



THE CITY OF KEY WEST

POST OFFICE BOX 1409
KEY WEST, FL 33041-1409
WWW.KEYWESTCITY.COM

EXECUTIVE SUMMARY

To: The City Commission for the City of Key West
From: Ron Ramsingh, Assistant City Attorney
Date: February 19, 2014
RE: Proposed relocation of Mallory Square permissible passive panhandling zone

Action Statement:

A proposal to relocate the current panhandling zone in Mallory Square to another location within Mallory Square.

Background:

Ordinance 12-03 was passed on February 23, 2012 thereby banning all aggressive and passive panhandling throughout the City of Key West. Ordinance 12-03 also created permissible passive panhandling zones in old town which is prescribed by federal law involving such constitutionally protected conduct such as passive panhandling. The zone located in the gravel planter parallel to Wall Street and immediately adjacent to the entrance to Mallory Square parking lot has recently been plagued with substantial litter, including a porcelain toilet and large boxes that are typically occupied by panhandlers (see attached photos). Local businesses have also lodged complaints to the Mayor that the panhandlers appeared to be harassing passersby who do not wish to contribute, but need to travel in very close proximity to the panhandling zone. Ordinance 12-03 allows the City Commission to change the location of the passive panhandling zones by Resolution. Further, the Mayor has proposed further delineating this new proposed area with low, see through fencing, such as chain link only on one side to buffer parked cars.

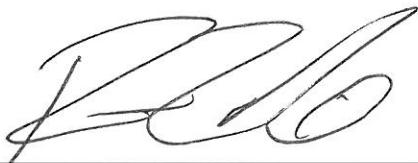
Options:

1. To pass the proposed Resolution changing the location of the panhandling zone in Mallory Square thereby relocating the current panhandling zone from the entrance to Mallory Square to an area less intrusive to visitors.
2. To deny passage of the Resolution and keep the current panhandling zone

Recommendation:

To pass the attached Resolution relocating the current panhandling zone

As always, please feel free to contact me with any questions or concerns.



Ronald J. Ramsingh, Esq.
Assistant City Attorney

NO
PARKING
IN
THIS
ZONE
EXCEPT
FOR
EMERGENCY
VEHICLES
&
VEHICLES
OF
THE
POLICE
DEPARTMENT

DO NOT
ENTER

Welcome
MALLORY SQUARE
PAID PARKING LOT

NO PARKING FOR CAMPERS
RV's, BUSES OR TRAILERS

PARKING FEES
Cars, Motorcycles \$4.00 per hour
Sm. Trucks & Vans \$32.00 Daily Max

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