

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,
AMENDING CHAPTER 70 OF THE CODE OF ORDINANCES
ENTITLED "TRAFFIC AND VEHICLES" BY AMENDING
SECTION 70-121 TO ADD A CIVIL PENALTY FOR
VIOLATION OF SECTION 70-497 BUS PARKING
RESTRICTED; PROVIDING FOR SEVERABILITY;
PROVIDING FOR REPEAL OF INCONSISTENT
PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Ordinance No. 16-14 the City Commission enacted
Section 70-497 titled Bus Parking Restrictions on August 16, 2016;
and

WHEREAS, the City Commission finds that there is presently no
appropriate civil penalty which properly penalizes a violation of
said section; and

WHEREAS, the City Commission finds that the addition of an
appropriate civil penalty for a violation of Section 70-497 of the
code would promote the health, safety and welfare of the citizens
of Key West.

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

Section 1: That section 70-121 (a) (5) of the Code of Ordinances is hereby added as follows*:

Sec. 70-121. Penalty for violation.

a) Any person cited for violation of the parking, stopping and standing regulations set forth in this chapter who submits payment within ten days of the issuance of the citation shall be fined as follows:

* * * *

(5) (a) For a first violation of Section 70-497 of article X Division 2 of this chapter (Buses), \$250.00.

(b) For a second or subsequent violation of Section 70-497 of article X Division 2 of this Chapter, occurring within six (6) months of a prior violation of this Chapter, \$500.00.

* * * *

*(Coding: Added language is underlined; deleted language is struck through.)

Section 2. 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 3. All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.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 4. 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 _____, 2016.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2016.

Authenticated by the presiding officer and Clerk of the
Commission on _____ day of _____, 2016.

Filed with the Clerk _____, 2016.

Mayor Craig Cates _____

Vice Mayor Clayton Lopez _____

Commissioner Sam Kaufman _____

Commissioner Richard Payne _____

Commissioner Margaret Romero _____

Commissioner Billy Wardlow _____

Commissioner Jimmy Weekley _____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK