

ORDINANCE NO. 2025-499

AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA; AMENDING CHAPTER FIFTEEN OF THE CODE OF ORDINANCES, ENTITLED STORMWATER UTILITY SYSTEM; AND PROVIDING FOR CODIFICATION; REPEALING ANY INCONSISTENT PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Key Colony Beach supports protection of our environment by controlling stormwater run-off and containment of any contaminants therein and,

WHEREAS, the City of Key Colony Beach has provided for water quality improvements in a stormwater master plan, project site, construction bids, and design for stormwater improvements and,

WHEREAS, the City of Key Colony Beach is required to establish a system of user fees, charges or assessments to provide for the maintenance, operation and recovery of capital costs associated with stormwater management, a current copy of the City's unit assessment is attached hereto as Exhibit "A" and,

WHEREAS, the City of Key Colony Beach would like to increase the annual assessment to improve the Stormwater financial position in order to continue with proposed projects to mitigate localized flooding from excessive rain events,

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

Section 1: Recitals

The above recitals are true and correct.

Section 2: Effective Date

This Ordinance shall become effective upon approval by the City Commission.

Section 3: Amendment

Section 15-4 of Article I, "Stormwater Utility System" of the City of Key Colony Beach, Florida Code of Ordinances shall be amended to read as follows:

Sec. 15-4. Schedule of rates.

- (a) The city administrator is directed to prepare a list of lots and parcels within the city and assign a classification of residential or commercial to each lot or parcel.
- (b) The service assessment imposed shall be the rate of eighty dollars (\$80.00) per residential unit or residential lot or ~~one hundred sixty dollars (\$160.00)~~ eighty dollars (\$80.00) per commercial ~~parcel~~ unit, plus any delinquency or past due amounts attributable to each residential unit, or residential or commercial ~~parcel~~ unit for stormwater services and facilities provided during the delinquency period.

FIRST READING by the City of Key Colony Beach City Commission this 11th day of June 2025.

Mayor Freddie Foster	NO _____	YES <u> x </u>
Vice-Mayor Joey Raspe	**absent	
Commissioner Tom Harding	NO _____	YES <u> x </u>
Commissioner Tom DiFransico	NO _____	YES <u> x </u>
Commissioner Doug Colonell	NO _____	YES <u> x </u>


SECOND READING AND DULY ADOPTED by the City of Key Colony Beach City Commission on this 17th day of July, 2025.

Mayor Freddie Foster	NO _____	YES <u> ✓ </u>
Vice-Mayor <u>Colonell</u>	NO _____	YES <u> ✓ </u>
Commissioner <u>Harding</u>	NO _____	YES <u> ✓ </u>
Commissioner <u>DiFransico</u>	NO _____	YES <u> ✓ </u>
Commissioner <u>Diehl</u>	NO _____	YES <u> ✓ </u>

DULY PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, this 17th day of July 2025.




Freddie Foster, Mayor



Silvia Roussin, City Clerk

Approved as to form and legal sufficiency:



Dirk M. Smits, Esq. B.C.S., City Attorney

[illegible]

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WZCCOF 10/10/10

Key Colony Beach Commercial Property

Item	Description	Address	Units	2025-2026 Tax
1	Cabana Club	425 E. Ocean Dr.	3	\$ 240.00
2	KCB Realty	220 Sadowski Cswy	1	\$ 80.00
3	Circle K Gas Station	13100 Overseas Hwy	1	\$ 80.00
4	Mobile Gas Station	13155 Overseas Hwy	1	\$ 80.00
5	Key Colony Inn Restaurant	700 W. Ocean Dr.	2	\$ 160.00
6	Marina	400 Sadowski Cswy	2	\$ 160.00
7	Causeway Shopping Center	300 Sadowski Cswy	6	\$ 480.00
8	Glunz Ocean Beach Club	351 E. Ocean Dr.	38	\$ 3,040.00
9	Dry Tortugas	301 E Ocean Dr.	8	\$ 640.00
10	Key Colony Beach Motel	441 E. Ocean Dr.	40	\$ 3,200.00
11	Havanah Jacks	401 E. Ocean Dr.	5	\$ 400.00



Published Weekly
Marathon, Monroe County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA COUNTY OF MONROE

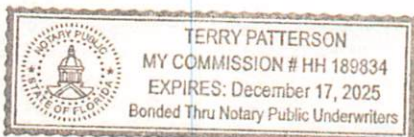
Before the undersigned authority personally appeared **JASON KOLER** who on oath, says that he is **PUBLISHER** of the **WEEKLY NEWSPAPERS**, a weekly newspaper published in Marathon, in Monroe County, Florida: that the attached copy of advertisement was published in said newspaper in the issues of: (date(s) of publication)

July 3, 2025

Affiant further says that the said **WEEKLY NEWSPAPERS** is a newspaper published at Marathon, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, once each week (on Thursday) and has been qualified as a second class mail matter at the post office in Marathon, in Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement. The affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s) and that The Weekly Newspapers is in full compliance with Chapter 50 of the Florida State Statutes on Legal and Official Advertisements.

Sworn to and subscribed before me
this 3 day of JULY, 2025.
(SEAL)

Notary



CITY OF KEY COLONY BEACH
NOTICE OF CODE
AMENDMENT HEARING
"SECOND/FINAL READING OF
ORDINANCE NO. 2025-499"
NOTICE IS HEREBY GIVEN that
the City Commission of the
City of Key Colony Beach,
Florida, will hold the following
Public Hearing to hear
amendments to the City's
Code of Ordinances.
DATE/TIME: Thursday, July
17th, 2025, 9:40 am OR at
the conclusion of the Public
Hearing

LOCATION: City of Key Colony
Beach, Marble Hall, 600 W.
Ocean Dr., Key Colony Beach.
The proposed Ordinance to be
heard by the City Commission
is (ORDINANCE NO. 2025-499),
entitled: "AN ORDINANCE
OF THE CITY OF KEY
COLONY BEACH, FLORIDA;
AMENDING CHAPTER
FIFTEEN OF THE CODE OF
ORDINANCES, ENTITLED
STORMWATER UTILITY
SYSTEM; AND PROVIDING FOR
CODIFICATION; REPEALING
ANY INCONSISTENT
PROVISIONS; PROVIDING
FOR SEVERABILITY; AND
PROVIDING AN EFFECTIVE
DATE."

The Business Impact
Statement is available for
review on the City of Key
Colony Beach's website at
www.keycolonybeach.net and
at City Hall at 600 W. Ocean
Drive, Key Colony Beach.
Interested parties may appear
at the meeting and be heard
with respect to the proposed
ordinance. Copies of the
proposed Ordinance are
available for inspection at the
City Hall of Key Colony Beach.
If any person decides to
appeal any decision made
by the Key Colony Beach City
Commission with respect to
any matter considered at the
Code Amendment Hearing,
that person will need a record
of the proceeding and for
such purpose may need to
ensure that a verbatim record
of the proceedings is made,
which record includes the
testimony and evidence upon

which the appeal is to be
based.

If you are unable to attend the
Public Hearing on Thursday,
July 17th, 2025, but wish
to comment, please direct
correspondence to the City
Clerk, P.O. Box 510141, Key
Colony Beach, FL 33051
and your comments will be
entered into the record.
To be published: On or before
July 7th, 2025

City Clerk
City of Key Colony Beach,
Florida
Publish:
July 3, 2025
The Weekly Newspapers



Business Impact Estimate

This form should be included in agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Key Colony Beach, Florida's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: **[ORDINANCE NO. 2025-499], entitled: "AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA; AMENDING CHAPTER FIFTEEN OF THE CODE OF ORDINANCES, ENTITLED STORMWATER UTILITY SYSTEM; AND PROVIDING FOR CODIFICATION; REPEALING ANY INCONSISTENT PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE."**

The City of Key Colony Beach, Florida (hereinafter "City") is of the view that the following exception(s) to the Business Impact Estimate requirement apply that are checked off in a box below apply to the above-referenced proposed ordinance, although the City is implementing the procedure required by statutory law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☒ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;

c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.
In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

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2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City:

None.

3. Estimate of direct compliance costs that businesses may reasonably incur:

None.

4. Any new charge or fee imposed by the proposed ordinance:

The service assessment imposed shall be the rate of eighty dollars (\$80.00) per residential unit or residential lot or one hundred sixty dollars (\$160.00) eighty dollars (\$80.00) per commercial parcel, plus any delinquency or past due amounts attributable to each residential unit, or residential or commercial parcel for stormwater services and facilities provided during the delinquency period.

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

A total of \$125,000.00 in revenue from residential and commercial units.

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

9.

7. Additional information (if any but may wish to include the methodology used to derive information for #1 and #2, above. For example: the City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City's website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses based on feedback from businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not impose costs only upon businesses.):

None.