

ORDINANCE NO. 23-38

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,
AMENDING CHAPTER 70 ENTITLED "TRAFFIC AND
VEHICLES", ARTICLE IV OF THE CODE OF
ORDINANCES, ENTITLED "PARKING, STOPPING, AND
STANDING" DIVISION 3 ENTITLED "PARKING RATES"
BY AMENDING SECTIONS 70-187 AND 70-188 TO
AUTHORIZE THE CITY MANAGER TO SET SPECIAL
EVENT HOURLY RATES TO MARKET VALUE DURING
SPECIAL EVENTS; 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 amend Chapter 70, Article IV, Section 70-187 and Section 70-188 of the Code of ordinances to authorize the City Manager to set special event hourly rates consistent with market value for parking services during special event periods at the Old Town Garage and Key West Bight Caroline Street parking lot; and

WHEREAS, private parking lots now routinely increase their rates based on demand during special events; and

WHEREAS, the City Manager currently has authority to set hourly rates to market value during special events at Mallory Square, Jackson Square, and other City Metered Parking Spaces; and

WHEREAS, this ordinance to amend parking rates 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 Chapter 70, Article IV, Division 3 of the Code of Ordinances is hereby amended as follows*:

DIVISION 3. - PARKING RATES

Sec. 70-187. - Old Town Garage.

(a) Parking rates at the Old Town Garage are established as follows:

(1) There is a monthly permit charge of \$250, plus sales tax per month.

(2) For users of parking services, there is a charge of \$5.00 per hour or a daily maximum charge of \$40.00 per day. The city manager may set special event hourly rates consistent with a market value for parking services during special event periods.

*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

(3) One ~~plus~~(\$1.00) of this rate shall be set aside and allocated to the following City Funds:

(I) 67% shall be allocated to The Alternative Transportation Fund, to be used for the study and implementation of alternative transportation methods in the City of Key West designed to alleviate the City's vehicular traffic congestion,

(II) 33% shall be allocated to the Transit Fund.

(4) 28% of the maximum daily rate shall be allocated as provided in Section (3) above.

(b) For those service charges set forth in this section, the city manager may authorize discount rates. The city manager shall establish a written policy for discount rates for firms, organizations, groups and other persons who would provide multiple use of the park and ride facility.

The city manager may set special event hourly rates consistent with a market value for parking services during special event periods.

Sec. 70-188. - Key West Bight Caroline Street parking lot.

(a) Parking rates at the Key West Bight Caroline Street parking lot are established as follows:

(1) For users of parking services, there is a charge of \$5.00 per hour or a daily maximum charge of \$40.00 per day. The city manager may set special event hourly rates consistent with a market value for parking services during special event periods.

(2) One dollar (\$1.00) of the hourly rate shall be set aside and allocated to the following City Funds:

(I) 50% shall be allocated to the Alternative Transportation Fund, to be used for the study and implementation of alternative transportation methods in the City of Key West designed to alleviate the City's vehicular traffic congestion,

(II) 50% shall be allocated to the Key West Bight Fund.

(3) 19% of the daily maximum rate shall be allocated as provided in section 2 above.

(b) All other metered parking spaces within Key West Bight are established at \$5.00 per hour, one dollar (\$1.00) of which shall be allocated as provided in Section (2) above.

The city manager may set special event hourly rates consistent with a market value for parking services during special event periods.

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 9th day of November, 2023.

Read and passed on final reading at a regular meeting held this 14th day of December, 2023.

Authenticated by the presiding officer and Clerk of the Commission on 15th day of December, 2023.

Filed with the Clerk December 15, 2023.

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| Mayor Teri Johnston | <u>Yes</u> |
| Vice Mayor Sam Kaufman | <u>Yes</u> |
| Commissioner Lissette Carey | <u>Yes</u> |
| Commissioner Mary Lou Hoover | <u>Absent</u> |
| Commissioner Clayton Lopez | <u>Yes</u> |
| Commissioner Billy Wardlow | <u>Yes</u> |
| Commissioner Jimmy Weekley | <u>Yes</u> |

TERI JOHNSTON, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK