

ORDINANCE NO. 06-22

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,  
AMENDING CHAPTER 114 OF THE CODE OF ORDINANCES  
ENTITLED "SIGNS" BY AMENDING SECTION 114-102  
REGARDING THE USE OF MOTION LIGHTS AND  
MINIATURE LIGHTS ON COMMERCIAL AND RESIDENTIAL  
BUILDINGS; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR REPEAL OF INCONSISTENT  
PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Code Enforcement has recommended an adjustment to the historic district miniature lights and motion lights standards set forth in the Sign Code; and

WHEREAS, the Key West Planning Board at its meeting of September 26, 2006, found the proposed amendment to be consistent with the Key West Comprehensive Plan; and

WHEREAS, the City Commission finds that the proposed adjustment to the historic district sign code would promote the health, safety and welfare of the citizens of Key West.

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

Section 1: That section 114-102 of the Code of Ordinances is hereby amended as follows\*:

**Sec. 114-102. Restrictions.**

The following shall apply in the historic zoning districts only (HRO, HRCC-1, HRCC-2, HRCC-3, HRCC, HMDR, HNC-1, HNC-2, HNC-3, HCT, HPS, and HHDR as designated on the future land use map and zoning map):

\* \* \* \*

(3) *Motion lights.* Restrictions on motion lights are as follows:

a. No blinking or flashing lights, chaser or moving lights, revolving or rotating lights, or lights which are otherwise in motion located within five feet of the plane of the exterior wall of a storefront or storeside shall be allowed except as provided in subsection (3)c. of this section.

b. No lights typically associated with holiday use shall be allowed except as provided in subsection (3)c. of this section.

c. During the period from Thursday preceding Thanksgiving through January 10 of each year, residences and the storefronts and storesides of businesses may display lights typically associated with holiday use, whether or not blinking.

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\*(Coding: Added language is underlined; deleted language is ~~struck~~ through.)

(4) *Miniature lights.* Miniature lights shall not be used to illuminate or outline commercial building facades, storefronts or storesides, or a window or door openings or as an element in a window displays, but may be used as a landscaping element. Miniature lights shall not be used to illuminate residential building facades, or the front or side of a residence, or a window or door opening, or as an element in a window display, but may be used as a landscaping element.

\* \* \* \*

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 17 day of October, 2006.

Read and passed on final reading at a regular meeting held this 8 day of November, 2006.

Authenticated by the presiding officer and Clerk of the Commission on 9 day of November, 2006.

Filed with the Clerk November 9, 2006.

  
MORGAN MCPHERSON, MAYOR

ATTEST:

  
CHERYL SMITH, CITY CLERK