

**RESOLUTION NO. 22-073**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, TO DIRECT THE DOCKING OF AND DISEMBARKATION OF PASSENGERS FROM CRUISE SHIPS AWAY FROM CITY OF KEY WEST CONTROLLED PROPERTY; TO DIRECT THE COORDINATION OF ENFORCEMENT OF APPLICABLE LAWS; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the City Commission of the City of Key West has considered public input and evidence regarding cruise ship operations in the City of Key West and the environmental, economic, and legal implications of regulating cruise ships, and wishes to direct cruise ship activity away from all public property to the Pier B dock, and ensure that cruise ship activity at the Pier B dock and any private property conforms to state and federal regulations; and

WHEREAS, the City of Key West seeks only to direct cruise ship operations away from public property to the Pier B dock and not to prohibit cruise ship operations or to restrict maritime commerce.

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

Section 1. For purposes of this Resolution, cruise ship shall mean: any commercial, non-cargo, passenger-carrying vessel operating in international, interstate, or intrastate waterways and subject to the jurisdiction of the United States with the capacity to carry 500 or more individuals (passengers and crew).

Section 2. The City Commission expresses the proprietary policy of the City of Key West to direct the docking of, and disembarkation of passengers from, any cruise ship, from any and all property controlled by the City of Key West. It is the intent of the City Commission that

all cruise ships will dock at a designated, non-city controlled pier at the City of Key West, known as Pier B, and that when a cruise ship is docked at Pier B, no cruise ship will dock at a City of Key West controlled property. In the event that a cruise ships docks at a City of Key West controlled property, it is the intent of the City commission that cruise ships with the capacity to carry 1,300 or more persons (passengers and crew) shall not disembark individuals at any and all City of Key West controlled property; and that the number of persons disembarking from cruise ships with the capacity to carry less than 1,300 or more persons (passengers and crew) at any and all City of Key West controlled property shall be limited to a total of not more than 1,500 persons per day.

Section 3. Section 2 herein shall not apply to or affect Pier B and Pier B is expressly excluded from any limitation of cruise operations.

Section 4. It is the intent of the City of Key West to coordinate with the United States Navy, United States Coast Guard, United States Army Corps of Engineers, Florida Keys National Marine Sanctuary, and Florida Department of Environmental Protection to ensure that cruise ship operations at the City of Key West conform to all applicable laws, and permit conditions.

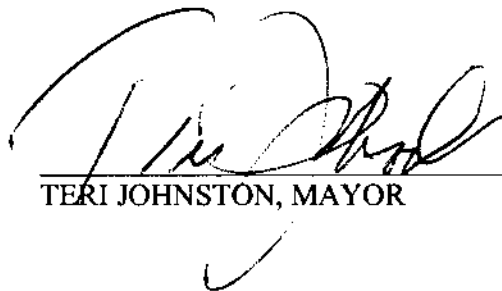
Section 5: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 10th day of March, 2022.

Authenticated by the Presiding Officer and Clerk of the Commission on this 11th day of March, 2022.

Filed with the Clerk on March 11, 2022.

|                              |            |
|------------------------------|------------|
| Mayor Teri Johnston          | <u>Yes</u> |
| Vice Mayor Sam Kaufman       | <u>Yes</u> |
| Commissioner Gregory Davila  | <u>Yes</u> |
| Commissioner Mary Lou Hoover | <u>Yes</u> |
| Commissioner Clayton Lopez   | <u>Yes</u> |
| Commissioner Billy Wardlow   | <u>Yes</u> |
| Commissioner Jimmy Weekley   | <u>Yes</u> |



TERI JOHNSTON, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK