

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES, ENTITLED "BUSINESSES" BY AMENDING SECTION 18-611, ENTITLED "APPLICATION AND PERMIT FEE" TO AMEND APPLICATION AND PERMIT FEE PROCEDURES AND COSTS; BY AMENDING SECTION 18-614 ENTITLED "ANNUAL INSPECTION" TO ADD A FAILED INSPECTION FEE; 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 procedures and fees related to conditional approval permits for transient units and transient business tax receipt transfers;" and

WHEREAS, amendments to sections 18-611 and 18-614 of 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 Section 18-611 of the Code of Ordinances is hereby amended as follows*:

Sec. 18-611. - Application and permit fee.

An application for the conditional use permit shall be made to the ~~city manager~~ Chief Licensing Official in the name of the property owner. A single annual fee of ~~\$150.00~~ \$250.00 is established for the application which includes an annual inspection. A delinquency fee is established at \$50.00. A failed inspection fee is established at \$50.00. The annual application fee shall be prorated for new permits. Future modification to these fees shall be as established by resolution of the city commission.

*(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.)

Section 2: That Section 18-611 of the Code of Ordinances is hereby amended as follows:

Sec. 18-614. - Annual Inspection.

The code compliance department will inspect each facility on an annual basis upon reasonable notice to determine compliance with conditions. A failed inspection fee shall be assessed for a permit that does not meet all conditions for approval. A failed inspection fee shall be applied for failure to appear to a scheduled inspection. If a reinspection is required, the city may charge a reinspection fee of \$50.00.

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 _____, 2023.

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

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2023.

Filed with the Clerk _____, 2023.

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

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK