

**RESOLUTION NO. 2024-16**

**A RESOLUTION OF THE CITY OF KEY COLONY BEACH  
FLORIDA, AMENDING CHAPTER 1 – GENERAL  
PROVISIONS, SECTION 1-10 – ORGANIZATION OF CODE  
ENFORCEMENT; PROVIDING FOR AN UPDATED  
SCHEDULE OF VIOLATIONS AND PENALTIES; AND  
PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Key Colony Beach is charged with the administration of a wide variety of municipal issues, including code enforcement to promote, protect and improve the health, safety and welfare of the citizens of the City of Key Colony Beach, Florida, by providing an equitable, expeditious effective and inexpensive method of enforcing the ordinances of the City of Key Colony Beach, Florida; and

**WHEREAS**, the City of Key Colony Beach is authorized by Florida law to levy fees and charges that are a true and accurate reflection of the actual cost of providing such code enforcement services to its residents; and

**WHEREAS**, the City of Key Colony Beach Commission wishes to amend the schedule of violations and penalties that may be charged by the City to its residents for various municipal code violations to provide for full cost recovery based on the amount of time required by City staff to fully and appropriately review and process resident requests.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEY COLONY BEACH, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitations are hereby adopted and incorporated herein.

**Section 2.** The Amended Schedule of Violations and Penalties Pursuant to Section 1-10, is attached hereto as Exhibit A.

**Section 3.** That the City Commission of the City of Key Colony Beach, Florida, hereby approves Resolution 2024-16.

**Section 4.** That the City Administrator is hereby authorized to take all necessary action to effectuate the intent of this Resolution.

**Section 5.** That this Resolution shall go into effect immediately upon its passage and adoption.

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**PASSED AND ADOPTED** by the Commission of the City of Key Colony Beach, Florida, at its regular meeting of the City held on January 16<sup>th</sup>, 2025.

**FINAL VOTE AT ADOPTION  
CITY COMMISSION OF KEY COLONY BEACH**

Mayor Freddie Foster

NO \_\_\_\_\_ YES ✓

Vice Mayor Joey Raspe

NO \_\_\_\_\_ YES ✓

Commissioner Tom Harding

NO \_\_\_\_\_ YES ✓

Commissioner Tom DiFransico

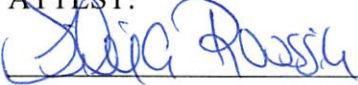
NO \_\_\_\_\_ YES ✓

Commissioner Doug Colonell

NO \_\_\_\_\_ YES ✓

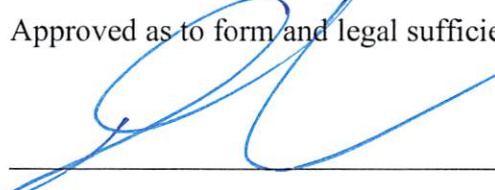
  
Mayor Foster, City of Key Colony Beach

ATTEST:

  
Silvia Roussin, City Clerk

(City Seal)

Approved as to form and legal sufficiency:

  
Dirk Smits, City Attorney

CITY OF KEY COLONY BEACH  
SCHEDULE OF VIOLATIONS AND PENALTIES  
PURSUANT TO SECTION 1-10

| <b>*CITY CODE SECTION</b> | <b>ITEM IN VIOLATION</b>                                  | <b>*PENALTY AMOUNT</b>                      |
|---------------------------|---|---|
| 4-6                       | Animals running at large                                  | \$100.00 per violation                      |
| 4-8                       | Noisy animals   | \$100.00 per violation                      |
| 4-9                       | Vicious, dangerous animals                                | \$100.00 per day                            |
| 4-10                      | Removal of animal defecation                              | \$50.00 per violation                       |
| 5-1                       | Prohibited vessel operations                              | \$250.00 per violation                      |
| 5-4                       | Vessels as commercial establishments                      | \$250.00 per day                            |
| 5-5                       | Anchoring limitations                                     | \$250.00 per day                            |
| 5-6                       | Rafting of vessels  | \$250.00 per day                            |
| 5-7                       | Discharge into waters                                     | \$250.00 per day                            |
| 5-9                       | Fishing on Sadowski Bridge and Sunset Pier                | \$100.00 per violation                      |
| 5-11                      | Diving and snorkeling prohibitions during "mini" season   | \$250.00 per violation                      |
| 5-15                      | Living aboard vessels                                     | \$250.00 per day                            |
| 5-40                      | Exceeding overall boat length at waterfront property      | <del>\$200.00</del> <u>\$250.00</u> per day |
| 5-80                      | Boat and trailer parking                                  | \$100.00 per day                            |
| 5-82                      | Boats and trailers parked in City right-of-way            | \$100.00 per day                            |
| 6-6                       | Working without building permit                           | \$250.00 per day                            |
| 6-10                      | Permitted working days and hours                          | \$250.00 per violation                      |
| 6-50                      | Display street numbers on buildings                       | \$100.00 per day                            |
| 6-56                      | Buildings and property maintenance                        | \$250.00 per day                            |
| 6-59                      | Limitations on parking trailers and recreational vehicles | \$100.00 per day                            |
| 7-2                       | Garbage and trash accumulation                            | \$100.00 per day                            |
| 7-5                       | Use garbage cans  | \$50.00 per day                             |
| 7-6                       | Garbage cans specifications                               | \$50.00 per day                             |
| 7-7                       | Location and placement of garbage cans                    | \$50.00 per day                             |
| 7-12                      | Dumping and littering                                     | \$250.00 per day                            |

|                   |  |   |
|-------------------|--|---|
| 8-6               | Lots maintained in <del>mow-able</del><br>mow able condition   | \$250.00 per day  |
| 9-4               | Doing business without a license   | \$250.00 per day  |
| 9-20              | Rental property owner's tax  | \$250.00 per day  |
| 9-25              | Exceeding rental occupancy   | \$250.00 per day  |
| 10-2              | Loud or disturbing noise   | \$250.00 per violation  |
| 10-3              | Specific noise prohibitions  | \$250.00 per violation  |
| 11-2              | Camping prohibition  | \$100.00 per day  |
| 11-4              | False fire alarms: (1 <sup>st</sup> violation)<br>(2 <sup>nd</sup> and subsequent violations)  | Warning<br>\$250.00 per day   |
| 11-5              | False burglar alarm (1 <sup>st</sup> violation)<br>(2 <sup>nd</sup> violation)<br>(3 <sup>rd</sup> violation)<br>(4 <sup>th</sup> and subsequent violations) | Warning<br>\$100.00 per day<br>\$250.00 per day<br>\$250.00 per day |
| 12-9              | City parking open hours  | \$250.00 per day  |
| 14-4              | Damaging sewer facilities  | \$250.00 per day  |
| 14-10             | Prohibited discharges (sewer and storm drains)   | \$250.00 per day  |
| 17-1              | City Street Speed Limit 25mph.   | <i>Per Florida Statutes</i>   |
| 17-6              | Parking prohibited without owner's permission  | \$50.00 per day   |
| 101-26(8)         | Nuisance lighting  | \$50.00 per day   |
| 101-31            | Garage sale  | \$25.00 per violation   |
| 101-32(3)         | Burning of refuse  | \$100.00 per day  |
| 101-34            | Home occupations   | \$250.00 per day  |
| 101-35            | Inoperative vehicles   | \$100.00 per day  |
| 101-55            | Illegal parking (Commercial and recreational vehicles)   | \$100.00 per day  |
| 101-55(3)         | Prohibition on use of vehicles, motorhomes, trailers and campers as residence  | <del>\$100.00</del> <u>\$200.00</u> per day                         |
| 101-67            | Landscape maintenance  | \$50.00 per day   |
| 101-131           | Prohibited signage   | \$50.00 per violation   |
| 101-136           | Temporary signage  | \$50.00 per day   |
| 101-137           | Sign maintenance   | \$50.00 per day   |
| F.S. §316.1955.57 | Parking in handicapped space   | \$250.00 per violation  |

|                      |  |   |
|----------------------|--|---|
| ***F.S. §316.2065(7) | Bicycle safety requirements                                | \$64.50 per violation   |
| ***F.S. §316.2065(d) | Bicycle helmet requirement for passengers under 16yoa      | \$64.50 per violation   |
| ^New                 | Short term vacation rental w/out license                   | \$250.00 per day  |
| ^New                 | Short term vacation rental less than 7 days                | \$250.00 per day  |
| ^New                 | Short term rental w/ excessive number of tenants           | \$250.00 per day  |
| ^New                 | Short term rental – cleaning not acceptable                | \$250.00 per day  |
| ^New                 | 2 <sup>nd</sup> violation for short term vacation property | \$250.00 per day, and license suspension for 30 days.   |
| ^New                 | 3 <sup>rd</sup> violation for short term vacation property | \$250.00 per day, and license suspension for 1 year.  |
| ^New                 | Dangerous structures posing safety risk                    | \$250.00 per day  |
| ^New                 | Violation of recreation vehicle parking ordinance          | <del>\$100.00</del> <u>\$200.00</u> per day   |
| ^New                 | Long term vacation rental w/out rental license             | \$250.00 per day  |
| ^New                 | Long term vacation rental w/ excessive number of tenants   | \$250.00 per day  |
| ^New                 | Long term rental – cleaning not acceptable                 | \$250.00 per day  |
| ^New                 | 2 <sup>nd</sup> violation for long term vacation property  | \$250.00 per day, and license suspension for 30 days.   |
| ^New                 | 3 <sup>rd</sup> violation for long term vacation property  | \$250.00 per day, and license suspension for <del>30 days</del> <u>1- year.</u>                               |
| ^New                 | Subleasing dock space                                      | \$250.00 per day  |
| ^New                 | Permit fee for Solar Panel Installation                    | \$250.00<br>**additional 2.5% State surcharge   |
| ^New                 | Notary Fees  | Notary Services are provided for City-related business at no cost. No other Notary Services will be provided. |

\*Sec.1-10(g)(2) sets maximum fine of \$250.00 per day; *See also*, FL ST §162.09(2)(a) (setting maximum fine shall not exceed \$250.00 for first violation or \$500.00 per day for repeat violation).

\*\*All violations/penalties set forth herein are subject to an administrative fee of ~~\$338.00~~ \$380.00 plus cost of prosecution. Violations that are irreparable or irreversible in nature may have a fine imposed not to exceed \$5,000 per violation.

\*\*\*An additional fine of \$2.50 will be assessed exclusive of the penalty set forth above, to be paid to the State's General Fund for safety programs.