

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,
CALLING FOR A REFERENDUM TO CONSIDER MAKING
CERTAIN BLOCKS OF DUVAL STREET PEDESTRIAN ONLY
AREAS DURING DESIGNATED PERIODS OF TIME;
AUTHORIZING THE CITY CLERK TO TAKE ALL
NECESSARY ACTION TO PLACE THIS MEASURE ON THE
BALLOT FOR NOVEMBER 6, 2018; PROVIDING FOR
SEVERABILITY; PROVIDING FOR REPEAL OF
INCONSISTENT PROVISIONS; PROVIDING FOR AN
EFFECTIVE DATE

WHEREAS, Duval Street is one of Key West's most popular
streets and a renowned tourist destination; and

WHEREAS, for years, the City Commission and City staff have
heard issues regarding the condition of the street and its
sidewalks concerning, among other things, congestion and
cleanliness; and

WHEREAS, numerous proposals have surfaced concerning the
redevelopment of Duval Street, which have been met with varying
degrees of support and opposition; and

WHEREAS, at present there are no funds specifically marked
for capital improvements to Duval Street or its sidewalks; and

WHEREAS, the City Commission desires to evaluate the level of support for making enhancements to Duval Street in order to prioritize its importance to the citizenry; and

WHEREAS, Florida Statutes Section 101.161 provides procedures for a referendum and Florida Statutes Section 100.342 provides for notice for a referendum election; and

WHEREAS, the City Commission desires that the proposed referendum appear on the regularly scheduled election ballot of November 6, 2018;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST
FLORIDA:**

Section 1: That a referendum for considering making certain blocks of Duval Street pedestrian only areas during designated periods of time shall be held on November 6, 2018.

Section 2: That the question appearing on the ballot shall be titled: "Referendum - Support for making certain blocks of Duval Street pedestrian only areas during designated times."

Section 3: That the ballot question shall be worded as follows:

"Shall the City of Key West consider making certain blocks of Duval Street pedestrian only areas during designated periods of time, the specifics of which would be determined by the City Commission after additional public input?"

_____ Yes

_____ No

Section 4: That the City Clerk is hereby authorized and directed to take all necessary and proper action to place this question on the ballot of November 6, 2018, including the providing of notice of the election in accordance with law.

Section 5: 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 6: 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 7: 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 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 Craig Cates _____

Commissioner Sam Kaufman _____

Commissioner Clayton Lopez _____

Commissioner Richard Payne _____

Commissioner Margaret Romero _____

Commissioner Billy Wardlow _____

Commissioner Jimmy Weekley _____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK