



THE CITY OF KEY WEST

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EXECUTIVE SUMMARY

To: The City Commission for the City of Key West

From: Ron Ramsingh, Assistant City Attorney

Date: January 11, 2012/June 27, 2012/August 30, 2012

RE: Ordinance revision to Sec. 6-1; Street Performers & Artists at South Beach Pier.

Action statement:

A proposed ordinance revision to Sec. 6-1 to expand the prohibited area currently defined as Duval Street Corridor Cultural District to include the South Beach Pier at the southernmost tip of Duval Street. This revision is sponsored by Commissioner Lopez.

Background: Chapter 6 was previously amended on second reading on 4/5/2011. During this last amendment, a new area was proposed by Commissioner Lopez called the Duval Street Corridor Cultural District that prohibited street performers and art vendors on the city sidewalks on Duval Street from Petronia Street to South Street. Since that time, performers and artists began to set up on those areas of sidewalk on Duval Street from South Street to the foot of Duval Street and more importantly, established themselves on the concrete pier extending into the Atlantic Ocean commonly called the South Beach Pier. This references area is currently completely unregulated by the street performer ordinance. Given the dynamics of the pier not having guardrails and the shallow surrounding waters, and the history of catastrophic injuries at the pier, it is the belief of

the undersigned as well as Commissioner Lopez that having stationary hazards such as street performers and/or art vendors on the pier poses a serious safety concern for the individuals in the area. However, after a postponement at the last presentation of this ordinance revision in June 2012, Commissioner Lopez met with the artists and is proposing a compromise which allows for permit holders to establish themselves on the sidewalks of the 1400 block of Duval Street, yet make the pier a prohibited area.

Options:

1. Approve the proposed ordinance revision to include the South Beach Pier in the prohibited area for street performers and art vendors, thus leaving the pier open and clear from foreseeable obstructions such as street performers and art vendors. Further, this proposal will allow for permitted street performers and art vendors to establish themselves on the sidewalk of the 1400 block of Duval Street.
 2. Not to approve the proposed ordinance revision, thus leaving open this venue for unregulated, unpermitted street performers and artists that are not subject to any of the regulations concerning street performers or art vendors.
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Reccomendation:

To approve the proposed ordinance revision.
