

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,  
AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES,  
ENTITLED "ADMINISTRATION" BY CREATING SECTION  
2-116, TITLED "DEFINITIONS"; CREATING SEC. 2-  
117, TITLED "LOBBYING REGULATED"; PROVIDING  
FOR SEVERABILITY; PROVIDING FOR REPEAL OF  
INCONSISTENT PROVISIONS; PROVIDING FOR AN  
EFFECTIVE DATE**

WHEREAS, The City of Key West currently does not regulate, nor prohibit former city officers or employees from lobbying the city commission or its boards and departments once the employment relationship has ceased; and

WHEREAS, Florida Statute 112.313(13) permits a municipality, county or school district to enact a regulations preventing its former officers and employees from representing individuals before the entity; and

WHEREAS, an amendment to Chapter 2 of the Code of Ordinances will promote the health, safety and welfare of the citizens and visitors of the City of Key West.

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

Section 1: That Section 2-116 of the Code of Ordinances is hereby created as follows\*:

**Sec. 2-116. - Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Business entity means any corporation, partnership, limited partnership, proprietorship, firm, enterprise, franchise, association, self-employed individual, or trust, whether fictitiously named or not, doing business in the state.

Compensation means a payment, distribution, loan, advance, reimbursement, deposit, salary, fee, retainer, or anything of value provided or owed to a lobbying firm or person, directly or indirectly, by a principal for any lobbying activity.

Employee, city employee, city officer, or city official means any person hired by the City of Key West after

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\*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

the effective date of this ordinance, whether by contract or not, to be on the payroll of the City of Key West.

Lobby means to influence or attempting to influence, on behalf of another, the board's action or non-action through oral or written communication or an attempt to obtain the goodwill of a member or employee of the city or any board under their authority.

Section 2: That Section 2-117 of the Code of Ordinances is hereby created as follows\*:

**Sec. 2-117. - Lobbying regulated.**

(a) No city officer, official or employee of the City of Key West shall, within two years following vacation of office or termination of employment, with or without compensation, lobby on behalf of any other person or business entity in any formal or informal appearance before, or with the intent to influence, make any oral or written communication on behalf of any other person or business entity, to:

(1) Any board, commission, authority, or advisory board of the City of Key West; or

(2) Any department head or representative of the City of Key West, in connection with current or future procurement of goods and/or services or current or future litigation or matters before that department.

(b) This section shall not apply in the case of collective bargaining members acting on behalf of the bargaining unit.

Section 3: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 4: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 5: 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.

Read and passed on first reading at a regular meeting held  
this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Read and passed on final reading at a regular meeting held  
this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Authenticated by the presiding officer and Clerk of the  
Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Filed with the Clerk \_\_\_\_\_, 2023.

Mayor Teri Johnston \_\_\_\_\_

Vice Mayor Sam Kaufman \_\_\_\_\_

Commissioner Lissette Carey \_\_\_\_\_

Commissioner Mary Lou Hoover \_\_\_\_\_

Commissioner Clayton Lopez \_\_\_\_\_

Commissioner Billy Wardlow \_\_\_\_\_

Commissioner Jimmy Weekley \_\_\_\_\_

\_\_\_\_\_  
TERI JOHNSTON, MAYOR

ATTEST:

\_\_\_\_\_  
KERI O'BRIEN, CITY CLERK