

OFFICE OF THE CITY ATTORNEY



PHONE: (305) 809-3770
FAX: (305) 809-3771

THE CITY OF KEY WEST

POST OFFICE BOX 1409
KEY WEST, FL 33041-1409
WWW.KEYWESTCITY.COM

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

RE: Ordinance revision to Sec. 6-1; Definitions regarding Street Performers & Artists

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 those portions of Duval Street extending south from South Street and to include the South Beach Pier. 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. 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 in such a venue poses a serious risk to the health, safety and welfare of individuals in the area. Further, being a dead end street with very narrow angled parking, having performers and artists set up on the sidewalks of the 1400 block of Duval Street is equally hazardous to the health, safety and welfare of individuals visiting the area.

Options:

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1. Approve the proposed ordinance revision to include those portions of the sidewalks on the 1400 block of Duval Street, as well as the South Beach Pier, thus leaving open and clear, foreseeable obstructions such as street performers and art vendors.
 2. Not to approve the proposed ordinance revision, thus leaving open this venue for street performers and artists.
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Reccomendation:

To approve the proposed ordinance revision.
