

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

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,  
AMENDING CHAPTER 62 OF THE CODE OF ORDINANCES,  
ENTITLED "STREETS AND SIDEWALKS" BY AMENDING  
SECTION 62-3, TO ADD A FEE FOR OBSTRUCTING A  
PARKING METER; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR REPEAL OF INCONSISTENT  
PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West finds that it is necessary to include a permit fee for a right-of-way permits that obstruct a parking meter; and

WHEREAS, an amendment to the section 62-3 of the Code of Ordinances will promote the 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 62-3 of the Code of Ordinances is hereby amended as follows\*:

Sec. 62-3. Schedule of right-of-way permit fees.

(a) The city manager or his designee, on behalf of the city, shall charge and collect for right-of-way permits at the rates set forth below:

- (1) Dumpster application fee .....\$10.00  
Dumpster permit fee .....10.00  
Dumpster renewal fee (15-day maximum) per day ..10.00
- (2) Right-of-way construction application fee .....20.00  
Right-of-way construction permit fee .....50.00
- (3) Maintenance of traffic application fee .....20.00  
Maintenance of traffic permit fee .....30.00
- (4) Right-of-way license application fee .....20.00  
Right-of-way license permit fee .....20.00
- (5) Overnight storage application fee .....10.00  
Overnight storage permit fee .....10.00

---

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

- (6) Reinspection fee (if no compliance with the above permits, thus requiring reinspection) .....15.00
- (7) Upon a third submittal of drawings in support of the above permit application(s), staff review time of revisions, per hour .....45.00
- (8) Parking meter fee (if obstructed) per day ...20.00

(b) Exemptions. Governmental agencies shall be exempt from the permit fees of this section; provided, however, that such agencies must apply for and obtain all permits. Where a person or firm voluntarily installs a sidewalk in front of that person's or firm's property, pursuant to a duly issued permit, then the right-of-way construction fee and the maintenance of traffic fee, if any, shall be waived.

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 \_\_\_\_\_, 2015.

Read and passed on final reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Authenticated by the presiding officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Filed with the Clerk \_\_\_\_\_, 2015.

Mayor Craig Cates \_\_\_\_\_  
Vice Mayor Mark Rossi \_\_\_\_\_  
Commissioner Teri Johnston \_\_\_\_\_  
Commissioner Clayton Lopez \_\_\_\_\_  
Commissioner Billy Wardlow \_\_\_\_\_  
Commissioner Jimmy Weekley \_\_\_\_\_  
Commissioner Tony Yaniz \_\_\_\_\_

\_\_\_\_\_  
CRAIG CATES, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK