

ORDINANCE NO. 14-13

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF ORDINANCES ENTITLED "TRAFFIC AND VEHICLES" BY AMENDING ARTICLE IV - PARKING STOPPING AND STANDING, DIVISION 5, RESIDENTIAL PARKING PERMIT PROGRAM, TO AMEND PERMIT ELIGIBILITY AND REGISTRATION PROCEDURES; BY AMENDING SECTION 70-248, TO ESTABLISH ELIGIBILITY; AMENDING SECTION 70-249 REGARDING ELIGIBILITY FOR MILITARY AND SEASONAL RESIDENTS AND BUSINESS TAX RECEIPT HOLDERS AND AMENDING THE REGISTRATION FEE; AMENDING SECTION 70-251 REGARDING APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, an amendment to the Residential Parking Permit 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 70-248 of the Code of Ordinances is hereby amended as follows*:

Sec. 70-248. Eligibility.

~~All vehicles bearing a county license tag shall be eligible to participate in the residential parking permit program. Owners~~

*(Coding: Language added at first reading is underlined; deleted language is ~~struck through~~. Language added at second reading is double underlined; deleted language is ~~double struck through~~.)

~~of vehicles with county license tags who reside within the parking permit area shall register their vehicles with the city's licensing division for space allocation purposes. The display of a county license tag on the vehicle shall constitute the permit to allow the vehicle to be parked in the parking permit area. There shall be no fee to register a vehicle with the city. An owner may register all vehicles owned by him. If an owner sells or otherwise transfers a vehicle registered with the city, he shall notify the licensing division.~~

All vehicles registered to residents of the City of Key West and Key West real estate property owners shall be eligible to participate in the Residential Parking Program. Annual Residential Permit decals are issued with driver's license, vehicle registration and residency verification.

Section 2: That Section 70-249 of the Code of Ordinances is hereby amended as follows:

Sec. 70-249. Additional eligibility.

(a) In addition to the persons in section 70-248, the following persons shall also be eligible to park vehicles in the residential parking permit area:

~~(1) County residents whose vehicles bear a specialty license tag of the state;~~

~~(2) Military personnel stationed in Key West; and~~

~~(3) Seasonal residents, persons who reside on property in the parking permit area in the City of Key West on a seasonal basis of four (4) months or longer, and whose vehicles are registered outside of the county=; and~~

~~(3) Vehicles registered to a business that holds a Business Tax Receipt with the City of Key West.~~

(b) All persons whose eligibility is determined under this section shall register their vehicles for this permit with the ~~city's licensing division~~ Monroe County Tax Collector and execute a sworn affidavit of eligibility. There shall be a registration fee ~~of \$5.00~~ sufficient to cover the cost of issuing the Residential Parking Permit decal for each vehicle of an owner eligible under this section. The annual fee, as of the effective date of this ordinance, shall be \$10.00. The Rate may be adjusted as necessary by Resolution of the City Commission. Each such vehicle shall display a decal in the manner prescribed by the city.

Section 3: That Section 70-251 of the Code of

Ordinances is hereby amended as follows:

Sec. 70-251. Appeal of decisions.

An owner of a vehicle may appeal an eligibility decision ~~of the licensing division made pursuant to this division~~ in writing to the city manager. Upon notice, the city manager shall provide a hearing to the vehicle owner within 30 days from the date of the appeal.

Section 4: 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 5: 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 6: 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 17th day of June, 2014.

Read and passed on final reading at a regular meeting held
this 1st day of July, 2014.

Authenticated by the presiding officer and Clerk of the
Commission on 2nd day of July, 2014.

Filed with the Clerk July 3, 2014.

Mayor Craig Cates	<u>Yes</u>
Vice Mayor Mark Rossi	<u>Yes</u>
Commissioner Teri Johnston	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>
Commissioner Tony Yaniz	<u>Absent</u>



CRAIG CATES, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK

EXECUTIVE SUMMARY



TO: Bogdan Vitas, City Manager
FROM: John Wilkins, Parking Manager
DATE: April 24, 2014
SUBJECT: Residential Parking Program Amendments

Action statement:

Request the Key West City Commission approve changes to the current City Ordinance related to Residential Parking Permit Program and direct Staff to coordinate with Monroe County Tax Collector for implementation of permit decal issuance.

Background:

The City currently has a Residential Parking Permit Program per Section 70-246 of the City Code of Ordinances. It allows vehicles with a License tag that says "Monroe" or a Residential Parking Permit decal to park in spaces marked Residential Permit Parking. Currently, anyone living in Monroe County with a Monroe registered vehicle is eligible to park in these spaces.

The demand for these spaces has grown to exceed capacity. The City receives frequent calls from residents of this area concerning the lack of available parking near their homes. There are approximately 3,600 parking spaces in the Residential Parking Permit area and an estimated 1,300 spaces are marked for Residential Permit Parking.

The Monroe County Tax Collector has informed City Staff that in December 2013 the State made the decision to discontinue County Tags. All basic state tags will be "Sunshine State" tags as a cost saving measure in the near future. This will force a change in the current program as there will no longer be "Monroe" License tags.

Additionally, since 2010 Florida DMV has required strict proof of residency for Driver's License issuance or renewal. Verified residency is indicated by a golden star next to the name on a Florida Driver's License.

Recommendation:

Change current ordinance by removing references of "Monroe" Tag and restrict eligibility to Key West residents and property owners and military personnel stationed in the area. This should reduce demand for these spaces and thereby provide relief to the Residents. Instruct Staff to work with Monroe County Tax Collectors' Office regarding the issuance of permits. In preliminary discussions they have indicated a willingness to

issue annual permit decals. Residency and Vehicle Registration can be verified through their system thereby providing more of a one-stop shop for local residents. Residential Parking Permits will continue to be issued by the City as well. This change in the Ordinance will not be impacted by the ability to come to an agreement with the Monroe County Tax Collector regarding permit issuance.

Financial Impact:

Proposed Permit fees will be set when the Monroe County Tax Collector is able to determine their direct cost of the permit decal. The intent is a fee that covers only the costs of issuing permit decals.

From: Danise Henriquez

Sent: Wednesday, February 05, 2014 9:56 AM

To: 'jweekley@keywestcity.com'; 'mrossi@keywestcity.com'; 'bwardlow@keywestcity.com'; 'tyaniz@keywestcity.com'; 'tjohnston@keywestcity.com'; 'clopez@keywestcity.com'; 'ccates@keywestcity.com'

Subject: Monroe County Plates

Good Morning Mayor , Commissioners,

I was able to briefly watch the City Commission meeting last night. I just wanted to inform all of you that the State is looking at making all of the Monroe License plates Sunshine plates and removing the Monroe Plates. I did call the state this morning to confirm this but they didn't have a timeframe. In when making your decisions on the parking just take into consideration that maybe in the future all License plates may read Sunshine Plates.

Danise D Henriquez

Monroe County Tax Collector

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Exhibit A



FORT ZACHARY TAYLOR
STATE PARK

SOUTH BEACH

HIGGS BEACH

Residential Parking Program (Spaces) 2011

Street	Block	Type of Parking Space		
		Residential	General	Handicap
Amelia	200	10	1	2
Amelia	300	10	2	2
Amelia	400	8	7	
Angela	600	6	1	2
Aronovitz	400	1	0	
Ashe	700	8	3	1
Ashe	800	10	0	
Dey	600	4	6	1
Eaton	600	4	5	2
Eaton	700	4	9	
Eaton	800	6	5	2
Eaton	900	8	4	
Eaton	1000	7	5	2
Eaton	1100	7	1	1
Elizabeth	200	2	16	
Elizabeth	300	5	17	
Elizabeth	400	11	11	1
Elizabeth	500	14	18	1
Elizabeth	600	23	3	1
Elizabeth	700	11	0	1
Elizabeth	800	12	0	1
Elizabeth	900	5	6	
Emma	700	12	2	
Emma	800	14	5	1
Emma	900	13	13	
Emma	1000	0	10	
Emma	1100	0	3	2
Fleming	80	16	12	
Fleming	600	6	18	1
Fleming	700	8	23	
Fleming	900	10	10	1
Fleming	1000	14	5	1
Fleming	1100	11	13	
Frances	300	2	3	
Frances	400	4	21	
Frances	500	10	16	1
Frances	600	15	9	1
Frances	700	7	4	
Frances	800	7	4	
Frances	900	8	10	
Georgia	800			
Georgia	900			
Geraldine	100	10	0	1

Residential Parking Program (Spaces) 2011

Grinnell	300	2	5	
Grinnell	400	8	8	
Grinnell	500	22	6	
Grinnell	600	15	10	1
Grinnell	900	3	17	
James	900	6	8	
James	1000	12	1	
Julia	200	5	0	1
Margaret	300	15	10	
Margaret	400	6	14	1
Margaret	500	23	10	1
Margaret	600	9	19	
Olivia	200	12	0	2
Olivia	300	5	1	1
Olivia	500	7	7	
Olivia	600	10	0	1
Olivia	700	14	3	
Olivia	800	21	3	
Olivia	900	2	3	
Olivia	1000	8	3	
Olivia	1200			
Olivia	1300			
Passover	700	14	1	
Petronia	100	6	0	
Petronia	200	7	5	
Petronia	500	8	2	
Petronia	1100	10	1	
Petronia	1200			
Petronia	1300			
Pine	1200			
Pine	1300			
Simonton	700	3	0	1
Simonton	800	8	0	1
Simonton	900	5	3	
Southard	600	14	13	
Southard	700	18	12	1
Southard	800	11	18	
Southard	900	19	5	1
Southard	1000	15	14	
Southard	1100	15	9	3
Thomas	600	15	6	2
Thomas	700	12	9	1
Thomas	800	14	5	1
Thomas	900	15	4	1
Thomas	1000	17	4	2

Residential Parking Program (Spaces) 2011

Thomas	1100	13	11	
Truman	200	6	5	2
Truman	300	8	0	1
United	400	7	18	1
United	600	2	7	
United	700	10	8	
United	900	8	4	
Varela	1000	15	9	
Varela	1100	15	13	
Varela	1200	17	10	
White	400	3	3	
White	500	5	4	
White	600	8	5	
White	700	5	7	
White	800	5	8	1
White	900	6	7	
Whitehead	1000	9	3	
Whitehead	1100	8	4	
Whitehead	1200	6	3	
Whitehead	1300	6	10	
William	300	6	26	1
William	400	9	15	
William	500	13	17	1
William	600	31	12	1
Windsor	700	13	2	1
Total		1008	751	60

Grand Total of Spaces = 1819