

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST,
FLORIDA, AMENDING CHAPTER 18 OF THE CODE OF
ORDINANCES, ENTITLED "BUSINESSES" BY
AMENDING SECTION 18-701, TO AMEND THE
DEFINITION OF A COSMETIC RETAILER; 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
clarify the definition of a "cosmetic retailer;" and

WHEREAS, an amendment to the section 18-701 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 18-701 of the Code of
Ordinances is hereby amended as follows*:

Sec. 18-701. - Definitions.

The following words, terms and phrases, when used in this
article, shall have the meanings ascribed to them in this

section, except where the context clearly indicates a different meaning:

Cosmetic retailer means any business, person or firm that offers for sale cosmetic products in an amount over \$75.00 U.S. Dollars, or who offers cosmetic product samples wherein said samples are applied on customers in any form, with or without an associated fee. The cosmetic retailer and his, her or its employees and agents also constitute the "permit holder" hereunder.

Customer means any person entering upon the business premises of or engaging in discussion with a cosmetic retailer for the purpose of inquiring about cosmetics offered for sale, sampling, or negotiating a purchase, or actual purchasing cosmetics held for sale by a cosmetics retailer.

Historic district shall mean all property located within the following zoning districts of Key West: HRO, HRCC-1, HRCC-2, HRCC-3, HRCC-4, HMDR, HHDR, HNC-1, HNC-2, HNC-3, HCT, HCL, HPS, HPS-1 and HPRD.

*(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3: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.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 _____, 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