


MEMORANDUM

DATE: February 8, 2022
TO: Shawn Smith
FROM: Tripp Scott, P.A. 
RE: Proposed Ordinance and related cruise ship regulation

Attached please find a draft proposed Ordinance providing for the regulation of cruise ships docking at the City Key West ("City"). The Ordinance focuses on environmental regulation and includes measures taken at other ports in Florida. This prohibits specific actions – and provides the City with authority to enforce environmental regulation.

Specifically, the Ordinance would:

- Prohibit air and water pollution, define pollution, assess clean-up costs and assess fee for failure to pay costs.
- Require that ships obtain "Green Marine" environmental certification and maintain certification or be prohibited from docking at Key West.
- Establish a coral reef restoration fund, provide a source of funding, including a per-passenger fee.
- Require that passenger health care services, except for life-threatening emergencies, are provided on-board and that passengers with transmissible illnesses requiring on-shore care would be transported to facilities outside of Key West.

We continue to coordinate with you and work with the Pier B owners toward an Amendment to the Development Agreement ("Amendment") that would address the City's continued relationship with Pier B. We are hopeful of this result and further advise that the two items, the Ordinance and the Agreement, should be addressed concurrently.

Discussions with Pier B regarding possible cruise ship restrictions have included the following topics:

Ship size limitation
Ship docking limitation
Ship docking black-out days
Passenger disembarkation limitation
Increased disembarkation fee; coral reef restoration

We look forward to finalizing these items and addressing the issues most important to the City and its residents.