

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 SECTION 70-121 TO PROVIDE A PENALTY FOR VIOLATION OF SECTION 70-265; ADDING ARTICLE IV - "PARKING STOPPING AND STANDING," DIVISION 8, "NON-RESIDENT TRUMAN WATERFRONT PARKING PERMIT PROGRAM", BY ADDING SECTION 70-265, TO PROVIDE PERMIT HOLDERS THE RIGHT TO PARK IN THE CITY'S METERED PARKING LOTS LOCATED AT TRUMAN WATERFRONT FOR A PERIOD OF TIME NOT TO EXCEED FOUR HOURS PER DAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the enactment of the "NON-RESIDENT TRUMAN WATERFRONT PARKING PERMIT PROGRAM" 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 70-121 of the code of ordinances is hereby amended as follows:*

Sec. 70-121. - Penalty for violation.

(a) Any person cited for violation of the parking, stopping and standing regulations set forth in this chapter who submits payment within ten days of the issuance of the citation shall be fined as follows:

(1) For violation of section 70-116, but not subsection 70-116(c) (3), 70-116(a) (3) or 70-116(a) (8) and violations of sections 70-119, 70-156, 70-159, ~~and~~ 70-247, and 70-265, \$35.00.

(2) For violation of section 70-118, other than unauthorized parking in handicapped parking spaces, punishable as provided in section 70-122, and division 5 of this article, \$45.00.

* * * * *

*(Coding: Added language is underlined; deleted language is ~~struck through~~. Added language for second reading is double-underlined; deleted language is ~~double struck through~~)

Section 2: That a new section, titled DIVISION 8 "NON-RESIDENT TRUMAN WATERFRONT PARKING PERMIT PROGRAM" Section 70-265, is hereby added to the code of ordinances as follows*:

ARTICLE IV - "PARKING STOPPING AND STANDING," DIVISION 8, "NON-RESIDENT TRUMAN WATERFRONT PARKING PERMIT PROGRAM"

Sec. 70-265. Eligibility and Application.

(1) (a) Monroe county residents whose driver's license reflects a home address located south of U.S. 1 Mile Marker ~~6~~ 11 and north of the city limits of the City of Key West shall be eligible for an annual Non-Resident Truman Waterfront Parking Permit. The annual fee for this permit shall be \$25.00. A county resident with outstanding unpaid City of Key West parking citations shall not be eligible for this program.

(b) All persons displaying a lawfully issued Non-Resident Truman Waterfront Parking Permit may park for a period of time not to exceed four (4) hours one time per day in the Truman Waterfront parking lot.

(c) The Permit issued hereunder shall not authorize any commercial use or parking in the Truman Waterfront Parking Lot including but not limited to deliveries and advertising.

(d) The City Manager may suspend this parking permit benefit at his or her discretion during special event periods or when otherwise required for City purposes.

(2) The penalty for violation of this division shall be as provided in section 70-121.

Section 3: 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 4: 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 5: 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 _____, 2018.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2018.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2018.

Filed with the Clerk _____, 2018.

Mayor Teri Johnston	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Sam Kaufman	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK