

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES ENTITLED "OFF PREMISE CANVASSING" BY AMENDING SECTION 18-413 PENALTIES TO PROVIDE FOR AN AMENDMENT ALLOWING VIOLATIONS TO BE PUNISHABLE BY SECTION 1-15; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West finds that the existence of unlicensed and illegally placed off-premise canvassers inherently attract audiences that congests the public area thereby creating a hazard to public health, safety and welfare of pedestrian passersby, and it is the intent of the City Commission for the City of Key West to amend the Off Premise Canvassing Ordinance to provide a further deterrent of same; and

WHEREAS, the City of Key West finds that the existence of unlicensed and illegally placed off-premise canvassers creates a hazard to public health, safety and welfare for the citizens and visitors of Key West by creating further litter in said areas;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

Section 1: That Chapter 18 of the Code of Ordinances is hereby added/amended as follows*:

Sec. 18-413. - Penalty for violation.

Violations of this article shall be punishable ~~by a civil fine up to \$500.00 and shall be enforceable as provided article VI of chapter 2~~ pursuant to Sec. 1-15.

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3: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

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

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 _____, 2013.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2013.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2013.

Filed with the Clerk _____, 2013.

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK