




EXECUTIVE SUMMARY

To: Bogdan Vitas, City Manager

From: Jim Young, Code Compliance Manager 

Via: Mark Finigan, Assistant City Manager

Date: December 26, 2013

Subject: Amending City Ordinances Section 62 Article V Divisions 1 and 2

ACTION STATEMENT:

Recommend the City of Key West City Commission amend City of Key West Ordinance Section 62 Article V Divisions 1 and 2.

BACKGROUND:

In a previous amendment to Sec. 62-182 in September 2006 news racks were limited to four per grouping. A lottery is held each year to determine which publications are granted high demand locations in groupings of four news racks. Preparations for that lottery took an estimated two hundred (200) labor hours (estimated labor expense of Three Thousand Dollars (\$3,000.00) for the months of August and September, 2013. Twenty-one (21) applications with approximately one thousand (1,000) projected requests for locations will be processed for fiscal year ending September 30, 2013. Six hundred and forty-one (641) location requests were granted registration labels via the lottery process. The cost of the new permits for the news racks is Three Hundred and Eighty-Five Dollars (\$385.00). Revenue from news rack registration labels for fiscal year 2012/2013 was Three Thousand Two Hundred and Five Dollars (\$3,205.00). This means the administration of only the lottery by the Code Compliance Department is operating at a deficit of approximately One Hundred and Eighty Dollars (\$180.00).

This does not include the ongoing monitoring and follow up on compliance with the ordinance for the remainder of the fiscal year. Re-inspections will be needed for each incoming complaint and publishers can request a location throughout the year. Currently from October 1, 2012 to the present Code has spent on the average of five hours per week investigating complaints of non-compliance with the Ordinance.

There is no stipulation in the ordinance as to how to place the groupings of four news racks. As a result they are not placed side by side, or in some instances they are placed with the door facing the street encouraging drivers to stop their vehicles in the road ways. Also, there is no stipulation that requires a publisher with multiple publications to place the awarded publication at the location he/she won in the lottery, or to have the same amount of news racks for locations requested.

RECOMMENDATION:

The City Commission amends Ordinance Section 62 Article V Divisions 1 and 2.