

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES, ENTITLED "ENVIRONMENT" BY ADDING SECTIONS 26-71 THROUGH 26-72 TO PROVIDE REGULATIONS AND PERMITS FOR WEDDING CEREMONIES ON THE BEACH; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West finds that the use of public beaches for organized wedding events is a significant industry, which affects public access to public beaches and may impose liability on the City; and

WHEREAS, establishing a permit system for residents and visitors to reserve beach wedding locations, and providing designated areas for beach weddings, will serve the interests of both wedding vendors and the public; and

WHEREAS, adding sections 26-71 and 26-72 to the Code of Ordinances 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 Sections 26-71 and 26-72 are hereby added to the Code of Ordinances as follows*:

Sec. 26-71. - Beach Weddings.

Public Beaches may be used for the purpose of conducting a Wedding Ceremony. Post wedding receptions including, but not limited to, food and beverage celebrations, musical performances that include amplified music, or large gatherings of celebration are prohibited.

Secs. 26-72. Regulation of Wedding Ceremony on the beach.

Beach wedding permit requirement. Any person or business enterprise engaged in the set up or use of equipment or supplies for beach wedding ceremonies on public beaches must apply for a beach wedding permit. A beach wedding permit shall be issued upon the applicant paying such application fee established by the City of Key West by resolution and the applicant meeting the following requirements:

*(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.)

- a. Any member of the public that wishes to have a wedding ceremony which includes the use of supplies or equipment, including but not limited to chairs, tables, altar, chuppah, on a public beach must fill out a beach wedding application.
- b. The City shall charge a reasonable fee for the use of public beaches to conduct wedding ceremonies based on anticipated attendance numbers provided by the applicant. The city commission shall establish by resolution the fees to be charged.
- c. The City shall designate three areas at Smathers Beach for the public to reserve. All applications are reviewed on a first come, first serve basis. No day, time, or space is guaranteed.
- d. If a business vendor is the applicant on behalf of a client, they must have an active business license with the City of Key West.
- e. A copy of the beach wedding permit shall be kept at the ceremony location for which the permit is issued.
- f. Beach wedding vendors shall not block or impede any access to the public beach.
- g. It shall be the applicant's responsibility to be in compliance with all laws or rules adopted by the City of

Key West

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 _____ day of _____, 2022.

Read and passed on final reading at a regular meeting

held this _____ day of _____, 2022.

Authenticated by the presiding officer and Clerk of
the Commission on _____ day of _____, 2022.

Filed with the Clerk _____, 2022.

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

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK