



**THE CITY OF KEY WEST  
CITY ATTORNEY'S OFFICE  
Report**

**To:** Chairman and Planning Board Members

**From:** George B. Wallace, Assistant City Attorney

**Meeting Date:** February 23, 2017

**Agenda Item:** A proposed ordinance revision amending Section 122-1466 to add the definition of annual household income; amending section 122-1469(1) providing for retirement or disability; amending section 122-1469(10) by eliminating the one year residency requirement and providing for other evidence of qualification; amending section 122-1469(13) to revise income determination; providing for severability; providing for repeal of inconsistent provisions, providing for an effective date.

**Action Item / Background**

The City Attorney's Office, in conjunction with the Housing Authority of Key West, completed an audit/enforcement program in 2016 to compel better compliance by property owners with the annual reporting requirements of the affordable workforce housing ordinance in sections 122-1465 through 122-1469.

The results of these efforts were presented to the City Commission at its regular meeting of December 6, 2016 together with suggested modifications of the ordinances designed to improve compliance and enforcement.

The City Commission directed the City Attorney's Office to bring the proposed ordinance revisions forward resulting in this item.

Section 122-1466 would be amended to better define the term household income.

Section 122-1469(1) would be amended to provide for qualification of retired or disabled individuals who previously qualified but no longer derive their income by employment in Monroe county.

Section 122-1469(10) would be amended to eliminate the one (1) year residency requirement for qualification.

Section 122-1469(13) would be amended to revise income determination and deleting the limiting provision restricting consideration to only the highest 40 hours of employment and

allow roommates to qualify individually provided total rents do not exceed the affordable limits established annually by the commission.

**RECOMMENDATION:** The City Attorney's office recommends that the City Commission approve the recommended Amendments to Section 122.