

ORDINANCE NO. 15-11

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,
AMENDING CHAPTER 62 OF THE CODE OF ORDINANCES,
ENTITLED "STREETS AND SIDEWALKS" BY AMENDING
SECTION 62-3, TO ADD A FEE FOR OBSTRUCTING A
PARKING METER; 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
include a permit fee for a right-of-way permits that obstruct a
parking meter; and

WHEREAS, an amendment to the section 62-3 of the Code of
Ordinances will promote the 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 62-3 of the Code of Ordinances is hereby amended as follows*:

Sec. 62-3. Schedule of right-of-way permit fees.

(a) The city manager or his designee, on behalf of the city, shall charge and collect for right-of-way permits at the rates set forth below:

- (1) Dumpster application fee\$10.00
Dumpster permit fee10.00
Dumpster renewal fee (15-day maximum) per day ..10.00
- (2) Right-of-way construction application fee20.00
Right-of-way construction permit fee50.00
- (3) Maintenance of traffic application fee20.00
Maintenance of traffic permit fee30.00
- (4) Right-of-way license application fee20.00
Right-of-way license permit fee20.00
- (5) Overnight storage application fee10.00
Overnight storage permit fee10.00

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

- (6) Reinspection fee (if no compliance with the above permits, thus requiring reinspection)15.00
- (7) Upon a third submittal of drawings in support of the above permit application(s), staff review time of revisions, per hour45.00
- (8) Parking meter fee (if obstructed) per day ...20.00

(b) Exemptions. Governmental agencies shall be exempt from the permit fees of this section; provided, however, that such agencies must apply for and obtain all permits. Where a person or firm voluntarily installs a sidewalk in front of that person's or firm's property, pursuant to a duly issued permit, then the right-of-way construction fee and the maintenance of traffic fee, if any, shall be waived.

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.

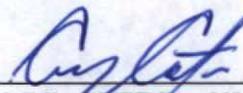
Read and passed on first reading at a regular meeting held this 7th day of July, 2015.

Read and passed on final reading at a regular meeting held this 4th day of August, 2015.

Authenticated by the presiding officer and Clerk of the Commission on 5th day of August, 2015.

Filed with the Clerk August 5, 2015.

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>Yes</u>


CRAIG CATES, MAYOR

ATTEST:


CHERYL SMITH, CITY CLERK



THE CITY OF KEY WEST

Executive Summary

To: Jim Scholl, City Manager
From: Jim Young, Director of Code Compliance *JY*
Via: Sarah H. Spurlock, Assistant City Manager
Date: June 18, 2015
Subject: Amendment to Right of Way Fees Ordinance

Action statement:

This measure proposes to amend chapter 62 section 62-3 of the Code of Ordinances regarding scheduling of right of way permitting fees.

Background:

During a review of section 62-3 of the code of ordinances it was discovered that there was no listed fee charged for the blocking/obstructing of a parking meter. The City had charged a fee of twenty dollars, \$20.00, per day when there was a request for a temporary closure of a right of way that would involve a metered parking space to be blocked. The twenty dollar, \$20.00, fee was calculated by the hourly rate, two dollars, \$2.00 multiplied by the maximum number of hours that could be purchased, ten, 10.

Options:

1. To approve the proposed ordinance revision which will formalize a fee of twenty dollars \$20.00 for temporary obstruction of parking metered space.
2. To defeat the proposed ordinance amendment.

Recommendation:

To approve the proposed ordinance revision.

Chapter 62 - STREETS AND SIDEWALKS

ARTICLE I. - IN GENERAL

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Right-of-way construction permit fee.....50.00
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Maintenance of traffic permit fee.....30.00
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Right-of-way license permit fee.....20.00
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Overnight storage permit fee.....10.00
 - (6) Reinspection fee (if no compliance with the above permits, thus requiring reinspection).....15.00
 - (7) Upon a third submittal of drawings in support of the above permit application(s), staff review time of revisions, per hour.....45.00
 - (8) Parking Meter Fee (if obstructed).....20.00 per day
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property, pursuant to a duly issued permit, then the right-of-way construction fee and the maintenance of traffic fee, if any, shall be waived.