the statement below of my own free will.
2. I am the Code Compliance Director for the City of Key West. I have been employed by the City for 21 years.
3. The Code Compliance Department has received over fifty (50) complaints about vulgar and obscene materials that are displayed in storefront windows; primarily on Duval Street. Because the City has not had an ordinance to regulate such materials, we stopped taking the complaints and referred the callers to the Chamber of Commerce. Because of the numerous complaints that we have received, I believe in my professional opinion that the City of Key West has a compelling interest in establishing a regulation to give my department the necessary tools to address these complaints.
4. As the Code Compliance Director, I believe that there are a couple of ways to address this issue. The City can outright ban vulgar and obscene materials from stores, or the City can require that such materials not be seen from the public rights of way. Given that the complaints received involve passersby complaining of the visual presentation of these materials from the rights of way, I believe that merely requiring that these materials be placed inside the stores in location not visible from the rights of way is the most narrowly tailored way to address this concern.

FURTHER AFFIANT SAYETH NAUGHT.



James Young, Code Compliance Director, City of Key West

STATE OF FLORIDA
COUNTY OF MONROE

Sworn to and subscribed before me on this 2ND day of February, 2023, by the Affiant James Young, who is personally known to me.


SIGNATURE OF NOTARY PUBLIC

Stamp or SEAL:

