

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES, ENTITLED "BUILDINGS AND BUILDING REGULATIONS," TO PROVIDE FOR THE WAIVER OF PERMIT FEES FOR PUBLIC RENTAL HOUSING PROJECTS ON PROPERTIES OWNED OR CONTROLLED BY THE HOUSING AUTHORITY OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission recognizes the critical role that the Housing Authority of the City of Key West, Florida ("the Housing Authority") plays in providing safe, secure, and quality affordable housing solutions to extremely low to moderate-income families, the elderly, and persons with disabilities in the community; and

WHEREAS, the City Commission desires to support the Housing Authority's mission by reducing the financial burdens associated with the permitting of construction, renovation, and improvement projects at Housing Authority-owned properties; and

WHEREAS, the City of Key West and the Housing Authority have had a long-standing Cooperation Agreement in place since 1941, which included a provision for the waiver of any building and inspection fees to which the Housing Authority or its (public housing) projects might otherwise be or become subject; and

WHEREAS, although this Cooperation Agreement has guided practice for decades, its provisions were not codified in the City's Code of Ordinances; and

WHEREAS, the City Commission desires to formally codify the Cooperation Agreement to allow for the waiver of building permit fees for all Housing Authority properties within the City of Key West; and

WHEREAS, the City Commission finds that waiving building permit fees for the Housing Authority is in the best interest of the City of Key West, its residents, and its employers, and supports the construction, renovation, and improvement projects for crucial affordable housing within the City.

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

Section 1: That Section 14-1. *Payment of fees, assessments and service charges required prior to issuance of permit, approval, development order, variance, certificate, or off duty details by city personnel.* is hereby amended to read as follows:

The city and its agencies, departments, boards and authorities shall not issue any permit, approval, development order, variance, certificate, or off duty details by city personnel to any person, business or on any lot or parcel of property in the city until all fees, fines, charges and assessments of any nature due or accruing to the city have been paid by such person or related to such property.

Notwithstanding any provision to the contrary in this section, the city and its agencies, departments, boards and authorities shall waive permit fees for construction, renovation, and improvement projects on public rental housing properties, as defined in section 86-9 of the Code of Ordinances, owned or controlled by the Housing Authority of the City of Key West, Florida.

Section 2: That a Section 14-3. is hereby added to read as follows:

Sec. 14-3. - Waiver of permit fees for construction, renovation, and improvement projects on public rental housing properties, as defined in section 86-9 of the Code of Ordinances, owned or controlled by the Housing Authority of the City of Key West, Florida.

Notwithstanding any provision to the contrary in this chapter, building permit fees shall be waived for any construction, renovation, or improvement projects involving public rental housing located on properties owned or controlled by the Housing Authority of the City of Key West, Florida, provided:

1. The Housing Authority must submit documentation sufficient to verify ownership or control of the property at the time of application for a permit in order to qualify for the fee waiver.
2. This fee waiver shall not apply to fees assessed by third parties or outside agencies, nor shall it relieve the Housing Authority of the City of Key West, Florida from compliance with all applicable building codes, inspections, and regulations.
3. This section shall apply retroactively to January 1, 2025.

Section 3: That this Ordinance shall apply retroactively to January 1, 2025, and the City shall refund to the Housing Authority of the City of Key West, Florida any building permit fees paid on or after that date for projects that meet the criteria set forth in Section 14-3.

Section 4: That all Ordinances or parts of Ordinances of the City of Key West, Florida in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 5. That this Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

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Read and passed on first reading by the City Commission at
a meeting held this day _____ of _____, 2025.

Read and passed on final reading by the City Commission at
a meeting held this day _____ of _____, 2025.

Authenticated by the Presiding Officer and Clerk of the
Commission on day _____ of _____, 2025.

Filed with the Clerk on _____, 2025.

Mayor Danise Henriquez _____

Vice Mayor Donald "Donie" Lee _____

Commissioner Lissette Carey _____

Commissioner Aaron Castillo _____

Commissioner Monica Haskell _____

Commissioner Mary Lou Hoover _____

Commissioner Sam Kaufman _____

Danise Henriquez, MAYOR

ATTEST:

Keri O'Brien, City Clerk