

ORDINANCE NO. 2025-_____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA AMENDING CHAPTER 90 OF THE LAND DEVELOPMENT REGULATIONS, ENTITLED ADMINISTRATION, BY AMENDING ARTICLE IV ENTITLED ADMINISTRATIVE OFFICIAL, AMENDING SECTION 90-301 OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA TO CLARIFY THE ENFORCEMENT AUTHORITY OF THE CHIEF BUILDING OFFICIAL, PURSUANT TO F.S. 468.604, AMENDING THE ENFORCEMENT AUTHORITY OF THE CITY PLANNER AND ADDING ENFORCEMENT AUTHORITY FOR THE CITY CODE OFFICIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, following an extensive investigation in response to numerous complaints and reports of unlawful activity within the City of Key West, Florida, the Monroe County Grand Jury, Spring Term 2025, released its Final Report titled "*Unbuilding Trust: The Grand Jury's Findings on Abuse of Power in Paradise*"; and

WHEREAS, the Grand Jury's investigation resulted in a total of seven (7) indictments, related to, or in connection with, their public/official employment with the City of Key West, Florida; and

WHEREAS, it is the desire of the City of Key West, Florida to act upon the recommendations presented by the Monroe County Grand Jury to deter this type of unlawful activity and blatant disregard for the trust and faith this

community places in its City officials and employees;

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

Section 1: That Section 90-301. *Enforcement Activity*. Of the Code of Ordinances of the City of Key West, Florida is hereby amended to read as follows:

"a) The chief building official, under the supervision of the city manager, shall administer and enforce the Florida Building Code as adopted by Florida Statute. ~~land development regulations. The chief building official may be provided with the assistance of such other city officers and employees as the city manager may direct.~~ The chief building official may be provided with the assistance of such other city officers and employees as the city manager may direct but in no case shall assign an unlicensed staff member to perform duties that require licensure. The Building Official shall administer the building permitting process such that all City Department responsible for specific application review and/or inspections may collaborate efficiently. This shall include such departments responsible for reviewing application criteria for Fire Prevention and Life Safety, Floodplain Management, BPAS, Zoning, Land Development Regulations, Historic District Development, Utilities,

Parking, Urban Forestry, Roadways and Traffic, Land Development Regulations.

b) The city planner__shall have the administrative responsibility to interpret the land development regulations. The city planner shall review and evaluate any request for interpretation in light of the comprehensive plan and land development regulations, consult with the city attorney and then render an interpretation. Such interpretations shall be in writing and accompanied by review and written consent by the city attorney. All interpretations shall be sent to the applicant by email.

c) The city code official, under the supervision of the City Manager, shall enforce the City Ordinances, which include the Florida Building Code by reference and the land development regulations with the collaborative assistance of the Planning and Building staff."

**At first reading, added language is underlined; deleted language is ~~struck through~~. At second reading, added language is double-underlined and deleted language is ~~double-struck through~~.

Section 2: That all Ordinances or parts of Ordinance 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 3. 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 5th day of November 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 _____, 2025.

Mayor Danise Henriquez	_____
Vice Mayor Donald "Donie" Lee	_____
Commissioner Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner District V	_____
Commissioner Sam Kaufman	_____

Danise Henriquez, MAYOR

ATTEST:

Keri O'Brien, City Clerk