

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 ARTICLE IV - PARKING STOPPING AND STANDING, DIVISION 5, RESIDENTIAL PARKING PERMIT PROGRAM, TO AMEND PERMIT ELIGIBILITY AND REGISTRATION PROCEDURES; BY AMENDING SECTION 70-248, TO ESTABLISH ELIGIBILITY; AMENDING SECTION 70-249 REGARDING ELIGIBILITY FOR MILITARY AND SEASONAL RESIDENTS AND AMENDING THE REGISTRATION FEE; AMENDING SECTION 70-251 REGARDING APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, an amendment to the Residential Parking Permit ordinance will promote the health, safety and 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 70-248 of the Code of Ordinances is hereby amended as follows*:

Sec. 70-248. Eligibility.

~~All vehicles bearing a county license tag shall be eligible to participate in the residential parking permit program. Owners~~

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

~~of vehicles with county license tags who reside within the parking permit area shall register their vehicles with the city's licensing division for space allocation purposes. The display of a county license tag on the vehicle shall constitute the permit to allow the vehicle to be parked in the parking permit area. There shall be no fee to register a vehicle with the city. An owner may register all vehicles owned by him. If an owner sells or otherwise transfers a vehicle registered with the city, he shall notify the licensing division.~~

All vehicles registered to residents of the City of Key West and Key West real estate property owners shall be eligible to participate in the Residential Parking Program. Annual Residential Permit decals are issued with driver's license, vehicle registration and residency verification.

Section 2: That Section 70-249 of the Code of Ordinances is hereby amended as follows:

Sec. 70-249. Additional eligibility.

(a) In addition to the persons in section 70-248, the following persons shall also be eligible to park vehicles in the residential parking permit area:

(1) ~~County residents whose vehicles bear a specialty license tag of the state;~~

~~(2)~~ Military personnel stationed in Key West Area;

and

~~(3)~~ Seasonal residents, persons who reside ~~on property in the parking permit area~~ in the City of Key West on a seasonal basis of four (4) months or longer, and whose vehicles are registered outside of the county.

(b) All persons whose eligibility is determined under this section shall register their vehicles for this permit with the ~~city's licensing division~~ Monroe County Tax Collector and execute a sworn affidavit of eligibility. There shall be a registration fee ~~of \$5.00~~ sufficient to cover the cost of issuing the Residential Parking Permit decal for each vehicle of an owner eligible under this section. The annual fee, as of the effective date of this ordinance, shall be \$10.00. The Rate may be adjusted as necessary by Resolution of the City Commission. Each such vehicle shall display a decal in the manner prescribed by the city.

Section 3: That Section 70-251 of the Code of Ordinances is hereby amended as follows:

Sec. 70-251. Appeal of decisions.

An owner of a vehicle may appeal ~~an~~ eligibility decision ~~of~~ ~~the licensing division made pursuant to this division~~ in writing to the city manager. Upon notice, the city manager shall provide a hearing to the vehicle owner within 30 days from the date of the appeal.

Section 4: 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 5: 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 6: 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 _____, 2014.

Read and passed on final reading at a regular meeting held
this _____ day of _____, 2014.

Authenticated by the presiding officer and Clerk of the
Commission on _____ day of _____, 2014.

Filed with the Clerk _____, 2014.

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