

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 ADJUST CERTAIN PENALTIES FOR
VIOLATION OF PARKING REGULATIONS; PROVIDING
FOR SEVERABILITY; PROVIDING FOR REPEAL OF
INCONSISTENT PROVISIONS; PROVIDING FOR AN
EFFECTIVE DATE

WHEREAS, Section 70-121 of the City Code of Ordinances
provides for certain penalties for parking violations; and

WHEREAS, the City Commission finds that most penalties
provided in Section 70-121 have not been adjusted since 2010, and
accordingly need to be adjusted to support the current costs of
parking enforcement, and to ensure that the penalty for violating
certain regulations is greater than the cost of complying with said
regulations; and

WHEREAS, the City Commission finds that an adjustment to
certain civil penalties for violation of parking regulations 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) of the Code of Ordinances is hereby amended 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:

(1) For violation of section 70-116, but not subsection 70-116(c) (3), 70-116(a) (3) or 70-116(a) (8) and violations of sections 70-119, 70-156, and 70-159, and 70-247, ~~\$20.00~~ \$30.00.

(2) For violation of section 70-118, other than unauthorized parking in handicapped parking spaces, punishable as provided in section 70-122, and division 5 of this article, ~~\$30.00~~ \$40.00.

(3) For violation of section 70-158, 70-116(a) (3) or 70-116(a) (8), ~~\$100.00~~ \$110.00.

(4) For violation of section 70-116(c) (3) and division 2 of article IX of this chapter, ~~\$50.00~~ \$60.00.

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

(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 2-497 of article X Division 2 of this Chapter, occurring within six (6) months of a prior violation of this Chapter, \$500.00.

(b) Failure to pay the ~~The~~ penalty for violation(s) and failure to pay the penaltyies as provided in subsections (a) (1), (2), (3), and (4) of this section within ten days ~~shall~~ may be a ~~referredal~~ to the Code Compliance Special Magistrate for a hearing and possible additional penalties in accordance with F.S. ch. 162.

(c) The city commission may impose by resolution a surcharge on the fines set forth in this section in order to fund the school crossing guard program, in accordance with section 70-127.

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 _____, 2017.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2017.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2017.

Filed with the Clerk _____, 2017.

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