AGENDA

KEY COLONY BEACH CITY COMMISSION
REGULAR MEETING & PUBLIC HEARING
Thursday, November 19, 2026, 10:00 AM
At the temporary meeting place for the City of Key Colony Beach
The Key Colony Inn – Back Patio, 700 W. Ocean Drive, Key Colony Beach, Florida
& via Zoom Conferencing
Zoom Login Information at the end of this Agenda

1. **Call to Order, Pledge of Allegiance, Prayer, & Roll Call**

2. **Approval of the Agenda** *(Additions, changes, and deletions can be made via one motion and a second to approve by a majority vote)*

3. **Special Requests**

4. **Citizen Comments and Correspondence**

5. **Committee and Department Reports** *(written reports provided; Staff and Board Chairs available for questions)*
   - **a.** Marathon Fire/EMS – Fire Chief Shana Rogers **– Pg. 1**
   - **b.** Police/Code Enforcement – Chief of Police Jamie Buxton **– Pgs. 2-15**
   - **c.** City Administrator – John Bartus **– Pgs. 16-17**
   - **d.** Public Works – Public Works Department Head Mike Guarino **– Pgs. 18-19**
   - **e.** Building Department – Building Official Tony Loreno **– Pg. 20**
   - **f.** City Hall – City Clerk Silvia Roussin **- Pgs. 21-23**
   - **g.** Beautification Committee – Chair Sandy Bachman
   - **h.** Planning & Zoning Board – Chair George Lancaster
   - **i.** Recreation Committee – Chair Cindy Catto
   - **j.** Utility Board – Chair Fred Swanson

6. **Consent Action Items** *(Under the consent agenda, all action items will be voted on after one motion, and a second will be required to approve them without discussion. If a Commission member wants any action item discussed or voted on separately, the member must, at the beginning of the open session, ask that the action be moved to the discussion action item section.)*
   - **a.** Approval of the following City Commission Meeting Minutes
     1. 10-22-2026 City Commission Regular Meeting & Public Hearing Minutes **– Pgs. 24-31**
   - **b.** Approval of Warrant No. 1026 for $1,893,892.40 **– Pg. 32**
   - **c.** Approval of Chief Buxton's request for a Vehicle Equipment quote from Strobes-R-Us for $22,626.64**– Pgs. 33-38**
   - **d.** Approval of Rejection of all Bids for ITB 2026-04 (Clean and Camera of the Sewer Gravity Main Line) to allow a new solicitation with an expanded scope of work **– Pg. 39**
   - **e.** Approval of ITB 2026-03 (Wastewater Tanks Painting Project) to award the contract to Mammoth Industrial LLC, per the recommendation of the Evaluation Committee and Utility Board *TBA **– Pgs. 40-41**
   - **f.** Approval of Terry Taylor to the Utility Board as an Alternate Member, per the recommendation of the Utility Board **– Pgs. 42-45**

7. **Discussion Action Items**
   - **a.** Discussion/Review of a Dewatering Study submitted by CPH, per the Recommendation of the Utility Board *TBA **– Pgs. 46-133**

Members of the public may speak for three minutes and may speak only once...unless waived by a majority vote of the commission." Letters submitted to the City Clerk to be read at the Commission Meeting will be part of the record but will not be read into the record.
Persons who need accommodations to attend or participate in this meeting should contact the City Clerk at 305-289-1212 at least 48 hours before this meeting to request such assistance. If a person decides to appeal any decision made with respect to any matter considered at any meeting, that person will need a record of the proceedings and, for that 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.

b. Discussion/Approval of the Designation of a City Commissioner to Represent the City in Negotiations with The King's Enterprises of the Keys, Inc., per the Recommendation of the City Attorney

c. Discussion/Approval to Proceed with the City-Managed Dry Floodproofing Project **– Pgs. 134-138**

d. Discussion/Consideration of a Request to enter into a Development Agreement for the Property located at 700 W. Ocean Drive
   1. Applicant's Request **– Pgs. 139-150**
   2. Sec. 101-176 Development Agreement Authorization **– Pgs. 151-152**

8. Ordinances & Resolutions:

1. **FIRST READING OF ORDINANCE NO. 2026-516:** An Ordinance Of The City Of Key Colony Beach, Florida, Amending The City Of Key Colony Beach Code Of Ordinances And Land Development Code To Amend Article II (Definitions) Of The Land Development Code; To Amend Article III (District Regulations) Of The Land Development Code; To Amend Article VIII (Floodplain Management) Of The Land Development Code; To Amend Code Of Ordinances, Chapter 6 (Buildings) Related To Amending The Florida Building Code For Flood Hazard Areas; Providing For Severability, Applicability And Codification; And Providing For An Effective Date.**- Pgs. 153-209**

2. **SECOND and FINAL READING OF ORDINANCE NO. 2026-517:** An Ordinance Of The City Of Key Colony Beach, Florida, Amending Article X. (Signs) Of The Land Development Regulations Related To Government Signs In Zoning Districts Public Buildings And Grounds (PB) And Public Recreation (PR); Specifically Amending Section 101-130 (Purpose And Definitions) To Provide For A New Definition Of Government Signs, Amending Section 101-131 (Prohibited Signs) To Remove Prohibitions On Government Signs, And Amending Section 101-133 To Exempt Government Signs In Zoning Districts Public Buildings And Grounds (PB) And Public Recreation (PR); Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability, Repeal, And Codification In The Land Development Regulations; And Providing For An Effective Date.
   a. Ordinance No. 2026-517 **– Pgs. 210-213**
   b. Business Impact Statement **– Pgs. 214-215**
   c. Proof of Publication **– Pg. 216**

3. **FIRST READING OF ORDINANCE NO. 2026-518:** An Ordinance Of The City Of Key Colony Beach, Florida, Amending Article II. (Definitions) And Article IV. (Supplemental Regulations) Of The Land Development Regulations Related To Government Property Adornments In Zoning Districts Public Buildings And Grounds (Pb) And Public Recreation (PR); Specifically Amending Section 101-8 (Definitions) Of The Land Development Regulations To Provide For A New Definition Of Government Property Adornment, And Amending Section 101-26 (Accessory Structures And Uses) To Establish Regulations Related To Government Property Adornments; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability, Repeal, And Codification In The Land Development Regulations; And Providing For An Effective Date. **– Pgs. 217-220**

9. Secretary-Treasurer's Report
   a. October 2026 Financial Summary **– Pgs. 221-223**

10. City Attorney's Report
   a. Request for a Closed Session for Pending Litigation at a Special Meeting on December 2nd at 10:00 AM related to the Property located at 680 11th Street. **– Pg. 224**

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11. Commissioners' Reports & Comments

a. Commissioner Harding

1. Water Quality Protection Program Meeting Update from 10-29-2026

2. Weekly Wastewater Sampling Report – November 16, 2026 *TBA

b. Commissioner Diehl

1. Key Colony Beach 70th Birthday Committee Update **– Pg. 225**

c. Commissioner DiFransico

d. Vice-Mayor Colonell

1. City Hall Update

e. Mayor Foster

1. FEMA-Compliant Debris Hauling Contracts

2. Amendment 3 Update

3. Recognition of Commissioner Diehl for his Services to the City

12. Citizen Comments

13. Adjournment

This meeting will be held at the temporary meeting place for the City Commission of the City of Key Colony Beach at The Key Colony Inn, Back Patio, 700 W. Ocean Drive, Key Colony Beach, Florida 33051.

Join from PC, Mac, iPad, or Android:
https://us02web.zoom.us/j/85371758037?pwd=MMLqkKDb9SDq3rapmCbpjBSYlFbcAy.1
Passcode:404397

Phone one-tap:
*+13052241968,,85371758037#,,,,*404397# US*
*+16469313860,,85371758037#,,,,*404397# US*

Join via audio:
+1 305 224 1968 US
+1 646 931 3860 US
+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC)
+1 309 205 3325 US
+1 312 626 6799 US (Chicago)
+1 564 217 2000 US
+1 669 444 9171 US
+1 669 900 6833 US (San Jose)
+1 689 278 1000 US
+1 719 359 4580 US
+1 253 205 0468 US
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 360 209 5623 US
+1 386 347 5053 US
+1 507 473 4847 US
Webinar ID: 853 7175 8037
Passcode: 404397
International numbers available: https://us02web.zoom.us/u/kxuZqvOuL

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CITY OF MARATHON FIRE RESCUE

8900 Overseas Highway, Marathon, Florida 33050
Phone: (305) 743-5266 Fax: (305) 289-9834

Memorandum

Date: 10/30/2026

To: Honorable Mayor and City Council members

From: Shana J Rogers, Fire Chief

Through: Steve Williams, City Manager

Subject: October Month End Report

MARATHON RESPONSES	September
Fire Incidents	0
Hazardous Condition	2
EMS	112
Inter-facility Transfers	45
False Alarm/No Emergency	10
Public Service	36
Rescue	4
Total for Month:	209
Total Calls for Calendar 2026:	1966

KCB RESPONSES	September
Fire Incidents	0
Hazardous Condition	0
EMS	3
False Alarm/No Emergency	1
Public Service	2
Rescue	0
Total for Month:	6
Total Calls for Calendar 2026:	111

FIRE PREVENTION – AFM Card	September
Fire Inspections	23
Fire Safety Plan Review	35
Occupational or Annual License Inspections	6
Event Inspections	2
Annual State Inspections	0
DHR Follow-Up Inspections	0

VACATION RENTALS – Inspector Good	September
Total Applications Processed	86
Vacation Rental Fire Inspections	117
Total VR Fees Collected	112,275.00
Agent/Local Contacts Trained	98
Total VR Licenses Issued	98

Commission Meeting Report
Key Colony Beach Police Department
October 22, 2026, to November 12, 2026
Chief Jamie Buxton

A. REPORTS

1. **11/06/2026**
   Report Number KCBP26OFF000044
   13155 Overseas Highway
   Accident: Parking Lot
   Result: Crash Report Completed

2. MEDICAL/ALARM CALLS

Total Calls: 3

3. CALLS FOR SERVICE

Total Calls: 17

10/22/2026-Welfare Check-Sadowski Cswy-Intoxicated Subject-He was at his residence and was ok-856

10/22/2026-Traffic Offense-E Ocean Dr-Parked in Roadway-Warning Issued-858

10/23/2026-Fraud-W Ocean Dr-PX Call-Question about Broker Fraud-Assistance Rendered-856

10/24/2026-Traffic Offense-E Ocean Dr-Parked in roadway-warning issued-858

10/29/2026-Trespassing Business-E Ocean Dr-Subjects on pier-They are staying on property-Therefore allowed to be there-Negative on trespassing-860

11/01/2026-Flagdown-Sunset Park-Neighbor noticed a broken pool pipe and wanted to report it-Owner was notified and pool company was enroute to fix it-856

11/03/2026-Assist Citizen-E Ocean Dr-Question about possible crash -855

11/03/2026-Assist Citizen-W Ocean Dr-Unknown Reason-858

11/03/2026-Assist Citizen-8th St-Identification Questions-858

11/06/2026-Property Lost/Missing-W Ocean Dr-Lost Wallet-Has not been turned in-856

11/07/2026-Resource Check-Sunset Park-Negative Violations-856

11/07/2026-Traffic Offense-Clara Blvd-Parked in Roadway-Vehicle Moved-856

11/07/2026-Disabled Vehicle-13100 O/S Hwy-Flat Tire-Assistance Rendered-858

11/08/2026-Suspicious Person-W Ocean Dr-Subject was trying to get into room-They did not know them-Subject was intoxicated and went to wrong room-Room was located and subject went to bed-856

11/10/2026-Suspicious Vehicle-E Ocean Dr-Reference a vehicle that has been parked on property and they do not know who it belongs to. It does not appear to be a resident, and they were advised of private property tows-856

11/11/2026-Neighbor Problem-12th St-Reference construction trucks that are parked in the right of way-Subject was blocking off the right of way and advised they cannot do that-856

11/11/2026-Assist Citizen-PX Call-Questions reference the above parking issues in right of way-856

4. TOTAL WATCH ORDERS/NON-RESIDENTS

Total: 67

5. PROVIDED BACK-UP/ASSISTANCE TO MCSO, FHP, FWC, COAST GUARD OR U.S. BORDER PATROL

Total: 18

6. CITATIONS/WARNINGS

1. **Traffic Citations: 3**
2. **Traffic Warnings: 24**
3. **Code Citations: 0**
4. **Code Warnings: 4**
5. **Resource Checks/Marine Life: 1**

ADDITIONAL EVENTS:

On October 15, 2026, Mayor Foster, Commissioner Diehl, City Clerk Silvia Roussin *and Chief Buxton presented Stanley Switlik PTO with a check for $1000 by the Ron Sutton Memorial Fishing Derby. Giving back to the community.*



On October 22, 2026, Mayor Foster, Commissioner Diehl, City Clerk Silvia Roussin, Kitty Sutton *and Chief Buxton presented a check to Grace Jones Daycare in the amount of $4000. This is our annual donation made by the Ron Sutton Memorial Kids Fishing Derby. Giving back to the Community*



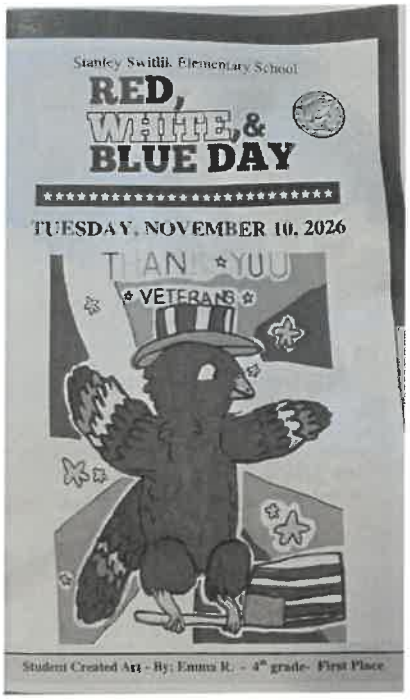
The Police Department would like to extend a sincere thank you to everyone who attended the BBQ with the Cops event on October 30, 2026. We appreciate your continued support and partnership in our community.

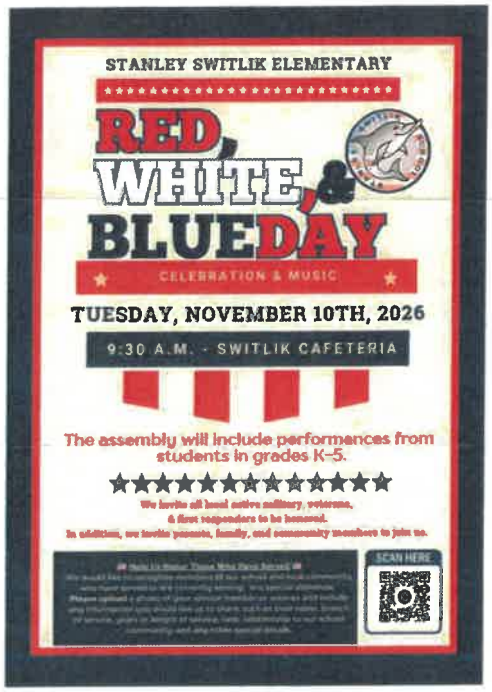




On 11/10/2026 Chief Buxton and Ofc. Niemiec Attended Red, White & Blue Day at Stanley Switlik, an event to Honor our Veterans.




Stanley Switlik Elementary School
RED, WHITE, & BLUE DAY
TUESDAY, NOVEMBER 10, 2026
VETERANS
Student Created Art - By: Emma R. - 4th grade- First Place

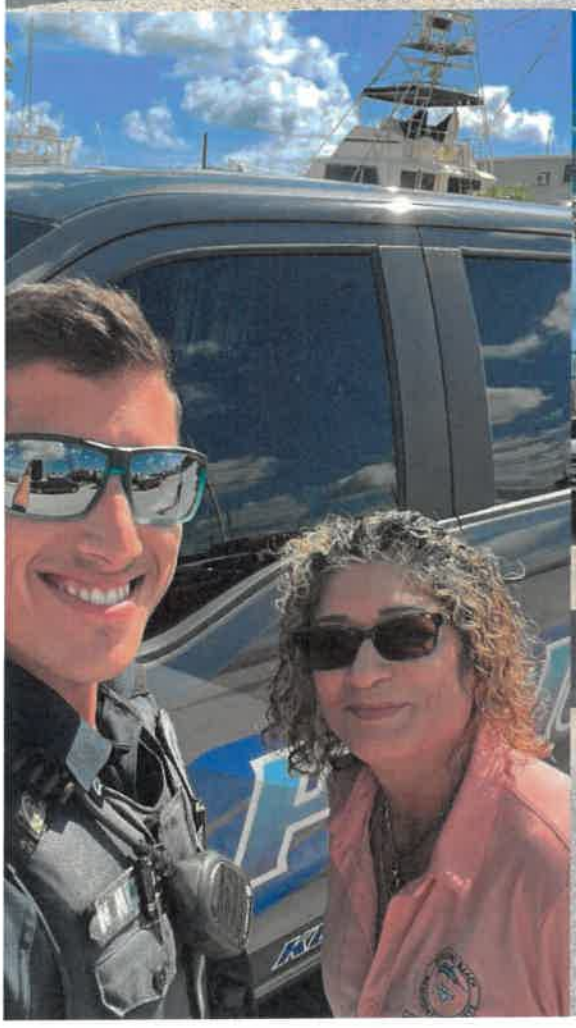

STANLEY SWITLIK ELEMENTARY
RED, WHITE, & BLUE DAY
CELEBRATION & MUSIC
TUESDAY, NOVEMBER 10TH, 2026
9:30 A.M. - SWITLIK CAFETERIA
The assembly will include performances from students in grades K-5.
SCAN HERE



On 11/11/2026 Ofc. Niemiec and Code Officer Martha attended the City of Marathon Veteran's Day Parade. Ofc. Niemiec also assisted with blocking traffic at the Cswy so the parade could safely turn around and continue.




POLICE




POLICE

NOVEMBER 2026
SAFETY MEETING AGENDA
Key Colony Beach Police Department

MEETING DETAILS

Date: **11/12/2026** ***Time:*** **Email**

Location: ***Email***

Meeting Lead: ***Chief Jamie Buxton***

ATTENDANCE

Attendees: Sent via email. Sgt. Buckwalter, Ofc. Niemiec, Ofc. Burden, Ofc. Schlegel, Ofc. Bethard

ITEMS & DISCUSSION

1ST ITEM: OPENING & ROLL CALL

DISCUSSION: Wear your body armor.

2ND ITEM: ADDRESS SAFETY TOPIC(S)

DISCUSSION: -Body Armor

This discussion focuses on the importance of wearing your protective vest/body armor.

3RD ITEM: ROUND ROBIN FOR QUESTIONS/CONCERNS

Policy:
1012.3.1 USE
Generally, the required use of body armor is subject to the following:
(a) Members shall only wear department-approved body armor.
(b) Members shall wear body armor any time they are in a situation where they could reasonably be expected to take enforcement action.
(c) Members shall wear body armor when working in uniform or taking part in department range training.
(d) Members are not required to wear body armor when they are functioning primarily in an administrative or support capacity and would not reasonably be expected to take enforcement action.
(e) Officers may be excused from wearing body armor when they are involved

in undercover or plainclothes work that their supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

1. In those instances when body armor is not worn, officers should have reasonable access to their body armor.

4TH ITEM: RESOLUTIONS

DISCUSSION: - The outer vest carriers allow the officer to remove their vest when in a secure location as in the office.

5TH ITEM: CONCLUSION

DISCUSSION:

Wearing a vest has proven to save lives.

Code Enforcement Activity Report

Reporting Period: October 14 – November 10, 2026

Focus Area: Short-Term Rental Compliance, Political & Real Estate Signage, and Public Nuisance/Code Violations

1. EXECUTIVE SUMMARY

During this reporting period, the Code Enforcement Department heavily concentrated efforts on short-term rental (STR) compliance, specifically auditing licenses, issuing violation notices, and processing renewals. In addition, proactive field patrols focused on seasonal/timely issues, including regulating political and Real Estate signage, maintaining vacant lots, and ensuring neighborhood aesthetics regarding garbage containment and property maintenance.

2. KEY OPERATIONAL METRICS & CASE CLOSURES

- **Citations & Payments Processed:** Processed and resolved multiple payments, resulting in successfully **closing and completing 8 major violation cases** (including multi-violation cases involving boats, trailers, and garbage disposal on 4th St., 5th St., and 14th St.).
- **System Logging:** Documented **8 formal warnings** directly into *Citizenserve* for tracking.
- **Administrative Records Requests:** Fulfilled a comprehensive City Hall records request covering code enforcement data from **2023 to the present date**, alongside a localized resident records request on 10th St.

3. CORE ACTIVITIES & INITIATIVES

A. Short-Term Rental (STR) Investigation & Compliance

- **Violations & Audits:** Investigated, Identified and initiated enforcement on an active rental operating entirely without a license.
- **Communications & Notices:** Dispatched a volume of formal Notices of Violation via mail and email.
- **Public Relations & Advisory:** Handled dozens of inquiries from property managers and homeowners. Coordinated with Department Leadership and City Legal Counsel to draft a generic advisory reply to streamline communication. Hosted in-person meetings and phone conferences to guide residents through the compliance process.

- **Proactive Renewals:** Audited expired licenses (including a key follow-up from a 2025 expiration) and conducted outreach calls encouraging operators to renew with City Hall.

B. Signage & Political Code Enforcement

- **Political Signs & Flags:** Addressed multiple properties exceeding allowable limits (e.g., residences with 3 to 5 signs). Issued formal warning letters reminding owners that code permits only **one sign per dwelling**. Safely removed non-compliant political signage left on public construction piles.
- **Real Estate Signage:** Issued final verbal warnings to Real Estate firms repeatedly placing directional/RE signs in the wrong location or perpendicular to the road.

C. Waste Management & Residential Containment

- **Garbage & Yard Bins:** Actively monitored neighborhoods for bins left out more than 24 hours post-collection or placed out before 12:00 PM noon the day prior. Issued numerous verbal and email warnings.
- **Overfilled Bins:** Addressed a container overflow issue where waste management refused to collect because debris exceeded 12 inches past the top of the bin; coordinated directly with the property manager for resolution.
- **Bulk Item & Construction Debris:**
    - Investigated and resolved a heavily overfilled construction dumpster via a phone call and subsequent photographic email warning; compliance was achieved and the dumpster was emptied.
    - Addressed roadside bulk items (appliances, mattresses, sofas) on 3rd St. and Clara Blvd., instructing residents on correct city pickup schedules and proper staging rules.
    - Intervened at a commercial worksite on **W. Ocean Blvd.**; attempted contact with onsite workers to mandate the immediate emptying of an overfilled construction dumpster and the cleanup of overflowing debris scattered on the ground.

D. Property & Vacant Lot Maintenance

- **Lot Maintenance:** Audited multiple vacant lots (including properties at 2nd St., 7th St., 13th St., and E. Ocean Drive). Successfully coordinated with owners to schedule mowing and trimming, verifying via patrol that multiple lots were brought up to code immediately.
- **Proactive Interventions:** Addressed properties with severe weed overgrowth and accumulated palm fronds. Granted reasonable 1-to-2-week extensions for out-of-town owners and residents dealing with family medical illnesses to ensure a compassionate, community-first compliance approach.

E. Commercial Licenses & Vehicle Storage

- **Business Tax Receipts (BTR):** Placed follow-up inquiries regarding business license renewals, including outreach to a local Mexican Restaurant.
- **Trailer & Boat Lot Storage:** Inspected the trailer lot and applied multiple new renewal decals. Issued warnings and letters to residents adding unauthorized commercial/storage trailers to residential properties.

F. Community Engagement

- **Police Department Collaboration:** Assisted the local Police Department with the community BBQ event to foster positive public relations and community solidarity.

City of Key Colony Beach
PO Box 510141 Key Colony Beach, Florida • Phone # 305-289-1212 • Fax# 305-289-1767

Date: November 13, 2026
To: Mayor & Commissioners
Subject: City Administrator Report
From: John Bartus, City Administrator

1. Florida Keys Water Quality Improvement Program (FKWQIP): On October 28, I met with the local workgroup tasked with determining a strategy for the next $100 million authorization under the Florida Keys Water Quality Improvement Program. This Congressional authorization will be funded through earmarks sponsored by our local Representative, and they are looking for projects to consider for Fiscal Year 2028. The funding will be channeled through the Army Corps of Engineers and the split among the local stakeholders will be along the same lines as the Stewardship ILA. Funding likely will be available incrementally for local projects over the next ten years. We submitted a preliminary Project Request for 11th Street Stormwater Improvements (thanks to our engineers at CPH) that is estimated to cost $2.4 million. The federal share of the project would be 65%, with the local share being 35%.

2. Along with Mayor Foster, met with Heather Herold and other representatives from Blue Terra to discuss grant opportunities for shoreline stabilization projects for Key Colony Beach.

3. Along with City Clerk Silvia Roussin, opened bids for our WWTP Tank Painting Project (ITB 2026-03) on November 2. We received seven bids ranging from $77,700 to $398,450. Along with City Clerk Silvia Roussin, I attended the ITB 2026-03 Evaluation Committee meeting, where they discussed the bids and made their recommendation to the Utility Board. That Board will make a recommendation for the City Commission to consider at the November meeting.

4. Submitted two applications for FRDAP grants, one each for 1st Street Park and 7th Street Park improvements and enhancements.

5. Met with the Recreation Committee and discussed TDC and FRDAP grants; will have met with the Utility Board as they discussed and considered their agenda items, some of which are up for Commission consideration today.

6. Attended the Special Call Commission meeting to discuss cost increases to the Marathon Fire/EMS agreement. Will open a dialogue with Marathon officials about discussing a framework for future agreements that will keep costs down in the future.

7. Continued working with Vice Mayor Colonell on donations and elements of the sailfish sculpture that will re-create our City Logo as a three-dimensional fountain in the "grassy knoll" area adjacent to City Hall and in front of the Post Office.

8. Continued our ongoing meetings with the County and other municipalities concerning street elevation and resilience studies.

John Bartus
City Administrator, Key Colony Beach

Public Works Staff Report

Report for November 19th, 2026 – City Commission Meeting

- Repaired Pickleball safety net
- Identified, ordered and had wired generator back up plug for lift stations to old Marble Hall mobile generator
- Installed manhole caps citywide
- Removed cage out of police car for code enforcement
- Coordinated burying AC line set along the back of the post office
- Hedged East Park
- Fixed toilet Sunset Park
- Replaced hand dryer Sunset Park
- Purchased new trailer for water buffalo conversion
- Filled low spots in lawn at Sunset Park
- Scheduled warranty fix on John Deere triplex
- Removed debris from storm drain Clara
- Relocated flagpole light at Sunset Park
- Cleaned drying bed at treatment plant
- Repaired thermostat at City Hall
- Repaired toilet at shop
- Installed thermostat lock at post office
- Reset timers on faucets in restroom trailer
- Repaired helm on public works boat
- Reorganized the shop
- Helped assemble court dryers
- Repaired pole saw and hedger
- Citywide herbicide
- Performed maintain on police vehicles
- Setup and breakdown of meetings at the Inn
- Brought down Christmas decorations from the attic for the Beatification Committee
- Installed windscreens for pickleball and tennis
- Trimmed bougainvillea at Sunset Park
- Trimmed around speed limit sign on West Ocean
- Trimmed date palm at Marble Hall
- Trimmed Trinette's on the corner of 8th and Shelter Bay
- Killed Brazilian Pepper trees at East Park
- Moved boat trailers back and forth from short term to long term parking
- Assisted treatment plant with filter cleaning

Thank you,

Mike Guarino

Public Works Department Head

City of Key Colony Beach

Public Works Safety Training Documentation Form

Date:	11/12/26	***Location:***	Shop
Time:	0700	***Meeting Lead:***	Mike Guarino

Attendees: Justin Luisi, Cedric Goethals, Esteban Cabrera, Anthony Battini & Mike Guarino

Absentees: N/A

Topic: Chainsaw Safety

1. ***Introduction and Presentation of* Topic:**

It was discussed that all power equipment needs to be clean, and equipment sharp, fueled and ready at a moment's notice. Any broken equipment gets tagged out and put on my work bench.

2. ***Discussion, Questions and Concerns:***

We watched a movie that showed proper PPE, proper ways to start a chainsaw and the location of the danger zone on the bar. We discussed proper chainsaw maintenance and how the chain works so that's it installed in the proper direction. We related real life experiences with kickbacks and thrown chains.

3. ***Conclusion:***

Having proper PPE and proper positioning will keep you from using the danger zone on the bar. Taking extra precautions to keep the chain away from the ground will preserve its sharpness and save time in the long run.

Building Department Staff Report

Report for November 2026– City Commission Meeting

Tony Loreno – Building Official

- Inspections completed: 83
- Plan reviews completed: 33
- Tony is out on vacation 😊

Samantha Rodamer – Building Assistant

- Permits Issued: 40
- Permits Closed: 81
- Reviewed permit applications for completeness.
- Conducted various rental inspections.
- Received, coordinated, and completed sewer locates with US Water.
- Responded to questions regarding received property inquiry forms.
- Completed record request as needed.
- Scheduled a multitude of inspections & organized Building Official's daily inspection schedule.
- Completed multiple Contractor Registrations and updated previously registered Contractor's records.
- Aided contractors and owners with permit-related questions.
- Organized all paperwork and coordinated issuing the certificate of occupancy for 400 Sadowski Causeway. The city currently has 7 new construction projects underway with one pending administrative items for CO issuance.
- Attended October & November City Hall construction progress meetings.
- Managed and maintained a detailed log of inspections completed on the City Hall construction project as well as the reports submitted from the specialty inspector. Provided this log monthly to the proper individuals as well as shared individual inspection reports as they were received.
- Scheduled vacation rental inspections for new license applications received.
- Organized and provided documents from the Building Department to be added to meeting agendas.
- Continued working with our permitting system to create reports & streamline permit deadlines as well as clean up expired permits.
- Provided monthly closed permits list to MCPA.
- Attended the October Planning & Zoning and City Commission meetings.
- Served on the WW Paint Project Bid Evaluation Committee.
- Participated in Legal meetings.
- Met with the City Clerk & Titl regarding archive scanning.
- Provided updates to the Floodplain Management Information section on the city website.
- Processed the permit extension for 215 15th Circle.

City Clerk's Office – Monthly Staff Report
November 2026

City Clerk – Silvia Roussin

The 2026 election cycle has concluded, with Mayor Freddie Foster reelected and Lynne Benton elected to the City Commission. Commissioner Diehl was not reelected and will continue serving until the swearing-in ceremony on December 17, 2026. City staff would like to extend our heartfelt appreciation to Commissioner Diehl for his service, consistently calm demeanor, kindness, and friendly approach throughout his term in office. We sincerely thank him for his dedication to the City of Key Colony Beach.

- Hired a new Assistant Plant Operator, with a scheduled start date of November 16, 2026.
- The State grant agreement for the Pervious Paver Project has been executed.
- Received a request for a development agreement for 700 W. Ocean Drive. The matter is on today's City Commission agenda for initial consideration.
- Attended the bid opening and evaluation meeting for the Wastewater Tank Painting Project. A recommendation is before the City Commission for consideration at today's meeting.
- Began preparing the FY 2026–2027 Budget Calendar and the City Commission's summer meeting schedule.
- Water quality testing at Sunset Park Beach continues, with results remaining good.
- Attended City Hall construction progress meetings, coordinated with City staff and the contractor, and provided ongoing administrative support.
- Completed required public notices for City Code amendments and bid solicitations.
- Prepared for and attended Utility Board, Beautification Committee, Recreation Committee, and City Commission meetings, and completed the corresponding meeting minutes.
- Provided residents with regular updates and notices regarding City events, projects, and activities.
- Attended the monthly legal meeting with the Mayor and City Administrator.
- Responded to resident correspondence and public records requests in accordance with statutory requirements.
- Processed payroll reports, ACH transactions, Florida Retirement System (FRS) and IRS reporting, and wire transfers.
- Managed general correspondence and ongoing human resources responsibilities.

Administrative Assistant / Business Tax Licenses – Par Darnall

- Conducted the Property Manager Class on November 3, including preparation, coordination, and issuance of Certificates of Completion to qualified attendees.
- Managed and processed multiple property ownership transfer applications.
- Facilitated and provided technical support for Zoom meetings, including Beautification Committee, Utility Board, Planning & Zoning Board, and City Commission meetings.
- Provided front desk coverage during staff absences and assisted residents and visitors with general inquiries.
- Added new contracts and agreements to the tracking spreadsheet and updated the City calendar accordingly.

City Clerk's Office – Monthly Staff Report
November 2026

- Continued processing FY 2026–2027 rental license renewals, reviewing applications and identifying incomplete submissions requiring additional documentation.
- Issued 694 business tax, long-term rental, and short-term rental licenses for FY 2026–2027.
- Participated in Microsoft Teams meetings and email correspondence with CitizenServe to identify and resolve issues related to the new rental license renewal process.
- Submitted the monthly property ownership transfer report to the City Clerk and provided copies of contracts and agreements that have expired or are scheduled to expire within the next three months.
- Assisted property owners and managers with rental license renewal questions, application requirements, and submission of supporting documentation.
- Contacted FY 2025–2026 business tax, long-term rental, and short-term rental license holders by telephone and email regarding incomplete FY 2026–2027 renewal applications.
- Completed the necessary paperwork for the Police Chief to obtain registration tags for a new trailer and replace a lost trailer tag.

Administrative Assistant / Bookkeeper – Linda Jones

- Applied late fees to outstanding sewer accounts and continued contacting residential property owners regarding FY 2027 quarterly payments.
- Processed sewer payments, updated accounts, and maintained customer records.
- Updated monthly commercial wastewater invoices to reflect the approved rate increase and distributed invoices electronically.
- Reconciled all bank and credit card accounts, ensuring accuracy and maintaining supporting documentation.
- Processed incoming invoices, issued checks, scanned invoices into QuickBooks, and maintained electronic and physical filing systems.
- Recorded loan payments, including principal and interest allocations, and processed transfers for loan obligations.
- Completed and recorded financial transfers, including payments related to building permits and wastewater obligations owed by the City.
- Worked with vendors to research and resolve discrepancies between invoiced amounts and outstanding balances.
- Assisted property owners with billing inquiries and payment processing.
- Continued training on the preparation of monthly warrants and financial summary reports.
- Prepared financial and budget reports for various departments, including Beautification and Recreation.
- Maintained the spreadsheet tracking Golf Course utility payments.
- Provided front desk coverage and answered incoming telephone calls as needed.
- Recorded and processed code enforcement citation payments.
- Updated and maintained donation, pump-out, and purchase order logs, ensuring supporting documentation was scanned and electronically filed.
- Updated and maintained Public Works maintenance requests submitted by the Sewer, Police, and Building Departments.

City Clerk's Office – Monthly Staff Report
November 2026

Administrative Assistant / Front Desk – Cheryl Baker

- Sold six (6) short-term boat trailer parking spaces.
- Sold three (3) long-term boat trailer parking spaces, generating $6,002.00 in revenue.
- Processed the purchase of one (1) memorial table/bench.
- Completed ten (10) property inquiries.
- Coordinated five (5) drone flyovers for real estate agents.
- Processed $12.00 in KCBCA merchandise sales.
- Collected, sorted, and distributed incoming mail.
- Entered wastewater payments received through PnP into QuickBooks.
- Designed a holiday banner and began working on the City's holiday card.

Upcoming Dates and Meetings

November 26–27, 2026	City Hall Closed – Thanksgiving Holiday
December 3, 2026	Recreation Committee Meeting
December 8, 2026	Beautification Committee Meeting
December 15, 2026	Utility Board Meeting
December 16, 2026	Planning & Zoning Board Meeting
December 17, 2026	City Commission Meeting and Swearing-In Ceremony

MINUTES

KEY COLONY BEACH CITY COMMISSION
REGULAR MEETING & PUBLIC HEARING
Thursday, October 22nd, 2026, 10:00 AM
At the temporary meeting place for the City of Key Colony Beach
The Key Colony Inn – Back Patio, 700 W. Ocean Drive, Key Colony Beach, Florida
& via Zoom Conferencing

1. **Call to Order, Pledge of Allegiance, Prayer, & Roll Call:** The Key Colony Beach City Commission Regular Meeting and Public Hearing was called to order by Mayor Freddie Foster at 10:00 AM, followed by the Pledge of Allegiance, Prayer, and Rollcall. **Present**: Mayor Freddie Foster, Vice-Mayor Dour Colonell, Commissioner Tom Harding, Commissioner Tom DiFransico, Commissioner Kirk Diehl. **Also present**: Marathon Fire/EMS Division Chief Jesse Fossum, City Administrator John Bartus, Building Official Tony Loreno, City Attorney Dirk Smits, Chief of Police Jamie Buxton, Administrative Assistant Par Darnall, City Clerk Silvia Roussin, City Attorney Dirk Smits, Attorney Patrick Stevens.

   Public Attendance: 11

2. **Approval of the Agenda** *(Additions, changes, and deletions can be made via one motion and a second to approve by a majority vote)*

   City Clerk Roussin informed of the following agenda changes:

   - **5e.2.** Request for an 8-month permit extension for the property located at 1000 W. Ocean Drive
   - **7b.3.** Approval of the Utility Board's Recommendation to Award ITB 2026-04 for the Sewer Line Camera & Clean Project to Enviro Waste Services for $91,006.20
   - **A new Item 7g.** Discussion/Approval of Commission direction to the City Attorney to initiate appropriate legal action against the owner of 680 11th Street to force the owner to comply with Orders issued by the Magistrate to bring the property into compliance with regulations.
   - **In addition,** the Planning & Zoning Board recommended approving Ordinances 2026-516, 2026-517, and 2026-518, which are on today's agenda for a first reading.

   Mayor Foster requested that agenda item 7b be withdrawn for further discussion of a possible rebid to include repairs in the scope of work.

   Commissioner Harding requested an update to his report on the Dry Floodproofing project.

   No further changes were made, and Mayor Foster requested a motion to approve the agenda.

   MOTION: Commissioner Harding moved to approve the agenda. Commissioner Diehl seconded the motion.
   DISCUSSION: None.
   ON THE MOTION: Rollcall vote. Unanimous approval.

3. **Special Requests:** None.

4. **Citizen Comments and Correspondence:** City Clerk Roussin reported the following citizen correspondence:

- **September 20, 2026** – Lynne Benton wrote about various safety and legal concerns.
- **October 20, 2026** – Richard Pflueger submitted comments regarding the proposed Sunset Park Gazebo and recommended seeking public input on the matter.
- **October 21, 2026** – Sue Bartkus submitted questions regarding changes to the Florida Building Code.
- **October 21, 2026** – Cynthia Catto submitted comments regarding the proposed veranda at Sunset Park and requested input from the public and the Recreation Committee.
- **October 21, 2026** – David Evangelista expressed concerns regarding decisions affecting recreational properties without prior consultation with the Recreation Committee. He encouraged involving the Committee in the decision-making process to ensure community residents are adequately represented.

City Clerk Roussin reported that additional correspondence had been received after publication of the correspondence packet and requested the Mayor's permission to include it in next month's citizen correspondence. Mayor Foster had no objections.

Mayor Foster asked for citizen comments.

Barbara Heitman, a KCB resident, addressed the City Commission on a master plan, citizen input on projects, the Recreation Committee's role in the City, and the need for greater citizen participation.

Lynne Benton, 621 10th Street, stated that her correspondence was not intended for the correspondence packet and had been submitted by a Commissioner, and apologized for the lengthy document. She asked the Commission to clarify its vision for Sunset Park, commented on parking problems and residents' complaints about noise after the installation of a sound system, and requested meaningful citizen input. Lynne Benton also expressed concern that failing to follow the law could jeopardize grant funding.

5. **Committee and Department Reports** *(written reports provided; Staff and Board Chairs available for questions)*
   a. Marathon Fire/EMS – Division Chief Jesse Fossum presented his statistical report for October. The Commission had no questions about the report. Commissioner DiFransico requested a comparison of the costs of providing Fire/EMS services to Key Colony Beach and Marathon. Division Chief Fossum stated that he was new to the position and needed to learn more before responding. Mayor Foster stated that the City Commission will hold a Special Meeting on the matter.

   b. Police/Code Enforcement – Chief of Police Jamie Buxton: The Commission had no questions about the report. Chief Buxton read a letter addressing code enforcement, seven-day rental enforcement, code license requirements, and the strain on the City caused by noncompliance. She reported that properties outside the limit were being monitored and that property owners would be contacted to achieve compliance. Mayor Foster discussed past efforts to achieve compliance and emphasized working with and educating property owners. He noted that fines were possible but that code enforcement was not intended to balance the budget. Commissioner DiFransico agreed with this approach and supported shifting to enforcement if voluntary compliance could not be achieved. Commissioner Harding agreed with the letter's summary. Chief Buxton stated that the letters will be sent to property owners that afternoon.

   c. City Administrator – John Bartus: The Commission had no questions regarding the report. Mayor Foster discussed the proposed gazebo at Sunset Park and asked City Administrator Bartus to review the grant and available options. He stated that the Commission did not intend to add another gazebo at the park and requested that the gazebo proposal be discontinued. City Administrator Bartus confirmed that the FRDAP grant applications had been submitted.

DRAFT

d. Public Works – Public Works Department Head Mike Guarino: The Commission had questions on the report.

e. Building Department – Building Official Tony Loreno reported that safety inspections for the year had been completed.

1. Request to Waive the Permit Extension Fee for 215 15th Circle.

Building Official Loreno discussed when the permit was opened and stated that the request did not qualify for tolling under the executive order. Attorney Patrick Stevens, representing the owners, asked the Commission to exercise its discretion under the City's Code of Ordinances to waive the permit extension fee. He also requested an opportunity to present testimony. City Clerk Roussin clarified that the item was not a hearing and did not require testimony. City Attorney Smits confirmed that it was not a hearing item, stated that the Commission was extending a courtesy by considering the request, and invited Attorney Stevens to comment. Attorney Stevens attributed the need for an extension to supply chain issues, tariffs, labor shortages, and immigration-related issues affecting the construction industry. He requested a fee waiver based on these unforeseen circumstances. Mayor Foster asked Building Official Loreno whether the matter had been addressed and noted that permit extension fees were 10 percent of the permit fee. The Commission had no questions.

2. Request for an 8-month permit extension for the property located at 1000 W. Ocean Drive **Agenda addition

Mayor Foster stated that he had no objection to the extension but asked whether it should be for eight months or one year. Building Official Loreno stated that, in his understanding, an eight-month extension could be granted, that extensions of up to 12 months were allowed, and that the owners understood the fee structure. Mayor Foster requested a motion.

MOTION: Commissioner Diehl moved to approve an eight-month permit extension for 1000 W. Ocean Drive. Commissioner Harding seconded the motion.
FURTHER DISCUSSION: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

f. City Hall – City Clerk Silvia Roussin: The Commission had no questions on the report.

1. Water Quality Report
2. TDC Project Funding
3. Budget Transparency & Budget in Brief

g. Beautification Committee – Chair Sandy Bachman: No report.

h. Planning & Zoning Board – Chair George Lancaster: No report.

i. Recreation Committee – Chair Cindy Catto: No report.

j. Utility Board – Chair Fred Swanson: No report.

6. Consent Action Items *(Under the consent agenda, all action items will be voted on after one motion, and a second will be required to approve them without discussion. If a Commission member wants any action item discussed or voted on separately, the member must, at the beginning of the open session, ask that the action be moved to the discussion action item section.)*

DRAFT

a. Approval of the following City Commission Meeting Minutes
   1. 09-10-2026 City Commission First Budget Hearing
   2. 09-17-2026 City Commission Regular Meeting & Public Hearing
   3. 09-17-2026 City Commission Final Budget Hearing
b. Approval of Warrant No. 0926 for $1,670,951.18

Mayor Foster asked for a motion to approve the Consent Action Items.

MOTION: Commissioner DiFransico moved to approve the Consent Action Items. Vice-Mayor Colonell seconded the motion.
DISCUSSION: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

7. **Discussion Action Items**
   a. Discussion/Review of Fire/EMS Operating Fee increases by the City of Marathon

Mayor Foster introduced the agenda item and stated that a Special Meeting will be scheduled within the next two weeks to discuss the matter. There were no objections.

~~b. Discussion/Approval to Award ITB 2026-04 Clean and Camera of the City Sewer Lines, per the Recommendation of the Utility Board~~
~~1. ITB 2026-04~~
~~2. Bid Tabulations~~
~~3. Recommendation by the Utility Board **TBA 10-20-2026 Meeting~~

c. Discussion/Approval of a Proposal by Veolia for the Purchase of Membranes for $118,760.00, per the Utility Board's recommendation

Mayor Foster introduced the agenda item and asked for a motion to approve.

MOTION: Commissioner Harding moved to approve. Commissioner Diehl seconded the motion.
DISCUSSION: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

d. Discussion/Approval of a Proposal by Material Handling Systems for Crane Repairs in the amount of $34,227.00, per the recommendation of the Utility Board

Mayor Foster introduced the agenda item and asked for a motion to approve.

MOTION: Commissioner Harding moved to approve. Vice-Mayor Colonell seconded the motion.
DISCUSSION: Mayor Foster commented on the importance of recognizing emergency purchases.
ON THE MOTION: Rollcall vote. Unanimous approval.

e. Discussion/Approval for a Request for a Lot Split and Party Wall Agreement for the Property located at 230-232 Sadowski Causeway, per the Recommendation of the Planning & Zoning Board

Mayor Foster introduced the agenda item and asked for a motion to approve.

DRAFT

MOTION: Commissioner Harding moved to approve. Vice-Mayor Colonell seconded the motion.
DISCUSSION: Commissioner Diehl asked why a lot split was needed for a building constructed only three years earlier. Building Official Loreno explained that the property qualified for a duplex lot split, allowing one side of the property to be sold.
ON THE MOTION: Rollcall vote. Unanimous approval.

f. Discussion/Approval of the placement of the Sailfish Statue and Fountain in the City Hall Garden, where the red tree currently stands, per the Beautification Committee's recommendation

Mayor Foster introduced the agenda item and asked for the exact proposed location. Vice-Mayor Colonell identified the location as the grassy knoll and deferred to Beautification Committee Chair Sandy Bachman. Chair Bachman described the proposed location and stated that it was preferable to the previously suggested corner on Sadowski Causeway. Vice-Mayor Colonell added that the Committee was reviewing all City gardens to clearly identify their locations. Mayor Foster expressed preliminary support for the location but requested that the item return for discussion after the ordinance was approved. The discussion item was tabled. Chair Bachman confirmed that one common bush would be removed, but none of the larger trees would be removed.

g. Discussion/Approval of Direction to the City Attorney to Initiate Appropriate Legal Action to Require the Owner of 680 11th Street to Comply with the Magistrate's Orders and Bring the Property into Compliance with Regulations ****Agenda addition**

Mayor Foster introduced the agenda item and asked for a motion to approve.

MOTION: Commissioner DiFransico moved to direct the City Attorney to initiate legal action to require the owner of 680 11th Street to comply with the Magistrate's Order and bring the property into compliance.
DISCUSSION: Commissioner DiFransico reviewed the code enforcement matter, including the timeline, negotiations, and ongoing neighborhood concerns. He stated that the City owed it to residents to resolve the matter.
City Attorney Smits discussed safety concerns and the need to expedite the matter, explaining that the item had been added to the agenda for those reasons. Vice-Mayor Colonell commented on the neighbor's ongoing objections and complaints regarding the property. City Attorney Smits outlined additional legal options to enforce compliance, including court orders, contempt proceedings, restrictions on occupancy, a stop-work order, and relief that would address safety concerns and allow the City to make corrections. He also discussed fines, penalties, property liens, collection after homestead protection ends, enforcement of the Magistrate's ruling, and a possible closed session to discuss litigation options. Mayor Foster emphasized that the City's objective was compliance with the Magistrate's Order. City Attorney Smits clarified that he would review the available options and determine which to pursue to achieve compliance.
ON THE MOTION: Rollcall vote. Unanimous approval.

8. Ordinances & Resolutions:

1. **FIRST READING OF ORDINANCE NO. 2026-516:** An Ordinance Of The City Of Key Colony Beach, Florida, Amending The City Of Key Colony Beach Code Of Ordinances And Land Development Code To Amend Article II (Definitions) Of The Land Development Code; To Amend Article III (District Regulations) Of The Land Development Code; To Amend Article VIII (Floodplain Management) Of The Land Development Code; To Amend Code Of Ordinances, Chapter 6 (Buildings) Related To Amending The Florida Building Code For Flood Hazard Areas; Providing For Severability, Applicability And Codification; And Providing For An Effective Date.

Mayor Foster provided the first reading of the proposed ordinance and asked for a motion to approve.

MOTION: Commissioner Harding moved to approve. Commissioner DiFransico seconded the motion.
DISCUSSION: Commissioner DiFransico questioned the threshold and permit requirements for work valued at more than $1,000. Mayor Foster noted that painting and certain other work were exempt from building permits, which Building Official Loreno confirmed. Building Official Loreno stated that the City's permit threshold was $2,500.00 and provided additional information on legislative permit requirements. Commissioner DiFransico questioned the proposed ordinance's minimum threshold language and stated that he had asked City Attorney Hicks to rewrite it to clarify the requirements. Commissioner Harding agreed that the $1,000.00 threshold should be changed to $2,500.00 and suggested treating the revision as an editorial update because the code had since changed. City Attorney Smits stated that the revision would be a substantive change and would also require Rebecca Quinn's review. Mayor Foster asked Commissioner DiFransico to review the proposed amendment with Building Official Loreno and legal counsel. Vice-Mayor Colonell questioned the language describing the Building Official's responsibilities and agreed with Commissioner DiFransico's interpretation. City Attorney Smits confirmed that the requested changes would be made before the ordinance returned for another first reading.
ON THE MOTION: Commissioner Harding withdrew his motion.

2. **FIRST READING OF ORDINANCE NO. 2026-517:** An Ordinance Of The City Of Key Colony Beach, Florida, Amending Article X. (Signs) Of The Land Development Regulations Related To Government Signs In Zoning Districts Public Buildings And Grounds (PB) And Public Recreation (PR); Specifically Amending Section 101-130 (Purpose And Definitions) To Provide For A New Definition Of Government Signs, Amending Section 101-131 (Prohibited Signs) To Remove Prohibitions On Government Signs, And Amending Section 101-133 To Exempt Government Signs In Zoning Districts Public Buildings And Grounds (PB) And Public Recreation (PR); Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability, Repeal, And Codification In The Land Development Regulations; And Providing For An Effective Date.

   Mayor Foster provided the first reading of the ordinance and asked for a motion to approve.

   MOTION: Commissioner DiFransico moved to approve. Commissioner Diehl seconded the motion.
   DISCUSSION: None.
   ON THE MOTION: Rollcall vote. Unanimous approval.

   City Clerk Roussin announced that the ordinance's second and final reading will be held on November 19th, 2026.

3. **FIRST READING OF ORDINANCE NO. 2026-518:** An Ordinance Of The City Of Key Colony Beach, Florida, Amending Article II. (Definitions) And Article IV. (Supplemental Regulations) Of The Land Development Regulations Related To Government Property Adornments In Zoning Districts Public Buildings And Grounds (Pb) And Public Recreation (PR); Specifically Amending Section 101-8 (Definitions) Of The Land Development Regulations To Provide For A New Definition Of Government Property Adornment, And Amending Section 101-26 (Accessory Structures And Uses) To Establish Regulations Related To Government Property Adornments; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability, Repeal, And Codification In The Land Development Regulations; And Providing For An Effective Date.

Mayor Foster provided the first reading of the ordinance. City Attorney Smits stated that the motion needed to include language addressing a requested revision to paragraph 14. Commissioner DiFransico read the proposed amendment and expressed concern that its wording imposed no limits. He suggested replacing the wording with language stating that adornments on government property could include anything approved by the Commission. City Attorney Smits agreed that the current wording did not impose restrictions. City Clerk Roussin confirmed that the ordinance would return for another first reading.

9. **Secretary-Treasurer's Report**
   a. September 2026 Financial Summary: Commissioner Harding presented the September financial report, reviewing revenues and expenses for the general and building funds, the status of grant reimbursements, and the infrastructure fund. He reported that year-end expenses were below budget. Wastewater funds were negative due to sludge hauling and maintenance costs, with sludge hauling identified as a major expense. He also addressed the final Shelter Bay bill and reimbursement for W. Ocean Drive. Commissioner Harding noted that a $125,000 increase in Fire/EMS costs was not included in the budget and recommended preparing a budget amendment. He recommended reviewing the current budget for offsets rather than using reserves and stated that he would prepare a draft.

10. **City Attorney's Report** – City Attorney Smits reported on code enforcement guidance provided to the Chief regarding vacation rentals, the Special Meeting to discuss Fire/EMS costs, and the possible use of outside counsel. He also reported that he had prepared correspondence regarding Pedro Falcon and the bonding company, identifying matters requiring attention, including revised schedules, a recovery plan, a utilization matrix, and the critical path. He clarified that the correspondence provided notice of a potential breach, rather than declaring a breach, and was intended to facilitate progress.

11. **Commissioners' Reports & Comments**
   a. **Commissioner Harding**
      1. CDC Wastewater Sampling Update: Commissioner Harding reported that the CDC is resuming wastewater sampling for eight viruses.

      2. Golf fee updates – Commissioner Harding reported increases in fees for regular play and annual memberships and stated that fees would need to increase the following year again.

      3. FDOT Card Sound Road Bridge update – Commissioner Harding reported attending an update on the bridge. He stated that repair costs were increasing and that FDOT was considering a full replacement, with Havana Jacks fully preserved as a historical landmark.

      4. 2027 Public Parks/Recreation funds – Commissioner Harding reported that $141,000 remained for the budget year, assuming payment of the full match for each grant.

      5. Dry Floodproofing Update: Commissioner Harding reported that the maintenance building project had previously been approved by FEMA and the State of Florida and was approaching the stage of obtaining quotes. He asked whether a general contractor should coordinate the concrete structural improvements and whether the logs should be purchased and installed separately. He stated that the project was included in the budget, but additional general contractor costs were not. Mayor Foster requested that Commissioner Harding bring the matter back for a full review.

         Commissioner Harding also reported on the digester tank, spills earlier in the year, and the installation of a monitoring sensor that sends automated notifications when levels rise too high. He reported improvements to the MBR and identified lift stations as the next area of focus. He discussed additional

available technology, including an input flow meter, which Jason Shepler would begin working on. Commissioner Harding estimated that progress was at 70 percent of his goal and provided additional comments on the applications in use.

b. Commissioner Diehl

1. Key Colony Beach 70th Birthday Committee Update – Commissioner Diehl reported that the Committee continued to work on the celebration. All events were planned, with exact times and dates still being finalized. He stated that he would share the event schedule the following month.

2. Farmers Market: Commissioner Diehl expressed a preference for keeping the Farmers Market at its current location rather than returning it to the City Hall parking area. Mayor Foster stated that the organizer also preferred the current location and that he would follow up with Public Works Department Head Guarino regarding any objections. He would also follow up on the upcoming Pervious Paver project work and its scheduling.

c. Commissioner DiFransico suggested asking the Recreation Committee, Building Official, and Public Works to provide an update at the November meeting on the locations and designs of the approved TDC projects, including the electronic sign, restrooms, and a possible gazebo. He also encouraged public input on these projects.

d. Vice-Mayor Colonell

1. City Hall Update: Vice-Mayor Colonell reported a revised City Hall completion date of January 23rd. He stated that the project's architect of record, Brandan DeCaro, was retiring and that a senior vice president would assume the role. Kyle Bechtelheimer, the division chief familiar with the project, would remain involved. Vice-Mayor Colonell also provided an update on completed and upcoming work. He confirmed that the City could receive reimbursement from the contractor for extensive reviews of project RFIs and numerous change orders. Commissioner Harding thanked Vice-Mayor Colonell for his efforts.

e. Mayor Foster discussed the proposed Sunset Park gazebo and requested a review of the grant application and that the gazebo, in its current form, be rejected. He also asked that comments on the proposed ordinances be submitted in advance to allow time to address any needed revisions.

12. Citizen Comments

Elynn Eiss, attending via Zoom, raised her hand to comment but experienced technical difficulties.

Lynne Benton, 621 10th Street, thanked the Commission for its work and expressed confusion about the gazebo proposal and the approved funding. She asked whether a decision had been made not to build the gazebo, requested transparency, and asked whether the Recreation Committee was involved in the process. City Clerk Roussin noted a possible oversight involving an AI-generated picture that conveyed the wrong intent. Mayor Foster reiterated that the matter should be corrected.

13. Adjournment: The meeting adjourned at 11:32 AM.

Respectfully submitted,

Silvia Roussin

City Clerk

CITY OF KEY COLONY BEACH

Warrant Number	1026	
Items paid from to	October 1, 2026 October 31, 2026	
First Horizon Checking Account - 6871	$1,098,946.59	
(includes all vendor payments for general, road, building and infrastructure)		
Escrow Account - 5537	-	
Payroll Account - 2942	$154,403.89	
Fishing Derby Account-3282	$1,347.98	
Infrastructure Reserve Account - 8644		
Infrastructure Loan Account #2691	$500,982.44	
Road Reserve Account - 8677	-	
Impact Fees Reserve Account - 8669	-	
First State Bank Reserve Account - 3703	-	
Sewer Money Mkt - 0301		
Stormwater Checking Account - 0128	$19,232.95	
Sewer Account - 6006	$118,978.55	
TOTAL DISBURSEMENTS		$1,893,892.40

Key Colony Beach Police Department

Chief Jamie Buxton

P.O. Box 510141, 600 West Ocean Drive, Key Colony Beach, Florida 33051. Phone 305-289-1212

Date: November 19, 2026

To: Mayor, Vice Mayor, Commissioners

From: Jamie Buxton, Chief of Police

Subject: Equipment Quote for 2027 Ford F-150

Dear Mayor, Vice Mayor and Commissioners,

As you know, we officially have our new 2027 Ford F-150 on order following the approval the Commission gave us earlier this year.

Now that the order has been placed, we have settled on the required upfitting needs and received an official quote for the emergency equipment, lighting, etc. I have attached the quote from Strobes-R-Us for a total of $22,626.64.

Getting this approved now ensures the vendor can secure the parts, so they are ready to install the moment the truck arrives, preventing any deployment delays.

I respectfully request your approval on this quote so we can move forward with the purchase. Thank you for your continued support, and please let me know if you have any questions.

Sincerely,

Jamie Buxton

Chief of Police

strobes-r-us

STROBES-R-US
1313 NW 167th Street
Miami, FL 33169

Official Quote

CUSTOMER	QUOTE
Sold To: Key Colony Beach Police Department 600 W Ocean Dr Key Colony Beach, FL 33051-2000	**Quote No:** 5977 **Date:** 10/27/2026 **Ordered By:** **Phone:** 561-287 0733 **Cust PO No:** **Rel No:** X1 F150 PATROL
Ship To: Key Colony Beach Police Department 600 W Ocean Dr Key Colony Beach, FL 33051-2000 USA	**FOB:** PER BSO CONTRACT 23004AP **Ship Via:** **Terms:** Net 30

Part	Description/Note	Quantity	Unit	Unit Price	Extended Price
Key Colo-003434					
	16518177 - STANDARD STROBESRUS MAIN VEHICLE WIRING HARNESS USED WITH BUMPER LIGHTING HARNESS 16518178 AND SPEAKER HARNESS 16518180	1		$185.82	$185.82
	16518178 - STANDARD STROBESRUS ADDON HARNESS TO WIRE PUSH BUMPER LIGHTS. 8 CONDUCTOR. USED WITH MAIN HARNESS 16518177 AND SPEAKER HARNESS 16518180	1		$23.90	$23.90
	16518180 - STANDARD STROBESRUS ADDON HARNESS TO WIRE 2 SPEAKERS. 4 CONDUCTOR. USED WITH MAIN HARNESS 16518177 AND BUMPER HARNESS 16518178	1		$13.90	$13.90
	183-0008-80 - CIRCUIT BREAKER, 80 AMP THERMAL WITH MANUAL RESET, SURFACE MOUNT	1		$66.89	$66.89
	36-54085 - PUSH BUMPER ELITEXD 2021 FORD F150 CIVILIANO HEAVY DUTY 4 GAUGE STEEL UPRIGHTSO EXTRA WIDE 45/8" CENTER CROSSPLATE IS PREDRILLED FOR LIGHTS, SIRENS OR SPEAKERSO PUNCH PLATE GRILLE SPECIFICALLY DESIGNED TO MOUNT AUXILIARY LIGHTSO INTERCHANGEABLE LIGHT CHANNEL (SOLD SEPARATELY)O REMOVABLE FULL PUNCH PLATE GRILLEO WIDER 23/4" RUBBER STRIPS O PREDRILLED FOR SIDEMOUNTING LED LIGHTSO PREDRILLED TO ADD ELITE WING WRAPS (SOLD SEPARATELY) O LOWER TUBE FOR EXTRA PROTECTION AND STRENGTH	1		$781.88	$781.88
	60CREGCS - 12V WHT/RED 6" COMPARTMENT LT	1		$149.64	$149.64
	75456 - STINGER DS LED HL FLASHLIGHT WITH DC CHARGER SIDE SWITCH AND REAR SWITCH	1		$174.32	$174.32
	ARG47CD - DRVR FENDER MT 2021 FORD F-150	1		$67.28	$67.28
	ARG47CP - PASS FENDER MT 2021 FORD F-150	1		$67.28	$67.28
	ARGCH2 - ARGES SWIVEL MT CONTROL HEAD	1		$204.16	$204.16
	ARGES2 - ARGES PROFOCUS REMOTE SPOTLT	1		$528.96	$528.96
	ARGES2 - ARGES PROFOCUS REMOTE SPOTLT	1		$528.96	$528.96
	ASG-BREAKER-F - BUSSMAN BEAKER BRACKET FORD INTERCEPTOR SEDAN/SUV 2013	1		$9.95	$9.95
	C-APW-0744-1 - 7" Accessory Pocket, 4.4" Deep For 3.3"W Section Of Wide Consoles	1		$20.30	$20.30
	C-ARM-102 - Side Mount Armrest	1		$74.75	$74.75
	C-ARM-102 - Side Mount Armrest	1		$74.75	$74.75
	C-HDM-214 - 8.5" Heavy-Duty Telescoping Pole, Side Mount	1		$127.40	$127.40
	C-MD-112 - Tilt/Swivel Slide Motion Adapter	1		$254.15	$254.15
	C-USB-3 - USB-C & USB Type A Dual Port Charger	1		$72.80	$72.80
	C-VSW-1700-F150-PM-4 - Vehicle Specific 24" Wide Flat Console With PocketJet 8 Printer Module	1		$859.30	$859.30
	C-W-LP2 - Dual Lighter Plug Socket Bracket W/ 2 Lighter Plugs For Wide VSW Consoles	1		$29.90	$29.90
	CEM16 - WCX 16 OUTPUT EXPANSION MODULE WECAN X	3		$169.36	$508.08
	CEM16 - WCX 16 OUTPUT EXPANSION MODULE WECAN X	1		$169.36	$169.36
	CHWLUNIB35 - FORD F150 WCX LOW FREQUENCY SIREN KIT INCLUDES 01-066/639-00 AMP, HSB35 SPEAKER, SINGLE DRIVER SIDE FORD F150 BRACKET FOR 2021+ F150	1		$429.78	$429.78
	CUP2-1001 - Internal Cup Holders	1		$47.45	$47.45
	CV2V - WECAN X VEHICLE-TO-VEHICLE SYNCH MODULE	1		$215.18	$215.18
	DS-PAN-1112 - DOCKING STATION FOR PANASONIC TOUGHBOOK 33, 2IN1 LAPTOP WITH POWER SUPPLY	1		$1,472.90	$1,472.90
	EFB30-5025-B - BLUE SEAS FUSE BLOCK 6 POSITION WITH COVER MARINE GRADE	1		$44.95	$44.95
	GVM8121D-H - Self-Supporting Dual Weapon Tri-Lock Gun Rack w/Handcuff Key	1		$589.50	$589.50
	I3KC - TRIO ION R/A W/ WHT OVERRIDE	1		$140.94	$140.94
	I3KC - TRIO ION R/A W/ WHT OVERRIDE	1		$140.94	$140.94
	I3MC - TRIO ION B/A W/ WHT OVERRIDE	1		$140.94	$140.94
	I3MC - TRIO ION B/A W/ WHT OVERRIDE	1		$140.94	$140.94
	I3SMKC - SURFACE MT TRIO ION R/A W/WHT	1		$140.94	$140.94
	I3SMMC - SURFACE MT TRIO ION B/A W/WHT	1		$140.94	$140.94
	Install Contract Labor Rate @ $69-per hour	50		$69.00	$3,450.00
	LB3692-003 - POWER CABLE FOR BROTHER PENTAX PRINTER	1		$31.00	$31.00
	MZL-26SRU - 30 AMP TIMER FOR INSIDE VEHICLE CONSOLE. FEATURES 6 OUTPUTS TOTAL OF 30 AMPS. TIMER CAN BE SET FROM 15 MIN TO 8 HOURS TO CONTROL DOCKS, PRINTERS, CIG PLUGS, ETC. IN CONSOLE	1		$205.50	$205.50

CUSTOMER	QUOTE
Sold To: Key Colony Beach Police Department 600 W Ocean Dr Key Colony Beach, FL 33051-2000	**Quote No:** 5977 **Date:** 10/27/2026 **Ordered By:** **Phone:** 561-287 0733 **Cust PO No:** **Rel No:** X1 F150 PATROL
Ship To: Key Colony Beach Police Department 600 W Ocean Dr Key Colony Beach, FL 33051-2000 USA	**FOB:** PER BSO CONTRACT 23004AP **Ship Via:** **Terms:** Net 30

Part	Description/Note	Quantity	Unit	Unit Price	Extended Price
	P1300FT21A - Singe Compartment, Pro-Cell, 1/3 Partition (OEM Rear Seat Only)	1		$1,870.50	$1,870.50
	PJ-823 - BROTHER PENTEX POCKETJET 8 PRINTER	1		$567.00	$567.00
	PSJA3FCR - MEGA T-SERIES TRIO FLASHER RBA	1		$138.04	$138.04
	PSJA3FCR - MEGA T-SERIES TRIO FLASHER RBA	1		$138.04	$138.04
	PSKC3FCR - MEGA T-SERIES TRIO FLASHER RAW	1		$138.04	$138.04
	PSL1BB - SINGLE SL PIONEER BAIL MT 12V	4		$306.24	$1,224.96
	PSMC3FCR - MEGA T-SERIES TRIO FLASHER BAW	1		$138.04	$138.04
	SPKR-CORECAB - IN CAB SPEAKER FOR VOICE TONES FOR WHELEN CORE SIRENS DTM TONES.	1		$65.00	$65.00
	TCRB47 - TRACER MTG KIT FORD F150 MODEL 20152017 AND F250 MODEL 2017+	2		$63.80	$127.60
	TCRWX6-TRIO-RAW/BAW - 6 LAMP WCX TRACER RAW/BAW/RAW/BAW/RAW/BAW	1		$1,258.60	$1,258.60
	TCRWX6-TRIO-RAW/BAW - 6 LAMP WCX TRACER RAW/BAW/RAW/BAW/RAW/BAW	1		$1,258.60	$1,258.60
	TINT STRIP - TINT FRONT WINDOW STRIP WHEN ADDED TO SCHEDULED TINT INSTALLATION ** FLORIDA LOCATIONS ONLY	1		$20.00	$20.00
	TINT-SEDAN - TINT PREMIUM 3M BRAND TINT FOR SEDAN * FLORIDA LOCATIONS ONLY	1		$165.00	$165.00
	TMS0KC - MINI T-SERIES SURFACE MT R/A/W	1		$103.24	$103.24
	TMS0MC - MINI T-SERIES SURFACE MT B/A/W	1		$103.24	$103.24
	TSS0KC - T-SERIES SURFACE MT TRIO R/A/W	1		$128.18	$128.18
	TSS0MC - T-SERIES SURFACE MT TRIO B/A/W	1		$128.18	$128.18
	WSP-WECANX-RRINNER-SSP - Custom Whelen Safety Package Includes Duo Wecan X Front window Inner Edge, Duo Wecan X Rear Window Inner Edge, 1 speaker, 1 speaker bracket, Core C399 siren amp, Touchpad Controller, OBD2 Signal Harness	1		$2,728.75	$2,728.75
				Total	$22,626.64
				Grand Total	$22,626.64

Notes

Vehicle Information

Caged Patrol Car, 2026. FORD. F150. Red / Blue,

PDI

Subcontract

Entire Sedan
Front Windshield Strip
Front Door Darkness - 28%,
Front Windshield Darkness - 28%,
Rear Window Darkness - 15%,

Control Systems and Sirens

Packages

Custom Whelen Safety Package Includes Duo Wecan X Front window Inner Edge, Duo Wecan X Rear Window Inner Edge, 1 speaker, 1 speaker bracket, Core C399 siren amp, Touchpad Controller, OBD2 Signal Harness,

Package Components

BSFW47ZT-WCX-R-A-W - WECAN X FRT INR EDGE TRIO 19-.
BSRW10-ISR47-WCX-RB/A - 2015-2025 F150 F250, WCX R.

C399 - Core Siren

CCTL6 - Rotary Touchpad
SA315P - Single Speaker,
SAK1 - SA-315 MOUNT KIT UNIVERSAL "L" BRACKET.
C399SP - SCANPORT INSTALL KIT FOR C399. SEE VEH OU.

Paid Options for Packages

CV2V - Universal Remote Mounted Module,
3 (Expansion Module Quantity)
CEM16 - WCX 16 OUTPUT EXPANSION MODULE WECAN X,

CUSTOMER	QUOTE	
Sold To: Key Colony Beach Police Department 600 W Ocean Dr Key Colony Beach, FL 33051-2000 **Ship To:** Key Colony Beach Police Department 600 W Ocean Dr Key Colony Beach, FL 33051-2000 USA	**Quote No:** 5977 **Ordered By:** **Cust PO No:** **FOB:** PER BSO CONTRACT 23004AP **Terms:** Net 30	**Date:** 10/27/2026 **Phone:** 561-287 0733 **Rel No:** X1 F150 PATROL **Ship Via:**

SPKR-CORECAB - Speaker mounts inside console

HHS Sirens

Manual Sirens

Speakers

Howler

CHWLUNIB35 - FORD F150 WCX LOW FREQ SIREN KIT, SIN.

Power Distribution

183-0008-80 - CIRCUIT BREAKER, 80 AMP THERMAL WITH MANUAL RESET, SURFACE MOUNT,
SRUS-BREAKER-F - Flat tab style bracket for F150 style,

MZL-26SRU - 30 AMP TIMER FOR INSIDE VEHICLE CONSOLE

16518177 - SRUS MAIN VEHICLE HARNESS
16518180 - SRUS ADDON SPEAKER WIRING HARNESS
16518178 - SRUS ADD-ON FRONT LIGHTING HARNESS
EFB30-5025-B - BLUE SEAS FUSE BLOCK 6 POSITION WIT,

Antenna

Mounting

Anti-Theft

Lightbar / Inner Edge / Outer Edge

Bumper / Bumper Lights

36-54085 - PUSH BUMPER ELITEXD 2021 FORD F150.

Front Lighting

I3KC - TRIO ION R/A W/ WHT OVERRIDE.
I3MC - TRIO ION B/A W/ WHT OVERRIDE.
I3KC - TRIO ION R/A W/ WHT OVERRIDE.
I3MC - TRIO ION B/A W/ WHT OVERRIDE.
I3SMKC - SURFACE MT TRIO ION R/A W/WHT.
I3SMMC - SURFACE MT TRIO ION B/A W/WHT.

Side Lighting and Mirrors

TCRWX6-TRIO-RAW/BAW - TRIOTRACER WECANX TRIO 6LAMP.
TCRWX6-TRIO-RAW/BAW - TRIOTRACER WECANX TRIO 6LAMP.
TCRB47 - TRACER MTG KIT FORD F-150 MODEL 2015-2024.
2 (Brackets)
TMS0KC - MINI T-SERIES SURFACE MT R/A/W.
TMS0MC - MINI T-SERIES SURFACE MT B/A/W.

Rear Lighting

PSKC3FCR - MEGA T-SERIES TRIO FLASHER RAW.
PSMC3FCR - MEGA T-SERIES TRIO FLASHER BAW.
PSJA3FCR - MEGA T-SERIES TRIO FLASHER RBA.
PSJA3FCR - MEGA T-SERIES TRIO FLASHER RBA.

Topper Lighting

Extra Lighting

Arges Fender Searchlight

ARGES2 - UPGRADED ARGES PROFOCUS REMOTE SPOTLIGHT,
ARG47CD - DRVR FENDER MT 2021+ FORD F-150.
ARGCH2 - Control Head for Arges Spotlight w SWIVEL BRACKET,

CUSTOMER	QUOTE	
Sold To: Key Colony Beach Police Department 600 W Ocean Dr Key Colony Beach, FL 33051-2000 **Ship To:** Key Colony Beach Police Department 600 W Ocean Dr Key Colony Beach, FL 33051-2000 USA	**Quote No:** 5977 **Ordered By:** **Cust PO No:** **FOB:** PER BSO CONTRACT 23004AP **Terms:** Net 30	**Date:** 10/27/2026 **Phone:** 561-287 0733 **Rel No:** X1 F150 PATROL **Ship Via:**

ARGES2 - UPGRADED ARGES PROFOCUS REMOTE SPOTLIGHT,
ARG47CP - PASS FENDER MT 2021 FORD F-150.

White Lights

Interior Lights

60CREGCS - 12V WHT/RED 6" COMPARTMENT LIGHT WHELEN,

Center Console

C-VSW-1700-F150-PM-4 - 12.5"W Flat 17" Veh-Spec.
C-ARM-102 - Side mount armrest STANDARD CONSOLE.
C-ARM-102 - Side mount armrest STANDARD CONSOLE.
CUP2-1001 - NOT FOR VSX CONSOLE Dual Internal Cons.
PJ-823 - BROTHER PENTEX POCKETJET 8 PRINTER,

LB3692-003 - PENTAX POWER CABLE
C-EB40-CCS-1P - HAVIS FACE PLATE FOR WHELEN CENCOM.
C-EB40-WSB-1P - Equip Bracket 4" Fits: Whelen ARG.
C-FP-2 - 2" Filler Plate.
C-FP-2 - 2" Filler Plate.
C-FP-1 - 1" Filler Plate.
C-APW-0744-1 - 7" Accessory Pocket, 4.4" Deep for.
C-USB-3 - USBC & USB TYPE A DUAL PORT CHARGE,

C-W-LP2 - NARROW SECTION TWO CIGAR PLUGS ON A PLATE (USES 2" OF MOUNTING SPACE)
C-EBW20-USB2-1P - Equipment Bracket for Wide VSW C.
C-FPW-05 - 1/2" Filler Plate for Wide VSW Consoles.

Computer Mount

C-MD-112 - Tilt/swivel slide motion adapter.
C-HDM-214 - 8.5" Heavy Duty Telescoping Pole, side.
DS-PAN-1112 - Dock Station for Panasonic Toughbook.

Half Cage

P1300FT21A - Singe Compartment, Pro-Cell, 1/3 Part.

Full Cage or Rear Barrier

Rear Cargo Area

Lock Box

Cargo Security Tray

Front Compartment

GVM8121D-H - 2023-2025 F250 Self-Supporting Dual W.

Rear Compartment

Gun Lock Timer

Inverter / Flashlight / Radar

75456 - STINGER DS LED HL FLASHLIGHT WITH DC CHARGER SIDE SWITCH AND REAR SWITCH,

Radio

K9 Vehicle Options

Jail Van

Shoreline Kussmaul / Charger

Pickup Truck Accessories

CUSTOMER	QUOTE	
Sold To: Key Colony Beach Police Department 600 W Ocean Dr Key Colony Beach, FL 33051-2000 **Ship To:** Key Colony Beach Police Department 600 W Ocean Dr Key Colony Beach, FL 33051-2000 USA	**Quote No:** 5977 **Ordered By:** **Cust PO No:** **FOB:** PER BSO CONTRACT 23004AP **Terms:** Net 30	**Date:** 10/27/2026 **Phone:** 561-287 0733 **Rel No:** X1 F150 PATROL **Ship Via:**

Customer Provided Parts

Additional Options

END OF BUILD

50 (Total Installation Hours)

City of Key Colony Beach
PO Box 510141 Key Colony Beach, Florida • Phone # 305-289-1212 • Fax# 305-289-1767

NOTICE OF REJECTION OF ALL BIDS FOR ITB 2026-04

TO WHOM IT MAY CONCERN: Notice is hereby given that the City of Key Colony Beach exercises its right to reject all bids received for ITB 2026-04 (Clean and Camera Approximately 38,000 feet of 8-Inch Sewer Gravity Main Line).

The City of Key Colony Beach released ITB 2026-04 on September 11, 2026. The deadline for submittal was October 2, 2026, at 10:00am.

On October 2, 2026, an Evaluation Committee met to discuss all bids submitted. On October 2, 2026, the Evaluation Committee reviewed all bids and issued a Notice of Intent to Award.

On November 19, 2026, the City of Key Colony Beach elected to exercise its right to reject all bids, and to issue a new solicitation with an expanded scope of work.

On November 19, 2026, the City of Key Colony Beach informed all bidders of the City's bid rejection.

A Public Notice will be issued upon the issuance of a new solicitation.

Failure to file a protest within the time prescribed in Florida Statutes Chapter 120.57(3), or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Any person who is adversely affected by the agency decision or intended decision shall file with the agency a notice of protest in writing within 72 hours after posting of the notice of decision or intended decision. Failure to post the required bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Protests must be filed with the City Clerk, City of Key Colony Beach, 600 W. Ocean, Key Colony Beach, Florida.

MINUTES

City of Key Colony Beach
ITB 2026-03 Wastewater Treatment Plant Tanks and Piping Coating
Evaluation Committee Meeting
Monday, November 9th, 2026, 10:00 AM
At the temporary meeting place for the City of Key Colony Beach at
The Key Colony Inn, Back Patio, 700 W. Ocean Drive, Key Colony Beach, Florida 33051

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE, and ROLL CALL:** The Key Colony Beach Wastewater Treatment Plant Tanks and Piping Coating Evaluation Committee Meeting was called to order at 10:00 AM, followed by the Pledge of Allegiance and Rollcall. **Present**: Commissioner Tom Harding, Utility Board Chair Fred Swanson, Building Assistant Samantha Rodamer. **Absent:** Danny Price. **Also present:** City Administrator John Bartus, City Clerk Silvia Roussin.

   Public Attendance: 1

2. **CITIZEN COMMENTS & CORRESPONDENCE:** None.

3. **ITB 2026-03 Tanks and Piping Coating**
   a. ITB 2026-03
   b. Bid Tabulations
   c. Recommendation to Award

   The Committee reviewed the bids submitted for the Wastewater Treatment Plant Tank and Piping Coating Project, which includes cleaning and painting four tanks: two steel and two concrete.

   The Committee discussed the project scope, proposed cleaning methods, and coating specifications, including whether certain connecting pipes were included in the project.

   The Committee reviewed bid documentation, contractor qualifications, licensing, insurance requirements, and references, focusing primarily on the two lowest bidders, Mammoth Industrial LLC and Clean Infusion.

   Commissioner Harding reported that references contacted for Mammoth Industrial LLC provided positive feedback on the quality and timeliness of previous projects. Attempts to contact references for Clean Infusion were unsuccessful.

   Samantha Rodamer discussed contractor licensing requirements, and City Clerk Roussin confirmed that proof of insurance could be submitted with the contract documents. Commissioner Harding stated that he had no apparent concerns about the bid submitted by Mammoth Industrial LLC, provided that Florida licensing and insurance requirements were met. There was no further discussion, and Commissioner Harding asked for a motion.

   MOTION: Fred Swanson moved to award the bid to Mammoth Industrial LLC. Samantha Rodamer seconded the motion.
   DISCUSSION: None.
   ON THE MOTION: Rollcall vote. Unanimous approval.

4. **RECOMMENDATION TO AWARD:** Utility Board Meeting 11-17-2026 10:00 AM
City Commission Meeting 11-19-2026 10:0 AM

5. **ADJOURNMENT:** The meeting adjourned at 10:12 AM.

Respectfully submitted,

Silvia Roussin

City Clerk

CITY OF KEY COLONY BEACH

ADVISORY BOARD & VOLUNTEER COMMITTEE APPLICATION

OFFICE OF THE CITY CLERK
PO BOX 510141
CITY OF KEY COLONY BEACH, FL 33051
TELEPHONE: (305) 289-1212
WEB:

☑ NEW APPLICATION ☐ RE-APPLICATION

- ☐ BEAUTIFICATION COMMITTEE (2-Year Terms: 5 Members, 2 Alternates)
- ☐ PLANNING & ZONING BOARD* (2-Year Term: 5 Members, 2 Alternates)
- ☐ RECREATION COMMITTEE (2-Year Term: 5 Members, 2 Alternates)
- ☑ UTILITY BOARD* (1-Year Term: 5 Members, 2 Alternates)

***These boards are subject to Financial Disclosure.**

Name: TAYLOR (Last) TERRY (First) GREGORY (Middle)

Address: [redacted]
KEY COLONY BEACH, FL. 33051

Mailing Address (if different): _____

Business Address: _____

Occupation: RETIRED, BUSINESS OWNER, UTILITY INDUSTRY

Home/Cell Ph.: [redacted]

E-mail: [redacted]

Do you reside within the City limits? ☑ Yes ☐ No

- If yes, how long have you resided in the City of Key Colony Beach? 2 YEARS

Do you own property in the City of Key Colony Beach? ☑ Yes ☐ No

Are you a Registered Voter in the City of Key Colony Beach? ☑ Yes ☐ No

Please rank your board preference(s): 1. UTILITY
2. PLANNING & ZONING
3. BEAUTIFICATION / RECREATION

Have you ever served on a volunteer board or in a volunteer capacity before? ☐ Yes ☑ No

If yes, please indicate name of board and dates of service. _____

Why would you like to serve on this board? To provide our community/ the support AND ~~WITH~~ THE EXPERIENCE THAT ASSURES the STABILITY AND INTEGRITY FOR OUR FUTURE.

What special skills would you bring to this position? AS AN AGGRESSIVE ENTREPRENEUR I HAVE PROVIDED YEARS OF EXPERIENCE IN THE COMMUNICATION AND UTILITES INDUSTRY. (FOUNDED 4 SUCCUSSFUL COMPANIES)

Please list fields of work experience: ELECTRIC ENGINEERING (SOLAR, BATTERIES) SERVED AS PRESIDENT - DIRECT POWER, INC / DS GROUP HOLDINGS) OVER 20 YEARS,

List any licenses and/or degrees (optional): _____

BC LICENSE - SURRENDERED UPON SELL OF BUSINESSES

Local References (Please list 3):

1. JERRY ONG (11TH STREET)
2. BRIAN MC MAHON (11TH STREET)
3. KIRK DIEHL

Would you have a problem with the meeting dates and times for the board/agency for which you are applying? ☐ Yes ☑ No

If yes, please explain: _____

Signed: Terry Taylor Date: 11-1-2026

SCHEDULE OF BOARD/COMMITTEE MEETINGS

Beautification Committee	**2nd Tuesday of each month via Zoom**	10:00 am
Planning and Zoning Board*	**3rd Wednesday of each month**	3:30 pm
Recreation Committee	**2nd Thursday of each month via Zoom**	10:00 am
Utility Board*	**3rd Tuesday of each month**	3:30 pm

***These boards are subject to Financial Disclosure.**

Submit application to:

Silvia Roussin
City Clerk
City of Key Colony Beach
PO Box 510141
Key Colony Beach, FL 33051

OR

CITY OF KEY COLONY BEACH ADVISORY BOARD & VOLUNTEER COMMITTEE MEMBER APPLICATION

Acknowledgments:

1. Accuracy of Information. I certify that the information provided in my Board Application with the City of Key Colony Beach is correct to the best of my knowledge.

Printed Name: TERRY GREGORY TAYLOR

Signature: [signature]

Date: 11-1-2024

CITY OF KEY COLONY BEACH, FLORIDA

DEWATERING STUDY

Key Colony Beach Water Reclamation Facility

Prepared for: City of Key Colony Beach

Prepared by: CPH Consulting, LLC

Orange Park, Florida

Project No.: M060408

Client No.: 0604-08-1

Date: October 2026

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Appendix A – Executed Sludge Hauling Agreement
Appendix B – WRF Operating Permit
Appendix C – Belt-Filter Press Conceptual Drawings
Appendix D – Screw Press Conceptual Drawings

I. EXECUTIVE SUMMARY

CPH Consulting, LLC conducted a sludge management alternatives evaluation for the City of Key Colony Beach's (City) Water Reclamation Facility (WRF), which has a permitted capacity of 0.340 million gallons per day (MGD). The City currently relies on off-site hauling and disposal of liquid sludge, with recorded routine pump-out volumes increasing from 617,000 gallons in 2024 to 828,000 gallons in 2025, at corresponding costs of $151,474 and $240,838, respectively. From January through July 2026, approximately 383,500 gallons of liquid sludge were removed through routine hauling operations, with an additional 170,600 gallons associated with emergency and other non-routine services. Based on the annualized 2026 routine hauling volume of approximately 657,400 gallons and the current contractual rate of $0.75 per gallon, the projected annual cost of continued liquid sludge hauling and disposal is approximately $493,000, excluding emergency and other non-routine services.

Using standard biological process calculations, the estimated sludge production from the WRF on an average loading basis of 0.220 MGD with an influent biochemical oxygen demand (BOD) of 225 milligrams per liter (mg/L) is estimated at a range between: 463,000 gallons per year (gpy) @ 2.0% solids; 617,100 gpy @ 1.5% solids; and 925,700 gallons per year @ 1.0% solids. Most liquid sludge hauling occurs between 1.5 to 2.0% solids. The City's WRF also has an anaerobic basin as part of the Integrated Surge Anoxic Mixing (ISAM) system that is intended to support solids reduction, which is not included in the estimated wasting volumes.

Five sludge management methods are discussed in the report, including:

1. Liquid Sludge Hauling and Disposal through Haack Environmental, LLC.
2. Previous dewatering methods including Drying Beds and Dewatering Box.
3. Contracted Mobile Centrifuge Dewatering.
4. Belt Filter Press Dewatering.
5. Screw Press Dewatering.

The previously utilized Drying Beds and Dewatering Box as well as the Contracted Mobile Centrifuge Dewatering alternatives were not advanced for detailed evaluation due to operational and infrastructure limitations. The remaining three alternatives were evaluated based on technical feasibility, capital investment,

annual operation and maintenance (O&M) costs, and long-term economic performance. The Belt Filter Press and Screw Press alternatives were evaluated at a design sludge feed rate of 35 gallons per minute (gpm), assuming a feed solids concentration of 2.0% and an operating schedule of six hours per day, three days per week.

A significant capital expenditure component associated with the proposed equipment includes housing considerations to extend the system's longevity. Many locations in Florida place these components under a canopy, but belt-filter systems are generally recommended in a building. For cost comparison purposes, both alternatives include utilization of a concrete masonry unit (CMU) building with a foundation elevation above flood elevations supported by piles.

The estimated capital costs are $3,174,000 for the Belt Filter Press and $2,989,000 for the Screw Press, with corresponding annual O&M costs of $97,800 and $94,600, respectively, including sludge cake hauling and disposal at an assumed cost of $300 per wet ton. Continued liquid sludge hauling and disposal does not require additional capital investment but has an estimated annual cost of $347,300 based on standard biological calculation kinetics. A 20-year net present value (NPV) analysis using a 4% annual real discount rate resulted in total present worth costs of approximately $4.70 million for continued liquid sludge hauling and disposal, $4.50 million for the Belt Filter Press, and $4.30 million for the Screw Press.

For every 0.1 MGD increase in wastewater flow above the 0.220 MGD baseline, the 20-year NPV savings increase by approximately $1.71 million for the Screw Press and $1.69 million for the Belt Filter Press compared to continued liquid sludge hauling.

Based on the preliminary technical and economic evaluation, the Screw Press is recommended as the preferred sludge dewatering alternative. The Screw Press offers the lowest estimated capital and annual operating costs, along with operational advantages such as reduced wash water requirements and lower maintenance needs. On a present-worth basis, the sludge hauling and disposal cost reduction with either alternative represents an estimated savings of $249,500 per year or $3.40 million dollars at the 20-year planning period. Should the City obtain grant funding for the capital needs, then the analysis further highlights and boosts the present-worth delta.

Separately, we recommend the City focus on the following near-term WRF operational activities to confirm baseline sludge handling needs:

1. Track wasting rates from the MBR to the ISAM Anaerobic Tank for the coming 12 months. Seasonal wasting requirements should also be a focus.

2. Track sludge levels in the ISAM Anaerobic Tank and associated wasting from the ISAM to the Aerobic Digester. As noted herein, the manufacturer recommends maintaining a 4.5 to 6.0 foot level of solids in the anaerobic tank.

3. Track decant rates from the Aerobic Digester to the WRF in-plant pump station.

4. Sample hauled sludge to determine actual total solids percentage. A 2.0% result should be the operational target pending current contract sludge hauling and disposal restrictions.

5. The ISAM system is approaching 9 to 10 years of service. Grit volumes in the ISAM Anaerobic Tank should be analyzed to determine current levels. The City should budget tank draining, grit removal, and tank inspection in the coming year or two. Elevated grit levels could impact efficacy of the ISAM Anaerobic Tank system.

II. INTRODUCTION

The City has historically managed biosolids through several treatment and disposal methods. The original system consisted of aerobic digestion followed by sludge drying beds, which relied on gravity drainage and evaporation to reduce sludge moisture content. The facility originally operated three drying beds that produced a sludge cake having an estimated solids concentration ranging from 20% to 40%. However, this approach was labor-intensive, weather-dependent, and subject to potential odor and vector attraction (e.g., materials that attract rodents, flies, birds, and other living organisms capable of transporting infectious pathogens) concerns.

In 2016, the City purchased a FloTrends sludge dewatering box consisting of a polymer feed system and a modified 30-cubic-yard roll-off container equipped with filtration media. The system achieved dewatering biosolids with approximately 8% to 12% solids concentration. Following the 2018 Water Reclamation Facility (WRF) improvements and the incorporation of anaerobic sludge treatment, the dewatering box became less effective, resulting in lower solids concentrations and difficulties with hauling and disposal. The system was subsequently decommissioned.

Since decommissioning the sludge dewatering box, the City has relied on off-site hauling of liquid sludge for disposal. This approach requires the transportation of substantial liquid volumes and is dependent on contracted hauling and disposal services.

The purpose of this evaluation is to assess the City's existing biosolids management practices, including its current sludge hauling and disposal arrangement with Haack Environmental, LLC, and evaluate sludge dewatering alternatives that could reduce off-site hauling volumes and associated disposal costs.

III. EXISTING CONDITIONS

A. Wastewater Treatment Facility Overview

The City operates a municipally owned Type II domestic WRF, identified as Facility ID FLA014720, located at 600 Eighth Street in Key Colony Beach, Monroe County, Florida. The facility began operation in 1969 and utilizes an activated sludge treatment process incorporating membrane bioreactor (MBR) technology. The

WRF has a permitted treatment capacity of 0.340 MGD on an annual average daily flow (AADF) basis.

The facility has undergone several improvements, including installation of the GE LEAPmbr membrane system and implementation of the Integrated Surge Anoxic Mix (ISAM) system around January 2019, which improved total nitrogen and total phosphorus removal.

Treated effluent is managed through a reclaimed water reuse system with a design capacity of 0.099 MGD, serving the City's golf course and landscaped areas, and six underground injection wells with a combined design capacity of 0.340 MGD.

B. Existing Biosolids Treatment and Storage System

The existing biosolids treatment and handling system consists of the following major components:

- One MBR waste activated sludge (WAS) pump rated at 170 gallons per minute (gpm).
- One 95,000-gallon ISAM anaerobic treatment tank.
- Two ISAM WAS pumps rated at 250 gpm each.
- One 100,000-gallon aerobic digester.
- Two biosolids transfer pumps rated at 150 gpm each, which have not been in service and require confirmation of their operational capabilities.

The MBR system typically operates at mixed liquor suspended solids (MLSS) concentrations ranging from 6,000 to 8,000 mg/L (approximately 0.6% to 0.8% solids). The operator controls MLSS by wasting a calculated amount of sludge from the MBR to the ISAM anaerobic treatment tank for additional treatment and solids reduction. When the sludge level reaches the desired operating depth (4.5 to 6.0 feet), sludge is transferred to the aerobic digester for final aeration, mixing, storage, and disposal.

The aerobic digester also provides emergency overflow storage for the ISAM and MBR tanks. Under normal operating conditions, approximately 50% of the aerobic digester volume is reserved for potential overflow storage. The facility does not currently have a tracking system to identify when these overflows occur, but a

system is currently being installed with anticipated commissioning by the end of 2026.

Sludge thickening within the aerobic digester is accomplished through decanting. Mixing and aeration are temporarily discontinued to allow solids to settle, after which supernatant is removed and returned to the treatment process. Current decanting operations use a small submersible pump and temporary piping that discharges to the WRF's in-plant pump station. The resulting sludge solids concentration typically ranges from approximately 1% to 2%.

Exhibit 1 presents the existing WRF site plan and identifies the major biosolids management components, while **Exhibit 2** illustrates the treatment process flow diagram.

C. Biosolids Generation and Disposal

1. Estimated Biosolids Production

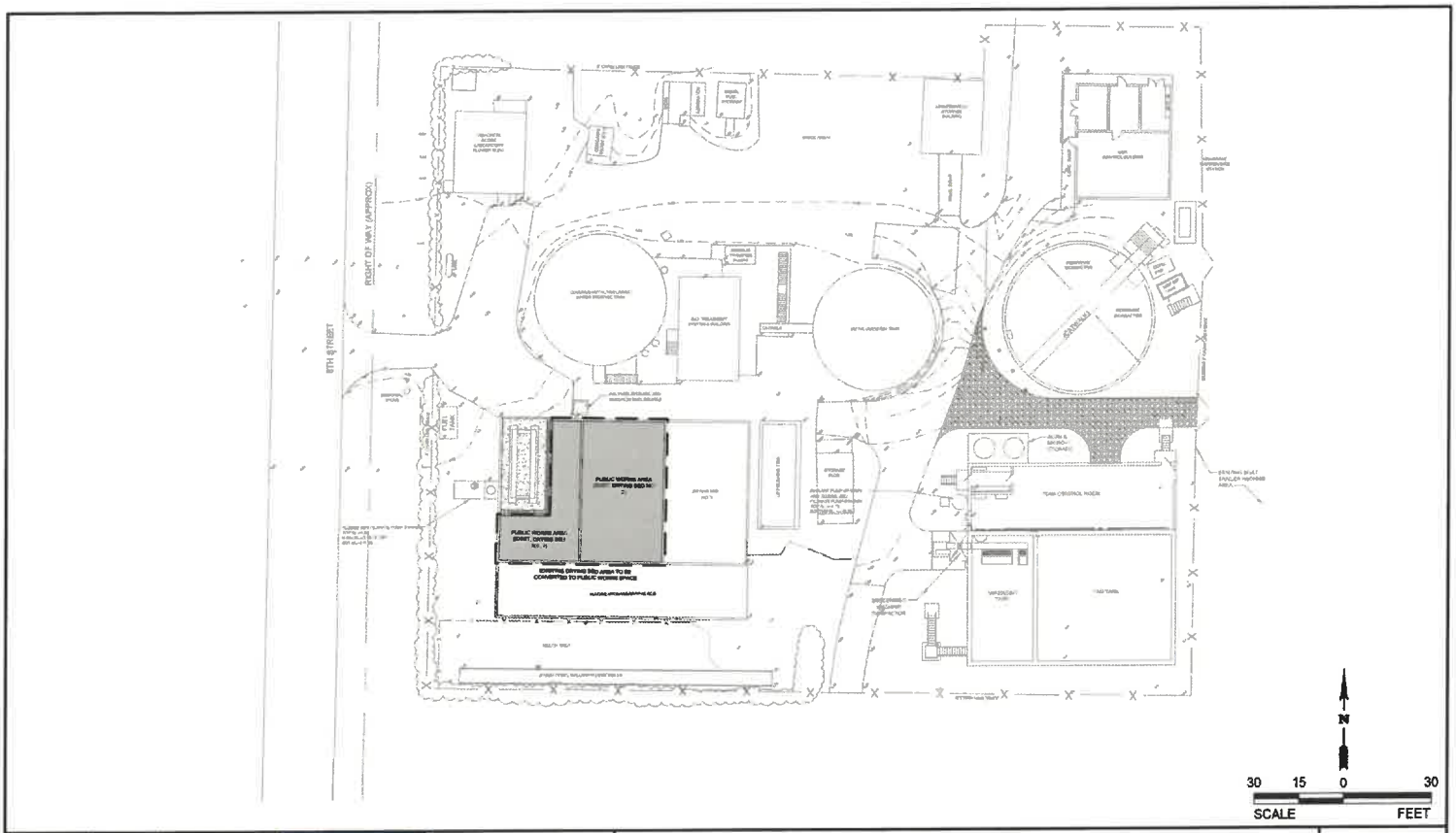
The previous design evaluation estimated an average biosolids production of approximately 215 pounds of dry solids per day (lb DS/day), equivalent to 39.2 dry tons per year. This estimate was based on an influent wastewater flow of 0.22 MGD, a BOD concentration of 225 mg/L, and an operating mixed liquor suspended solids (MLSS) concentration of 8,000 mg/L.

The 2023 permit renewal documentation reported an annual biosolids production of approximately 42.5 dry tons, about 8% higher than the previous design estimate. These values provide a basis for evaluating the facility's sludge disposal requirements, although they do not establish actual dry solids production during 2024–2026.

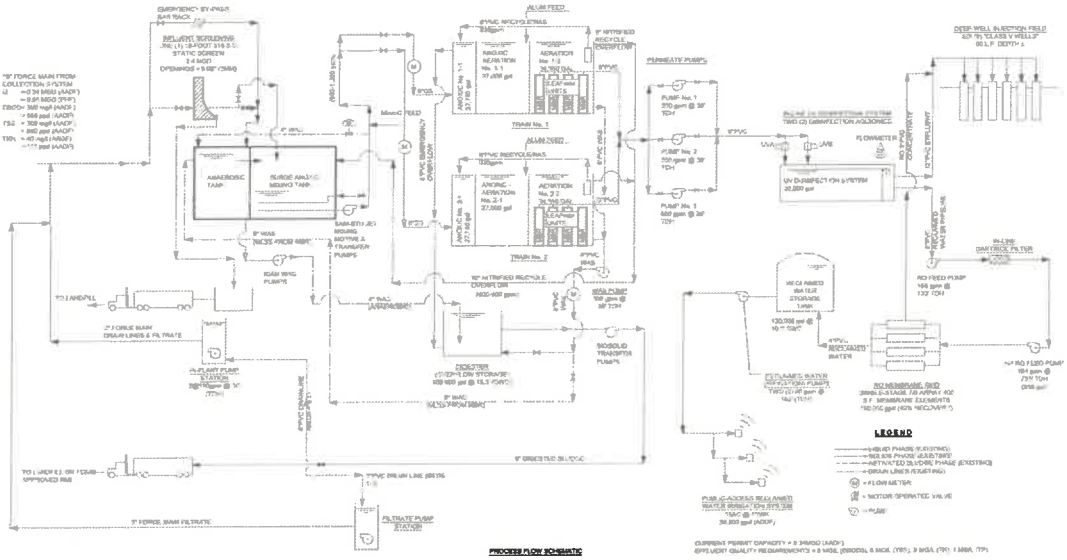
2. Estimated Liquid Sludge Disposal Volumes

The City currently disposes of sludge in liquid form. For a given quantity of dry solids, the volume requiring transportation depends on the solids concentration achieved in the aerobic digester. Lower solids concentrations result in greater liquid sludge volumes because more water is transported with the solids.

Based on the previous design evaluation, estimated monthly disposal volumes range from approximately 39,000 gallons at 2.0% total solids (TS) to 76,000 gallons at 1.0% TS, as presented in **Table III-1**.



Designed by:	JRS	Date: 10/2026	cph www.cphcorp.com	Building Stronger Communities Together	WRF WATER RECLAMATION FACILITY
Drawn by:	SJL	Job No. M060408		580-1 Wells Road Orange Park, FL 32073 Ph: 904.278.0030	DEWATERING STUDY City of Key Colony Beach, Florida
Checked by:	JRS	© 2026			Exhibit 1
Approved by:	JRS				
Scale:	1" = 30'				



Designed by:	JRS	Date: 10/2026	cph www.cphcorp.com	Building Stronger Communities Together 580-1 Wells Road Orange Park, FL 32073 Ph: 904.278.0030	PROCESS FLOW SCHEMATIC & HYDRAULIC PROFILE DEWATERING STUDY City of Key Colony Beach, Florida
Drawn by:	SJL	Job No. M060408			
Checked by:	JRS	© 2026			
Approved by:	JRS				
Scale:	#########				

Exhibit 2

Table III-1 Estimated Monthly Sludge Disposal Volumes (0.22 MGD with 225 mg/l BOD)	
Total Solids Concentration	**Estimated Monthly Volume (gal)**
1.0%	76,000
1.5%	50,700
2.0%	39,000

These estimates represent annual average conditions. The previous evaluation anticipated higher hauling requirements between December and April and lower requirements between May and November due to seasonal variations in wastewater loading.

3. Historical Sludge Hauling Records and Disposal Costs

The City currently relies on off-site hauling and disposal of liquid digested sludge from the WRF's aerobic digester. Under the agreement with Haack Environmental, LLC, effective June 8, 2026, through June 7, 2027, non-emergency sludge hauling is provided on an as-needed basis at a rate of $0.75 per gallon for sludge containing up to 2.0% total solids (TS), equivalent to at least 98.0% water by weight. Emergency hauling is subject to an additional charge of $1,500 per truckload. The agreement requires disposal at an Florida Department of Environmental Protection (FDEP) authorized facility but does not identify a specific receiving location. A copy of the executed agreement is provided in **Appendix A.**

The City's sludge pump-out records for 2024, 2025, and January through July 2026 are summarized in **Table III-2**. No emergency pump-outs were specifically identified in the 2024 or 2025 records. The 2026 records distinguish between non-emergency pump-outs and emergency or other non-routine services. The latter include emergency sludge removal, lift station pump-outs, transfers to a municipal manhole, and detention pond cleanup. Some of these activities were not directly associated with sludge removal from the WRF's aerobic digester and are therefore reported separately.

Table III-2 2024 through 2026 Liquid Sludge Hauling Records					
Month	**2024 (gal)**	**2025 (gal)**	**2026 (gal)**	**2026 Emergency / Other (gal)**	**2026 Total (gal)**
January	81,000	76,500	85,500	0	85,500
February	76,500	36,000	4,500	0	4,500
March	40,500	72,000	87,750	32,750	120,500
April	81,000	81,000	37,000	32,931	69,931
May	58,500	49,500	98,750	0*	98,750
June	25,500	72,000	0	4,170	4,170
July	67,500	85,500	70,000	100,750	170,750
August	47,000	85,500	—	—	—
September	0	72,000	—	—	—
October	27,000	54,000	—	—	—
November	49,500	72,000	—	—	—
December	63,000	72,000	—	—	—
Total (gal)	**617,000**	**828,000**	**383,500**	**170,601**	**554,101**
Average (gal/month)	**51,417**	**69,000**	**54,786**	**24,372**	**79,157**

*May includes three emergency lift station services billed by hours, but no pumped volumes were reported for those services. The 2026 records cover January through July only.

Recorded pump-out volumes increased from 617,000 gallons in 2024 to 828,000 gallons in 2025, representing a 34% increase, with monthly averages of approximately 51,400 and 69,000 gallons, respectively. No emergency pump-outs were specifically identified in either year.

From January through July 2026, recorded volumes totaled 554,101 gallons, including 383,500 gallons of non-emergency pump-outs and 170,601 gallons of emergency or other non-routine services. The corresponding monthly averages were approximately 54,800 and 24,400 gallons, respectively. Some non-routine services involved lift stations, transfers to a municipal manhole, and detention pond cleanup rather than sludge hauling from the WRF.

Compared with the estimated disposal volumes in **Table III-1**, the 2024 and 2025 monthly averages were close to the estimates at 1.5% and 1.0% TS, respectively. The 2026 non-emergency average of approximately 54,800 gallons per month also falls within the estimated range.

In addition to the historical hauling volumes, the City's records provide information on associated sludge hauling and disposal expenditures. The recorded pump-out and related service costs for 2024, 2025, and January through July 2026 are summarized in **Table III-3**, distinguishing non-emergency from emergency and other non-routine services.

Table III-3
2024 through 2026 Pump-Out and Related Service Costs

Month	2024 ($)	2025 ($)	2026 ($)	2026 Emergency / Other ($)	2026 Total ($)
January	19,885	18,780	25,479	0	25,479
February	18,780	8,838	1,341	0	1,341
March	9,942	21,456	65,812	59,506	125,318
April	19,885	24,138	27,750	8,050	35,800
May	14,361	14,751	74,062	4,387	78,450
June	6,260	21,456	0	1,575	1,575
July	16,571	25,479	52,500	111,562	164,062
August	11,538	25,479	—	—	—
September	0	21,456	—	—	—
October	6,628	16,092	—	—	—
November	12,152	21,456	—	—	—
December	15,466	21,456	—	—	—
Total ($)	**151,473**	**240,838**	**246,945**	**185,081**	**432,026**
Average ($)	**12,623**	**20,070**	**35,278**		

As shown in **Table III-3**, average monthly routine pump-out costs increased from approximately $12,623 in 2024 to $20,070 in 2025, representing a 59% increase. Based on the available records for January through July 2026, the average monthly routine cost was approximately $35,278, or 76% higher than the 2025 average. The corresponding average recorded costs per gallon were $0.25, $0.29, and $0.64 for 2024, 2025, and 2026, respectively. In addition, the 2026 records included $185,081 in emergency and other non-routine service expenditures.

D. Existing Sludge Drying Beds

The facility previously operated three sludge drying beds as part of its original biosolids management system. The 2023 permit renewal documentation identified

two drying beds that were no longer in regular use and requested their removal from the operating permit to allow the area to be repurposed for public works activities.

Sludge Drying Bed 1 remains available for emergency use.

IV. REGULATORY SUMMARY

The City's WRF does not currently have the capability to treat biosolids to Class B or higher standards (i.e., Class A, AA). The City has historically relied on off-site hauling and disposal of liquid or dewatered sludge at authorized treatment or disposal facilities. Because Class B or higher stabilization is not available at the WRF, the City must continue to rely on appropriate off-site biosolids management options.

The FDEP biosolids management requirements are evolving toward more stringent treatment standards for land application and increased monitoring of emerging contaminants. Although the City does not currently land-apply its biosolids, these regulatory developments are summarized for the City's awareness and consideration in future biosolids management planning.

A. Current Regulatory Framework

The FDEP regulates municipal biosolids under Chapter 62-640, Florida Administrative Code (FAC). The requirements address pathogen reduction, vector attraction reduction, pollutant limits, monitoring, reporting, and land application controls. The most recent substantive revisions became effective on June 21, 2021.

The regulatory requirements applicable to the City's current biosolids management practices are summarized in Part II of the WRF Operating Permit. A copy of the permit is provided in **Appendix B**.

B. Protection of Groundwater and Surface Water

Biosolids land application requirements address nutrient loading, site conditions, groundwater separation, and water quality monitoring. The 2021 revisions placed greater emphasis on limiting phosphorus migration and preventing nutrient pollution through site-specific application and monitoring requirements.

Although these regulations do not directly affect the City's current biosolids management practices, they may affect third-party facilities contracted to provide subsequent sludge treatment and disposal services. Increasing regulatory restrictions could also influence future disposal costs.

C. Adopted Transition to Class AA Land Application

Legislative changes enacted in 2026 established July 1, 2028, as the general deadline for land application permits to comply with Class AA treatment requirements. Qualifying local governments that do not transport biosolids outside their county for land application have until July 1, 2031.

These deadlines have been established by statute, although the published administrative rules still reflect the previous regulatory framework. Additional information is provided in Section 403.0855, Florida Statutes.

D. PFAS Monitoring Requirements

Per- and polyfluoroalkyl substances (PFAS) are a large group of synthetic chemicals characterized by strong carbon-fluorine bonds and high environmental persistence.

Effective July 1, 2026, applicable public wastewater entities with a design average daily flow of at least 25,000 gallons per day are required to collect biosolids and treated effluent samples, as applicable, at least quarterly for PFAS analysis and submit the results to FDEP. The legislation limits the use of these monitoring results to informational purposes until applicable federal standards are established and adopted by FDEP. It does not establish numerical PFAS limits for biosolids disposal.

The City's current operating permit does not include these monitoring requirements; however, they are anticipated to be incorporated into the 2028 permit renewal.

A separate treatment system such as a granulated activated carbon, ion exchange, and/or reverse osmosis will be required to remove PFAS from the process stream. However, it will remain in the concentrate as well as the biosolids or sludge. It is anticipated landfill disposal will be acceptable through the present planning period, but the City should continue to monitor legislative (federal and state) activities. A site-specific treatment system will likely be cost-prohibitive.

The City should continue to monitor regulatory developments that may affect its biosolids management and disposal practices. In particular, the City should verify that its contracted biosolids treatment and disposal providers maintain valid operating permits and comply with applicable regulatory requirements.

V. DEWATERING OPTIONS

A. Drying Beds / Dewatering Box

Sludge drying beds are passive dewatering systems that remove water from liquid sludge through gravity drainage and evaporation. Liquid sludge is distributed over a filtration bed, typically consisting of sand and gravel layers with an underdrain system. Water drains through the filtration media, while additional moisture is removed through evaporation. The accumulated sludge solids are subsequently removed after sufficient drying.

A sludge dewatering box operates through gravity filtration within a contained system. Liquid sludge is introduced into a container equipped with filtration media that allows water to drain while retaining suspended solids. Polymer conditioning is used to improve solids separation. The collected filtrate is conveyed for further treatment, while the retained solids accumulate within the container for subsequent removal and disposal.

The City previously utilized a biosolids dewatering box to increase sludge solids concentration and reduce hauling costs. However, following the ISAM improvements and incorporation of anaerobic treatment, changes in polymer interactions with the biosolids reduced the effectiveness of the dewatering process. Consequently, the dewatering box was removed from the facility.

The facility previously operated three sludge drying beds that were subsequently discontinued from regular use. Sludge Drying Bed 1 remains available for emergency use.

Based on these previous operational considerations, rehabilitation or reuse of the former drying beds and dewatering boxes are not included in the proposed improvements.

B. Mobile Centrifuge Dewatering System

Mobile centrifuge dewatering is a mechanical sludge dewatering process that uses centrifugal force to separate suspended solids from liquid sludge. Sludge is

introduced into a high-speed rotating centrifuge, where differences in density between the solid and liquid phases facilitate solids separation. Polymer conditioning is typically applied to promote particle aggregation and improve dewatering efficiency. The process produces two streams: dewatered sludge cake and liquid centrate. The dewatered cake is collected for off-site transportation and beneficial reuse or disposal, while the centrate is returned to the wastewater treatment facility for further treatment.

For the City's WRF, the mobile centrifuge alternative is based on an estimated hydraulic processing capacity of 250 gallons per minute (gpm), with an anticipated operating period of one or two 10-hour shifts per dewatering event. The centrifuge and associated equipment would be temporarily positioned at the facility during dewatering operations. Sludge would be withdrawn from the existing aerobic digester and conveyed to the mobile centrifuge for processing. The resulting dewatered cake would be transported off-site, while the separated centrate would be returned to the treatment process.

The preliminary system requirements include a 480-volt, three-phase electrical supply rated at 250 amps or a 250-kW generator, a reclaimed water supply of 140 gpm at 60 psi through a 2-inch connection, and a centrate return connection capable of handling 250 gpm. Sludge withdrawal would be provided through a 4-inch camlock connection. All required utility and process connections would need to be located within approximately 50 feet of the mobile equipment. Adequate space and access would also be required for equipment placement, operation, and biosolids hauling.

A primary operational limitation of this alternative is the available sludge storage volume. The existing aerobic digester has a total capacity of approximately 100,000 gallons; however, approximately 50,000 gallons must be maintained in the tank to satisfy operational requirements. Therefore, only approximately 50,000 gallons would be available for withdrawal during a single dewatering event, assuming no additional sludge is transferred into the digester during processing. The vendor has indicated they could make more frequent trips, but it would likely lead to larger costs and less efficient operations.

At this time, mobile centrifuge dewatering is not considered a practical alternative due to the trip frequency and current logistical limitations associated with power supply.

C. Belt Filter Press

Belt filter press dewatering is a mechanical process that separates water from sludge through gravity drainage and progressive compression. Sludge is initially conditioned with polymer to promote flocculation and improve solids separation. The conditioned sludge is distributed onto a moving porous belt, where free water is removed by gravity. The partially dewatered sludge then passes between two tensioned belts through successive compression zones, where rollers apply increasing pressure to remove additional water. The process produces dewatered sludge cake and liquid filtrate.

For the City's WRF, the belt filter press alternative is preliminarily evaluated at a sludge feed rate of 35 gallons per minute (gpm), with an anticipated operating schedule of six hours per day, three days per week, for a total of 18 operating hours per week. Based on this operating schedule, the system would process approximately 12,600 gallons per operating day and 37,800 gallons per week. Assuming a sludge feed concentration of 2.0% total solids (TS), the estimated dry solids loading capacity would be approximately 350 pounds per hour, equivalent to 6,305 pounds per week.

The preliminary equipment selection consists of a skid-mounted filter press with a nominal hydraulic capacity ranging from 35 to 60 gpm. The proposed system includes a sludge feed pump, an in-line sludge mixer, a polymer preparation and dosing system, a wash water booster pump, an air compressor, and a master control panel. The equipment is mounted on a skid measuring approximately 18 feet long by 6 feet wide. The standard press frame consists of coated carbon steel, with stainless steel wetted components and a stainless-steel collection pan beneath the press. For the City's system, we would recommend reviewing 316 SS materials for the majority of the system components.

The proposed equipment requires a 460-volt, three-phase, 60-Hz electrical supply, with an estimated motor load of 15.5 Hp. The system requires approximately 55 gpm of wash water at 100 pounds per square inch gauge (psig), and compressed air at approximately 3 standard cubic feet per minute (scfm) and 100 psig service pressure. The filtrate and belt wash water would be collected and returned to the wastewater treatment process. The dewatered sludge cake would be discharged into a collection container for subsequent off-site transportation and disposal.

Several manufacturers are available to review. Preliminary coordination utilized Phoenix Process Equipment Model LC. **Figure V-1** is a depiction of the unit with preliminary drawings provided in **Appendix C**.

Units can be placed under cover, but we would recommend considering a building to provide further protection. Pending final design considerations, the enclosed area may be considered a 'classified' space per National Fire Protection Association (NFPA) 820 Fire Protection in Wastewater Treatment and Collection Facilities.

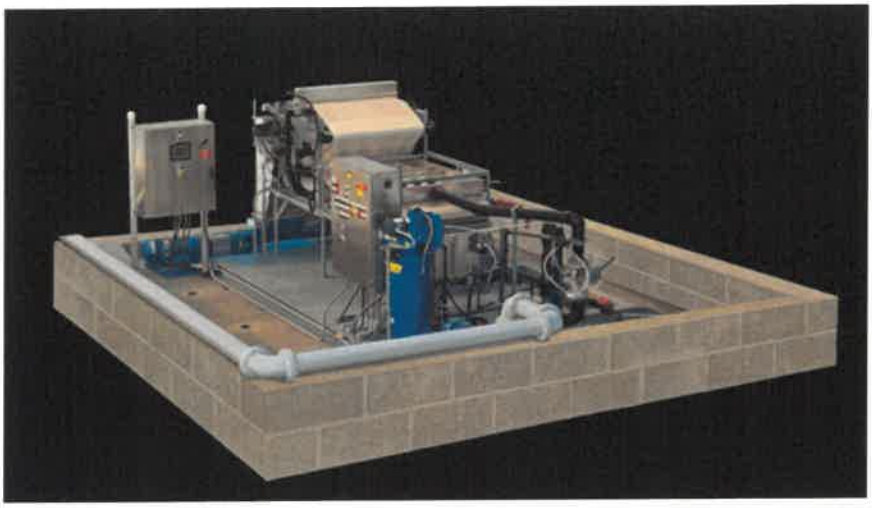


Figure V-1 *- Model LC (Phoenix) Belt-Filter press (image from Pheonix Website)*

D. Screw Press Sludge Dewatering System

Screw press dewatering is a mechanical process that separates water from sludge through gradual compression and filtration. Sludge is conditioned with polymer to promote flocculation and then introduced into the screw press, where a slowly rotating screw conveys the sludge through a cylindrical filtration screen. As the sludge advances through the press, increasing compression promotes water removal through the screen, producing dewatered sludge cake. The separated liquid (filtrate) is returned to the wastewater treatment process.

For the City's WRF, the screw press alternative is based on a design sludge feed rate of 35 gallons per minute (gpm) and an operating schedule of six hours per day, three days per week, for a total of 18 operating hours per week. Under these conditions, the system would process approximately 12,600 gallons per operating day and 37,800 gallons per week. At an assumed sludge feed concentration of

2.0% total solids (TS), the corresponding dry solids loading is approximately 350 pounds per hour, or 6,305 pounds per week.

The screw press considered for this alternative is constructed of 316 stainless steel. At a 2% (20,000 mg/L) sludge feed concentration of, the equipment has a rated hydraulic capacity of approximately 2,113 gallons per hour (35.2 gpm) and a dry solids processing capacity ranging from 220 to 441 pounds per hour. The estimated sludge loading falls within these operating ranges. The screw press has a rated power consumption of 3.3 kW and requires a 480-volt, three-phase electrical supply.

The dewatering system includes a flocculation tank, polymer preparation and dosing equipment, and a sludge feed pump. The screw press would be installed on an elevated support structure to allow gravity discharge of the dewatered sludge cake directly into a collection container positioned beneath the press discharge outlet. This configuration eliminates the need for a mechanical cake conveying system.

Based on the preliminary equipment information, the expected dewatered cake solids concentration is approximately 18% TS with polymer conditioning. The filtrate generated during dewatering would be returned to the plant headworks for treatment.

Similar to the belt-filter press, several manufacturers are available for review. Preliminary coordination utilized an Ecologix unit. **Figure V-2** is a depiction of the unit with preliminary drawings provided in **Appendix D**.

We would also recommend a building to provide further protection of the machine and ancillary equipment. NFPA 820 considerations would also be required for the enclosed space.



Figure V-2 - Ecologix Screw Press (image from manufacturer)

E. Continued Liquid Sludge Hauling and Disposal – Haack Environmental, LLC

Liquid sludge hauling involves removing sludge from the WRF using vacuum trucks and transporting it to an authorized receiving facility for treatment or disposal. Unlike mechanical dewatering, this method does not reduce the sludge volume before transportation.

The City currently contracts with Haack Environmental, LLC, for liquid sludge hauling and disposal services. The agreement is effective from June 8, 2026, through June 7, 2027, with a non-emergency hauling rate of $0.75 per gallon for sludge containing up to 2.0% total solids (TS). Emergency hauling is charged at the same rate plus $1,500 per truckload.

Historical records indicate annual pump-out volumes of 617,000 gallons in 2024 and 828,000 gallons in 2025. From January through July 2026, non-emergency pump-outs totaled 383,500 gallons, averaging approximately 54,786 gallons per month.

Under this alternative, the City would continue using its existing sludge storage facilities and contracted hauling services without installing new dewatering equipment or associated infrastructure.

We recommend a baseline study of the existing WRF operations to determine current solids handling metrics and the current system's efficacy in comparison to typical design values. The following steps are recommended:

1. Track wasting rates from the MBR to the ISAM Anaerobic Tank for the coming 12 months. Seasonal wasting requirements should also be a focus.

2. Track sludge levels in the ISAM Anaerobic Tank and associated wasting from the ISAM to the Aerobic Digester. As noted herein, the manufacturer recommends maintaining a 4.5 to 6.0 foot level of solids in the anaerobic tank.

3. Track decant rates from the Aerobic Digester to the WRF in-plant pump station.

4. Sample hauled sludge to determine actual total solids percentage. A 2.0% result should be the operational target pending current contract sludge hauling and disposal restrictions.

5. The ISAM system is approaching 9 to 10 years of service. Grit volumes in the ISAM Anaerobic Tank should be analyzed to determine current levels. The City should budget tank draining, grit removal, and tank inspection in the coming year or two. Elevated grit levels could impact efficacy of the ISAM Anaerobic Tank system.

As summarized in Section III. C., previous design evaluation estimated an average biosolids production of approximately 215 pounds of dry solids per day (lb DS/day), equivalent to 39.2 dry tons per year. Assuming no solids reductions in the ISAM Anaerobic Tank, the estimated 'average' wasting rate at 2% total solids is 38,000 gallons per month.

VI. COST REVIEW

The cost evaluation considers three sludge management alternatives for the City's Water Reclamation Facility (WRF): Continued Liquid Sludge Hauling and Disposal through Haack Environmental, LLC (Alternative No. 1), Belt Filter Press Dewatering (Alternative No. 2), and Screw Press Dewatering (Alternative No. 3). The evaluation includes capital costs, annual operation and maintenance (O&M) costs, and a life-cycle cost analysis. The Belt Filter Press and Screw Press alternatives require capital investment in dewatering equipment and associated

infrastructure, while continued liquid sludge hauling does not require additional capital improvements but involves recurring hauling and disposal expenditures.

The Mobile Centrifuge Dewatering System and Drying Beds / Dewatering Box alternatives were not advanced for further evaluation and are therefore excluded from the cost analysis.

A. Capital Cost

The total probable construction costs were estimated at $3,174,000 for the Belt Filter Press (**Table VI-1**) and $2,989,000 for the Screw Press (**Table VI-2**), including mechanical equipment, civil and structural improvements, process piping, electrical work, installation, and a 20% contingency. The Belt Filter Press alternative is more costly, primarily due to higher equipment costs. No additional capital expenditure is anticipated for the continued liquid sludge hauling alternative.

Table VI-1 Belt Filter Press					
Item	**Description**	**Quantity**	**Unit**	**Unit Price ($)**	**Extended Cost ($)**
A	**Mechanical Equipment**				
1	Belt Filter Press System (Equipment, Tax, Freight, Mark-up)	1	LS	$425,000	$425,000
2	Equipment Installation, Piping and Offloading	1	LS	$175,000	$175,000
B	**Civil and Structural**				
1	Existing Sludge Drying Bed Demolition	2,300	SF	$15	$34,500
2	Pilings and Foundation	1	LS	$45,000	$45,000
3	CMU Building	1,000	SF	$600	$600,000
4	Site Grading and Drainage Improvements	1	LS	$25,000	$25,000
5	Asphalt or Concrete Pavement Improv.	950	SF	$100	$95,000
C	**Mechanical and Process Piping**				
1	3" DI Sludge Feed Piping (Pump to Belt Filter Press)	130	LF	$200	$26,000
2	4" DI Filtrate Return Piping to Influent Pump Station	180	LF	$200	$36,000
3	Clean Water Supply Piping	1	LS	$7,500	$7,500
4	Cake Discharge Chute and Trailer Interface	1	LS	$20,000	$20,000
D	**Electrical and Instrumentation**				
1	Electrical Power Supply and Distribution	1	LS	$175,000	$175,000
2	Instrumentation and Control Integration	1	LS	$100,000	$100,000
E	**General Construction**				
1	Mobilization and Demobilization (5%)	1	LS	$90,000	$90,000
2	General and Special Conditions (20%)	1	LS	$350,000	$350,000
				CONSTRUCTION SUBTOTAL	**$2,204,000**
				Contingency **20%**	**$440,000**
				TOTAL PROBABLE CONSTRUCTION COST	**$2,644,000**
				NON-CONSTRUCTION COST (20%)	**$530,000**
				TOTAL PROJECT COST	**$3,174,000**

Table VI-2 Screw Press					
Item	**Description**	**Quantity**	**Unit**	**Unit Price ($)**	**Extended Cost ($)**
A	**Mechanical Equipment**				
1	Belt Filter Press System (Equipment, Tax, Freight, Mark-up)	1	LS	$325,000	$325,000
2	Equipment Installation, Piping and Offloading	1	LS	$175,000	$175,000
B	**Civil and Structural**				
1	Existing Sludge Drying Bed Demolition	2,300	SF	$15	$34,500
2	Pilings and Foundation	1	LS	$45,000	$45,000
3	CMU Building	1,000	SF	$600	$600,000
4	Site Grading and Drainage Improvements	1	LS	$25,000	$25,000
5	Asphalt or Concrete Pavement Improv.	950	SF	$100	$95,000
C	**Mechanical and Process Piping**				
1	3" DI Sludge Feed Piping (Pump to Belt Filter Press)	130	LF	$200	$26,000
2	4" DI Filtrate Return Piping to Influent Pump Station	180	LF	$200	$36,000
3	Clean Water Supply Piping	1	LS	$7,500	$7,500
4	Cake Discharge Chute and Trailer Interface	1	LS	$20,000	$20,000
D	**Electrical and Instrumentation**				
1	Electrical Power Supply and Distribution	1	LS	$175,000	$175,000
2	Instrumentation and Control Integration	1	LS	$100,000	$100,000
E	**General Construction**				
1	Mobilization and Demobilization (5%)	1	LS	$80,000	$90,000
2	General and Special Conditions (20%)	1	LS	$330,000	$330,000
				CONSTRUCTION SUBTOTAL	**$2,074,000**
				Contingency 20%	**$415,000**
				TOTAL PROBABLE CONSTRUCTION COST	**$2,489,000**
				NON-CONSTRUCTION COST (20%)	**$500,000**
				TOTAL PROJECT COST	**$2,989,000**

B. Operational and Maintenance Costs

The estimated annual operation and maintenance (O&M) costs were evaluated for the existing liquid sludge hauling and disposal system (Alternative No. 1), the Belt Filter Press (Alternative No. 2), and the Screw Press (Alternative No. 3). The evaluation includes labor, polymer consumption, electrical power, equipment maintenance and replacement parts, and sludge hauling and disposal costs, as applicable.

The City currently relies on off-site hauling and disposal of liquid sludge from the WRF's aerobic digester. Under the existing agreement with Haack Environmental, LLC, the City pays $0.75 per gallon for routine sludge hauling and disposal services. Based on the City's records, approximately 383,500 gallons of liquid sludge were removed through routine hauling operations between January and July 2026, representing an average of approximately 54,800 gallons per month. However, annual estimated hauling needs based on biological kinetic calculations anticipated an average monthly production of 38,000 gallons per month.

The current annual hauling volume would be approximately 657,400 gallons. Applying the current contractual rate of $0.75 per gallon results in an estimated annual hauling and disposal cost of $493,000. This estimate is based on routine sludge hauling activities and excludes emergency and other non-routine services.

Using design values, the estimated sludge production would be 463,000 gallons per year resulting in an estimated hauling and disposal costs of $347,250. For comparison purposes, the design value is utilized for a basis of review.

For the proposed mechanical dewatering alternatives, annual equipment operating costs were evaluated based on an operating schedule of six hours per day, three days per week, equivalent to 936 operating hours annually. Labor costs were estimated at approximately $19,000 per year for each alternative, assuming two hours of operator involvement per operating day and a labor rate of $60 per hour.

Annual polymer costs were estimated at approximately $8,000 for the Belt Filter Press and $6,000 for the Screw Press, based on assumed polymer dosages of 9.5 and 8.5 pounds of active polymer per dry ton of solids, respectively. Annual maintenance and replacement parts costs were estimated at $5,000 for the Belt Filter Press and $3,000 for the Screw Press. Electrical power costs were estimated at $1,300 and $2,100 per year, respectively.

For both mechanical dewatering alternatives, the annual sludge cake hauling and disposal cost was estimated at approximately $64,500, based on an estimated sludge cake production of 215 wet tons annually and an assumed combined transportation and landfill disposal cost of $300 per wet ton. The wet ton estimate is based on producing an 18% TS sludge cake with the design sludge production rate of 463,000 gallons at 2% TS from the aerobic digester.

As summarized in **Table VI-3**, the estimated total annual O&M costs are approximately $347,250 for the existing sludge hauling system, $257,758 for the Belt Filter Press, and $255,851 for the Screw Press. The Screw Press has the lowest estimated annual O&M cost, approximately $1,907 less than the Belt Filter Press.

Table VI-3
Annual Operation and Maintenance Cost Comparison

Item	Description	Alternative No. 1 Existing Sludge Hauling	Alternative No. 2 Belt Filter Press	Alternative No. 3 Screw Press
1	Labor Costs	—	$19,000	$19,000
2	Chemical Costs (Polymer)	—	$8,000	$6,000
3	Maintenance and Replacement Parts	—	$5,000	$3,000
4	Hauling and Disposal Costs	$347,250	$64,500	$64,500
5	Electrical Power Costs	—	$1,300	$2,100
	Total Annual O&M Costs	**$347,250**	**$97,800**	**$94,600**

C. Net Present Value Review

A net present value (NPV) analysis was conducted to compare the long-term costs of Continued Liquid Sludge Hauling and Disposal (Alternative No. 1), Belt Filter Press Dewatering (Alternative No. 2), and Screw Press Dewatering (Alternative No. 3). The evaluation considered initial capital costs, annual operation and maintenance (O&M) expenses, and salvage values over a 20-year planning period, using a 4% annual real discount rate and constant 2026 dollars.

The present worth of annual O&M costs was calculated using a uniform series present worth factor of 13.5903. Alternative No. 1 does not require additional capital investment and has an estimated annual hauling and disposal cost of $347,250. Alternatives No. 2 and No. 3 require initial capital investments of

$3,174,000 and $2,989,000, respectively, with corresponding annual O&M costs of $97,800 and $94,600, including sludge cake hauling and disposal.

Salvage values were not included in the analysis.

Table VI-4
Net Present Value Cost Comparison

Description	Existing Hauling	Belt Filter Press	Screw Press
Initial Capital Cost ($)	$0	$3,174,000	$2,989,000
Annual O&M Cost ($/year)	$347,250	$97,800	$94,600
Present Worth of O&M ($)	$4,720,000	$1,330,000	$1,290,000
Total Present Worth Cost ($)	**$4,720,000**	**$4,504,000**	**$4,279,000**

Based on the preliminary NPV analysis, the Screw Press (Alternative No. 3) has the lowest total present worth cost at approximately $4.30 million, followed by the Belt Filter Press (Alternative No. 2) at $4.50 million and Continued Liquid Sludge Hauling and Disposal (Alternative No. 1) at $4.70 million.

For every 0.1 MGD increase in wastewater flow above the 0.220 MGD baseline, the 20-year NPV savings increase by approximately $1.71 million for the Screw Press and $1.69 million for the Belt Filter Press compared to continued liquid sludge hauling.

On a present-worth basis, the sludge hauling and disposal cost reduction with either alternative represents an estimated savings of $249,500 per year or $3.40 million dollars at the 20-year planning period. Should the City obtain grant funding for the capital needs, then the analysis further highlights and boosts the present-worth delta.

These results indicate that mechanical dewatering could provide substantial long-term cost savings compared with continued liquid sludge hauling. Among the alternatives evaluated, the Screw Press is the most economical under the preliminary cost assumptions. However, the results are subject to confirmation of sludge production quantities, equipment performance, and future hauling and disposal costs.

Any efficiencies obtained in the mixed liquor system would also translate to further O&M savings for the reviewed alternatives through sludge hauling and disposal cost reductions.

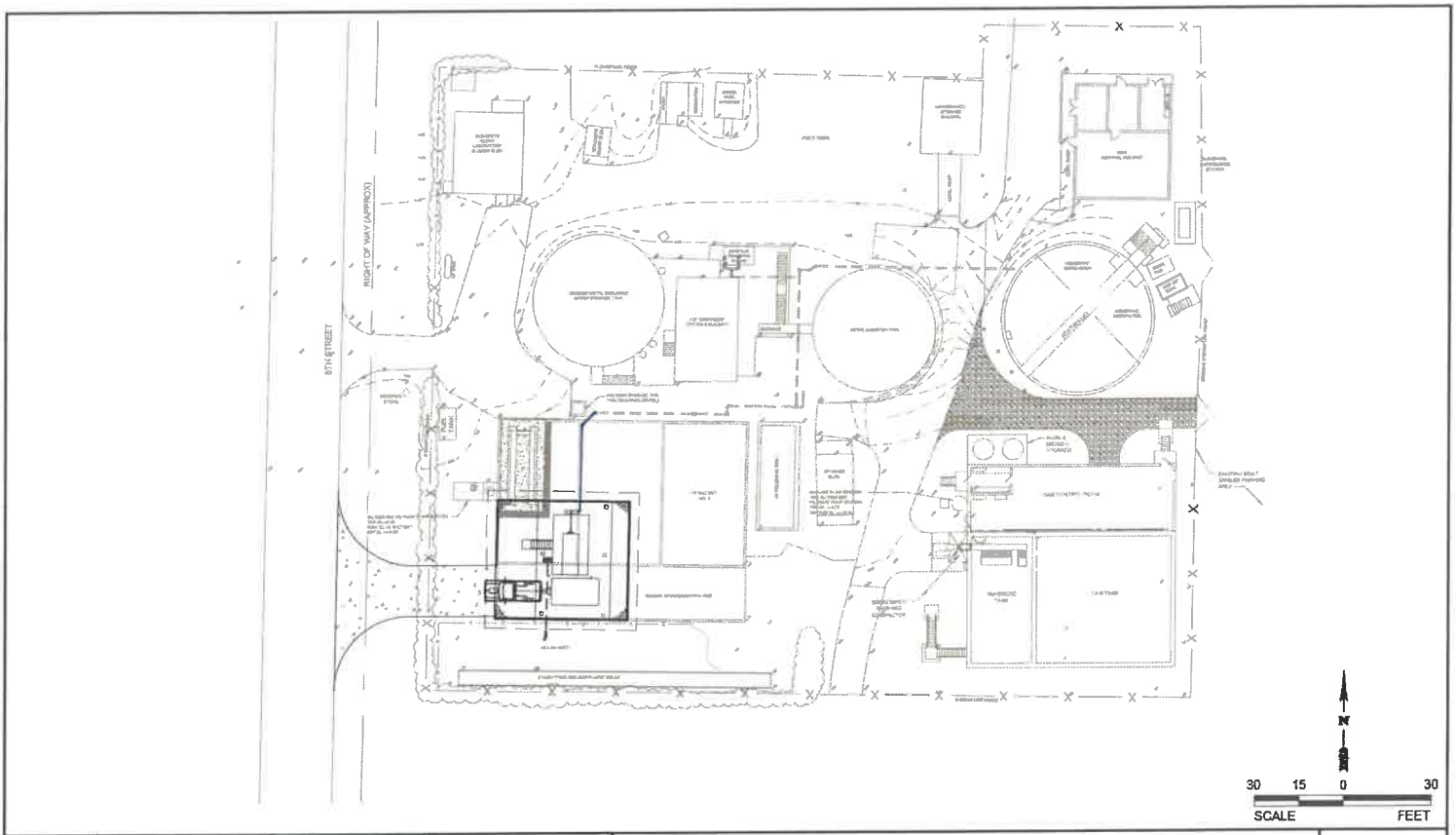
VII. SUMMARY AND CONCLUSIONS

The evaluation of sludge management alternatives for the City of Key Colony Beach WRF identified mechanical dewatering as a potential solution to reduce sludge hauling and disposal costs and improve biosolids management. The evaluation considered continued liquid sludge hauling and disposal through Haack Environmental, LLC, Belt Filter Press Dewatering, and Screw Press Dewatering. Two additional dewatering technologies, Mobile Centrifuge Dewatering and Drying Beds/Dewatering Box, were considered but not advanced for detailed evaluation.

Both mechanical dewatering alternatives were evaluated at a design sludge feed rate of 35 gallons per minute (gpm), assuming a feed solids concentration of 2.0% and an operating schedule of six hours per day, three days per week. The Screw Press offers operational advantages, including lower wash water requirements, reduced maintenance needs, and gravity discharge of dewatered sludge cake directly into a collection container.

Based on the preliminary technical and economic evaluation, the Screw Press is recommended as the preferred alternative for sludge dewatering at the City's WRF. This alternative offers the lowest estimated capital and annual operating costs, along with operational advantages related to maintenance and wash water requirements.

Exhibits 3 and 4 illustrate the proposed site layouts for the sludge dewatering building, presenting alternative configurations for vehicular access to the building. **Exhibit 5** illustrates the proposed Screw Press dewatering system concept, including the discharge of dewatered sludge cake directly into a bumper-pull dump trailer. The exhibits were completed with a preliminary canopy covering the process area, but the cost analysis included considerations for an enclosed building. Conceptual building layouts can be provided for the City's consideration should further evaluation of the alternative be required.



Designed by:	JRS	Date: 10/2026	
Drawn by:	SJL	Job No. M060408	
Checked by:	JRS		
Approved by:	JRS	© 2026	
Scale:	1" = 30'		

cph
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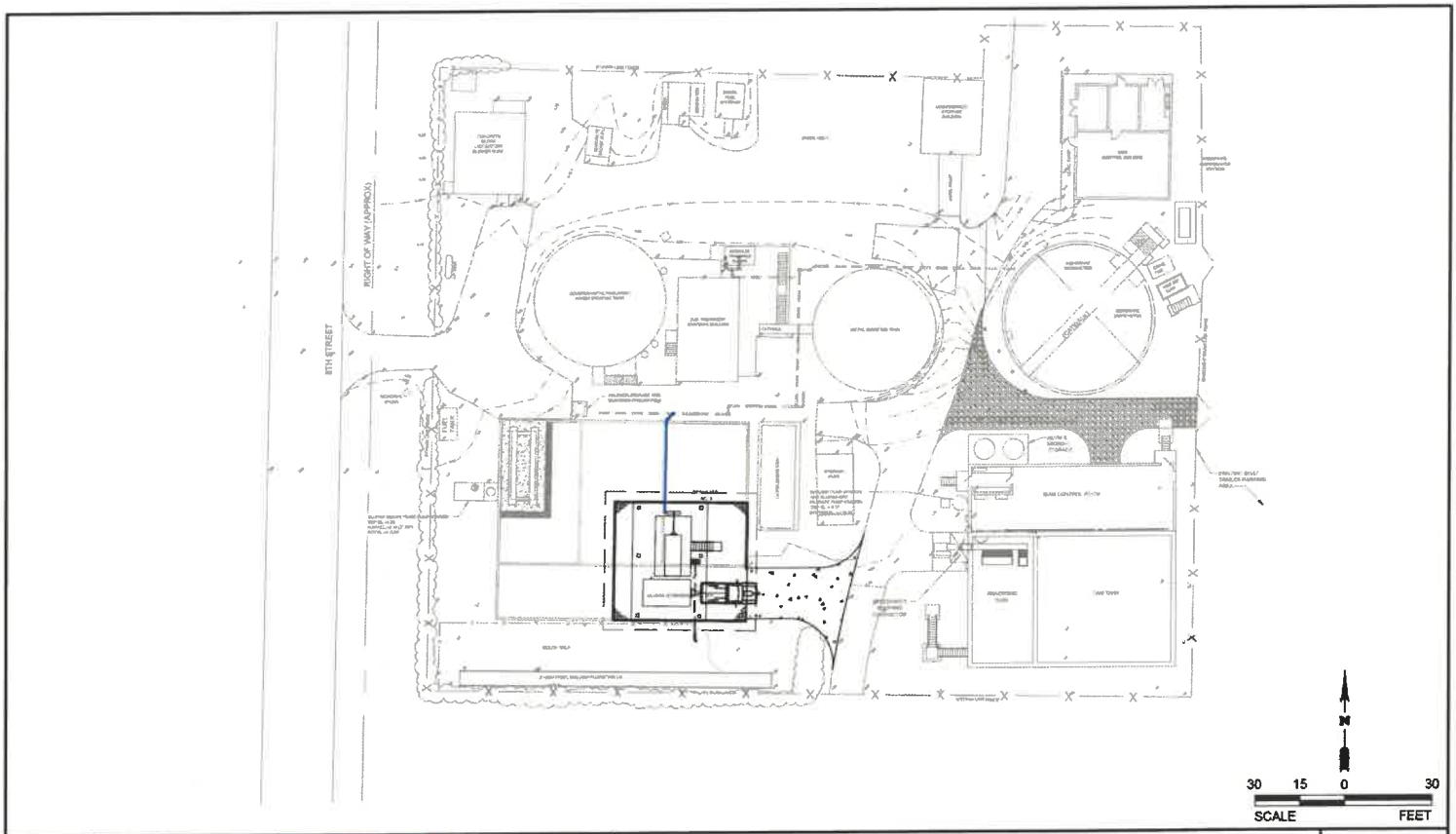
Building Stronger Communities Together

580-1 Wells Road
Orange Park, FL 32073
Ph: 904.278.0030

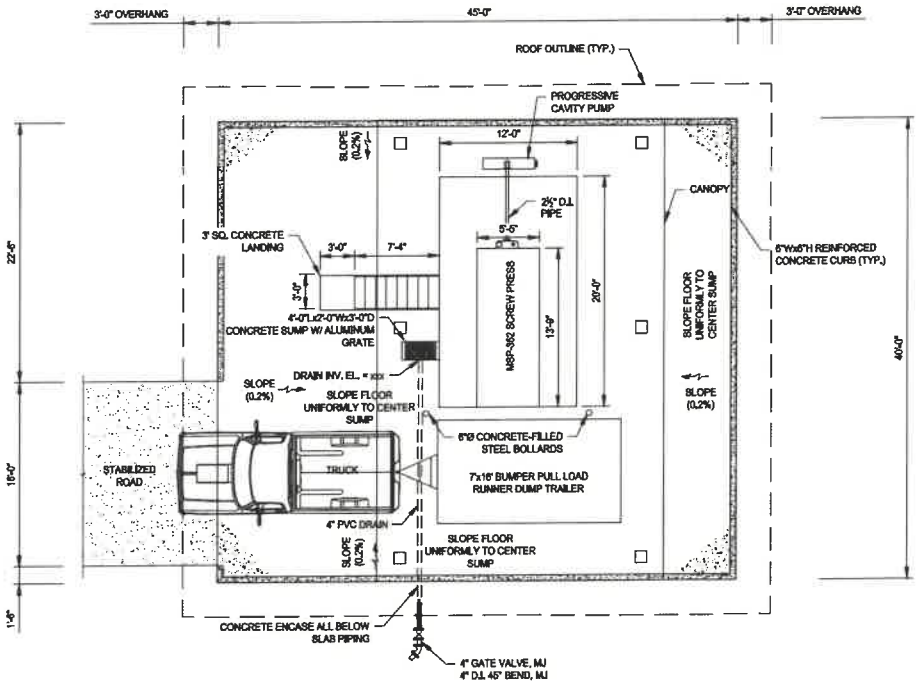
PROPOSED DEWATERING BUILDING - OPTION 1

DEWATERING STUDY
City of Key Colony Beach, Florida

Exhibit
3



Designed by:	JRS	Date: 10/2026	cph www.cphcorp.com	Building Stronger Communities Together 580-1 Wells Road Orange Park, FL 32073 Ph: 904.278.0030	PROPOSED DEWATERING BUILDING - OPTION 2 DEWATERING STUDY City of Key Colony Beach, Florida	Exhibit 4
Drawn by:	SJL	Job No. M080408				
Checked by:	JRS					
Approved by:	JRS	© 2026				
Scale:	1" = 30'					



SLUDGE DEWATERING BUILDING - PLAN

3/8" = 1'-0"

NOTE:
THIS DRAWING IS PRELIMINARY, NOT FOR CONSTRUCTION.

Designed by:	JRS	Date: 10/2026	
Drawn by:	SJL	Job No. M060408	
Checked by:	JRS		
Approved by:	JRS	© 2026	
Scale:	[illegible]		

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Building Stronger Communities Together

590-1 Wells Road
Orange Park, FL 32073
Ph: 904.278.0030

SLUDGE DEWATERING BUILDING

DEWATERING STUDY

City of Key Colony Beach, Florida

Exhibit 5

Appendix A | Executed Sludge Hauling Agreement

THE CITY OF KEY COLONY BEACH, FLORIDA
Contract for Goods & Services

This Contract entered into on the date last written below, by and between **HAACK ENVIRONMENTAL, LLC.** (the "Contractor") and the **CITY OF KEY COLONY BEACH, FLORIDA** (the "City"). In consideration of the mutual covenants and benefits hereinafter set forth, the parties herein covenant and agree as follows:

1. TERM

The term of this Contract shall be from June 8, 2026, through June 7, 2027.

This Contract may be renewed for up to three (3) additional one-year terms upon mutual written agreement of the parties. Renewal is not automatic and is subject to the same terms and conditions, unless otherwise amended in writing.

2. CONTRACTOR'S SERVICES

Contractor agrees to perform non-emergency and emergency WWTP Sludge Hauling and non-emergency and emergency lift station cleaning.

Hauling will be from the City's wastewater plant at 600 8th Street, Key Colony Beach, FL 33051 and/or the City's fifteen (15) lift stations, to a FDEP permitted site designated by the Bidder and agreed to by the City in accordance with the terms of this RFP. The successful bidder will be required to provide City supporting documentation of the hauling and disposal of the domestic sludge including the location and amounts of disposal.

Documentation of the specific goods/services in Contractor's Proposal to the City is attached and labeled as *Attachment "A"* to this Contract and is incorporated herewith by reference. In the event there is a conflict between the terms of the Contractor's Proposal, and this Agreement, the terms of this Agreement shall prevail.

3. COMPENSATION

3.1 Contractor agrees to perform non-emergency WWTP hauling of domestic sludge hauling. Hauling will be on an as-requested and as-needed basis with a minimum load size of two thousand and five hundred (2,500) gallons at a rate of $0.75 per gallon. Contractor shall provide these services within a 24-hour response time, time for performance being of the essence.

3.2 The Contractor shall perform non-emergency lift station cleaning at a rate of $975.00 each. The price is per station at normal operating levels to be cleaned a minimum of twice annually. Price includes jet washing the lift station basins. Up to fifteen (15) lift stations are to be cleaned concurrently. Contractor shall provide these services within a twenty-four (24) hour response time, time for performance being of the essence.

3.3 Emergency WWTP sludge hauling with a ninety (90) minute response time will be $0.75 per gallon plus $1,500.00 per truck load and shall have a minimum load size of two thousand and five hundred (2,500) gallons.

3.4 Emergency Lift Station Pumping shall be provided within a ninety (90) minute response time, time for performance being of the essence, at a rate of $0.75 per gallon plus $1,500.00 per truck load.

3.5 Per gallon unit prices stated above are based on a total solids concentration not to exceed 2.0% total solids. Contractor reserves the right, at its sole expense, to periodically obtain independent certified laboratory testing to verify the total solids concentration of the sludge. In the event such independent testing confirms that the total solids concentration of any load exceeds 2.0%, Contractor shall provide City with the corresponding independent test results. Upon confirmation of the same by the City, the per gallon unit price for that load shall be equitably increased in direct proportion to the percentage by which the verified measured total solids concentration exceeds 2.0%.

3.6 No payment to Contractor shall be due until the City verifies that all services for which payment has been requested have been fully and satisfactorily performed by Contractor. The City will make diligent efforts to verify and pay invoices within one (1) payment cycle after receipt.

4. INSURANCE

Contractor agrees to secure and maintain at all times during the term of this Contract, at Contractor's expense, insurance coverage, as laid out below, covering Contractor for all acts or omissions which may give rise to liability for services under this Contract. All Contractor staff are to be insured in minimum amounts acceptable to the City and with a reputable and financially viable insurance carrier, naming the City of Key Colony Beach, Florida as an additional insured. Such insurance shall not be cancelled except upon thirty (30) days' written notice to the City. Contractor shall provide The City with a certificate evidencing such insurance coverage within five (5) days after obtaining such coverage. Contractor agrees to notify the City immediately of any material change in any insurance policy required to be maintained by Contractor.

- Comprehensive General Liability - with minimum occurrence limits of $1,000,000 and General Aggregate of $2,000,000 (Should limits of $1,000,000 be prohibitive due to exposure or availability, $500,000/$1,000,000 may be sufficient). The liability policy will need to include an Additional Insured endorsement naming the City of Key Colony Beach, Florida.

- Commercial Auto Coverage - with minimum combined single limit of $1,000,000 (Should $1,000,000 be prohibitive due to exposure of availability, $500,000 may be sufficient).

- Workers Compensation - Statutory limits and Employers Liability $100,000 /500,000/100,000. Note, if the contract is with a sole proprietor with no employees, he/she may not have Workers Compensation and may not be required by the state of Florida to carry this coverage. If this is the case and you decide to waive the WC requirement, we recommend that the City specifically include a disclaimer in the contract describing the status as an Independent Contractor and a sole proprietor with no employees and confirming that the City would not be responsible for providing Workers Compensation coverage for any work related injury or illness.

Contractor is required to obtain and keep the coverage, with documentation of having obtained such coverage being attached hereto as *Attachment "B"* for the duration of this Contract and any renewals.

5. WARRANTY

Contractor agrees to correct, at its own expense, any defects in the good/services performed under this Contract caused by faulty materials and/or workmanship within one year from the date of full completion. This warranty does not extend to workmanship and/or materials that were not supplied by Contractor. In the event that such defects are discovered during the warranty period, The City shall notify Contractor of the defect in writing and shall allow Contractor a reasonable time in which to make any repairs necessary to correct the defect.

Contractor hereby represents and warrants that: (1) materials and equipment furnished under the Contract Documents will be new and of good quality; (2) the work will be free from defects for a period of one (1) year from the date of final completion of the Project and acceptance by the City; and (3) the work performed on the Project will conform to all requirements, standards and specifications of the Contract Documents. Upon completion of the Project, Contractor shall assign any subcontractor's, manufacturer's, and/or materialman's warranties to the City.

a. *Correction of Work.* Contractor shall promptly correct any and all work rejected by the City as failing to conform to the requirements of the Contract Documents. If Contractor fails to correct work which is not in accordance with the Contract Documents, the City may direct Contractor in writing to stop the work until the correction is made. Contractor shall bear the cost of correcting such rejected work, including the costs of uncovering, replacement, and additional testing. In addition to Contractor 's other obligations including warranties under the Contract Documents and for the entire period of such warranty, Contractor shall correct work not conforming to the requirements of the Contract Documents.

b. *Right to Carry Out Work.* If Contractor defaults or neglects to carry out the work in accordance with the Contract Documents and fails within a three (3) day period after receipt of written notice from the City to commence and continue correction of such default or neglect with diligence and promptness, the City may, without prejudice to other remedies, correct such deficiencies. In such case, the Contract

Total may be adjusted to deduct the cost of correction from payments due Contractor.

6. DELAY IN PERFORMANCE

The timely receipt of the Project and all submittals and deliverables associated therewith is essential. If the Project and all deliverables associated therewith are not received on time and the City has given the Contractor written notice including seven (7) business days to cure the delay, the City may cancel the unfilled portion of this Agreement for cause, purchase substitute requirements elsewhere, and recover from Contractor any increased costs and damages thereby incurred by the City. Notwithstanding the foregoing, the City may, in its sole discretion, suspend the work or any portion thereof by written notice to Contractor. If such suspension would cause a delay in performance, Contractor shall provide notice to the City in accordance with subsection (d) below.

a. *Force Majeure.* Contractor shall be entitled to a reasonable extension of time from the City for the delays resulting from damage to Contractor's and/or the City's property caused by fire, lightning, earthquakes, tornadoes, and other extreme weather conditions, power failures, riots, acts of war, strikes or lockouts beyond the control of Contractor and its subcontractors ("Force Majeure"). The determination of whether such delay is a result of Force Majeure and the amount of time for such extension shall be in the sole discretion and determination of the City and no such delay shall serve to increase the Contract Time without prior approval by the City Commission.

b. *Unavoidable Delay.* If the work on the Project is unavoidably delayed and Contractor has provided notice in accordance with subsection (d) below, the City may, in its sole discretion, extend the time for completion for a determined number of days of excusable delay. A delay is unavoidable only if the delay was not reasonably expected to occur in connection with or during Contractor's performance; was not caused directly or substantially by negligent errors, omissions, or mistakes of Contractor, its subcontractors, or its suppliers or their agents; was substantial; and, in fact, caused Contractor to miss delivery dates and could not adequately have been guarded against. No extension of work shall extend the Contract Time, unless set forth in writing and approved by the City Commission.

c. *No Damages for Delay.* Contractor shall not be entitled to any claim for damages on account of hindrances or delays in the work from any cause whatsoever, including any delays or hindrances caused by the City. This paragraph shall include, but not be limited to, any actions which result in delays in scheduling, changes to the Work, or increases in the costs of performing the work under the Contract Documents.

d. *Notification of Delay.* Contractor shall provide written notice to the City in accordance with section 9 of this Agreement if Contractor has, or should have, knowledge that an event has occurred which will delay completion of the Project.

Failure to submit the notice of claim strictly in accordance with the provisions of section 9 shall bar any claim of Contractor.

7. REPROCUREMENT UPON TERMINATION

Provided the City has first given the Contractor written notice allowing Contractor seven (7) business days to cure the cause prior to any termination by the City, if this Agreement is terminated by the City for cause, in addition to all other remedies, Contractor shall be liable for all expenses incurred by the City in reprocuring elsewhere the same or similar items or services offered by Contractor.

8. NOTICE OF CLAIM

In the event that Contractor has any controversy, claim or dispute arising out of or related to the Contract Documents, whether such claim or dispute involves a claim by Contractor for additional time, delay, compensation for a change order, any increase in the Contract Total or extension of the Contract Time, or otherwise, Contractor shall present a written Notice of Claim to the City within five (5) days of Contractor's knowledge, whether actual or whether Contractor should have known, of the controversy, claim, dispute or the facts out of which the controversy, claim or dispute arises. This written Notice of Claim must specifically indicate, in bold type, on the face of the notice, that it is a Notice of Claim, and whether part of the dispute is over Contractor seeking additional time, compensation or both. Additionally, Contractor must set forth in the Notice of Claim the nature of the controversy, claim or dispute, including all necessary facts. Contractor shall provide to the City any documentation supporting Contractor's claim or position within twenty (20) days of providing the Notice of Claim. Contractor shall be deemed to have waived any claim which Contractor fails to present to the City within the time frames stated herein or in the manner provided in this subsection. Any change in the Contract Total or Contract Time, and any claim for additional compensation must be approved by the City Commission. Contractor shall not be entitled to any additional compensation, an increase in the Contract Total or an increase in the Contract Time unless and until approved by the City Commission. If Contractor proceeds with any work without said approval or without complying strictly with the procedures set forth in this subsection, it does so at its own risk.

9. COMPLIANCE WITH LAWS AND POLICIES

Contractor agrees to comply with City policies and all applicable local, state, and federal laws, including laws; including public records.

Public Records. To the extent Contractor is acting on behalf of City as stated in Section 119.0701, Florida Statutes, Contractor shall:

a. Keep and maintain public records required by City to perform the Services;

b. Upon request from City, provide City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time and at a cost that does not exceed that provided in Chapter 119, Florida Statutes, or as otherwise provided by law;

c. Ensure that public records that are exempt or confidential and exempt from public record requirements are not disclosed except as authorized by law for the duration of this Agreement and following completion or termination of this Agreement if the records are not transferred City; and

d. Upon completion or termination of this Agreement, transfer to City, at no cost, all public records in Contractor's possession or keep and maintain public records required by City to perform the services. If Contractor transfers the records to City, Contractor shall destroy any duplicate public records that are exempt or confidential and exempt. If Contractor keeps and maintains the public records, Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to City upon request in a format that is compatible with the information technology systems of City.

A request for public records regarding this Agreement must be made directly to City, who will be responsible for responding to any such public records requests. Contractor will provide any requested records to City to enable City to respond to the public records request.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S; DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS BY EMAIL AT: CITYCLERK@KEYCOLONYBEACH.NET, OR BY MAIL TO: CITY OF KEY COLONY BEACH, FLORIDA, ATTN: CUSTODIAN OF PUBLIC RECORDS, 600 W. OCEAN DRIVE, KEY COLONY BEACH, FL 33051, OR BY CALL TO (305) 289-1212 EXT 2.

10. INDEPENDENT CONTRACTOR STATUS

Contractor is, for all purposes arising under this Contract, an independent contractor. Contractor and its officers, agents or employees shall not, under any circumstances, hold themselves out to anyone as being officers, agents, or employees of the City.

11. TERMINATION

A. WITHOUT CAUSE

This Contract may be terminated for any reason by the City upon thirty (30) days written notice to the Contractor at the addresses set forth below. If said Contract should be terminated as provided in this paragraph of the Contract, The City will be relieved of all

obligations under said contract and The City will only be required to pay that amount of the contract actually performed to the date of termination with no payment due for unperformed work or lost profits.

B. TERMINATION FOR BREACH

Either party may terminate this Contract upon breach by the other party of any material provision of this Contract, provided such breach continues for fifteen (15) days after receipt by the breaching party of written notice of such breach from the non-breaching party.

C. IMMEDIATE TERMINATION BY THE CITY

The City may terminate this Contract immediately upon written notice to Contractor (such termination to be effective upon Contractor's/Individual's receipt of such notice) upon occurrence of any of the following events:

i. the denial, suspension, revocation, termination, restricting, relinquishment or lapse of any license or certification required to be held by the Contractor, or of any Company/Individual staff's professional license or certification in the State of Florida;
ii. conduct by Contractor or any Company/Individual staff which affects the quality of services provided to The City or the performance of duties required hereunder and which would, in The City's sole judgment, be prejudicial to the best interests and welfare of The City and/or its employees;
iii. failure by Contractor to maintain the insurance required by the terms of this Contract.
iv. any other breach of this agreement.

12. ASSIGNMENT

Neither Contractor nor the City of Key Colony Beach, Florida may assign or transfer any interest in this Contract without the prior written consent of both parties. Should an assignment occur upon mutual written consent, this Contract shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, representatives, successors, and assigns.

13. AMENDMENT

This Contract may be amended only with the mutual consent of the parties. All amendments must be in writing and must be approved by the City of Key Colony Beach, Florida.

14. INDEMNIFICATION, GOVERNING LAW & VENUE

Contractor shall indemnify and hold harmless the City of Key Colony Beach, Florida from and against any and all claims, liabilities, damages, and expenses, including, without limitation,

reasonable attorneys' fees, incurred by the City in defending or compromising actions brought against it arising out of or related to the acts or omissions of Contractor, its agents, employees, or officers in the provision of services or performance of duties by Contractor pursuant to this Contract.

This Contract shall be construed in accordance with the laws of the State of Florida. Any dispute arising hereunder is subject to the laws of Florida, exclusive venue in Monroe County, Florida. The prevailing party shall be entitled to reasonable attorney's fees and costs incurred as a result of any action or proceeding under this Contract.

15. E-VERIFY

Pursuant to Florida Statute § 448.095, Contractor shall be required to register with and use the United States Department of Homeland Security's E-Verify system to verify the work authorization status of all employees hired after January 1, 2021. The City's E-Verify affidavit is included to the end of this contract. If Contractor enters into any contract with a subcontractor, Contractor shall be required to obtain an affidavit from the subcontractor confirming that the subcontractor does not employ, contract with, or subcontract with any person who is not authorized under federal law to be employed in the United States. Contractor shall be required to maintain a copy of said affidavit for the duration of the Contract Term and shall produce said affidavit to the City upon request. Notwithstanding any other provision herein, City reserves the right to immediately terminate this Contract upon notice to Contractor that the City has developed a good faith belief that Contractor has knowingly violated this section.

16. REPRESENTATIONS, WARRANTIES & DEBARMENT

Affidavits pertaining to the matters set forth below are included with the Contractor's RFP 2026-02 submittal, attached hereto as *Attachment "A"*. Contractor represents and warrants to the City of Key Colony Beach, Florida, upon execution and throughout the term of this Contract that:

1) Contractor is not bound by any Contract or arrangement which would preclude it from entering into, or from fully performing the services required under the Contract;

2) None of the Contractor's agents, employees or officers has ever had his or her professional license or certification in the State of Florida, or of any other jurisdiction, denied, suspended, revoked, terminated and/or voluntarily relinquished under threat of disciplinary action, or restricted in any way;

3) Contractor has not been convicted of a public entity crime as provided in F.S. §287.133, to wit: A person or affiliate who has been placed on the convicted contractor list following a conviction for public entity crime may not submit a bid, proposal, or rely on a contract to provide any goods or services to a public entity, may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair

of a public building or public work, may not submit bids on leases of real property to public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted Contractor list.; and

4) Contractor and Contractor's agents, employees and officers have, and shall maintain throughout the term of this Contract, all appropriate federal and state licenses and certifications which are required in order for Contractor to perform the functions, assigned to him or her in connection with the provisions of the Contract.

5) Contractor certifies that, neither the firm nor any person associated therewith in the capacity of owner, partner, director, officer, principal, investigator, project director, manager, auditor, and/or position involving the administration of federal funds:

(i) Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions, as defined in 29 CFR Part 93, Section 98.510, by any federal department or agency; (ii) Has not within a three-year period preceding this certification been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local government transaction or public contract; violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(ii) Has not within a three-year period preceding this certification had one or more federal, state, or local government public transactions terminated for cause or default.

17. CONFIDENTIALITY

Contractor recognizes and acknowledges that by virtue of entering into this Contract and providing services hereunder, Contractor, its agents, employees and officers may have access to certain confidential information. Contractor agrees that neither it nor any Contractor agent, employee or officer will at any time, either during or subsequent to the term of this Contract, disclose to any third party, except where permitted or required by law or where such disclosure is expressly approved by The City in writing, any confidential/personally identifiable information. Contractor, its agents, employees and officers shall comply with all Federal and State laws and regulations and all policies of The City regarding the confidentiality of such information.

18. BILLING

Bills for fees or compensation under this contract shall be submitted in detail sufficient for a proper pre-audit and post-audit thereof. Further, bills for any travel expenses shall be submitted in accordance with Florida Statute §112.061 where applicable.

19. THIRD-PARTY BILLING AND PAYMENT

To the extent applicable with regard to the services provided in this Contract, Contractor shall not be entitled to bill nor accept third-party payment without authorization of The City. Contractor agrees that The City shall not be obligated to make any payment that exceeds the rate referred to in the paragraph governing Compensation. The Contractor shall provide service documentation in accordance with professional standards and criteria of The City as requested.

20. CONTRACT RECORDS RETENTION

Pursuant to Florida Statute 119.0701, Contractor agrees to:

(a) Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the service.

(b) Provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.

(c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.

(d) Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of the Contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the public agency in a format that is compatible with the information technology systems of the public agency.

Failure of Contractor to comply with this section and F.S. §119.0701 may include, but not be limited to, The City holding the Contractor in default, termination of the contract or legal action.

21. ETHICS CLAUSE

Contractor warrants that he/it has not employed, retained or otherwise had act on his/its behalf any former City staff or employee. For breach or violation of this provision The City may, in its discretion, terminate this contract without liability and may also, in its discretion, deduct from the contract or purchase price, or otherwise recover the full amount of any fee, commission, percentage, gift or consideration paid to the former City staffer or employee.

22. CONFLICT OF INTEREST

The following provisions shall apply for conflict of interest. Any violation of these provisions by a City employee may be grounds for dismissal. No contract for goods or services may be made with any business organization in which the Director or a City member has any material financial interest unless it is a single source or clear documentation exists to show that, no other supplier can provide the identical/comparable goods/service, at a lower cost to the City. No City member, officer or employee may directly or indirectly purchase or recommend the purchase of goods or services from any business organization which they or their near relative have a material interest as defined by §112.313, Florida Statutes. No City member, employee or official may receive gifts or any preferential treatment from Contractors. Such members, officers, officials, or employees shall not be prohibited from participating in any activity or purchasing program that is offered to all City employees or in City surplus sales, provided there is no preferential treatment.

23. SEVERABILITY

The parties recognize and agree that should any clause(s) herein be held invalid by a Court of competent jurisdiction, the remaining clauses shall not be affected and shall remain of full force and effect.

24. COUNTERPARTS

This Contract may be executed in one or more counterparts, all of which together shall constitute only one Contract.

25. WAIVER

A waiver by either party of a breach or failure to perform hereunder shall not constitute a waiver of any subsequent breach or failure to perform. Any waiver of insurance requirements as provided by this Contract and/or the policies of the City does not relieve the Contractor of the indemnification provisions contained within this Contract.

26. CAPTIONS

The captions contained herein are used solely for convenience and shall not be deemed to define or limit the provisions of this Contract.

27. ENTIRE CONTRACT

The parties hereto agree that this is the final Contract between the parties and supersedes any and all prior Contracts and/or assurances, be it oral or in writing.

28. NOTICES

All notices required by this Contract, unless otherwise provided herein, by either party to the other shall be in writing, delivered personally, by certified or registered mail, return receipt requested, or by Federal Express or Express Mail, and shall be deemed to have been duly given

when delivered personally or when deposited in the United States mail, postage prepaid, addressed as follows:

City of Key Colony Beach, Florida: City Clerk City of Key Colony Beach P.O. Box 510141 Key Colony Beach, FL 33051 With a copy to: City of Key Colony Beach, Florida Counsel Vernis & Bowling of the Florida Keys, P.A. 81990 Overseas Hwy, 3rd Floor Islamorada, FL 33036	The Contractor: Chris Haack, President Haack Environmental, LLC 79 Industrial Rd Big Pine Key, FL 33043 305-786-7688 info@haackenvironmental.com

29. NO WAIVER OF SOVERIGN IMMUNITY

Nothing herein is intended to serve as a waiver of sovereign immunity by any agency or political subdivision to which sovereign immunity may be applicable.

30. NO THIRD-PARTY BENEFICIARIES

The Parties expressly acknowledge that it is not their intent to create or confer any rights to or obligations upon any third person or entity under this Agreement.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Contract on this 8 day of JUNE, 2026.

FOR CITY OF KEY COLONY BEACH, FLORIDA:

SIGNATURE OF MAYOR

6/8/2026
DATE

FOR CONTRACTOR:

SIGNATURE OF CONTRACTOR — DATE: 1/8/26

Christopher Haack
PRINT NAME

President
TITLE

Appendix B | WRF Operating Permit

FLORIDA DEPARTMENT OF
Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, Florida 33406-3007

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

April 27, 2023

In the Matter of an
Application for Permit by:

City of Key Colony Beach
Patricia Trefry, City Mayor

P.O. Box 510141
Key Colony Beach, Florida 33051
mayor@keycolonybeach.net

File Number FLA014720-020-DW2P
Monroe County
City of Key Colony Beach WWTF

NOTICE OF PERMIT ISSUANCE

Enclosed is Permit Number FLA014720 to operate the Key Colony Beach, City of, issued under Chapter 403, Florida Statutes.

Please note that the effective date of the permit is April 27, 2023, the same as the issuance date of this notice.
The expiration date of the permit is April 26, 2028.

Monitoring requirements under the permit begins on June 1, 2023, the first day of the second month following the effective date of the permit.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing
A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;
(b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
(c) A statement of when and how the petitioner received notice of the agency decision;
(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
(e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@FloridaDEP.gov. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a), F.A.C.

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver may not apply to persons who have not received a clear point-of-entry.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@FloridaDEP.gov, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation
Mediation is not available in this proceeding.

Judicial Review
Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in Orlando, Florida.
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Norva Blandin, MSEM
Permitting Program Administrator
Southeast District

April 27, 2023
Date

NB/MD/ ls: FLA014720-020-DW2P-NR

Attachment(s):
1. Permit No. FLA014720

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

DEP: Norva Blandin, Margie DeBerry, Bridjette Bucell
Jason R. Shepler, Mittauer & Associates, Inc., jshepler@mittauer.com

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk

April 27, 2023
Date

FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, Florida 33406-3007

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

STATE OF FLORIDA
DOMESTIC WASTEWATER FACILITY PERMIT

PERMITTEE:
City of Key Colony Beach

RESPONSIBLE OFFICIAL:
Patricia Trefry, City Mayor
P.O. Box 510141
Key Colony Beach, Florida 33051
(305) 289-1212
mayor@keycolonybeach.net

PERMIT NUMBER: FLA014720
FILE NUMBER: FLA014720-020-DW2P-NR
FACILITY: City of Key Colony Beach WWTP
ISSUANCE DATE: April 27, 2023
EFFECTIVE DATE: April 27, 2023
EXPIRATION DATE: April 26, 2028

FACILITY:
City of Key Colony Beach WWTP
600 N. 8th Street
Key Colony Beach, FL 33051-141
Monroe County
Latitude: 24°43' 30.6094" N Longitude: 81°1' 17.2068" W

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and applicable rules of the Florida Administrative Code (F.A.C.). This permit does not constitute authorization to discharge wastewater other than as expressly stated in this permit. The above-named permittee is hereby authorized to operate the facilities in accordance with the documents attached hereto and specifically described as follows:

WASTEWATER TREATMENT:

The facility is an existing, domestic advanced wastewater treatment (AWT) domestic wastewater treatment facility (WWTF) with reclaimed water public-access treatment capabilities. The permitted capacity is 0.340 million gallons per day (MGD), annual average daily flow (AADF). The facility consists of the following systems:

- Influent Screening System with: one (1) 10- foot static screen with 2 mm screening capabilities; and one (1) emergency-back-up-aluminum-bar rack with 1/4-inch screenings.

- Integrated Surge Anoxic Mixing (ISAM) System that consists of the following components:
  One (1) 98,900-gallon Anaerobic Basin;
  One (1) Surge and Anoxic Mixing (SAM) Basin (45'-4" x 42'-8") with a jet mixing system comprised of one (1) 1,600gpm Motive Pump and two (2) 240 scfm SAM positive-displacement (PD) blowers;
  Two (2) 900 to 1,200 gpm Flow Equalization/Recycle Pumps to transfer equalized flow from the SAM Basin to the MBR treatment system and provide nitrified mixed liquor recycle flow from the MBR to the SAM Basin;
  Two (2) 250 gpm ISAM WAS Pumps; an alum chemical feed system for Total Phosphorus removal; and a Micro-C chemical feed system for Total Nitrogen removal.

- Membrane Bioreactor (MBR) System that consists of the following components:
  A three-stage activated sludge process train split into two (2) hydraulic treatment units having total treatment volumes of: 55,500-gallon Anoxic zone with two (2) submersible mixers,
  74,000-gallon Anoxic-Aeration zone with coarse-bubble diffusers,
  68,700-gallon aeration zone with coarse-bubble diffusers
  eight (8) LEAPmbr™ ultrafiltration cassettes.

two (2) 830 gpm submersible Recycle Pumps that internally recycle nitrified mixed liquor within the MBR System.

Three (3) 550 gpm permeate pumps deliver flow from the ultrafiltration cassettes to the UV Disinfection System. One (1) 100 gpm WAS centrifugal pump delivers waste-activated sludge from the MBR System to the ISAM Anaerobic Basin. Within the ISAM Control Room, four (4) 650 scfm PD blowers supply the MBR System with air for aeration and mixing of the mixed liquor, and scour of the LEAPmbr™ ultrafiltration cassettes.

- The UV Disinfection System is comprised of the following components:

  Two closed vessel, medium pressure, high intensity, ultraviolet disinfection (UV) reactors with a 25,000-gallon contact tank with ultrasonic effluent flow meter.

- The facility produces reclaimed water using a 100,000 gpd Reverse Osmosis (RO) Reclaimed Water System which consists of the following components:

  One (1) 150 gpm RO Feed Pump;

  One (1) In-line Cartridge Filter;

  One (1) 150 gpm High-Pressure RO Feed Pump;

  One (1) 100,000 gpd RO Skid with 400-square feet of membrane filtration area;

  One (1) 120,000-gallon Ground Storage Tank;

  Two (2) 90 gpm Irrigation Pumps; and two (2) 150 gpm I n-plant Reuse Pumps.

- Treated effluent from the UV Disinfection System that is not processed by the RO Water System is conveyed by gravity to six (6) on-site Class 'V' Injection Wells for disposal.
- Digested sludge is processed via a biosolids dewatering bed.

  Two existing sludge drying beds are converted into storage space.

  A filtrate pump station and/or a duplex pump station pump the biosolids filtrate back to the facility headworks

REUSE OR DISPOSAL:

Underground Injection U-001: An existing 0.34 MGD annual average daily flow permitted capacity underground injection well system consisting of six (6) Class V underground injection wells permitted under Department permit number(s) 63994-043 through 63994-048-UO, discharging to Class G-III ground water. Underground Injection Well System U-001 is located approximately at latitude 24°43' 30" N, longitude 81°1' 18" W.

Land Application R-001: An existing 0.099 MGD annual average daily flow permitted capacity slow-rate public access system. R-001 is a reuse system for irrigation of the city parks and golf course. The irrigated area is 15 acres, and the permittee is authorized to use water trucks to distribute reuse water to the parks that do not have a reuse piping system.

IN ACCORDANCE WITH: The limitations, monitoring requirements, and other conditions set forth in this cover sheet and Part I through Part IX on pages 1 through 24 of this permit.

PERMITTEE: City of Key Colony Beach PERMIT NUMBER: FLA014720
FACILITY: City of Key Colony Beach WWTP

I. RECLAIMED WATER AND EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. Underground Injection Control Systems

1. During the period beginning on the effective date and lasting through the expiration date of this permit, the permittee is authorized to discharge effluent to Underground Injection Well System U-001 located approximately at latitude 24°43'30", longitude 81°1'18". Such discharge shall be limited and monitored by the permittee as specified below and reported in accordance with Permit Condition I.C.8:

			Reclaimed Water Condition		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow	MGD	Max Max	0.34 Report	Annual Average Monthly Average	5 Days/Week	Recording Flow Meter with Totalizer	FLW-1	See I.A.3
BOD, Carbonaceous 5 day, 20C	mg/L	Max Max Max	5.0 6.25 10.0	Annual Average Monthly Average Single Sample	Bi-weekly; every 2 weeks	8-hr FPC	EFF-2	
Solids, Total Suspended	mg/L	Max Max Max	20.0 30.0 60.0	Annual Average Monthly Average Single Sample	Bi-weekly; every 2 weeks	8-hr FPC	EFF-2	
Coliform, Fecal	#/100mL	Max Max Max	200 200 800	Annual Average Monthly Geometric Mean Single Sample	Bi-weekly; every 2 weeks	Grab	EFF-2	See I.A.4
pH	s.u.	Min Max	6.0 8.5	Single Sample Single Sample	5 Days/Week	Grab	EFF-2	
Turbidity	NTU	Max	0.5	Single Sample	Continuous	Meter	EFF-2	
Ultraviolet Light Dosage	mW-s/sqcm	Min	50	Single Sample	Continuous	Meter	PPI-1	
Ultraviolet Light Transmittance	percent	Min	65	Single Sample	Continuous	Meter	PPI-1	
Ultraviolet Light Intensity	mW/sqcm	Min	Report	Single Sample	Continuous	Meter	PPI-1	
Nitrogen, Total	mg/L	Max	3.0	Annual Average	Bi-weekly; every 2 weeks	8-hr FPC	EFF-2	
Phosphorus, Total (as P)	mg/L	Max	1.0	Annual Average	Bi-weekly; every 2 weeks	8-hr FPC	EFF-2	

2. Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I.A.1. and as described below:

Monitoring Site Number	Description of Monitoring Site
FLW-1	Sum of the reject water flow meter and the injection well flow meter
EFF-2	Before discharge to the Class V injection, after all treatment processes and after blending with the reverse osmosis concentrate.
PPI-1	For UV reactor discharges that to U-001

3. A Recording Flow Meter with Totalizer shall be utilized to measure flow and calibrated at least once every 12 months. *[62-600.200(25)]*

4. The effluent limitation for the monthly geometric mean for fecal coliform is only applicable if 10 or more values are reported. If fewer than 10 values are reported, the monthly geometric mean shall be calculated and reported on the Discharge Monitoring Report to be used to calculate the annual average. All other fecal coliform effluent limitations included in permit condition I.A.1 apply regardless of the number of values reported. *[62-600.440(5)(b)]*

5. To report the "90th percentile,"
   a. Place the bacteria results in ascending order (from lowest to highest value) and assign each sample a number, 1 for the lowest value.
   b. Multiply the total number of samples by 0.9 to determine the 90th percentile level.
   c. Report the value of the sample that corresponds to the 90th percentile level (e.g., 10 samples x 0.9 = 9, report the value of the 9th sample). If the 90th percentile level is not a whole number, rounding or interpolation should be used to determine the 90th percentile. When rounding, round down to the nearest whole number if the decimal is 0.4 or lower, and round up to the nearest whole number if the decimal is 0.5 or higher (e.g., 12 samples x 0.9 = 10.8, report the value of the 11th sample if rounding).

   [62-600.440(5)(a)3]

6. The permittee shall monitor to ensure proper process control in accordance with the operator sampling and testing schedule included in the facility's Operation and Maintenance Manual. This monitoring may be performed using methods other than those in Chapter 62-160, F.A.C., as long as this data is for process control purposes and is not reported on the Discharge Monitoring Report. *[62-620.320(6)]*

B. Reuse and Land Application Systems

1. During the period beginning on the effective date and lasting through the expiration date of this permit, the permittee is authorized to direct reclaimed water to Reuse System R-001. Such reclaimed water shall be limited and monitored by the permittee as specified below and reported in accordance with Permit Condition I.C.8:

			Reclaimed Water Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow	MGD	Max Max	0.099 Report	Annual Average Monthly Average	5 Days/Week	Recording Flow Meter with Totalizer	FLW-3	See I.B.3
BOD, Carbonaceous 5 day, 20C	mg/L	Max Max Max	20.0 30.0 60.0	Annual Average Monthly Average Single Sample	Bi-weekly; every 2 weeks	8-hr FPC	EFF-3	
Solids, Total Suspended	mg/L	Max	5.0	Single Sample	4 Days/Week	Grab	EFF-3	
pH	s.u.	Min Max	6.0 8.5	Single Sample Single Sample	5 Days/Week	Grab	EFF-3	
Turbidity	NTU	Max	Report	Single Sample	Continuous	Meter	EFF-3	See I.B.5
Ultraviolet Light Dosage	mW-s/sqcm	Min	50	Single Sample	Continuous	Meter	PPI-2	
Ultraviolet Light Transmittance	percent	Min	65	Single Sample	Continuous	Meter	PPI-2	
Ultraviolet Light Intensity	mW/sqcm	Max	Report	Single Sample	Continuous	Meter	PPI-2	
Coliform, Fecal, % less than detection	percent	Min	75	Monthly Total	4 Days/Week	Calculated	FLW-3	See I.B.4
Coliform, Fecal	#/100mL	Max	25	Single Sample	4 Days/Week	Grab	EFF-3	
Giardia	cysts/100L	Max	Report	Single Sample	Every 5 years	Grab	EFF-3	See I.B.7
Cryptosporidium	oocysts/100L	Max	Report	Single Sample	Every 5 years	Grab	EFF-3	See I.B.7

2. Reclaimed water samples shall be taken at the monitoring site locations listed in Permit Condition I.A.1. and as described below:

Monitoring Site Number	Description of Monitoring Site
FLW-3	Flow meter for the reverse osmosis permeate.
EFF-3	The permeate discharge from the reverse osmosis system but before the reclaimed water storage tank.
PPI-2	For UV reactor that discharges to R-001

3. A recording flow meter with totalizer shall be utilized to measure flow and calibrated at least once every 12 months. *[62-600.200(25)]*

4. To report the "% less than detection," count the number of fecal coliform observations that were less than detection, divide by the total number of fecal coliform observations in the month, and multiply by 100% (round to the nearest integer). *[62-600.440(6)(a)]*

5. The maximum turbidity shall be limited as described in the approved operating protocol, such that the permit limitations for total suspended solids and fecal coliforms will be achieved. Filtration shall be provided for total suspended solids control. *[62-610.463(2)]*

6. The treatment facilities shall be operated in accordance with all approved operating protocols. Only reclaimed water that meets the criteria established in the approved operating protocol(s) may be released to system storage or to the reuse system. Reclaimed water that fails to meet the criteria in the approved operating protocol(s) shall be directed to the following permitted alternate discharge system: U-001. *[62-610.320(6) and 62-610.463(2)]*

7. Sampling for Giardia and Cryptosporidium shall be conducted at one time during each five-year period. Intervals between sampling shall not exceed five years. The sample results shall be submitted to the Department on or before November 28 of that year using Form 62-610.300(3)(a)4. *[62-610.463(4)]*

C. Other Limitations and Monitoring and Reporting Requirements

1. During the period beginning on the effective date and lasting through the expiration date of this permit, the treatment facility shall be limited and monitored by the permittee as specified below and reported in accordance with condition I.C.8:

			Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow	MGD	Max Max Max	0.34 Report Report	Annual Average Monthly Average 3-Month Rolling Average	5 Days/Week	Recording Flow Meter with Totalizer	FLW-2	See I.C.4
Percent Capacity, (TMADF/Permitted Capacity) x 100	percent	Max	Report	Monthly Average	Monthly	Calculated	CAL-1	
BOD, Carbonaceous 5 day, 20C (Influent)	mg/L	Max	Report	Single Sample	Bi-weekly; every 2 weeks	8-hr FPC	INF-1	See I.C.3
Solids, Total Suspended (Influent)	mg/L	Max	Report	Single Sample	Bi-weekly; every 2 weeks	8-hr FPC	INF-1	See I.C.3

2. Samples shall be taken at the monitoring site locations listed in Permit Condition I.C.1. and as described below:

Monitoring Site Number	Description of Monitoring Site
FLW-2	Sum of the injection well flow meter, the reject flow meter, and the reuse flow meter.
CAL-1	Calculated value based on flow measurement
INF-1	Influent force main's outlet to WWTF

3. Influent samples shall be collected so that they do not contain digester supernatant or return activated sludge, or any other plant process recycled waters. *[62-600.660(4)(a)]*

4. A recording flow meter with totalizer shall be utilized to measure flow and calibrated at least once every 12 months. *[62-600.200(25)]*

5. Sampling results for giardia and cryptosporidium shall be reported on DEP Form 62-610.300(3)(a)4, Pathogen Monitoring, which is attached to this permit. This form shall be submitted to the Department's Wastewater Management Program (M.S. 3545 Blair Stone Road, Tallahassee, Florida 32399-2400 or at epostbwfrdom@floridadep.gov) and to the Department's Southeast District Office. *[62-610.300(4)(a)]*

6. The sample collection, analytical test methods, and method detection limits (MDLs) applicable to this permit shall be conducted using a sufficiently sensitive method to ensure compliance with applicable water quality standards and effluent limitations and shall be in accordance with Rule 62-4.246, Chapters 62-160 and 62-600, F.A.C., and 40 CFR 136, as appropriate. The list of Department established analytical methods, and corresponding MDLs (method detection limits) and PQLs (practical quantitation limits), which is titled "FAC 62-4 MDL/PQL Table (November 10, 2020)" is available at https://floridadep.gov/dear/quality-assurance/content/quality-assurance-resources. The MDLs and PQLs as described in this list shall constitute the minimum acceptable MDL/PQL values and the Department shall not accept results for which the laboratory's MDLs or PQLs are greater than those described above unless alternate MDLs and/or PQLs have been specifically approved by the Department for this permit. Any method included in the list may be used for reporting as long as it meets the following requirements:

   a. The laboratory's reported MDL and PQL values for the particular method must be equal or less than the corresponding method values specified in the Department's approved MDL and PQL list;

   b. The laboratory reported MDL for the specific parameter is less than or equal to the permit limit or the applicable water quality criteria, if any, stated in Chapter 62-302, F.A.C. Parameters that are listed as "report only" in the permit shall use methods that provide an MDL, which is equal to or less than the applicable water quality criteria stated in 62-302, F.A.C.; and

   c. If the MDLs for all methods available in the approved list are above the stated permit limit or applicable water quality criteria for that parameter, then the method with the lowest stated MDL shall be used.

   When the analytical results are below method detection or practical quantitation limits, the permittee shall report the actual laboratory MDL and/or PQL values for the analyses that were performed following the instructions on the applicable discharge monitoring report.

   Where necessary, the permittee may request approval of alternate methods or for alternative MDLs or PQLs for any approved analytical method. Approval of alternate laboratory MDLs or PQLs are not necessary if the laboratory reported MDLs and PQLs are less than or equal to the permit limit or the applicable water quality criteria, if any, stated in Chapter 62-302, F.A.C. Approval of an analytical method not included in the above-referenced list is not necessary if the analytical method is approved in accordance with 40 CFR 136 or deemed acceptable by the Department. *[62-4.246, 62-160]*

7. The permittee shall provide safe access points for obtaining representative samples which are required by this permit. *[62-600.650(2)]*

8. Monitoring requirements under this permit are effective on the first day of the second month following the effective date of the permit. Until such time, the permittee shall continue to monitor and report in accordance with previously effective permit requirements, if any. During the period of operation authorized by this permit, the permittee shall complete and submit to the Department Discharge Monitoring Reports (DMRs) in accordance with the frequencies specified by the REPORT type (i.e. monthly, quarterly, semiannual, annual, etc.) indicated on the DMR forms attached to this permit. Unless specified otherwise in this permit, monitoring results for each monitoring period shall be submitted in accordance with the associated DMR due dates below. DMRs shall be submitted for each required monitoring period including periods of no discharge.

REPORT Type on DMR	Monitoring Period	Submit by
Monthly	first day of month - last day of month	28th day of following month
Once Every Two Months	January 1 - February 28/29 March 1 - April 30 May 1 - June 30 July 1 - August 31 September 1 - October 31 November 1 - December 31	March 28 May 28 July 28 September 28 November 28 January 28
Quarterly	January 1 - March 31 April 1 - June 30 July 1 - September 30 October 1 - December 31	April 28 July 28 October 28 January 28
Semiannual	January 1 - June 30 July 1 - December 31	July 28 January 28
Annual	January 1 - December 31	January 28

The permittee may submit either paper or electronic DMR forms. If submitting electronic DMR forms, the permittee shall use the electronic DMR system approved by the Department (EzDMR) and shall electronically submit the completed DMR forms using the DEP Business Portal at https://www.fldepportal.com/go/. Reports shall be submitted to the Department by the twenty-eighth (28th) of the month following the month of operation. Data submitted in electronic format is equivalent to data submitted on signed and certified paper DMR forms.

If submitting paper DMR forms, the permittee shall make copies of the attached DMR forms, without altering the original format or content unless approved by the Department, and shall mail the completed DMR forms to the Department's Southeast District Office at the address specified in Permit Condition I.C.14. by the twenty-eighth (28th) of the month following the month of operation.

[62-620.610(18)][62-600.680(1)]

9. During the period of operation authorized by this permit, reclaimed water or effluent shall be monitored annually for the primary and secondary drinking water standards contained in Chapter 62-550, F.A.C., and the Revised Total Coliform Rule contained in Rule 62-550.830, F.A.C., (except for asbestos, color, odor, and residual disinfectants). These monitoring results shall be reported to the Department annually on the DMR. During years when a permit is not renewed, a certification stating that no new non-domestic wastewater dischargers have been added to the collection system since the last reclaimed water or effluent analysis was conducted may be submitted with the signed DMR in lieu of performing the analysis. When such a certification is submitted with the DMR, monitoring not required this period should be noted on the DMR. The annual reclaimed water or effluent analysis report, and certification if applicable, shall be completed and submitted in a timely manner so as to be received by the Department at the address identified on the DMR by January 28 of each year. Approved analytical methods identified in Rule 62-620.100(3)(j), F.A.C., shall be used for the analysis. If no method is included for a parameter, methods specified in Chapter 62-550, F.A.C., shall be used. *[62-600.660(2) and (3)(d)][62-600.680(2)][62-610.300(3)]*

10. The permittee shall submit DEP Form 62-610.300(3)(a)2., Annual Reuse Report, using DEP Form 62-610.300(4)(a)2. on or before January 1 of each year. to the Department and the appropriate water management district on or before January 1 of each year. The form shall be submitted electronically to the Department using the Online Business Portal (https://www.fldepportal.com/DepPortal/go/home) *[62-610.870(3)(a)]*

11. Operating protocol(s) shall be reviewed and updated periodically to ensure continuous compliance with the minimum treatment and disinfection requirements. Updated operating protocols shall be submitted to the Department's Southeast District Office for review and approval upon revision of the operating protocol(s) and with each permit application. *[62-610.320(6)][62-610.463(2)]*

12. The permittee shall maintain an inventory of storage systems. The most recent inventory shall be submitted each year with the Annual Reuse Report. At least 30 days before reclaimed water will be introduced into any new storage system, the updated inventory shall be submitted to the Department's Southeast District Office. The inventory shall include the following:

    a. name or identifier for the storage system;

    b. location of the storage system (latitude/longitude);

    c. function of the storage system (system storage or reject storage);

    d. type of facility (covered tank, lined pond, unlined pond);

    e. Indication of whether or not the storage facility is a water of the state or discharges to a water of the state; and

    f. distances to the nearest public water supply wells and to the nearest potable water supply wells which are not public water supply wells.

    [62-610.464(5) and 62-610.870(3)(d)]

13. The permittee of a publicly owned facility shall submit an annual report regarding transactions or allocations of costs and expenditures on pollution mitigation among the utility's permitted wastewater systems, including the prevention of sanitary sewer overflows, collection and transmission system pipe leakages, and inflow and infiltration. This report may be combined with the annual report for the permittee's collection system action plan once Rule 62-600.705, F.A.C., becomes effective. The report shall be electronically submitted to the district office no later than June 30 of each calendar year. *[62-600.700(4)]*

14. Unless specified otherwise in this permit, all reports and other information required by this permit, including 24-hour notifications, shall be submitted to or reported to, as appropriate, the Department's Southeast District Office at the address specified below:

    Florida Department of Environmental Protection
    Southeast District
    3301 Gun Club Road, MSC 7210-1
    West Palm Beach, Florida 33406-3007

    Phone Number - (561) 681-6600

    (All e-mails (electronic communication) shall be followed by original copies.)

    [62-620.305]

15. All reports and other information shall be signed in accordance with the requirements of Rule 62-620.305, F.A.C. *[62-620.305]*

16. Influent flow proportioned composite samples for $CBOD_5$, total suspended solids, total nitrogen, total phosphorous, total ammonia nitrogen, total kjedahl nitrogen, and total organic nitrogen shall be taken on the same day, and composite periods shall be at the same time of day that the effluent samples are taken. [62-600.650(3)]

II. BIOSOLIDS MANAGEMENT REQUIREMENTS

A. Basic Requirements

1. Biosolids generated by this facility may be transferred to South District WWTP in Miami and/or used as a biofuel or for bioenergy or disposed of in a Class I solid waste landfill. Transferring biosolids to an alternative biosolids treatment facility does not require a permit modification. However, use of an alternative biosolids treatment facility requires submittal of a copy of the agreement pursuant to Rule 62-640.880(1)(c), F.A.C., along with a written notification to the Department at least 30 days before transport of the biosolids. *[62-620.320(6), 62-640.880(1)]*

2. The permittee shall monitor and keep records of the quantities of biosolids generated, received from source facilities, treated, distributed and marketed, land applied, used as a biofuel or for bioenergy, transferred to another facility, or landfilled. These records shall be kept for a minimum of five years. *[62-640.650(4)(a)]*

3. Biosolids quantities shall be monitored by the permittee as specified below. Results shall be reported on the permittee's Discharge Monitoring Report for Monitoring Group RMP-Q in accordance with Condition 8.

			Biosolids Limitation		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Biosolids Quantity (Transferred)	dry tons	Max	Report	Monthly Total	Monthly	Calculated	RMP-01	
Biosolids Quantity (Landfilled)	dry tons	Max	Report	Monthly Total	Monthly	Calculated	RMP-02	
Biosolids Quantity (Used as a Biofuel or for Bioenergy)	dry tons	Max	Report	Monthly Total	Monthly	Calculated	RMP-03	

[62-640.650(5)(a)1]

4. Biosolids quantities shall be calculated as listed in Permit Condition II.A.3 and as described below:

Monitoring Site Number	Description of Monitoring Site Calculations
RMP-01	(3.75 x estimated gallons biosolids x 8.34) divided by (1,000,000)) equals dry tons of biosolids
RMP-02	(3.75 x estimated gallons biosolids x 8.34) divided by (1,000,000)) equals dry tons of biosolids
RMP-03	(3.75 x estimated gallons biosolids x 8.34) divided by (1,000,000)) equals dry tons of biosolids

5. The treatment, management, transportation, use, land application, or disposal of biosolids shall not cause a violation of the odor prohibition in subsection 62-296.320(2), F.A.C. *[62-640.400(6)]*

6. Storage of biosolids or other solids at this facility shall be in accordance with the Facility Biosolids Storage Plan. *[62-640.300(4)]*

7. Biosolids shall not be spilled from or tracked off the treatment facility site by the hauling vehicle. *[62-640.400(9)]*

B. Disposal

1. Disposal of biosolids, septage, and "other solids" in a solid waste disposal facility, or disposal by placement on land for purposes other than soil conditioning or fertilization, such as at a monofill, surface impoundment, waste pile, or dedicated site, shall be in accordance with Chapter 62-701, F.A.C. *[62-640.100(6)(b) & (c)]*

C. Incineration or Conversion to Biofuel for Bioenergy

1. Incineration or use of biosolids as a biofuel or for bioenergy by gasification shall be in accordance with Chapters 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C., and the Resource Conservation and Recovery Act. *[62-640.100(6)(d)]*

D. Transfer

1. The permittee shall not be held responsible for treatment and management violations that occur after its biosolids have been accepted by a permitted biosolids treatment facility with which the source facility has an agreement in accordance with subsection 62-640.880(1)(c), F.A.C., for further treatment, management, or disposal. *[62-640.880(1)(b)]*

2. The permittee shall keep hauling records to track the transport of biosolids between the facilities. The hauling records shall contain the following information:

Source Facility
1. Date and time shipped
2. Amount of biosolids shipped
3. Degree of treatment (if applicable)
4. Name and ID Number of treatment facility
5. Signature of responsible party at source facility
6. Signature of hauler and name of hauling firm

Biosolids Treatment Facility or Treatment Facility
1. Date and time received
2. Amount of biosolids received
3. Name and ID number of source facility
4. Signature of hauler
5. Signature of responsible party at treatment facility

A copy of the source facility hauling records for each shipment shall be provided upon delivery of the biosolids to the biosolids treatment facility or treatment facility. The treatment facility permittee shall report to the Department within 24 hours of discovery any discrepancy in the quantity of biosolids leaving the source facility and arriving at the biosolids treatment facility or treatment facility.

[62-640.880(4)]

E. Receipt

1. If the permittee intends to accept biosolids from other facilities, a permit revision is required pursuant to paragraph 62-640.880(2)(d), F.A.C. *[62-640.880(2)(d)]*

III. GROUND WATER REQUIREMENTS

A. Construction Requirements

1. The permittee shall give at least 72-hour notice to the Department's Southeast District Office, prior to the installation of any monitoring wells. *[62-520.600(6)(h)]*

2. Before construction of new ground water monitoring wells, a soil boring shall be made at each new monitoring well location to properly determine monitoring well specifications such as well depth, screen interval, screen slot, and filter pack. *[62-520.600(6)(g)]*

3. Within 30 days after installation of a monitoring well, the permittee shall submit to the Department's Southeast District Office well completion reports and soil boring/lithologic logs on the attached DEP Form(s) 62-520.900(3), Monitoring Well Completion Report. *[62-520.600(6)(j) and .900(3)]*

4. All piezometers and monitoring wells not part of the approved ground water monitoring plan shall be plugged and abandoned in accordance with Rule 62-532.500(5), F.A.C., unless future use is intended. *[62-532.500(5)]*

B. Operational Requirements

1. For the Part III Public Access system, all ground water quality criteria specified in Chapter 62-520, F.A.C., shall be met at the edge of the zone of discharge. The zone of discharge shall extend horizontally 100 feet from the application site(s) or to the property boundaries, whichever is less, and vertically to the base of the shallow water table aquifer. *[62-520.200(27)] [62-520.465]*

2. The ground water minimum criteria specified in Rule 62-520.400 F.A.C., shall be met within the zone of discharge. *[62-520.400 and 62-520.420(4)]*

3. If the concentration for any constituent listed in Permit Condition III.B.6. in the natural background quality of the ground water is greater than the stated maximum, or in the case of pH is also less than the minimum, the representative background quality shall be the prevailing standard. *[62-520.420(2)]*

4. During the period of operation authorized by this permit, the permittee shall continue to sample ground water at the monitoring wells identified in Permit Condition III.B.5., below in accordance with this permit and the approved ground water monitoring plan prepared in accordance with Rule 62-520.600, F.A.C. *[62-520.600] [62-610.463]*

5. The following monitoring wells shall be sampled for Reuse System R-001.

Monitoring Well ID	Alternate Well Name and/or Description of Monitoring Location	Latitude	Longitude	Depth (Feet)	Aquifer Monitored	Well Type	New or Existing
MWI-22011	KCB-1 (INTERMEDIATE WELL)	24°43' 26"	81°1' 18"	21	Surficial	Intermediate	Existing

[62-520.600] [62-610.463]

6. The following parameters shall be analyzed for each monitoring well identified in Permit Condition III.B.5.:

Parameter	Compliance Well Limit	Units	Sample Type	Monitoring Frequency
Water Level Relative to NGVD	Report	ft	In Situ	Quarterly
Nitrogen, Nitrate, Total (as N)	10	mg/L	Grab	Quarterly
Solids, Total Dissolved (TDS)	500	mg/L	Grab	Quarterly
pH	6.5-8.5	s.u.	In Situ	Quarterly
Phosphorus, Total (as P)	Report	mg/L	Grab	Quarterly
Coliform, Fecal	4	#/100mL	Grab	Quarterly
Nitrogen, Kjeldahl, Total (as N)	Report	mg/L	Grab	Quarterly
Turbidity	Report	NTU	Grab	Quarterly
Specific Conductance	Report	umhos/cm	Grab	Quarterly
Temperature (C), Water	Report	Deg C	Grab	Quarterly

[62-520.600(11)(b)] [62-600.670] [62-600.650(3)] [62-520.310(5)]

7. Water levels shall be recorded before evacuating each well for sample collection. Elevation references shall include the top of the well casing and land surface at each well site (NAVD allowable) at a precision of plus or minus 0.01 foot. *[62-520.600(11)(c)] [62-610.463(3)(a)]*

8. Ground water monitoring wells shall be purged prior to sampling to obtain representative samples. *[62-160.210] [62-600.670(3)]*

9. Analyses shall be conducted on unfiltered samples, unless filtered samples have been approved by the Department's Southeast District Office as being more representative of ground water conditions. *[62-520.310(5)]*

10. Ground water monitoring test results shall be submitted on Part D of Form 62-620.910(10) in accordance with Permit Condition I.C.8. *[62-520.600(11)(b)] [62-600.670] [62-600.680(1)] [62-620.610(18)]*

11. If any monitoring well becomes inoperable or damaged to the extent that sampling or well integrity may be affected, the permittee shall notify the Department's Southeast District Office within two business days from discovery, and a detailed written report shall follow within ten days after notification to the Department. The written report shall detail what problem has occurred and remedial measures that have been taken to prevent recurrence or request approval for replacement of the monitoring well. All monitoring well design and replacement shall be approved by the Department's Southeast District Office before installation. *[62-520.600(6)(l)]*

IV. ADDITIONAL REUSE AND LAND APPLICATION REQUIREMENTS

A. Part III Public Access System(s)

1. This reuse system includes the following major user(s) of reclaimed water (i.e., using 0.1 MGD or more) and general service area(s):

Site Number	User Name	User Type	Capacity(MGD)	Acreage
PAA-001	City of Key Colony Beach Golf Course and Park Land	Golf Courses	0.099	15
		Total	0.099	15

[62-610.800(5)][62-620.630(10)(b)]

2. Cross-connections to the potable water system are prohibited. *[62-610.469(7)]*

3. A cross-connection control program shall be implemented and/or remain in effect within the areas where reclaimed water will be provided for use and shall be in compliance with the Rule 62-555.360, F.A.C. *[62-610.469(7)]*

4. The permittee shall conduct inspections within the reclaimed water service area to verify proper connections, to minimize illegal cross-connections, and to verify both the proper use of reclaimed water and that the proper backflow prevention assemblies or devices have been installed and tested. Inspections are required when a customer first connects to the reuse distribution system. Subsequent inspections are required as specified in the cross-connection control and inspection program. *[62-610.469(7)(h)]*

5. If an actual or potential (e.g. no dual check device on residential connections served by a reuse system) cross-connection between the potable and reclaimed water systems is discovered, the permittee shall:

   a. Immediately discontinue potable water and/or reclaimed water service to the affected area if an actual cross-connection is discovered.

   b. If the potable water system is contaminated, clear the potable water lines.

   c. Eliminate the cross-connection and install a backflow prevention device as required by the Rule 62-555.360.F.A.C.

   d. Test the affected area for other possible cross-connections.

   e. Within 24 hours, notify the Department's Southeast District Office's domestic wastewater and drinking water programs.

   f. Within 5 days of discovery of an actual or potential cross-connection, submit a written report to the Department's Southeast District Office detailing: a description of the cross-connection, how the cross-connection was discovered, the exact date and time of discovery, approximate time that the cross-connection existed, the location, the cause, steps taken to eliminate the cross-connection, whether reclaimed

water was consumed, and reports of possible illness, whether the drinking water system was contaminated and the steps taken to clear the drinking water system, when the cross-connection was eliminated, plan of action for testing for other possible cross-connections in the area, and an evaluation of the cross-connection control and inspection program to ensure that future cross-connections do not occur.

[62-555.360][62-620.610(20)]

6. Maximum obtainable separation of reclaimed water lines and potable water lines shall be provided and the minimum separation distances specified in Rule 62-610.469(7), F.A.C., shall be provided. Reuse facilities shall be color coded or marked. Underground piping which is not manufactured of metal or concrete shall be color coded using Pantone Purple 522C using light stable colorants. Underground metal and concrete pipe shall be color coded or marked using purple as the predominant color. *[62-610.469(7)]*

7. In constructing reclaimed water distribution piping, the permittee shall maintain a 75-foot setback distance from a reclaimed water transmission facility to public water supply wells. No setback distances are required to other potable water supply wells or to any nonpotable water supply wells. *[62-610.471(3)]*

8. A setback distance of 75 feet shall be maintained between the edge of the wetted area and potable water supply wells, unless the utility adopts and enforces an ordinance prohibiting potable water supply wells within the reuse service area. No setback distances are required to any nonpotable water supply well, to any surface water, to any developed areas, or to any private swimming pools, hot tubs, spas, saunas, picnic tables, barbecue pits, or barbecue grills. *[62-610.471(1), (2), (5), and (7)]*

9. Reclaimed water shall not be used to fill swimming pools, hot tubs, or wading pools. *[62-610.469(4)]*

10. Low trajectory nozzles, or other means to minimize aerosol formation shall be used within 100 feet from outdoor public eating, drinking, or bathing facilities. *[62-610.471(6)]*

11. A setback distance of 100 feet shall be maintained from indoor aesthetic features using reclaimed water to adjacent indoor public eating and drinking facilities. *[62-610.471(8)]*

12. The public shall be notified of the use of reclaimed water. This shall be accomplished by posting of advisory signs in areas where reuse is practiced, notes on scorecards, or other methods. *[62-610.468(2)]*

13. All new advisory signs and labels on vaults, service boxes, or compartments that house hose bibbs along with all labels on hose bibbs, valves, and outlets shall bear the words "do not drink" and "no beber" along with the equivalent standard international symbol. In addition to the words "do not drink" and "no beber," advisory signs posted at storage ponds and decorative water features shall also bear the words "do not swim" and "no nadar" along with the equivalent standard international symbols. Existing advisory signs and labels shall be retrofitted, modified, or replaced in order to comply with the revised wording requirements. For existing advisory signs and labels this retrofit, modification, or replacement shall occur within 365 days after the date of this permit. For labels on existing vaults, service boxes, or compartments housing hose bibbs this retrofit, modification, or replacement shall occur within 730 days after the date of this permit. *[62-610.468, 62-610.469]*

14. The permittee shall ensure that users of reclaimed water are informed about the origin, nature, and characteristics of reclaimed water; the manner in which reclaimed water can be safely used; and limitations on the use of reclaimed water. Notification is required at the time of initial connection to the reclaimed water distribution system and annually after the reuse system is placed into operation. A description of on-going public notification activities shall be included in the Annual Reuse Report. *[62-610.468(6)]*

15. Routine aquatic weed control and regular maintenance of storage pond embankments and access areas are required. *[62-610.414(8)]*

16. Overflows from emergency discharge facilities on storage ponds shall be reported as abnormal events in accordance with Permit Condition IX.20. *[62-610.800(9)]*

17. Requirements for system storage pond capacity shall be as contained in Rule 62-610.414, F.A.C. System storage capacity shall be the volume equal to three times that portion of the average daily flow of the total reuse capacity for which no alternative reuse or disposal system is permitted. *[62-610.414, 62-610.464 (2)]*

18. A separate, off-line system for storage of reject water shall be provided unless another permitted reuse system or effluent disposal system is capable of discharging the reject water in accordance with requirements of Chapter 62-600, F.A.C. At a minimum this capacity shall be the volume equal to one day flow at the average daily design flow of the treatment plant or the average daily permitted flow of the reuse system, whichever is less. *[62-610.464(3)]*

19. If reclaimed water will be used only for toilet flushing, the Department shall approve alternate levels of reliability, operation controls, and operator attendance if the applicant provides an affirmative demonstration in the engineering report that alternative controls will provide controls on reclaimed water production equivalent to the full requirements of Part III of this chapter, and the engineering report presents reasonable assurances that public health will be protected. The engineering report shall document cross-connection control measures and controls on facility operation sufficient to ensure reliable production of reclaimed water of suitable quality. *[62-610.476(1)(a)]*

20. If reclaimed water will be used only for fire protection, the Department shall approve alternative levels of reliability, operation controls, and operator attendance if the applicant provides an affirmative demonstration in the engineering report that alternative controls will provide controls on reclaimed water production equivalent to the full requirements of Part III of this chapter, and the engineering report presents reasonable assurances that public health will be protected. The engineering report shall document cross-connection control measures and controls on facility operation sufficient to ensure reliable production of reclaimed water of suitable quality. *[62-610.476(2)(b)]*

V. OPERATION AND MAINTENANCE REQUIREMENTS

A. Staffing Requirements

1. During the period of operation authorized by this permit, the wastewater facilities shall be operated under the supervision of one or more operators certified in accordance with Chapter 62-602, F.A.C. In accordance with Chapter 62-699, F.A.C., this facility is a Category I, Class C facility and, at a minimum, operators with appropriate certification must be on the site as follows:

   A Class C or higher operator 6 hours/day for 5 days/week and one visit on each weekend day. The lead/chief operator must be a Class C operator, or higher. *[62-620.630(3)][62-699.310] [62-610.462]*

   An operator meeting the lead/chief operator class for the plant shall be available during all periods of plant operation. "Available" means able to be contacted as needed to initiate the appropriate action in a timely manner. *[62-699.311(1)]*

B. Capacity Analysis Report and Operation and Maintenance Performance Report Requirements

1. The application to renew this permit shall include an updated capacity analysis report prepared in accordance with Rule 62-600.405, F.A.C. *[62-600.405(5)]*

2. The application to renew this permit shall include a detailed operation and maintenance performance report prepared in accordance with Rule 62-600.735, F.A.C. *[62-600.735(1)]*

C. Recordkeeping Requirements

1. The permittee shall maintain the following records and make them available for inspection at the following address: on the site of the permitted facility.

a. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, including, if applicable, a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken;

b. Copies of all reports required by this permit for at least three years from the date the report was prepared;

c. Records of all data, including reports and documents, used to complete the application for this permit for at least three years from the date the application was filed;

d. Monitoring information, including a copy of the laboratory certification showing the laboratory certification number, related to the residuals use and disposal activities for the time period set forth in Chapter 62-640, F.A.C., for at least three years from the date of sampling or measurement;

e. A copy of the current wastewater facility permit;

f. Copies of the current operation and maintenance manuals for the wastewater facility and the collection/transmission systems owned or operated by the wastewater facility permittee as required by Chapters 62-600 and 62-604, F.A.C.;

g. A copy of any required record drawings for the wastewater facility and the collection/transmission systems owned or operated by the wastewater facility permittee;

h. Copies of the licenses of the current certified operators;

i. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules. The logs shall, at a minimum, include identification of the plant; the signature and license number of the operator(s) and the signature of the person(s) making any entries; date and time in and out; specific operation and maintenance activities, including any preventive maintenance or repairs made or requested; results of tests performed and samples taken, unless documented on a laboratory sheet; and notation of any notification or reporting completed in accordance with Rule 62-602.650(3), F.A.C. The logs shall be maintained on-site in a location accessible to 24-hour inspection, protected from weather damage, and current to the last operation and maintenance performed; and

j. Records of biosolids quantities, treatment, monitoring, and hauling for at least five years.

[62-620.350, 62-604.500, 62-602.650, 62-640.650(4)]

VI. SCHEDULES

1. The permittee is not authorized to discharge to waters of the state after the expiration date of this permit, unless:

   a. The permittee has applied for renewal of this permit at least 180 days before the expiration date of this permit using the appropriate forms listed in Rule 62-620.910, F.A.C., and in the manner established in the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C.; or

   b. The permittee has made complete the application for renewal of this permit before the permit expiration date.

   [62-620.335(1)-(4)]

VII. INDUSTRIAL PRETREATMENT PROGRAM REQUIREMENTS

1. This facility is not required to have a pretreatment program at this time. *[62-625.500]*

VIII. OTHER SPECIFIC CONDITIONS

1. In the event that the wastewater facilities or equipment, including collection/transmission systems, no longer function as intended, are no longer safe in terms of public health and safety (including inactive or abandoned facilities), or odor, noise, aerosol drift, or lighting adversely affects neighboring developed areas at the levels

prohibited by paragraphs 62-600.400(2)(a) and 62-604.400(2)(c), F.A.C., corrective action (which may include additional maintenance or modifications of the permitted facilities) shall be taken by the permittee. Other corrective action may be required to ensure compliance with rules of the Department. Additionally, the treatment, management, use or land application of residuals shall not cause a violation of the odor prohibition in subsection 62-296.320(2), F.A.C. *[62-600.410(5), 62-604.500(3) and 62-640.400(6)]*

2. All collection/transmission systems shall be operated and maintained to provide uninterrupted service. All pump stations shall be operated and maintained to provide the emergency pumping capability requirements in paragraph 62-604.400(2)(a), F.A.C., the lightning and transient voltage surge protections in paragraph 62-604.400(2)(b), F.A.C., and the design and signage requirements in paragraph 62-604.400(2)(d), F.A.C. Also, all equipment, pipes, manholes, pump stations, and other appurtenances necessary for the collection/transmission of domestic wastewater, including equipment provided pursuant to subsection 62-604.400(2), F.A.C., shall be maintained to function as intended. *[62-604.500(2) and (3)]*

3. The permittee shall evaluate and update the emergency response plan portion of the collection system operation and maintenance manual annually. The emergency response plan shall assess collection system security including cybersecurity; water quality monitoring for sanitary sewer overflows affecting surface waters; and hurricane and severe storm preparedness and response. *[62-604.500(4)]*

4. Collection/transmission systems shall be maintained to minimize excessive infiltration and inflow into the collection/transmission system, as well as excessive leakage from the collection/transmission system. The permittee shall take corrective actions when infiltration, inflow, or leakage is excessive. Infiltration and inflow are considered excessive if one or both cause or contribute to sanitary sewer overflows. Leakage, or exfiltration, is considered excessive if it causes or contributes to a violation of surface water quality standards or ground water quality standards. *[62-604.500(5)]*

5. All collection/transmission systems shall be operated and maintained to prevent sanitary sewer overflows. The permittee shall evaluate the cause of all sanitary sewer overflows and evaluate potential corrective measures to avoid future sanitary sewer overflows. Corrective actions shall be taken by the permittee if excessive inflow and infiltration causes or contributes to a sanitary sewer overflow. The owner/operator of a satellite collection system shall take corrective actions for a sanitary sewer overflow in the receiving collection system caused by excessive inflow and infiltration in the satellite collection system. *[62-604.500(6)]*

6. The deliberate introduction of stormwater in any amount into collection/transmission systems designed solely for the introduction (and conveyance) of domestic/industrial wastewater; or the deliberate introduction of stormwater into collection/transmission systems designed for the introduction or conveyance of combinations of storm and domestic/industrial wastewater in amounts which may reduce the efficiency of pollutant removal by the treatment plant is prohibited, except as provided by Rule 62-610.472, F.A.C. *[62-604.130(4)]*

7. Cross-connection, as defined in Rule 62-550.200, F.A.C., between the wastewater facility, including the collection/transmission system, and a potable water system is prohibited. *[62-550.360][62-604.130(3)]*

8. The collection/transmission operation and maintenance manual shall be maintained and revised periodically in accordance with subsection 62-604.500(4), F.A.C., to reflect any alterations performed or to reflect experience resulting from operation. However, a new operation and maintenance manual is not required to be developed for each project if there is already an existing manual that is applicable to the facilities being constructed. *[62-604.500(4)]*

9. Collection/transmission system overflows shall be reported to the Department in accordance with Permit Condition IX. 20. *[62-604.550] [62-620.610(20)]*

10. The operating authority of a collection/transmission system and the permittee of a treatment plant are prohibited from accepting connections of wastewater discharges which have not received necessary pretreatment or which contain materials or pollutants (other than normal domestic wastewater constituents):

    a. Which may cause fire or explosion hazards; or

b. Which may cause excessive corrosion or other deterioration of wastewater facilities due to chemical action or pH levels; or

c. Which are solid or viscous and obstruct flow or otherwise interfere with wastewater facility operations or treatment; or

d. Which result in the wastewater temperature at the introduction of the treatment plant exceeding 40°C or otherwise inhibiting treatment; or

e. Which result in the presence of toxic gases, vapors, or fumes that may cause worker health and safety problems.

[62-604.130(5)]

11. The treatment facility, storage ponds for Part II systems, rapid infiltration basins, and/or infiltration trenches shall be enclosed with a fence or otherwise provided with features to discourage the entry of animals and unauthorized persons. *[62-600.400(2)(b)]*

12. Screenings and grit removed from the wastewater facilities shall be collected in suitable containers and hauled to a Department approved Class I landfill or to a landfill approved by the Department for receipt/disposal of screenings and grit. *[62-701.300(1)(a)]*

13. Where required by Chapter 471 or Chapter 492, F.S., applicable portions of reports that must be submitted under this permit shall be signed and sealed by a professional engineer or a professional geologist, as appropriate. *[62-620.310(4)]*

14. The permittee shall provide verbal notice to the Department's Southeast District Office as soon as practical after discovery of a sinkhole or other karst feature within an area for the management or application of wastewater, wastewater residuals (sludges), or reclaimed water. The permittee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department's Southeast District Office in a written report within 7 days of the sinkhole discovery. *[62-620.320(6)]*

15. The permittee shall provide notice to the Department of the following:

    a. Any new introduction of pollutants into the facility from an industrial discharger which would be subject to Chapter 403, F.S., and the requirements of Chapter 62-620, F.A.C., if it were directly discharging those pollutants; and

    b. Any substantial change in the volume or character of pollutants being introduced into that facility by a source which was identified in the permit application and known to be discharging at the time the permit was issued.

    Notice shall include information on the quality and quantity of effluent introduced into the facility and any anticipated impact of the change on the quantity or quality of effluent or reclaimed water to be discharged from the facility. If pretreatment becomes necessary, this permit may be modified to require the permittee to develop and implement a local pretreatment program in accordance with the requirements of Chapter 62-625, F.A.C.

[62-620.625(2)]

IX. GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, Florida Statutes. Any permit noncompliance constitutes a violation of Chapter 403, Florida Statutes, and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. *[62-620.610(1)]*

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviations from the approved drawings, exhibits, specifications, or

conditions of this permit constitutes grounds for revocation and enforcement action by the Department. *[62-620.610(2)]*

3. As provided in subsection 403.087(7), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor authorize any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit. *[62-620.610(3)]*

4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. *[62-620.610(4)]*

5. This permit does not relieve the permittee from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. *[62-620.610(5)]*

6. If the permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee shall apply for and obtain a new permit. *[62-620.610(6)]*

7. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used by the permittee to achieve compliance with the conditions of this permit. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit. *[62-620.610(7)]*

8. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. *[62-620.610(8)]*

9. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to:

   a. Enter upon the permittee's premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;

   b. Have access to and copy any records that shall be kept under the conditions of this permit;

   c. Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and

   d. Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules.

   [62-620.610(9)]

10. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, F.S., or Rule 62-620.302, F.A.C. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. *[62-620.610(10)]*

11. When requested by the Department, the permittee shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be promptly submitted or corrections promptly reported to the Department. *[62-620.610(11)]*

12. Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit, agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard. *[62-620.610(12)]*

13. The permittee, in accepting this permit, agrees to pay the applicable regulatory program and surveillance fee in accordance with Rule 62-4.052, F.A.C. *[62-620.610(13)]*

14. This permit is transferable only upon Department approval in accordance with Rule 62-620.340, F.A.C. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department. *[62-620.610(14)]*

15. The permittee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility or activity and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. *[62-620.610(15)]*

16. The permittee shall apply for a revision to the Department permit in accordance with Rules 62-620.300, F.A.C., and the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.325(2), F.A.C., for minor modifications to the permitted facility. A revised permit shall be obtained before construction begins except as provided in Rule 62-620.300, F.A.C. *[62-620.610(16)]*

17. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall be responsible for any and all damages which may result from the changes and may be subject to enforcement action by the Department for penalties or revocation of this permit. The notice shall include the following information:

    a. A description of the anticipated noncompliance;

    b. The period of the anticipated noncompliance, including dates and times; and

    c. Steps being taken to prevent future occurrence of the noncompliance.

    [62-620.610(17)]

18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246 and Chapters 62-160, 62-600, and 62-610, F.A.C., and 40 CFR 136, as appropriate.

    a. Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.

    b. If the permittee monitors any contaminant more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

    c. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.

d. Except as specifically provided in Rule 62-160.300, F.A.C., any laboratory test required by this permit shall be performed by a laboratory that has been certified by the Department of Health Environmental Laboratory Certification Program (DOH ELCP). Such certification shall be for the matrix, test method and analyte(s) being measured to comply with this permit. For domestic wastewater facilities, testing for parameters listed in Rule 62-160.300(4), F.A.C., shall be conducted under the direction of a certified operator.

e. Field activities including on-site tests and sample collection shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in Chapter 62-160, F.A.C.

f. Alternate field procedures and laboratory methods may be used where they have been approved in accordance with Rules 62-160.220, and 62-160.330, F.A.C.

[62-620.610(18)]

19. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. *[62-620.610(19)]*

20. The permittee shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; clean up actions taken and status; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. For noncompliance events related to sanitary sewer overflows, bypass events, or unauthorized discharges, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (e.g., sanitary sewer overflow, bypass, unauthorized discharge); type of sanitary sewer overflow structure (e.g., manhole); the discharge location address and latitude/longitude; type of water discharged; discharge volumes and volumes recovered; volume discharged to surface waters and receiving waterbody name; types of human health and environmental impacts of the sanitary sewer overflow, bypass event, or unauthorized discharge (e.g., beach closure); whether the noncompliance was caused by a third party; and whether the noncompliance was related to wet weather. The written submission may be provided electronically using the Department's Business Portal at https://www.fldepportal.com/go/ (via "Submit" followed by "Report" or "Registration/Notification"). Notice required for public notice of pollution under paragraph (d) may be provided together with the written submission using the Business Portal. All noncompliance events related to sanitary sewer overflows or bypass events submitted after September 14, 2021, shall be submitted electronically.

a. The following shall be included as information which must be reported within 24 hours under this condition:

(1) Any unanticipated bypass which causes any reclaimed water or the effluent to exceed any permit limitation or results in an unpermitted discharge,

(2) Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,

(3) Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice; and,

(4) Any unauthorized discharge to surface or ground waters, except for discharges to ground water of reclaimed water meeting Part III or Part V treatment standards under Chapter 62-610, F.A.C.

b. Oral reports as required by this subsection shall be provided as follows:

(1) For unauthorized releases or spills of treated or untreated wastewater reported pursuant to subparagraph (a)4., that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the Department by calling the STATE WATCH OFFICE TOLL FREE NUMBER (800)320-0519, as soon as practicable, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Watch Office:

(a) Name, address, and telephone number of person reporting,

(b) Name, address, and telephone number of permittee or responsible person for the discharge,

(c) Date and time of the discharge and status of discharge (ongoing or ceased),

(d) Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater),

(e) Estimated amount of the discharge,

(f) Location or address of the discharge,

(g) Source and cause of the discharge,

(h) Whether the discharge was contained on-site, and cleanup actions taken to date,

(i) Description of area affected by the discharge, including name of water body affected, if any; and,

(j) Other persons or agencies contacted.

(2) Oral reports, not otherwise required to be provided pursuant to subparagraph (b)1., above, shall be provided to the Department within 24 hours from the time the permittee becomes aware of the circumstances.

c. If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department shall waive the written report.

d. In accordance with Section 403.077, F.S., unauthorized releases or spills reportable to the State Watch Office pursuant to subparagraph (b)1. above shall also be reported to the Department within 24 hours from the time the permittee becomes aware of the discharge. The permittee shall provide to the Department information reported to the State Watch Office. Notice of unauthorized releases or spills may be provided to the Department through the Department's Public Notice of Pollution web page at https://floridadep.gov/pollutionnotice or by reporting electronically using the Department's Business Portal at https://www.fldepportal.com/go/ (via "Submit" followed by "Report" or "Registration/Notification").

(1) If, after providing notice pursuant to paragraph (d) above, the permittee determines that a reportable unauthorized release or spill did not occur or that an amendment to the notice is warranted, the permittee may submit a letter to the Department documenting such determination at pollution.notice@floridadep.gov.

(2) If, after providing notice pursuant to paragraph (d) above, the permittee discovers that a reportable unauthorized release or spill has migrated outside the property boundaries of the installation, the permittee must provide an additional notice to the Department that the release has migrated outside the property boundaries within 24 hours after its discovery of the migration outside of the property boundaries.

e. Unless discharged to surface waters, a spill, release, discharge, upset or bypass involving reclaimed water meeting Part III or Part V treatment standards under Chapter 62-610, F.A.C., shall not be considered to endanger health or the environment and shall be reported under subsection (21) of this permit.

[62-620.610(20)] [62-620.100(3)]

21. The permittee shall report all instances of noncompliance not reported under Permit Conditions IX.17., IX.18., or IX.19. of this permit at the time monitoring reports are submitted. This report shall contain the same information required by Permit Condition IX.20. of this permit. *[62-620.610(21)]*

22. Bypass Provisions.

a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment works.

b. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless the permittee affirmatively demonstrates that:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices as required under Permit Condition IX.22.c. of this permit.

c. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in Permit Condition IX.20. of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.

d. The Department shall approve an anticipated bypass, after considering its adverse effect, if the permittee demonstrates that it will meet the three conditions listed in Permit Condition IX.22.b.(1) through (3) of this permit.

e. A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Permit Condition IX.22.b. through d. of this permit.

[62-620.610(22)]

23. Upset Provisions.

a. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the permittee.

(1) An upset does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, careless or improper operation.

(2) An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of upset provisions of Rule 62-620.610, F.A.C., are met.

b. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the permittee can identify the cause(s) of the upset;

(2) The permitted facility was at the time being properly operated;

(3) The permittee submitted notice of the upset as required in Permit Condition IX.20. of this permit; and

(4) The permittee complied with any remedial measures required under Permit Condition IX.5. of this permit.

c. In any enforcement proceeding, the burden of proof for establishing the occurrence of an upset rests with the permittee.

d. Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review.

[62-620.610(23)]

EXECUTION AND CLERKING

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

April 27, 2023
Norva Blandin, MSEM Date
Permitting Program Administrator
Southeast District

Attachments: DMR, Pathogen Monitoring Report, Fact Sheet

FACT SHEET
FOR
STATE OF FLORIDA DOMESTIC WASTEWATER FACILITY PERMIT

PERMIT NUMBER: FLA014720

FACILITY NAME: City of Key Colony Beach WWTP

FACILITY LOCATION: 600 N. 8th Street, Key Colony Beach, FL 33051-141
Monroe County

NAME OF PERMITTEE: City of Key Colony Beach

PERMIT WRITER: Lyudmila Sokolova

1. SUMMARY OF APPLICATION

a. Chronology of Application

Application Number: FLA014720-020-DW2P

Application Submittal Date: October 19, 2022

b. Type of Facility

Domestic Wastewater Treatment Plant

Ownership Type: Municipal

SIC Code: 4952

c. Facility Capacity

Existing Permitted Capacity:	0.34 mgd Annual Average Daily Flow
Proposed Increase in Permitted Capacity:	0.00 mgd Annual Average Daily Flow
Proposed Total Permitted Capacity:	0.34 mgd Annual Average Daily Flow

d. Description of Wastewater Treatment

The facility is an existing, domestic advanced wastewater treatment (AWT) domestic wastewater treatment facility (WWTF) with reclaimed water public-access treatment capabilities. The permitted capacity is 0.340 million gallons per day (MGD), annual average daily flow (AADF). The facility consists of the following systems:

• Influent Screening System with: one (1) 10- foot static screen with 2 mm screening capabilities; and one (1) emergency- back-up-aluminum-bar rack with 1/4-inch screenings.

• Integrated Surge Anoxic Mixing (ISAM) System that consists of the following components:
One (1) 98,900-gallon Anaerobic Basin;
One (1) Surge and Anoxic Mixing (SAM) Basin (45'-4" x 42'-8") with a jet mixing system comprised of one (1) 1,600gpm Motive Pump and two (2) 240 scfm SAM positive-displacement (PD) blowers;
Two (2) 900 to 1,200 gpm Flow Equalization/Recycle Pumps to transfer equalized flow from the SAM Basin to the MBR treatment system and provide nitrified mixed liquor recycle flow from the MBR to the SAM Basin;

Two (2) 250 gpm ISAM WAS Pumps; an alum chemical feed system for Total Phosphorus removal; and a Micro-C chemical feed system for Total Nitrogen removal.

- Membrane Bioreactor (MBR) System that consists of the following components:
A three-stage activated sludge process train split into two (2) hydraulic treatment units having total treatment volumes of: 55,500-gallon Anoxic zone with two (2) submersible mixers,
74,000-gallon Anoxic-Aeration zone with coarse-bubble diffusers,
68,700-gallon aeration zone with coarse-bubble diffusers
eight (8) LEAPmbr™ ultrafiltration cassettes.
two (2) 830 gpm submersible Recycle Pumps that internally recycle nitrified mixed liquor within the MBR System.

Three (3) 550 gpm permeate pumps deliver flow from the ultrafiltration cassettes to the UV Disinfection System. One (1) 100 gpm WAS centrifugal pump delivers waste-activated sludge from the MBR System to the ISAM Anaerobic Basin. Within the ISAM Control Room, four (4) 650 scfm PD blowers supply the MBR System with air for aeration and mixing of the mixed liquor, and scour of the LEAPmbr™ ultrafiltration cassettes.

- The UV Disinfection System is comprised of the following components:

Two closed vessel, medium pressure, high intensity, ultraviolet disinfection (UV) reactors with a 25,000-gallon contact tank with ultrasonic effluent flow meter.

- The facility produces reclaimed water using a 100,000 gpd Reverse Osmosis (RO) Reclaimed Water System which consists of the following components:

One (1) 150 gpm RO Feed Pump;

One (1) In-line Cartridge Filter;

One (1) 150 gpm High-Pressure RO Feed Pump;

One (1) 100,000 gpd RO Skid with 400-square feet of membrane filtration area;

One (1) 120,000-gallon Ground Storage Tank;

Two (2) 90 gpm Irrigation Pumps; and two (2) 150 gpm I n-plant Reuse Pumps.

- Treated effluent from the UV Disinfection System that is not processed by the RO Water System is conveyed by gravity to six (6) on-site Class 'V' Injection Wells for disposal.
- Digested sludge is processed via a biosolids dewatering bed.

Two existing sludge drying beds are converted into storage space.

A filtrate pump station and/or a duplex pump station pump the biosolids filtrate back to the facility headworks

e. Description of Effluent Disposal and Land Application Sites (as reported by applicant)

Underground Injection U-001: An existing 0.34 MGD annual average daily flow permitted capacity underground injection well system consisting of 6 Class V underground injection wells permitted under Department permit number(s) 63994-043 through 63994-048-UO, discharging to Class G-III ground water. Underground Injection Well System U-001 is located approximately at latitude 24°43' 30" N, longitude 81°1' 18" W.

Land Application R-001: An existing 0.099 MGD annual average daily flow permitted capacity slow-rate public access system. R-001 is a reuse system for irrigation of the city parks and golf course. The irrigated area is 15 acres and the permittee is authorized to use water trucks to distribute reuse water to the parks that do not have a reuse piping system

2. SUMMARY OF SURFACE WATER DISCHARGE

This facility does not discharge to surface waters.

3. BASIS FOR PERMIT LIMITATIONS AND MONITORING REQUIREMENTS

This facility is authorized to discharge reclaimed water to Underground Injection Well System U-001 which consists of 6 Class V injection wells discharging to Class G-III ground water based on the following:

Parameter	Units	Max/ Min	Limit	Statistical Basis	Rationale
Flow	MGD	Max	0.34	Annual Average	62-600.700(2)(b) FAC
		Max	Report	Monthly Average	62-600.700(2)(b) FAC
BOD, Carbonaceous 5 day, 20C	mg/L	Max	5.0	Annual Average	Chapter 99-395, Laws of Florida, Section 6, & 62-600.740(2)(b)1. FAC
		Max	6.25	Monthly Average	Chapter 99-395, Laws of Florida, Section 6, & 62-600.740(2)(b)2. FAC
		Max	10.0	Single Sample	Chapter 99-395, Laws of Florida, Section 6, & 62-600.740(2)(b)4. FAC
Solids, Total Suspended	mg/L	Max	20.0	Annual Average	Chapter 99-395, Laws of Florida, Section 6, & 62-600.740(2)(b)1. FAC
		Max	30.0	Monthly Average	Chapter 99-395, Laws of Florida, Section 6, & 62-600.740(2)(b)2. FAC
		Max	60.0	Single Sample	Chapter 99-395, Laws of Florida, Section 6, & 62-600.740(2)(b)4. FAC
Coliform, Fecal	#/100mL	Max	200	Annual Average	Chapter 99-395, Laws of Florida, Section 6, & 62-600.440(5)(a)1. FAC
		Max	200	Monthly Geometric Mean	Chapter 99-395, Laws of Florida, Section 6, & 62-600.440(5)(a)2. FAC
		Max	800	Single Sample	Chapter 99-395, Laws of Florida, Section 6, & 62-600.440(5)(a)4. FAC
pH	s.u.	Min	6.0	Single Sample	62-600.445 FAC
		Max	8.5	Single Sample	62-600.445 FAC
Turbidity	NTU	Max	0.5	Single Sample	62-600.440(2) FAC
Ultraviolet Light Dosage	mW-s/sqcm	Min	50	Single Sample	62-600.440(2) FAC
Ultraviolet Light Transmittance	percent	Min	65	Single Sample	62-600.440(2) FAC
Ultraviolet Light Intensity	mW/sqcm	Min	Report	Single Sample	62-600.440(2) FAC
Nitrogen, Total	mg/L	Max	3.0	Annual Average	Chapter 99-395, Laws of Florida, Section 6, & 62-600.740(2)(b)1. FAC
Phosphorus, Total (as P)	mg/L	Max	1.0	Annual Average	Chapter 99-395, Laws of Florida, Section 6, & 62-600.740(2)(b)1. FAC

This facility is authorized to direct reclaimed water to Reuse System R-001, a slow-rate public access system, based on the following:

Parameter	Units	Max/ Min	Limit	Statistical Basis	Rationale
Flow	MGD	Max	0.099	Annual Average	62-600.700(2)(b) & 62-610.810(5) FAC
		Max	Report	Monthly Average	62-600.700(2)(b) & 62-610.810(5) FAC
BOD, Carbonaceous 5 day, 20C	mg/L	Max	20.0	Annual Average	62-610.460 & 62-600.420(3)(a)1. FAC
		Max	30.0	Monthly Average	62-610.460 & 62-600.420(3)(a)2. FAC
		Max	60.0	Single Sample	62-610.460 & 62-600.420(3)(a)4. FAC
Solids, Total Suspended	mg/L	Max	5.0	Single Sample	62-610.460(1) & 62-600.440(6)(a)3. FAC
pH	s.u.	Min	6.0	Single Sample	62-600.445 FAC
		Max	8.5	Single Sample	62-600.445 FAC
Turbidity	NTU	Max	Report	Single Sample	62-610.463(2) FAC
Ultraviolet Light Dosage	mW-s/sqcm	Min	50	Single Sample	62-600.440(2) FAC
Ultraviolet Light Transmittance	percent	Min	65	Single Sample	62-600.440(2) FAC
Ultraviolet Light Intensity	mW/sqcm	Max	Report	Single Sample	62-600.440(2) FAC
Coliform, Fecal, % less than detection	percent	Min	75	Minimum Total	62-610.460 & 62-600.440(6)(a)1. FAC
Coliform, Fecal	#/100mL	Max	25	Single Sample	62-610.460 & 62-600.440(6)(a)2. FAC
Giardia	cysts/100L	Max	Report	Single Sample	62-610.463(4) FAC
Cryptosporidium	oocysts/100L	Max	Report	Single Sample	62-610.463(4) FAC
Nitrogen, Total	mg/L	Max	10	Single Sample	BMAP
Phosphorus, Total (as P)	mg/L	Max	6	Annual Average	BMAP

Other Limitations and Monitoring Requirements:

Parameter	Units	Max/ Min	Limit	Statistical Basis	Rationale
Flow	MGD	Max	0.34	Annual Average	62-600.700(2)(b) FAC
		Max	Report	Monthly Average	62-600.700(2)(b) FAC
		Max	Report	3-Month Rolling Average	62-600.700(2)(b) FAC
Percent Capacity, (TMADF/Permitted Capacity) x 100	percent	Max	Report	Monthly Average	62-600.405(4) FAC
BOD, Carbonaceous 5 day, 20C (Influent)	mg/L	Max	Report	Single Sample	62-600.660(1) FAC
Solids, Total Suspended (Influent)	mg/L	Max	Report	Single Sample	62-600.660(1) FAC
Monitoring Frequencies and Sample Types	-	-	-	All Parameters	62-600 FAC & 62-699 FAC and/or BPJ of permit writer
Sampling Locations	-	-	-	All Parameters	62-600, 62-610.412, 62-610.463(1), 62-610.568, 62-610.613 FAC and/or BPJ of permit writer

4. IMPAIRMENT STATUS OF RECEIVING WATERS

This facility does not discharge to surface waters. However, the facility is located in WBID 6011B.
The Florida Keys were identified as impaired for nutrients based on "other information" indicating an imbalance in flora or fauna, pursuant to Rule 62-303.450(2), F.A.C. However, it is being placed in category 4b (Reasonable Assurance) and is not being added to the 303(d) List because there is reasonable assurance that it will attain water quality standards due to existing or proposed pollutant control measures.
Limits for monitoring for total nitrogen and total phosphorus are included for Underground Injection Well System U-001, in permit condition in order to provide reasonable assurance that the discharge to ground waters will not cause or contribute to the nutrient impairment in the basin and also to help to existing or proposed pollutant control measures.

5. DISCUSSION OF CHANGES TO PERMIT LIMITATIONS

The current wastewater permit for this facility FLA014720-017-DW2P expires on April 16, 2023.

6. BIOSOLIDS MANAGEMENT REQUIREMENTS

Biosolids generated by this facility may be transferred to Miami-Dade South District WWTF or disposed of in a Class I solid waste landfill.

See the table below for the rationale for the biosolids quantities monitoring requirements.

Parameter	Units	Max/ Min	Limit	Statistical Basis	Rationale
Biosolids Quantity (Transferred)	dry tons	Max	Report	Monthly Total	62-640.650(5)(a)1. FAC
Biosolids Quantity (Landfilled)	dry tons	Max	Report	Monthly Total	62-640.650(5)(a)1. FAC
Biosolids Quantity (Used as a Biofuel or for Bioenergy)	dry tons	Max	Report	Monthly Total	62-640.650(5)(a)1. FAC
Monitoring Frequency		All Parameters			62-640.650(5)(a) FAC

7. GROUND WATER MONITORING REQUIREMENTS

Ground water monitoring requirements have been established in accordance with Chapters 62-520, 532, 610, and 620, F.A.C.

8. PERMIT SCHEDULES

a. The permittee is not authorized to discharge to waters of the state after the expiration date of this permit, unless:

b. The permittee has applied for renewal of this permit at least 180 days before the expiration date of this permit using the appropriate forms listed in Rule 62-620.910, F.A.C., and in the manner established in the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C.; or

c. The permittee has made complete the application for renewal of this permit before the permit expiration date.

[62-620.335(1)-(4)]

9. INDUSTRIAL PRETREATMENT REQUIREMENTS

At this time, the facility is not required to develop an approved industrial pretreatment program. However, the Department reserves the right to require an approved program if future conditions warrant.

10. ADMINISTRATIVE ORDERS (AO) AND CONSENT ORDERS (CO)

This permit is not accompanied by an AO, and the permittee has not entered into a CO with the Department that affects this permit.

11. REQUESTED VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS

No variances were requested for this facility.

12. THE ADMINISTRATIVE RECORD

The administrative record including application, fact sheet, comments received and additional information is available for public at http://depedms.dep.state.fl.us/Oculus/servlet/login?action=login

13. PROPOSED SCHEDULE FOR PERMIT ISSUANCE

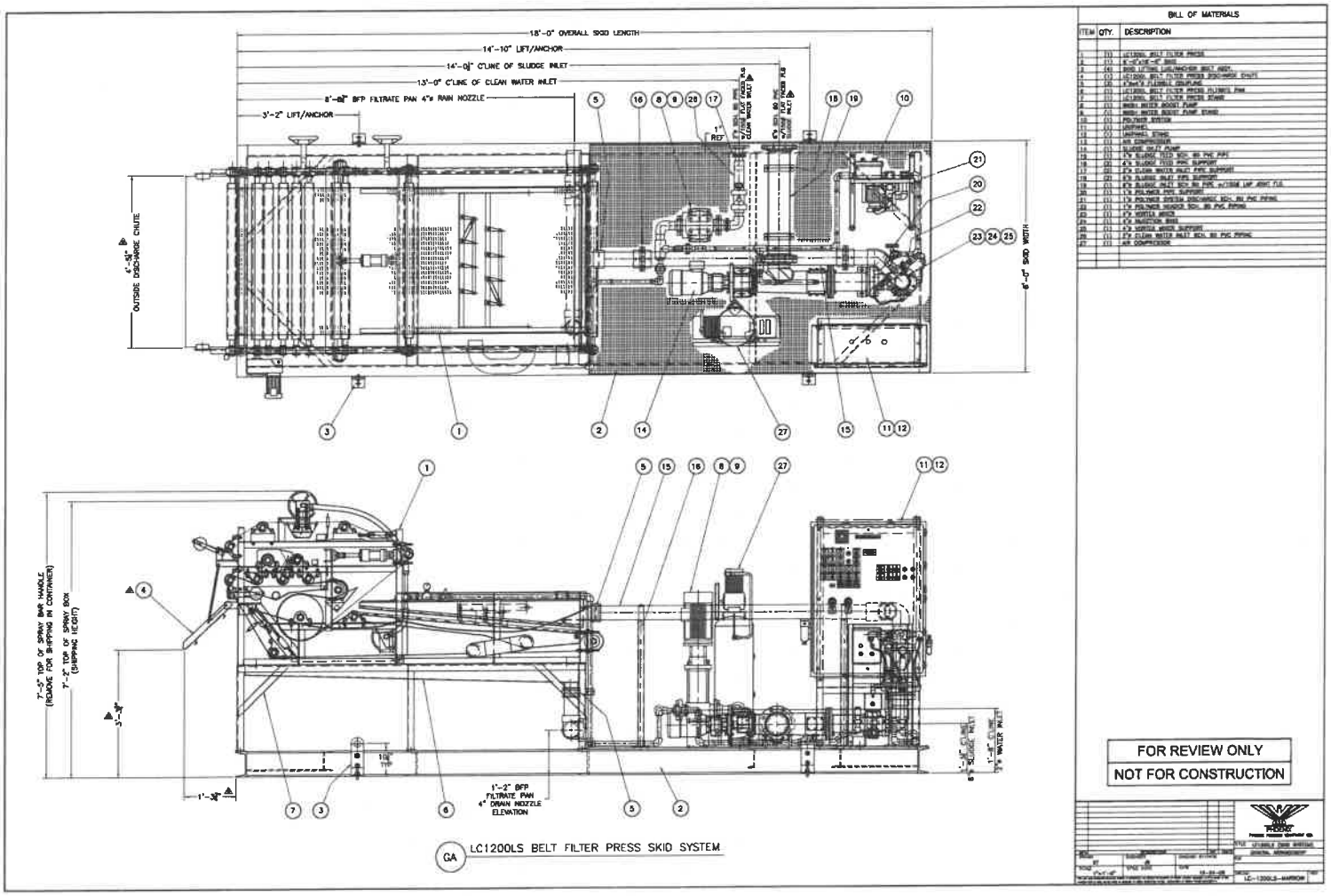
Notice of Permit Issuance April 27, 2023

14. DEP CONTACT

Additional information concerning the permit and proposed schedule for permit issuance may be obtained during normal business hours from:

Lyudmila Sokolova
Engineering Specialist III
Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406-3007
Phone: 561-681-6738
Email: Lyudmila.Sokolova@floridadep.gov

Appendix C | Belt Press Conceptual Drawings

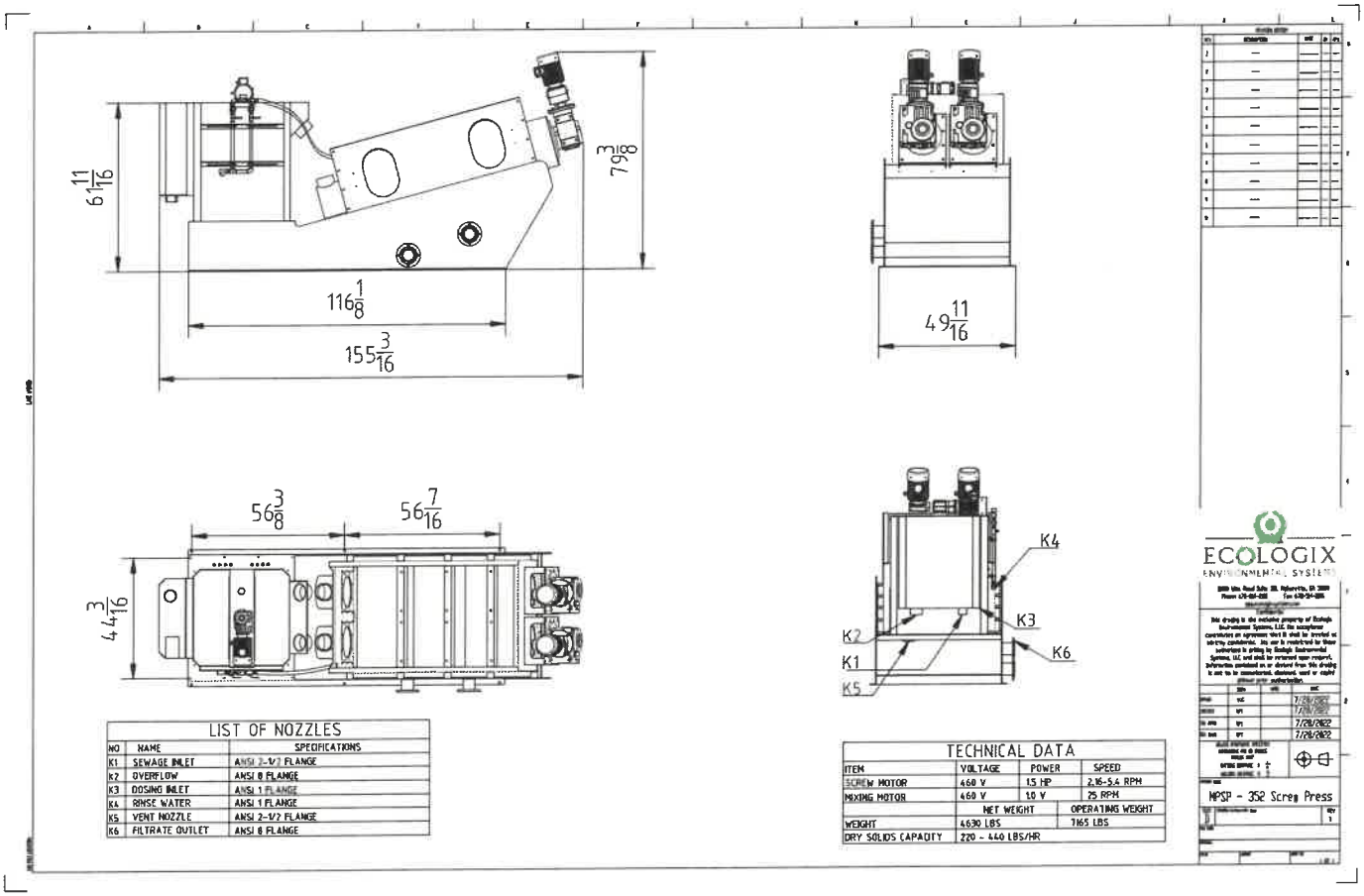


BILL OF MATERIALS

ITEM	QTY.	DESCRIPTION
1	(1)	LC1200L BELT FILTER PRESS
2	(1)	6"-0"AXE-4" BASE
3	(4)	SKID LIFTING EYE/ANCHOR BOLT ASSY.
4	(1)	LC1200L BELT FILTER PRESS DISCHARGE CHUTE
5	(2)	4"Dresser FLEXIBLE COUPLING
6	(1)	LC1200L BELT FILTER PRESS FILTRATE PAN
7	(1)	LC1200L BELT FILTER PRESS STAND
8	(1)	8HBH WATER BOOST PUMP
9	(1)	8HBH WATER BOOST PUMP STAND
10	(1)	POLYMER SYSTEM
11	(1)	LADDER
12	(1)	LADDER STAND
13	(1)	AIR CONDITIONER
14	(1)	SLUDGE GRIT PUMP
15	(1)	4"ø SLUDGE TYPE SCH. 80 PVC PIPE
16	(1)	4"ø SLUDGE TYPE PIPE SUPPORT
17	(2)	4"ø CLEAN WATER INLET PIPE SUPPORT
18	(2)	4"ø SLUDGE INLET PIPE SUPPORT
19	(1)	4"ø SLUDGE INLET SCH 80 PIPE w/150# LAP JOINT FLG
20	(1)	1½ POLYMER PIPE SUPPORT
21	(1)	1½ POLYMER SYSTEM DISCHARGE SCH. 80 PVC PIPING
22	(1)	1"ø POLYMER DILUTION SCH. 80 PVC PIPING
23	(1)	4"ø SUCTION BASE
24	(1)	4"ø SUCTION WINDOW SUPPORT
25	(1)	3"ø CLEAN WATER INLET SCH. 80 PVC PIPING
26	(1)	AIR COMPRESSOR
27	(1)	

FOR REVIEW ONLY
NOT FOR CONSTRUCTION

Appendix D | Screw Press Conceptual Drawings

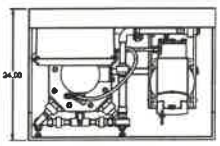


LIST OF NOZZLES		
NO	NAME	SPECIFICATIONS
K1	SEWAGE INLET	ANSI 2-1/2 FLANGE
K2	OVERFLOW	ANSI 8 FLANGE
K3	DOSING INLET	ANSI 1 FLANGE
K4	RINSE WATER	ANSI 1 FLANGE
K5	VENT NOZZLE	ANSI 2-1/2 FLANGE
K6	FILTRATE OUTLET	ANSI 8 FLANGE

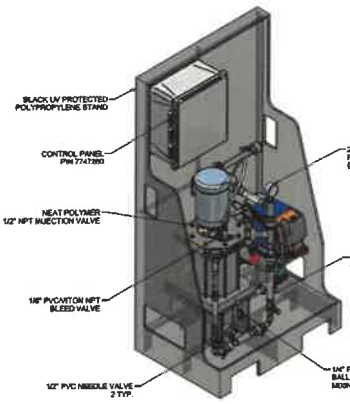
TECHNICAL DATA			
ITEM	VOLTAGE	POWER	SPEED
SCREW MOTOR	460 V	15 HP	2.16-5.4 RPM
MIXING MOTOR	460 V	10 V	25 RPM
	NET WEIGHT		OPERATING WEIGHT
WEIGHT	4630 LBS		7165 LBS
DRY SOLIDS CAPACITY	220 - 440 LBS/HR		

ECOLOGIX
ENVIRONMENTAL SYSTEMS

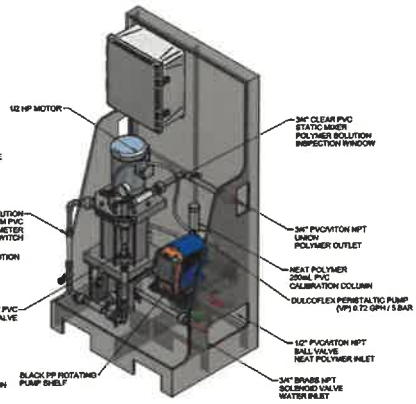
MPSP - 352 Screw Press



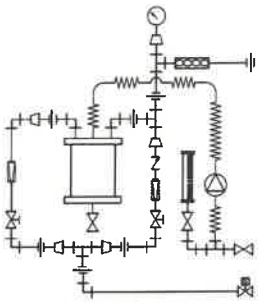
PLAN VIEW



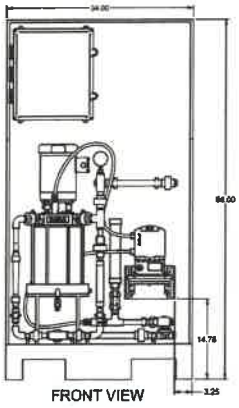
LEFT ISOMETRIC VIEW



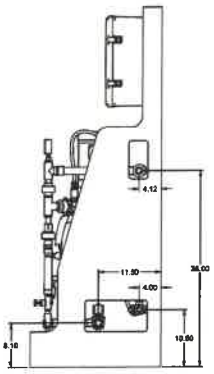
RIGHT ISOMETRIC VIEW



PIPING SCHEMATIC



FRONT VIEW



SIDE VIEW

NOTES:

1. ALL PIPING AND FITTINGS SHALL BE 1/2" AND 3/4" SCH. 80 PVC SOCKET WELD WITH VITON SEALS UNLESS OTHERWISE NOTED.
2. PUMP MAXIMUM CAPACITY RATES BASED UPON PUMPING WATER.
3. POLYMER BLENDING SYSTEM WITH THREE ZONE PVC MIXING CHAMBER.
4. REQUIRED INCOMING POWER:

   120VAC, 1 PHASE, 60Hz. 15 AMP CURRENT RATING AT 120 VAC
5. ALL DIMENSIONS ARE IN INCHES AND ARE SHOWN FOR REFERENCE ONLY.

REVISION HISTORY

REV	DESCRIPTION	DATE	BY
1	–	——	——
2	–	——	——
3	–	——	——
4	–	——	——
5	–	——	——
6	–	——	——
7	–	——	——
8	–	——	——
9	–	——	——
10	–	——	——

ECOLOGIX
ENVIRONMENTAL SYSTEMS
11600 Villa Road Suite 110, Alpharetta, GA 30009
Phone: 678-514-2100 Fax: 678-514-2105
www.ecologixsystems.com

This drawing is the exclusive property of Ecologix Environmental Systems, LLC. Its acceptance constitutes an agreement that it shall be treated as strictly confidential. Its use is restricted to those authorized in writing by Ecologix Environmental Systems, LLC and shall be returned upon request. Information contained on or derived from this drawing is not to be communicated, disclosed, used or copied without prior authorization.

	SIGN	PRINT	DATE
DRAWN		NPT	10/31/2023
CHECKED		NPT	10/31/2023
ENGR APPR.		NPT	10/31/2023
MFGR APPR.			10/31/2023

UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES
ANGLES ±0.5°
CUTTING DISTANCE ±1/32
WELDING DISTANCE ±1/16

Polymer Make Down Unit
Submittal Drawing

SIZE D | DWG NO. N/A | REV 1 | SCALE N/A | SHEET NO. 1 OF 1

City of Key Colony Beach
Public Review of Maintenance Building, Dry Flood Proofing Project

City Commission Meeting November 19, 2026

(Document edited from Public Notice Posted Dec 2025)

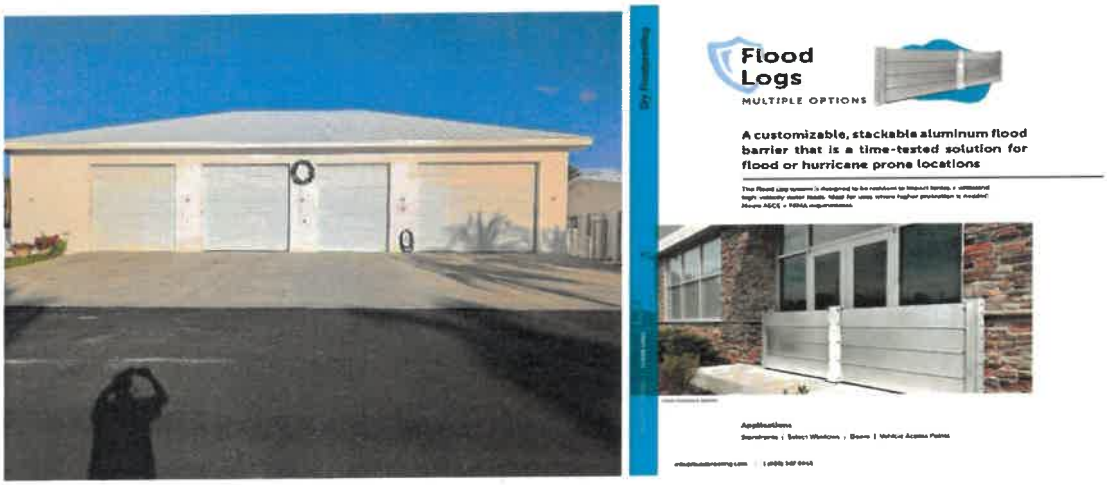
Location: 480 8th Street, Key Colony Beach, Florida, 33051

Proposed Work and Purpose: Install flood proof logs (height of 4 feet) and structural support brackets on the current garage doors and walk in entry doors at the City Maintenance Building. Install silicon coating material around the perimeter of the building to a height of 4 feet for water penetration mitigation. Raise electrical service and water faucets to the correct height for flood protection. Purpose of the Project - to help mitigate potential flood damage to the building and contents.

Funding Plans: Federal Emergency Management Agency Grant (187,572) with the State of Florida Emergency Management and Engineering Team oversight, along with Local Funds ($20,841) from the City of Key Colony Beach. Compliance required for all applicable federal, state, and local laws and regulations.

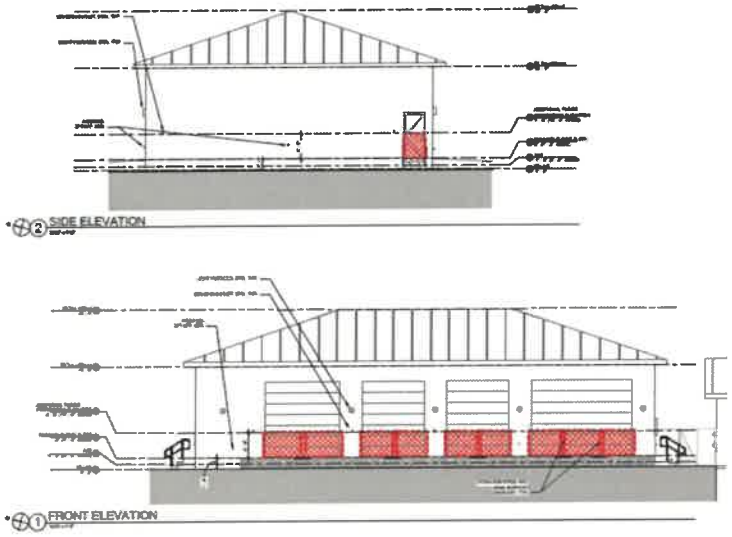
Phase I – Design Phase, approved and reimbursement received from State of Florida and FEMA

Phase II – Execution Phase – approved from State of Florida and FEMA, completion required by Jan 31, 2028. Contract signed Aug 31, 2026.



City of Key Colony Beach
Public Review of Maintenance Building, Dry Flood Proofing Project

City Commission Meeting November 19, 2026



Scope of Contractor work:

Concrete inspection and work:

1. Fill channels in the vertical door walls up to 4 feet to allow 6-inch fasteners to be installed (10 total openings)
2. Inspect floor concrete depth (original drawings unclear) and if needed install concrete channels to allow 6-inch fasteners.

Electrical work:

1. Raise electrical panel to be at specified level

Flood Panels:

1. Design, build and install flood panels and necessary brackets/fasteners. Train public works employees on installation, removal, and storage methods.

In housework:

1. Raise water faucets
2. Purchase and install water back flow valves
3. Purchase and install silicone sealant around perimeter to 4-foot level
4. Define storage space and build shelfing for storage of flood panels.

City of Key Colony Beach
Maintenance Building, Dry Flood Proofing Project

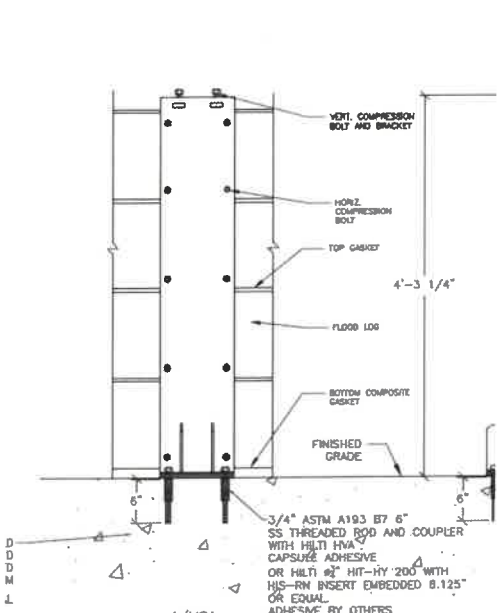
City Commission Meeting November 19, 2026

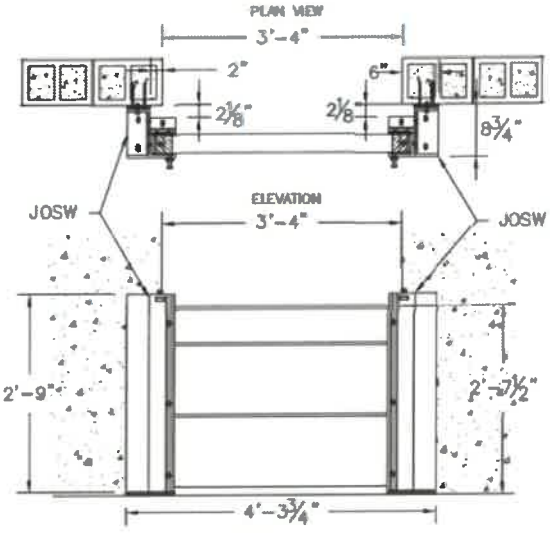
Feedback requested:

1. Start formal request for quotes:
    a. Recommendation for managing the construction work in house, with requests for bids: concrete work, flood panels – purchase and installation, and electrical work as three separate bid requests. All bidding requests would need to follow state and federal requirements.

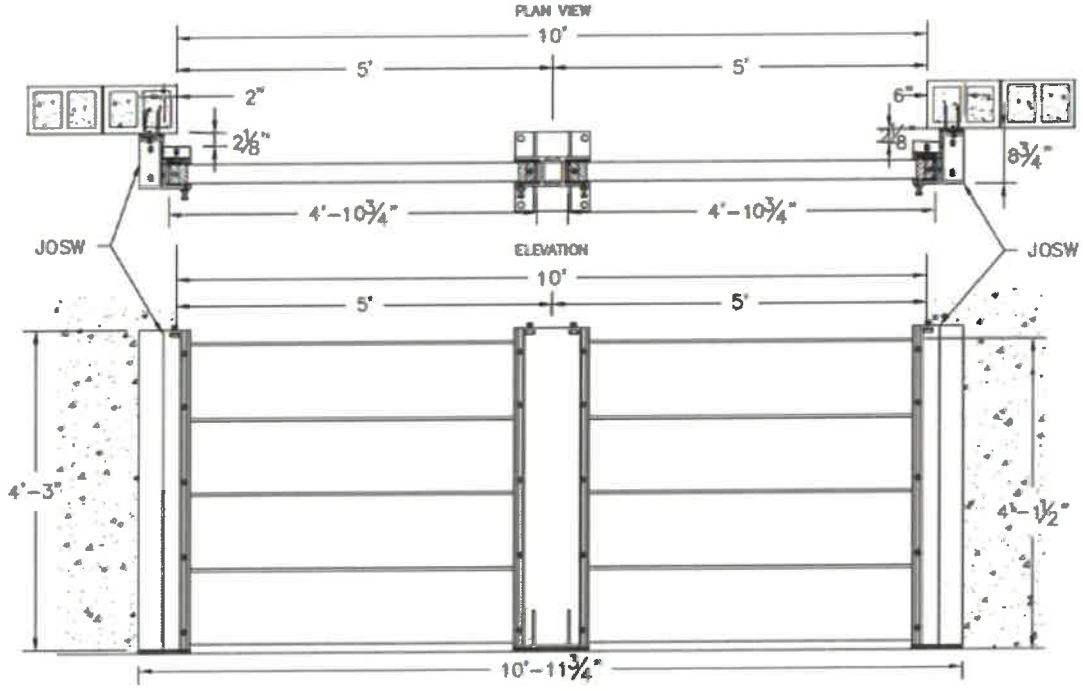
T. Harding

Reference - Sample drawings





OPENING #DR-3
AM/FP FLOOD LOG SYSTEM
REMOVABLE JAMB OFFSET WALL SUPORTS
2'-6" PROTECTION HEIGHT / R.O. 3'-4" / JOSW/JOSW



OPENING #DR-5
AM/FP FLOOD LOG SYSTEM
REMOVABLE JAMB OFFSET WALL SUPORTS
4'-0" PROTECTION HEIGHT / R.O. 10'-0" / JOSW/MS/JOSW

Reference - Electrical Panel – will need to be raised.



JIM FIGUERADO

239-707-4687

214 ARNOLD AVE
MORRISTOWN TN 37813

DEAR KCB PLANNING AND ZONING

NOVEMBER 9, 2026

Good morning, I hope all is well. My name Is Jim Figuerado, I wish to make a formal request to enter into a development agreement with the city to develop the vacant property that I own behind 700 West Ocean. We wish to build 5 new homes on the parcel. We are seeking guidance on how you wish for us to move forward as we have been trying to get everything done and ready for permitting for several months now. You can find all documents needed for review in the city building department. A building permit application has already been applied for under permit number B26-000348. We will be happy to meet and discuss any concerns with the planning and zoning board or the city council. Our architects and engineers are also happy to help in any way possible. We would like to get this on thew agenda soon as possible. As we all know, nothing goes by faster than time and we are eager to get this project started. Please let us know if there is anything else that is need from me or my team and we will get it to you promptly. Thank you for your time and consideration in this matter.

Jim Figuerado

Monroe County, FL

PROPERTY RECORD CARD

Disclaimer

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

Summary

Parcel ID	00074740-000400
Account#	8907001
Property ID	8907001
Millage Group	50KC
Location Address	VACANT LAND, KEY COLONY BEACH
Legal Description	KEY COLONY BEACH FIRST ADDN AMD PLAT PB4-11 SHELTER KEY PT TRACT C BLK 8 (.6475 AC) OR1466-2297 OR1466-2300 OR2373-439 OR3351-2084 (Note: Not to be used on legal documents.)
Neighborhood	5015
Property Class	VACANT RES (0000)
Subdivision	KEY COLONY BEACH 1ST ADD
Sec/Twp/Rng	05/66/33
Affordable Housing	No



Owner

MIDDLE KEYS MARINA INC
5628 Shaddelee Ln W
Fort Myers FL 33919

Valuation

		2026 Preliminary Values	2025 Certified Values	2024 Certified Values	2023 Certified Values
+	Market Improvement Value	$0	$0	$0	$0
+	Market Misc Value	$0	$0	$0	$0
+	Market Land Value	$634,613	$555,286	$615,574	$761,535
=	Just Market Value	**$634,613**	**$555,286**	**$615,574**	**$761,535**
=	Total Assessed Value	$634,613	$352,481	$320,437	$291,306
-	School Exempt Value	$0	$0	$0	$0
=	School Taxable Value	**$634,613**	**$555,286**	**$615,574**	**$761,535**

Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2025	$555,286	$0	$0	$555,286	$352,481	$0	$555,286	$0
2024	$615,574	$0	$0	$615,574	$320,437	$0	$615,574	$0
2023	$761,535	$0	$0	$761,535	$291,306	$0	$761,535	$0
2022	$834,868	$0	$0	$834,868	$264,824	$0	$834,868	$0
2021	$345,652	$0	$0	$345,652	$240,749	$0	$345,652	$0
2020	$330,492	$0	$0	$330,492	$218,863	$0	$330,492	$0
2019	$291,640	$0	$0	$291,640	$198,966	$0	$291,640	$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL DRY UNPERMITTED (01DM)	28,205.00	Square Foot	0	0

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Grantor	Grantee
10/31/2025	$400,000	Warranty Deed	2520727	3351	2084	30 - Unqualified		
6/1/1997	$75,000	Warranty Deed		1466	2297	Q - Qualified		

View Tax Info

View Taxes for this Parcel

Photos



Map



TRIM Notice

2026 TRIM Notice (PDF)

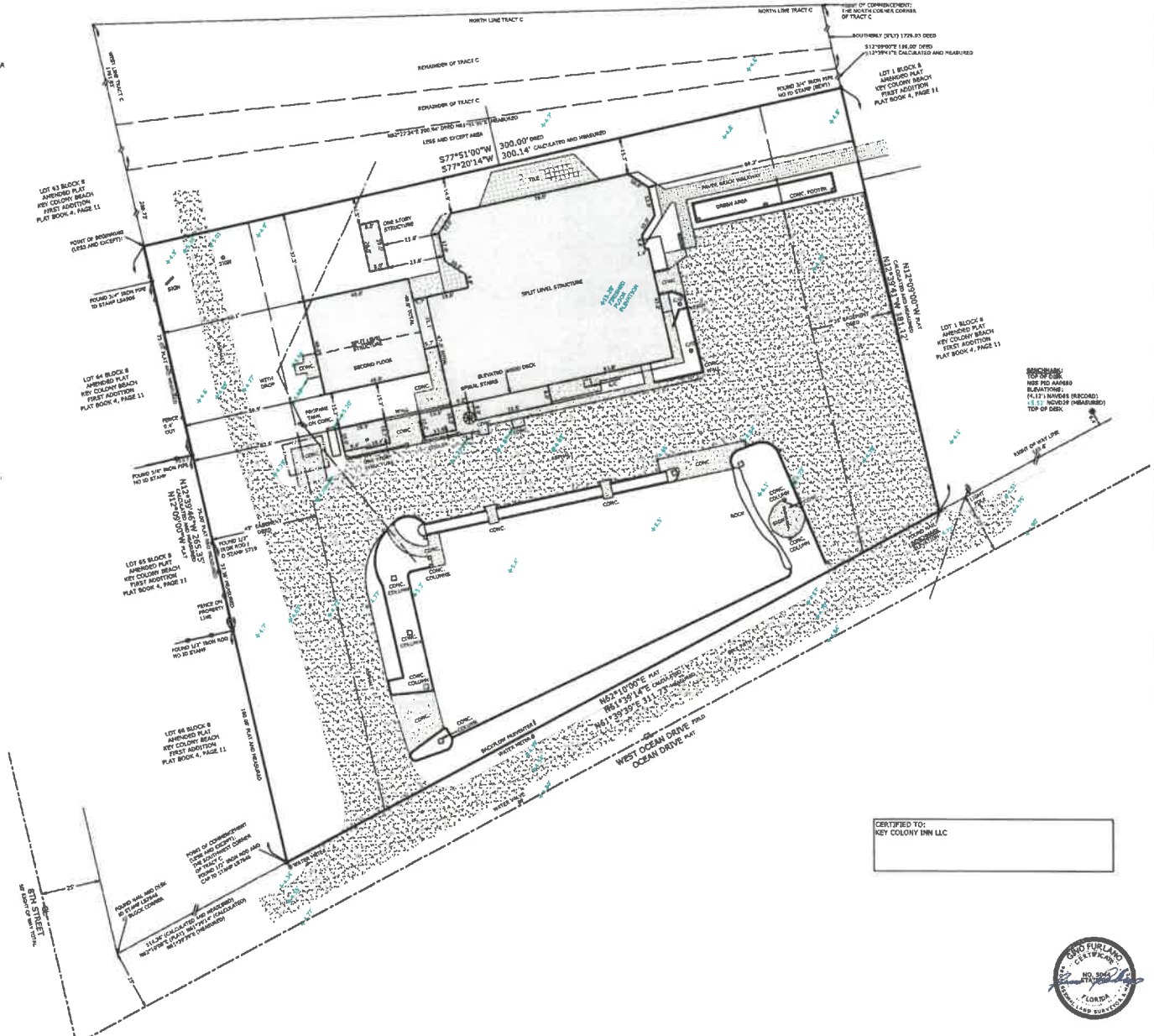
No data available for the following modules: Buildings, Yard Items, Permits, Sketches (click to enlarge).

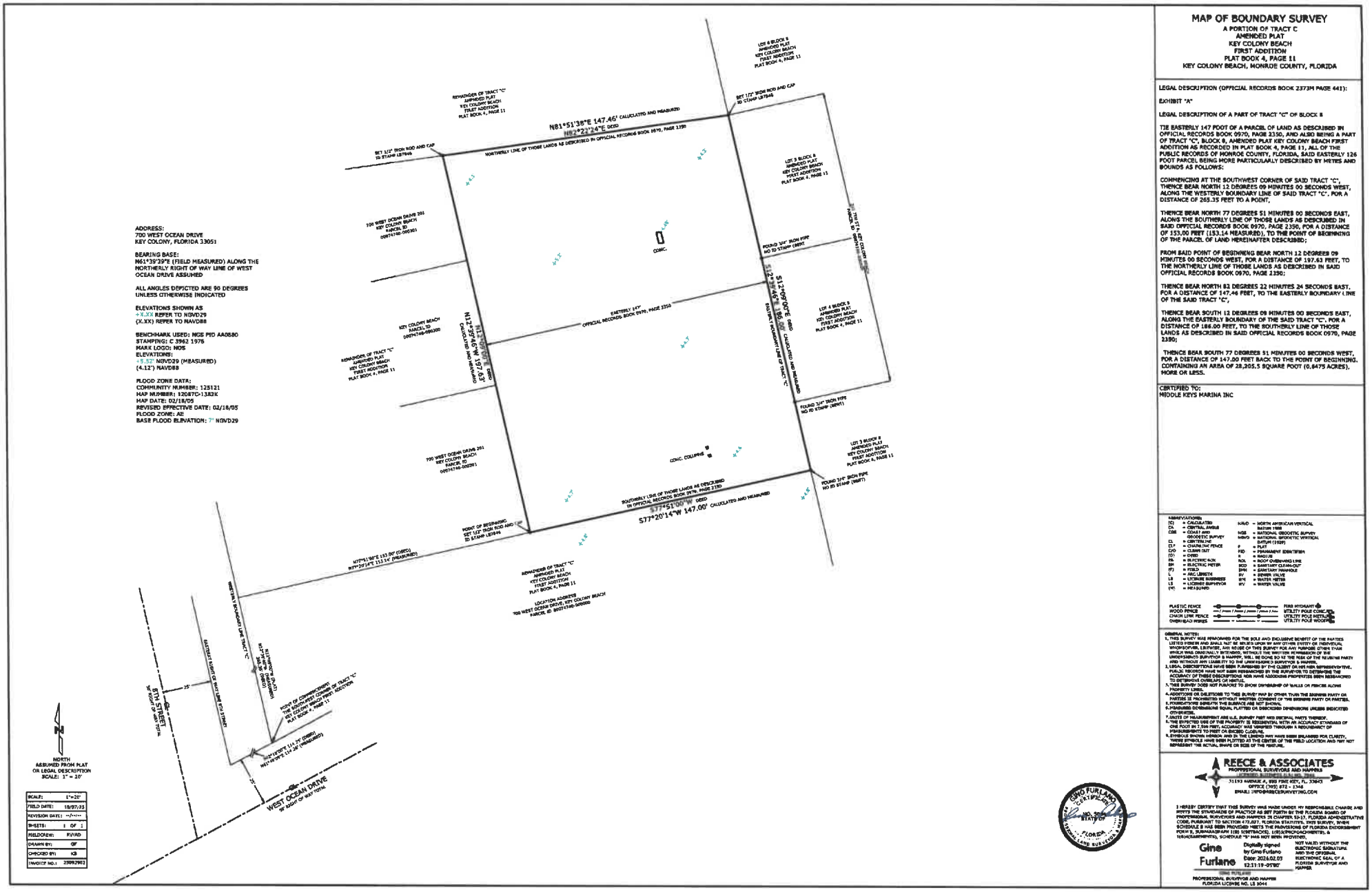
SCHNEIDER GEOSPATIAL

User Privacy Policy GDPR Privacy Notice
Last Data Upload: 11/11/2026, 12:58:20 AM

MAP OF BOUNDARY SURVEY

A PORTION OF TRACT C
AMENDED PLAT
KEY COLONY BEACH
FIRST ADDITION
PLAT BOOK 4, PAGE 11
KEY COLONY BEACH, MONROE COUNTY, FLORIDA


NORTH LINE TRACT C
REMAINDER OF TRACT C
S77°51'00"W
S77°20'14"W
300.00' DEED
300.14' CALCULATED AND MEASURED
LESS AND EXCEPT AREA
POINT OF COMMENCEMENT: THE NORTH CORNER CORNER OF TRACT C
SOUTHERLY (S'LY) 1726.85 DEED
S12°09'00"E 186.00' DEED
S12°39'41"E CALCULATED AND MEASURED
POINT OF BEGINNING (LESS AND EXCEPT)
FOUND 3/4" IRON PIPE NO ID STAMP (BENT)
FOUND 3/4" IRON PIPE NO ID STAMP LB4908
LOT 1 BLOCK 8 AMENDED PLAT KEY COLONY BEACH FIRST ADDITION PLAT BOOK 4, PAGE 11
LOT 63 BLOCK 8 AMENDED PLAT KEY COLONY BEACH FIRST ADDITION PLAT BOOK 4, PAGE 11
LOT 64 BLOCK 8 AMENDED PLAT KEY COLONY BEACH FIRST ADDITION PLAT BOOK 4, PAGE 11
LOT 65 BLOCK 8 AMENDED PLAT KEY COLONY BEACH FIRST ADDITION PLAT BOOK 4, PAGE 11
LOT 66 BLOCK 8 AMENDED PLAT KEY COLONY BEACH FIRST ADDITION PLAT BOOK 4, PAGE 11
FOUND 1/2" IRON ROD NO ID STAMP
FOUND 1/2" IRON ROD NO ID STAMP
FOUND 1/2" IRON ROD & PIPE NO ID STAMP
FOUND 1/2" IRON ROD NO ID STAMP 2719
FOUND NAIL AND DISK NO STAMP LEVISTON BLOCK CORNER
N12°59'00"W 265.35' (MEASURED)
N12°59'00"W 265.35' (PLAT AND RECORD)



MAP OF BOUNDARY SURVEY

A PORTION OF TRACT C
AMENDED PLAT
KEY COLONY BEACH
FIRST ADDITION
PLAT BOOK 4, PAGE 11
KEY COLONY BEACH, MONROE COUNTY, FLORIDA

LEGAL DESCRIPTION (OFFICIAL RECORDS BOOK 2373M PAGE 441):

EXHIBIT "A"

LEGAL DESCRIPTION OF A PART OF TRACT "C" OF BLOCK 8

TIE EASTERLY 147 FOOT OF A PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 0970, PAGE 2350, AND ALSO BEING A PART OF TRACT "C", BLOCK 8, AMENDED PLAT KEY COLONY BEACH FIRST ADDITION AS RECORDED IN PLAT BOOK 4, PAGE 11, ALL OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, SAID EASTERLY 126 FOOT PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT "C", THENCE BEAR NORTH 12 DEGREES 09 MINUTES 00 SECONDS WEST, ALONG THE WESTERLY BOUNDARY LINE OF SAID TRACT "C", FOR A DISTANCE OF 265.35 FEET TO A POINT,

THENCE BEAR NORTH 77 DEGREES 51 MINUTES 00 SECONDS EAST, ALONG THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 0970, PAGE 2350, FOR A DISTANCE OF 153.00 FEET (153.14 MEASURED), TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER DESCRIBED;

FROM SAID POINT OF BEGINNING BEAR NORTH 12 DEGREES 09 MINUTES 00 SECONDS WEST, FOR A DISTANCE OF 197.63 FEET, TO THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 0970, PAGE 2350;

THENCE BEAR NORTH 81 DEGREES 22 MINUTES 24 SECONDS EAST, FOR A DISTANCE OF 147.46 FEET, TO THE EASTERLY BOUNDARY LINE OF THE SAID TRACT "C",

THENCE BEAR SOUTH 12 DEGREES 09 MINUTES 00 SECONDS EAST, ALONG THE EASTERLY BOUNDARY OF THE SAID TRACT "C", FOR A DISTANCE OF 186.00 FEET, TO THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 0970, PAGE 2350;

THENCE BEAR SOUTH 77 DEGREES 51 MINUTES 00 SECONDS WEST, FOR A DISTANCE OF 147.00 FEET BACK TO THE POINT OF BEGINNING. CONTAINING AN AREA OF 28,205.5 SQUARE FOOT (0.6475 ACRES), MORE OR LESS.

CERTIFIED TO:
MIDDLE KEYS MARINA INC

ABBREVIATIONS

(C)	= CALCULATED	NAVD	= NORTH AMERICAN VERTICAL DATUM 1988
CA	= CENTRAL ANGLE		
CME	= COAST AND GEODETIC SURVEY	NGS	= NATIONAL GEODETIC SURVEY
		NGVD	= NATIONAL GEODETIC VERTICAL DATUM (1929)
CL	= CENTERLINE		
CLF	= CHAIN LINK FENCE	P	= PLAT
C/O	= CLEAN OUT	PID	= PERMANENT IDENTIFIER
(D)	= DEED	R	= RADIUS
DE	= DECIDUOUS	ROL	= ROOF OVERHANG LINE
EM	= ELECTRIC METER	SCO	= SANITARY CLEAN-OUT
(F)	= FIELD	SMH	= SANITARY MANHOLE
L	= ARC LENGTH	SV	= SEWER VALVE
LB	= LICENSE BUSINESS	WM	= WATER METER
LS	= LICENSED SURVEYOR	WV	= WATER VALVE
(M)	= MEASURED		

PLASTIC FENCE
WOOD FENCE
CHAIN LINK FENCE
OVERHEAD WIRES
FIRE HYDRANT
UTILITY POLE CONCRETE
UTILITY POLE METAL
UTILITY POLE WOODEN

GENERAL NOTES:
1. THIS SURVEY WAS PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE PARTIES LISTED HEREIN AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER. LIKEWISE, ANY REUSE OF THIS SURVEY FOR ANY PURPOSE OTHER THAN WHICH WAS ORIGINALLY INTENDED, WITHOUT THE WRITTEN PERMISSION OF THE UNDERSIGNED SURVEYOR & MAPPER, WILL BE DONE SO AT THE RISK OF THE REUSING PARTY AND WITHOUT ANY LIABILITY TO THE UNDERSIGNED SURVEYOR & MAPPER.
2. LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIS REPRESENTATIVE. ADDITIONAL RESEARCH HAS NOT BEEN PERFORMED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE DESCRIPTIONS, NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAPPING OF TITLE.
3. THIS SURVEY DOES NOT PURPORT TO SHOW OWNERSHIP OF WALLS OR FENCES ALONG PROPERTY LINES.
4. ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
5. FOUNDATIONS BENEATH THE SURFACE ARE NOT SHOWN.
6. MEASURED DIMENSIONS EQUAL PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE.
7. UNITS OF MEASUREMENT ARE U.S. SURVEY FEET AND DECIMAL PARTS THEREOF.
8. THE EXPECTED USE OF THE PROPERTY IS RESIDENTIAL WITH AN ACCURACY STANDARD OF ONE FOOT IN 7,500 FEET; ACCURACY WAS VERIFIED THROUGH A TRAVERSE OF MEASUREMENTS TO POST OR EXCEED CLOSURE.
9. SYMBOLS SHOWN HEREON AND IN THE LEGEND MAY HAVE BEEN ENLARGED FOR CLARITY. THESE SYMBOLS HAVE BEEN PLOTTED AT THE CENTER OF THE FIELD LOCATION AND MAY NOT REPRESENT THE ACTUAL SHAPE OR SIZE OF THE FEATURE.

REECE & ASSOCIATES
PROFESSIONAL SURVEYORS AND MAPPERS
CERTIFICATE NUMBER LB NO. 7946
31193 AVENUE A, BIG PINE KEY, FL. 33043
OFFICE (305) 872 - 2366
EMAIL INFO@REECESURVEYING.COM

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 53-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THIS SURVEY, WHICH SCHEDULE B HAS BEEN PROVIDED MEETS THE PROVISIONS OF FLORIDA ENDORSEMENT FORM 9, SUBPARAGRAPH 10(B) SUBTRACKS), 10(E)(PROHIBITIONS), & 10(H)(EASEMENTS), SCHEDULE "B" WAS NOT BEEN PROVIDED.

Gino Furlano
Digitally signed by Gino Furlano
Date: 2026.02.03 12:11:19-05'00'

NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND THE ORIGINAL ELECTRONIC SEAL OF A FLORIDA SURVEYOR AND MAPPER

GINO FURLANO
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. LS 5044

GINO FURLANO CERTIFICATE NO. 5044 STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER

Prepared by and return to:
Anthony Barrows
Wright Barrows PLLC
9711 Overseas Highway
Marathon, FL 33050
(305) 743-8118
File Number: **25-511-CV-B**
Will Call No.:

Parcel Identification No. **00074740-000400**

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this **31st day of October, 2025** between **Harry B. Kirchner and Donna W. Kirchner, Husband and Wife** whose post office address is **5409 Overseas Highway Unit 120, Marathon, FL 33050** of the County of **Monroe**, State of **Florida**, grantor*, and **Middle Keys Marina, Inc., a Florida Corporation** whose post office address is **5628 Shaddelee Ln W, Fort Myers, FL 33919** of the County of **Lee**, State of **Florida**, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Monroe County, Florida**, to-wit:

THE EASTERLY 147 FOOT OF A PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 970, PAGE 2350, AND ALSO BEING A PART OF TRACT "C", BLOCK 8, AMENDED PLAT KEY COLONY BEACH FIRST ADDITION AS RECORDED IN PLAT BOOK 4, PAGE 11, ALL OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, SAID EASTERLY 126 FOOT PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT "C", THENCE BEAR NORTH 12 DEGREES 09 MINUTES 00 SECONDS WEST, ALONG THE WESTERLY BOUNDARY LINE OF SAID TRACT "C", FOR A DISTANCE OF 265.35 FEET TO A POINT; THENCE BEAR NORTH 77 DEGREES 51 MINUTES 00 SECONDS EAST, ALONG THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 970, PAGE 2350, FOR A DISTANCE OF 153.00 FEET (153.14' MEASURED), TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER DESCRIBED; FROM SAID POINT OF BEGINNING BEAR NORTH 12 DEGREES 09 MINUTES 00 SECONDS WEST, FOR A DISTANCE OF 197.63 FEET TO THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 970, PAGE 2350; THENCE BEAR NORTH 82 DEGREES 22 MINUTES 24 SECONDS EAST, FOR A DISTANCE OF 147.46 FEET, TO THE EASTERLY BOUNDARY LINE OF THE SAID TRACT "C"; THENCE BEAR SOUTH 12 DEGREES 09 MINUTES 00 SECONDS EAST ALONG THE EASTERLY BOUNDARY OF THE SAID TRACT "C", FOR A DISTANCE OF 186.00 FEET, TO THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 970, PAGE 2350; THENCE BEAR SOUTH 77 DEGREES 51 MINUTES 00 SECONDS WEST, FOR A DISTANCE OF 147.00 FEET BACK TO THE POINT OF BEGINNING.

Parcel Number: 00074740-000400

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness
Printed Name: Sonya Payne
P.O. Address: 2025 S Croatan Hwy Kill Devil Hills NC 27948

Witness
Printed Name: Anna S McCurdy
P.O. Address: 202 S Croatan Hwy Kill Devil Hills NC 27948

Harry B. Kirchner

Donna W. Kirchner

State of North Carolina
County of Dare

The foregoing instrument was acknowledged before me by means of [✓] physical presence or [ ] online notarization, this 29 day of October, 2025 by Harry B. Kirchner and Donna W. Kirchner who [✓] are personally known or [ ] have produced drivers' licenses as identification.

ANNA S MCCURDY
[Seal] Notary Public
Dare County, NC
My Commission Expires 03/09/2027

Notary Public
Print Name: Anna S McCurdy
My Commission Expires: 03/09/2027

AMERICAN LAND TITLE ASSOCIATION
OWNER'S POLICY
(With Florida Modifications)

ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

Transaction Identification Data, for which the Company assumes no liability as set forth in Condition 9.d.:

Issuing Office File Number: [redacted]

Issuing Office's ALTA® Registry ID:

Issuing Agent:
Wright Barrows PLLC

Issuing Office:
9711 Overseas Highway,
Marathon FL 33050

Property Address:
Vacant Land, Key Colony Beach, FL 33051

SCHEDULE A

Name and Address of Title Insurance Company: Old Republic National Title Insurance Company
6545 Corporate Centre Blvd.
Orlando, FL 32822

Policy Number: [redacted]

Amount of Insurance: [redacted]

Date of Policy: **November 3, 2025**

1. The Insured is: **Middle Keys Marina, Inc.**
2. The estate or interest in the Land insured by this policy is: **Fee Simple as shown by instrument to be recorded in the Public Records of Monroe County, Florida.**
3. The Title is vested in: **Middle Keys Marina, Inc.**
4. The Land is described as follows:
   See Exhibit "A" attached hereto and made a part hereof.

Old Republic National Title Insurance Company

6545 Corporate Centre Blvd Orlando FL 32822, (612) 371-1111

Wright Barrows PLLC	41537	
ISSUING AGENT	AGENT NO.	AGENT SIGNATURE Anthony Barrows

9711 Overseas Highway	Marathon	, Florida,	33050
MAILING ADDRESS	CITY		ZIP

Exhibit A

THE EASTERLY 147 FOOT OF A PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 970, PAGE 2350, AND ALSO BEING A PART OF TRACT "C", BLOCK 8, AMENDED PLAT KEY COLONY BEACH FIRST ADDITION AS RECORDED IN PLAT BOOK 4, PAGE 11, ALL OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, SAID EASTERLY 126 FOOT PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
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Parcel Identification Number: 00074740-000400



Detail by Entity Name

Florida Profit Corporation
MIDDLE KEYS MARINA, INC.

Filing Information

Document Number	P17000042580
FEI/EIN Number	82-1527945
Date Filed	05/10/2017
State	FL
Status	ACTIVE

Principal Address

129 AVENUE A
MARATHON, FL 33050

Mailing Address

5628 Shaddelee Ln W
fort myers, FL 33919

Changed: 12/28/2022

Registered Agent Name & Address

FIGUERADO, JAMES, JR.
5628 Shaddelee Ln W
Fort Myers, FL 33919

Address Changed: 03/08/2023

Officer/Director Detail

Name & Address

Title PST

FIGUERADO, JAMES, JR.
5628 Shaddelee Ln W
fort myers, FL 33919

Annual Reports

Report Year	Filed Date
2024	03/13/2024
2025	03/10/2025
2026	02/09/2026

Property Ownership Table

Parcel ID/Folio	Legal Owner	Ownership Interest
00074740-000000	Key Colony Inn, LLC	100%
00074740-000400	Middle Keys Marina, Inc.	100%

700 W. Ocean Drive, Key Colony Beach, FL (00074740-000000)



Vacant Land, Key Colony Beach, FL (00074740-000400)



Interested Parties Disclosure

Property Owner: Key Colony Inn, LLC

Principal Business Address: 5628 Shaddelee Lane W., Fort Myers, FL 33919

Name	Title/Role	Ownership Interest
Jim Figuerado	Title AMBR	100%
David Figuerado	Title AMBR	0%

Property Owner: Middle Keys Marina, Inc.

Principal Business Address: 129 Avenue A, Marathon, FL 33050

Name	Title/Role	Ownership Interest
Jim Figuerado	Title PST	100%

Sec. 101-176. Development agreement authorization.

(1) *Purpose.* The purpose of this section is to allow the city, by ordinance, to establish procedures and requirements to consider and enter into a development agreement with any person having legal or equitable interest in real property located within its jurisdiction provided that it meets the requirements of the Florida Local Government Development Agreement Act, F.S. §§ 163.3220—163.3243, as may be amended, and as further provided by the terms of this section.

The development agreement provides assurance to a developer that upon receipt of permits under the city's land development regulations the applicant may proceed in accordance with existing ordinances and regulations, subject to the conditions of the development agreement. Further, the intent is to strengthen the comprehensive planning process and encourage efficient use of economic and land resources. Such an agreement shall be regarded as additional to all other local development permits or approvals required by this chapter and as set forth in other city codes, and shall not be regarded as limiting or modifying any existing powers.

(2) *Initiation.* A property owner desiring to enter into a development agreement with the city shall file a written request with the city clerk and pay the fee as established by the city commission. Such request shall identify the property which is to be subject to the development agreement and all legal and equitable owners having any interest in the property. Such ownership interests shall be certified by a title company or an attorney-at-law licensed to practice in the state. If any partnerships, corporations, joint ventures or other entities, other than individuals, own a legal or equitable interest in the property, all principals and other persons with interest in such partnerships, corporations and joint ventures shall be identified.

(3) *Review and negotiation.* The request shall be placed on the agenda of the city commission for initial consideration. Upon determination by the city commission that it desires to proceed with further negotiations relative to a development agreement, the property owner shall promptly submit a tentative development agreement for the subject property to contain information required pursuant to F.S. § 163.3227 as supplemented or modified by the following:

(a) At the city commission's discretion, the specific period of time by which the entire development and each phase thereof shall be commenced and completed.

(b) Any further information the city commission may require because of the nature or location of the development.

The city commission shall review the tentative agreement and may provide for any other terms and conditions to be negotiated with the property owner that it deems to be reasonably necessary for the protection of the public interest. If the commission determines to proceed further with completion of the development agreement, it shall direct the city attorney to reduce the terms to contractual form for further consideration by the city commission.

(4) *Public hearings and notice.* Before entering into, amending, or revoking a development agreement, the city shall conduct two (2) public hearings. The first public hearing shall be conducted by the planning and zoning committee who shall review the proposed development agreement and make recommendation to the city commission. At the second public hearing, or thereafter, the city commission may approve the form and authorize the execution of the development agreement.

Notice of such public hearings shall be given in accordance with F.S. § 163.3225 and Key Colony Beach Code section 101-173 or as may be amended.

(5) *Minimum terms and conditions.* Any development agreement approved by the city commission under the provisions of this section shall meet all of the requirements of the Florida Local Government Development Agreement Act, F.S. §§ 163.3220—163.3243, as supplemented or modified by the following requirements:

(a) A statement as to the duration of the development agreement, which shall initially not exceed five (5) years, but which may be extended by mutual consent of the city commission and the developer, subject to a public hearing in accordance with F.S. § 163.3225.

(b) The development agreement shall include a description of all governmental permissions that are required for any aspect of the proposed development. The development agreement shall also provide that if any development permissions are not received, no further development of the property shall be allowed until such time as the city commission has reviewed the matter and determined whether or not to terminate or modify the development agreement.

(c) If amendments are necessary to the comprehensive plan or the land development regulations in order to permit the development of the property in accordance with the development agreement, a statement that the development agreement is contingent upon those amendments being made and approved by the appropriate governmental agencies.

(d) A statement acknowledging that subsequently adopted ordinances and policies of general application in the city, including but not limited to, impact fees, may be applicable to the property and that such modifications are specifically anticipated in the development agreement, providing however, the city commission makes such a determination in accordance with F.S. § 163.3233.

(e) A statement that, upon the termination of the development agreement, all then existing codes shall be applicable to the property regardless of the terms of the development agreement.

(f) A reference to F.S. §§ 163.3220—163.3243, or successor provisions thereto, and to this section, as the specific authority for the development, incorporating the terms thereof into the agreement.

(6) *Execution of a development agreement.* All development agreements shall be executed by all persons having legal or equitable title in the subject property, including the fee simple owner, all tenants, and all mortgagees.

(7) *Periodic review of development agreements.* In accordance with F.S. § 163.3235, the city shall review land subject to a development agreement at least once every twelve (12) months. Such review shall determine if there has been demonstrated good faith compliance with the terms of the development agreement.

(Ord. No. 316-1998, 8-13-98)

ORDINANCE NO. 2026-516

AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING THE CITY OF KEY COLONY BEACH CODE OF ORDINANCES AND LAND DEVELOPMENT CODE TO AMEND ARTICLE II (DEFINITIONS) OF THE LAND DEVELOPMENT CODE; TO AMEND ARTICLE III (DISTRICT REGULATIONS) OF THE LAND DEVELOPMENT CODE; TO AMEND ARTICLE VIII (FLOODPLAIN MANAGEMENT) OF THE LAND DEVELOPMENT CODE; TO AMEND CODE OF ORDINANCES, CHAPTER 6 (BUILDINGS) RELATED TO AMENDING THE FLORIDA BUILDING CODE FOR FLOOD HAZARD AREAS; PROVIDING FOR SEVERABILITY, APPLICABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Key Colony Beach, Florida (the "City"), is a Florida Municipal Corporation with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166 (Municipalities), Florida Statutes; and

WHEREAS, Chapter 166, Florida Statutes, grants the City broad municipal home rule powers to enact ordinances which represent official legislative action of the City Commission and are enforceable as a matter of law; and

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City participates in the National Flood Insurance Program and participates in the NFIP's Community Rating System, a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements and has achieved Class 7 designation; and

WHEREAS, Chapter 553, Florida Statutes, allows for local administrative and technical amendments to the *Florida Building Code* that provide for more stringent requirements than those specified in the Code and allows adoption of local administrative and local technical amendments to the Florida Building Code to implement the National Flood Insurance Program and incentives; and

WHEREAS, the City Commission previously adopted local amendments to the Florida Building Code and is reformatting those amendments as part of its Code of Ordinances and Land Development Code; and

WHEREAS, the City Commission is repealing previously adopted local amendments to require accumulation of costs of improvements and repairs over a three-year period and to consider repetitive damage from flooding; and

WHEREAS, the City Commission has determined that it is in the public interest to adopt the proposed local technical amendments to the *Florida Building Code*, and the proposed amendments are not more stringent than necessary to address the need identified, do not discriminate against materials, products or construction techniques of demonstrated capabilities, and are in compliance with section 553.73(4), Florida Statutes.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, THAT THE CODE OF ORDINANCES AND LAND DEVELOPMENT CODE ARE AMENDED AS SET FORTH IN THE FOLLOWING AMENDMENTS, AS SHOWN IN STRIKETHROUGH AND BOLD UNDERLINE FORMAT IN SECTION 2, MORE PARTICULARLY AS FOLLOWS:

~~Strikethrough~~ = deletion **Bold underline** = addition

Section 1: Recitals.

The above recitals are true and correct, and incorporated herein.

Section 2: Amendments.

A. Article II (DEFINITIONS) of the Land Development Code is hereby amended as set forth in *Attachment A*, which attachment is incorporated herein by this reference.

B. Article III (DISTRICT REGULATIONS) of the Land Development Code is hereby amended as set forth in *Attachment B*, which attachment is incorporated herein by this reference.

C. Article VIII (FLOODPLAIN MANAGEMENT) of the Land Development Code is hereby amended as set forth in *Attachment C*, which attachment is incorporated herein by this reference.

D. Chapter 6 (BUILDINGS), Article I (BUILDING CODE) of the Code of Ordinances is hereby amended as set forth in *Attachment D*, which attachment is incorporated herein by this reference.

Section 3: Fiscal Impact Statement.

In terms of design, plan application review, construction, and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. Therefore, in terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

Section 4: Applicability.

For the purposes of jurisdictional applicability, this Ordinance shall apply in the City of Key Colony Beach, Florida. This Ordinance shall apply to all applications for development in flood hazard areas submitted on or after the effective date of this Ordinance.

Section 5: Inclusion in the Code of Ordinances and Land Development Code.

It is the intent of the City Commission that the provisions of this Ordinance shall become and be made a part of the City of Key Colony Beach Code of Ordinances and Land Development Code, and that the sections of this ordinance may be renumbered or re-lettered to conform to the uniform numbering system of the Code of Ordinances and Land Development Code. The word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

Section 6: Severability and Conflict.

If any portion of this Ordinance is declared by a Court of competent jurisdiction to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining portions of this Ordinance. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 7: Effective Date.

This Ordinance shall become effective upon its final adoption by the City Commission of the City of Key Colony Beach, Florida.

-[Remainder of Page Left Intentionally Blank]-

FIRST READING by the City of Key Colony Beach, Florida, City Commission this 19th day of November 2026.

Mayor Freddie Foster	NO_____YES_____
Vice-Mayor Doug Colonell	NO_____YES_____
Commissioner Tom Harding	NO_____YES_____
Commissioner Tom DiFransico	NO_____YES_____
Commissioner Kirk Diehl	NO_____YES_____

SECOND READING AND DULY ADOPTED by the City of Key Colony Beach, Florida, City Commission on this 17th day of December 2026.

Commissioner Freddie Foster	NO_____YES_____
Commissioner Doug Colonell	NO_____YES_____
Commissioner Tom Harding	NO_____YES_____
Commissioner Tom DiFransico	NO_____YES_____
Commissioner Lynne Benton	NO_____YES_____

DULY PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, this 17th day of December 2026.

_____

Mayor

_____

Silvia Roussin, City Clerk

Approved as to form and legal sufficiency:

_____

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

ATTACHMENT A

Land Development Code
Article II (DEFINITIONS)

ARTICLE II. - DEFINITIONS

Sec. 101-7. - Interpretation.

Words used in the present tense include the future; words in the singular number include the plural, and words in the plural number include the singular; the word "building" includes the word "structure;" the word "used" includes the words "designed, intended or arranged to be used," and said words may be used interchangeably; the term "land use" includes also the use of a building unless the context indicates otherwise; the word "lot" includes the words "plot" or "tract;" the word "land" shall include water, surface and land under water; the word "shall" is mandatory and not directory; the word "person" includes also the terms firm, partnership or corporation, or any executor, administrator, assign or agent of any of the foregoing.

Sec. 101-8. - Definitions.

For the purposes of the chapter, certain words and terms are defined as follows:

Accessory structure or use: A garage, carport, tool shed, bathhouse, tennis court, swimming pool, spa, hot tub, dock facility or other structure of a similar nature on a lot or parcel that is subordinate to the main or principal building or use. Garden structures or greenhouses shall not be considered accessory buildings within the meaning of this definition.

Acre, net: For the purpose of defining density of dwelling units per acre, a net acre is a lot or parcel containing forty-three thousand five hundred sixty (43,560) square feet including utility easements, but excluding public streets or rights-of-way and excluding bay bottom and all property lying seaward of the mean high water line.

Addition: Any change in the footprint and/or structural supporting arrangements of a building.

Alteration: Any change or modification of construction, space arrangement and/or occupancy of a building, including but not limited to, electrical, plumbing, mechanical, and roofing.

Antennas as defined in this chapter shall include: any apparatus designed for transmitting and/or receiving of electromagnetic waves which includes but is not limited to telephonic, radio or television communications. Types of antennas include, but are not limited to: omni-directional (whip) antennas, sectorized (panel) antennas, multi or single bay (FM & TV), yaggie, or parabolic (dish) antennas.

The definition shall also include antenna supporting structures which means a vertical projection composed of metal, wood, or other substance with or without a foundation that is for the express purpose of accommodating antennas at a desired height above grade. Antenna-supporting structures may be either guyed, self-supporting (lattice), monopoles, or in some other configuration.

The definition shall not include amateur radio antennas to the extent that such local regulation is preempted by Florida Statute 125.561. However, under no circumstances shall an amateur radio antenna exceed 70 feet in height, but all antennas exceeding 40 feet shall be of crank-up type. Measurement should be from the crown of the road. (See article IV, supplemental regulations, section 101-26(1) for restrictions on antennas.)

Apartment building: See "dwelling, multifamily."

ASCE 24: A standard titled Flood-Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood: A flood having a 1-per cent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 202.] The base flood is commonly referred to as the "100-year flood" or the "1-per cent-annual chance flood."

Base flood elevation: The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section 202.]

Basement: For the purposes of Article VIII Floodplain Management, the portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 202; see "Basement (for flood loads)".]

Building: Any structure having a roof and which is entirely separated from any other structure by space. See also "structure."

Building area: The area of a building is the area computed from the dimensions at the exterior of the building walls, plus attached porches enclosed with glass or jalousies and with interiors finished in a manner comparable with that of the interior of the main part of the building including enclosed or open garages, open or screened porches, carports and similar structures.

Building height: The vertical distance from the crown of road to the highest point of the uppermost story.

Building, main: A main building is the building in which the principal use of a plot is conducted.

Club, beach: Persons associated together for profit or as a nonprofit organization for the purpose of providing ocean beach front property for ocean swimming, and may include a swimming pool, appurtenant buildings and grounds for other recreational purposes.

Club, private membership: Person or persons associated together for profit or as a nonprofit organization. Such clubs shall have a bona fide membership.

Coastal high hazard area: A special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V Zones" and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V.

Commission: The city commission.

Committee: The planning and zoning committee.

Community residential home: A dwelling unit licensed to serve clients of the department of health and rehabilitative services, which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of residents. The clients are limited to: children, the aged, physically disabled, handicapped, developmentally disabled, and mentally ill who do not constitute a direct threat to the health, property and safety of the neighborhood. State statutory requirements must be met, including definitions of the foregoing categories, a municipal review process, a 1,200 foot minimum spacing between such homes and a 500 foot distance from an R-1 or R-2 district.

Construction vehicle: Any type of trencher, grader, tractor, back hoe, dragline, crane, trailer, derrick, hoist, roller, lowboy or other machines used for construction, either self-propelled or without independent motive power, which are used for construction or industrial purposes. Construction vehicle shall not include a motor vehicle primarily designed to transport persons.

Declaration of Land Restriction (Nonconversion Agreement): A form provided by the Floodplain Administrator to be signed by the owner and recorded on the property deed in Official Records of the Clerk of Courts, for the owner to agree not to convert or modify in any manner that is inconsistent with the terms of the building permit and these regulations, enclosures below elevated buildings.

Density: The site area available for development, including the land needed for private internal drives but excluding adjacent rights-of-way and land below the mean high tide.

Design flood: The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 202.]

(1) Area with a floodplain subject to a 1-per cent or greater chance of flooding in any year; or

(2) Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design flood elevation: The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet. [Also defined in FBC, B, Section 202.]

Development: For the purposes of Article VIII, Floodplain Management, any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Dock box: A storage container for marine and fishing gear not to exceed 3 feet wide by 3 feet high by 6 feet long.

Dockside shelter: A structure that is open on all sides with a roof and located close to the canal.

Dwelling, multiunit: A building or coordinated complex of buildings each of which contains 3 or more dwelling units.

Dwelling, one unit: A building that contains one dwelling unit only, also a manufactured house, group home or family day care home as defined herein.

Dwelling, two unit: A single building or dwelling that contains 2 dwelling units, whether attached or one above the other.

Dwelling unit: A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation. (See article IV, Supplemental Regulations, section 101-41 for dwelling unit standards.)

Existing building and *existing structure:* Any buildings and structures for which the "start of construction" commenced before July 16, 1971.

Family day care home: An HRS-licensed day care center for 5 or less children during school hours and 10 during nonschool hours.

Federal Emergency Management Agency (FEMA): The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Fish-cleaning station: A table not to exceed 30 inches by 60 inches with or without an enclosed base.

Flood or *flooding:* A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 202.]

(1) The overflow of inland or tidal waters.

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials: Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 202.]

Flood hazard area: The greater of the following two areas: [Also defined in FBC, B, Section 202.]

(1) The area within a floodplain subject to a 1-per cent or greater chance of flooding in any year.

(2) The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood Insurance Rate Map (FIRM): The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section 202.]

Flood Insurance Study (FIS): The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 202.]

Floodplain Administrator: The office or position designated and charged with the administration and enforcement of this article (may be referred to as the Floodplain Manager).

Floor: A surface within a building perimeter on which said surface a person can stand and which the vertical height of the space from the said floor exceeds 6 feet.

Cross reference(s)— See definition of floor, article VIII.

Florida Building Code: The family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

Frontage: The distance measured along a street right-of-way.

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Garage, private: A structure for the private use of the owner or occupant of the principal building for the storage of noncommercial motor vehicles.

Garden structure: A structure such as a chickee, pergola, arbor, gazebo or structure of a similar nature.

Gasoline station: Any place that is designed or used for the retail sale and direct delivery to motor vehicles of fuels, lubricating oil, air, water and other operating commodities but not facilities for the installation of such commodities but not including the performance of any auto body work, welding, painting or other than emergency repairs on any motor vehicle.

Group home: A dwelling unit licensed to serve clients of the Department of Health and Rehabilitative Services which provides a living environment for 6 or less unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of residents. The clients are limited to: children (including foster children), the aged, physically disabled, handicapped, developmentally disabled and mentally ill who do not constitute a direct threat to the health, property and safety of the neighborhood. State statutory requirements must be met, including 1,000 foot (or more) spacing between such homes.

Habitable floor: Any floor usable for living purposes, which includes working, sleeping, eating, cooking, or recreation, or a combination thereof. A floor used only for storage and/or parking purposes is not a habitable floor.

Hardship: As relates to variances from this article means the exceptional difficulty associated with the land that would result from a failure to grant the requested variance. The community requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

Highest adjacent grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic structure: Any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 12 Historic Buildings.

Home occupation: See section 101-34(2).

Hotel: A building or group of buildings designed to provide sleeping accommodations for transient or overnight guests, and includes motor lodge, motel or any similar establishment. A hotel unit is a room or suite.

Letter of Map Change (LOMC): An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

(1) *Letter of Map Amendment (LOMA):* An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

(2) *Letter of Map Revision (LOMR):* A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

(3) *Letter of Map Revision Based on Fill (LOMR-F):* A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

(4) *Conditional Letter of Map Revision (CLOMR):* A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Lighting, outside: Lighting devices installed on a building for the purpose of outside illumination.

Livable floor area: Building area less enclosed or open garages, open or screened porches, carports and similar structures.

Lot: A parcel of land designated on a recorded subdivision plat or any piece of land described by a legally recorded deed which is occupied or intended to be occupied by a building.

Lot, combined: A lot plus all or a portion of an adjacent lot or lots, each meeting minimum requirements of that land use district, which are aggregated together to form a single building lot in conformance with the requirements of this chapter.

Lot, corner: Any lot situated at the junction of and abutting on 2 or more intersecting or intercepting streets.

Lot coverage: Total area of all buildings and structures located on a lot. Maximum percent of lot coverage permitted shall not include projections of eaves, stairways, or fire escapes, but shall include any other covered area such as garage, carport, porch, balcony, storage area, swimming pool, etc. Uncovered parking area, swimming pool, patio, tennis court, shuffleboard or other game equipment shall not be included in computing coverage, whether screened or not screened.

Lot finished grade: The final grade of the lot immediately adjacent to the structure after construction is completed and landscaping is in place.

Lot grade: The natural elevation of a lot before construction.

Lot line, front: In the case of a lot abutting upon only one street, the front lot line is the line separating said lot from said street. On those lots which are at the end (dead-end) of the streets and which abut the 2 bays of water

along the north side of the city, the front lot line will be that portion of the lot line that adjoins the side and/or the end of the street. In the case of any other lot, one such line shall be elected to be the front lot line for the purposes of this chapter, provided it is so designated by the building plans which meet the approval of the building official.

Lot line, rear: The boundary which is opposite and most distant from the front lot line. However, on those lots which are at the end (dead-end) of the streets and which abut the 2 bays of water along the north side of the city, the rear lot line will be that portion of the lot line along the canal and/or other body of water.

Lot line, side: Any lot boundary line not a front lot line or a rear lot line.

Lowest floor: The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B, Section 202.]

~~*Manufactured house:* A new dwelling unit which: (1) meets the HUD Manufactured Home Construction and Safety Standards, (2) is not a mobile home as defined in section 101-91, (3) meets the architectural review criteria in section 101-167, and (4) is constructed in one or more sections in the factory and trucked to the site for assembly on a foundation.~~

***Manufactured home*: A "manufactured building" as defined in s. 553.36(13), F.S. which is intended for single-family residential use, or a "manufactured home" as defined in s. 320.01(2)(b), F.S. which is constructed in whole or in part offsite and is treated as real property.**

Market value: ~~The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this article, the term refers to the market~~ **The** value of buildings and structures, excluding the land and other improvements on the parcel. Market value ~~may be established by a qualified independent appraiser,~~ **is the** Actual Cash Value (**in-kind** replacement cost depreciated for age**, wear and tear, neglect,** and quality of construction) **determined by a qualified independent appraiser**, or tax assessment value adjusted to approximate market value by a factor provided by the **County** Property Appraiser.

Mean high water line: A line determined by a registered Florida land surveyor.

New construction: For the purposes of Article VIII, Floodplain Management and the flood-resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after July 16, 1971, and includes any subsequent improvements to such structures.

Nonconforming building or structure: A building or structure that has a size or location on the tract which does not conform with the regulations prescribed in this chapter but which was lawfully in existence at the time of the adoption of the regulations.

Nonconforming use: A use that does not conform to the regulations prescribed in this chapter for the district in which it is located but which was lawfully in existence at the time of the adoption of the regulations.

Ocean: Stevens Subdivision, and Block 6, part of Key Colony Beach Subdivision as they border the Atlantic Ocean.

Pet, household: Animals or birds that are customarily kept for personal enjoyment within the home. Such pets shall include dogs, domestic cats, domestic tropical birds, fish and hamsters (or similar small animals).

Private passenger vehicle: A noncommercial automobile, van sport utility vehicle or pick-up truck with a ¾-ton maximum capacity.

Public safety and nuisance: Anything which is injurious to safety or health of the entire community or a neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable canal or basin.

Restaurant: An establishment where meals or prepared foods, including beverages, are served to customers. (See article IV, Supplemental Regulations, section 101-42 for requirements for restaurants and bars.)

Sand dunes: Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Setback: The minimum horizontal distance which must remain free of structures between the street, rear or side lines of the lot, and the front, rear, or side lines of the walls of the building. When property is used and is adjacent to the Atlantic Ocean or Vaca Cut, the mean high water line will be used where the land to or seaward of the mean high water line is owned by the user.

Special flood hazard area: An area in the floodplain subject to a 1 per cent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B Section 202.]

Start of construction: The date of issuance of permits for new construction and substantial improvements, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, or the construction of columns. **Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 202.]**

~~Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 202.]~~

Story: That portion of a building included between the upper surface of any habitable or commercial use floor and the upper surface of the habitable or commercial use floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost habitable or commercial use floor and the roof above.

Street grade: The level at the street center line, top of curb, or surface of cement sidewalk, whichever is the highest.

Structure: Anything which requires a location on a parcel of land or in the water, whether permanent or temporary, exceeding 18 inches above the lot finished grade or 18 inches above the mean high water line. "Structure" also includes swimming pools, advertising signs and decorative pools; but excludes fences, dockside shelters, fish-cleaning stations, davits, boat lifts, dock boxes, driveways, sidewalks, yard adornments, flag poles, antennae and items that do not extend more than 18 inches above lot finished grade.

Subdivision: A subdivision is a division of a lot, tract or parcel of land into 2 or more lots, plots, sites, for the purpose of sale, rent, lease, building development, anchorage or other use.

Cross reference(s)—See definition for subdivision, article IX.

Substantial damage: Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 per cent of the market value of the building or structure before the damage occurred. ~~The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 per cent of the market value of the structure before the damage occurred. [Also defined in FBC, B Section 202.]~~ [Also defined in FBC, B Section 202.]

Substantial improvement: Any combination of repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure ~~taking place during a 3-year period,~~ the ~~cumulative~~ the cost of which equals

or exceeds 50 per cent of the market value of the structure, either: (1) before the improvement or repair is started; or (2) if the structure has been damaged and is being restored, before the damage occurred. ~~The period of accumulation begins when the first improvement or repair of each building is permitted subsequent to November 22, 2011.~~ This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. This term does not, however, include either:

(1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

(2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

Swimming pool: A swimming pool is an in-ground structure containing therein a vessel of water for the purpose of recreational or hydrotherapy bathing of persons; it includes spas and hot tubs. An above grade pool is an outdoor pool with side walls that extend more than 18 inches above the lot finished grade.

Time-share period: That period of time when a purchaser of a time-sharing plan is entitled to the possession and use of the accommodations or facilities, or both, of a time-share plan.

Time-sharing plan: Any arrangement other than an exchange program, whether by membership, agreement, tenancy in common, sale, lease, deed, rental agreement, license or right-to-use agreement or by any other means, whereby a purchaser, in exchange for a consideration, receives a right to use accommodations or facilities, or both, for a specific period of time less than a full year during any given year, but not necessarily for consecutive years, and which extends for a period of more than 3 years.

Time-share unit: An accommodation or facility of a time-sharing plan which is divided into time-share periods.

Trellis: A structural frame with latticework used as a screen or as a support for climbing plants.

Utility use: Electric, telephone, cable, water, sewage or solid waste (recycling) facilities. A minor utility use serves only the adjacent blocks while a major utility use serves the entire city.

Vaca Cut: Stevens Subdivision Tract A; Vista del Sol Subdivision; and Coury II Subdivision, Block 3, Lots 10-30, Tract A, Tract E, and Block 2, Lots 46-48.

Variance: For the purposes of Article VIII Floodplain Management, a grant of relief from the requirements of this article, or the flood-resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this article or the Florida Building Code.

Waterfront: Any site shall be considered as waterfront premises provided any or all of its lot lines abut on or are contiguous to any body of water including canal, bay, ocean or any other body of water but not including a swimming pool.

Width of lot: The average width between the side lot lines of the lot.

Yard: An open space on the same lot with a building, said space being unoccupied or unobstructed from the ground upwards except as otherwise permitted herein.

Yard, front: The yard extending across the full width of the plot and lying between the front lines of the plot and the building on the streetside.

Yard, rear: The yard extending across the full width of the plot and lying between the rear lines of the plot and the building on the waterside if applicable.

Yard, side: The yard extending the full length of the plot and lying between the side lines of the plot and the building.

Yard adornments: Any statuary, fountain, bird bath, planter or similar item that is placed in any yard as a permanent adornment. (See article IV, Supplemental Regulations, section 101-26(10) for yard adornment regulations.)

Summary of District Regulations

Note: This is a summary table only; consult district regulations for full details.

District	Density	Lot Size Min. (Sq. Ft.)	Min. Lot Width	Front Setback (Feet)	Side Setback (Feet)	Corner Lot Side/Rear Setback (Feet)	Rear Set-back[1] (Feet)	Floor Area Min. (Sq. Ft.) per D/U	Pervious Min. (%)	Cov-erage Max. (%)	Height Max. (Feet/ Stories)
R-1A	N/A	7,500	75	25	8.5	8.5	25	1200	15	N/A	30/2
R-1B	N/A	6,000	60	25	7.5	7.5	25	1,000	15	N/A	30/2
R-2A	N/A	6,000	60 75	25	7.5 8.5	7.5 8.5	20	800	15	N/A	30/2
R-2B	N/A	5,500	40	20[2]	5	5	15[2]	450	15	N/A	20/1
R-3	8 DU/A max.	20,000	75	50	15	15	20	900	20	33	35/3
R-H	8 DU/A max.	20,000	75	50	15	15	20	600	20	33	35/3
B-1	8 DU/A max.[3]	10,000	90	25[4]	5[5]	25[5]	15	N/A	20	45	30/2
PB	N/A	N/A	N/A	25	20	25	25	N/A	20	N/A	30/2
PR	N/A	N/A	N/A	25	25	25	25	N/A	N/A	N/A	30

;sz;9q;(1) 50 foot setback from Vaca Cut and 100 foot setback from Ocean.

;sz;9q;(2) 5 foot setback from Clara Boulevard and Coral Lane.

;sz;9q;(3) Applies to live-aboard boats only, other dwellings not permitted.

;sz;9q;(4) 40 foot setback from Sadowski Causeway.

;sz;9q;(5) 25 foot setback from a residential parcel.

Sec. 101-9. - Reserved.

ATTACHMENT B
Land Development Code
Article III (DISTRICT REGULATIONS)

ARTICLE III. - DISTRICT REGULATIONS

Sec. 101-10. - R-1A One dwelling unit residence district.

(1) *Intent.* This district is intended to accommodate one unit detached dwellings. It conforms with the single-family residential category of the comprehensive plan.

(2) *Permitted uses.* One unit detached dwelling.

(3) *Accessory structures and uses.* See section 101-26 for detailed regulations.

Dockside shelter and related uses.

Private boat dock or pier.

Private garage.

Swimming pool.

Tennis court.

Home occupation as defined in section 101-34.

Family day care home as defined in article II.

Utility use, minor.

Yard adornments.

(4) *Lot area and width.*

Minimum lot area of 7,500 square feet.

Minimum lot width of 75 feet.

(5) *Setbacks* (see also section 101-26).

Front yard minimum of 25 feet.

Side yard minimum of 8.5 feet on each side, except on a corner lot or a combined lot.

Rear yard minimum of 25 feet except a 50 foot minimum setback from mean high tide along Vaca Cut.

Corner lot minimum side yard of 25 feet on the street frontage and rear yard of 8.5 feet.

For combined lots, each side yard minimum shall be 10 per cent of total width.

(6) *Floor area.* Minimum habitable building area of 1,200 square feet per dwelling unit.

(7) *Pervious area.* Minimum of 25 per cent. Stormwater shall be retained onsite.

(8) *Height.* ~~Maximum of 30 feet or 2 stories, whichever is less, for structures with habitable dwelling space below the applicable base flood elevation. Maximum of 40 feet and 2 stories as mandated by Florida Building Code for structures where all habitable space exceeds applicable base flood elevation. No mechanical equipment shall be allowed on roof.~~

Additions to existing structures containing nonconforming habitable space below the applicable base flood elevation shall be permitted, provided the total height of the structure, including the addition, does not exceed 30 feet or two (2) stories, whichever is less.

Additions to existing structures that conform to the flood provisions of the Florida Building Code shall not exceed 40 feet in height or two (2) stories, whichever is less.

New construction shall not exceed 40 feet in height or two (2) stories, whichever is less.

Mechanical equipment shall not be permitted on the roof.

(9) *Special regulations.* See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI] and signs [article X].

Sec. 101-11. - R-1B One dwelling unit residence district.

(1) *Intent.* This district is intended to accommodate one unit detached dwellings. It conforms with the single-family residential category of the comprehensive plan.

(2) *Permitted uses.* One unit detached dwelling.

(3) *Accessory structures and uses.* See section 101-26 for detailed regulations.

Dockside shelter and related uses.

Private boat dock or pier.

Private garage.

Swimming pool.

Tennis court.

Home occupation as defined in section 101-34.

Family day care home as defined in article II.

Utility use, minor.

Yard adornments.

(4) *Lot area and width.*

Minimum lot area of 6,000 square feet.

Minimum lot width of 60 feet.

(5) *Setbacks* (see also section 101-26).

Front yard minimum of 25 feet.

Side yard minimum of 7.5 feet on each side, except on a corner lot or a combined lot.

Rear yard minimum of 25 feet.

Corner lot minimum side yard of 25 feet on the street frontage and rear yard of 7.5 feet.

For combined lots, each side yard minimum shall be 10 per cent of total width.

(6) *Floor area.* Minimum habitable building area of 1,000 square feet per dwelling unit.

(7) *Pervious area.* Minimum of 25 per cent. Stormwater shall be retained onsite.

(8) *Height.* ~~Maximum of 30 feet or 2 stories, whichever is less for structures with habitable dwelling space below the applicable base flood elevation. Maximum of 40 feet and 2 stories as mandated by Florida Building Code for structures where all habitable space exceeds applicable base flood elevation. No mechanical equipment shall be allowed on roof.~~

Additions to existing structures containing nonconforming habitable space below the applicable base flood elevation shall be permitted, provided the total height of the structure, including the addition, does not exceed 30 feet or two (2) stories, whichever is less.

Additions to existing structures that conform to the flood provisions of the Florida Building Code shall not exceed 40 feet in height or two (2) stories, whichever is less.

New construction shall not exceed 40 feet in height or two (2) stories, whichever is less.

Mechanical equipment shall not be permitted on the roof.

(9) *Special regulations.* See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI] and signs [article X].

Sec. 101-12. - R-2A Two dwelling unit residence district.

(1) *Intent.* This district is intended to accommodate single unit detached and two unit dwellings. It conforms with the two-family residential category of the comprehensive plan.

(2) *Permitted uses.*

One unit detached dwelling.

Two unit dwelling.

(3) *Accessory structures and uses.* See section 101-26 for detailed regulations.

Dockside shelter and related uses.

Private boat dock or pier.

Private garage.

Swimming pool.

Tennis court.

Home occupation as defined in section 101-34.

Family day care home as defined in article II.

Utility use, minor.

Yard adornments.

(4) *Lot area and width.*

Minimum lot area of 6,000 square feet.

Minimum lot width of 60 feet.

(5) *Setbacks* (see also section 101-26).

Front yard minimum of 25 feet.

Side yard minimum of 7.5 feet on each side, except on 75 foot wide lots where the minimum shall be 8.5 feet, corner lots or on combined lots. In the case of attached two unit dwellings, one side setback shall be required for each dwelling.

Rear yard minimum of 20 feet.

Corner lots shall have minimum side yards of 25 feet on the street frontage and rear yards measuring the same distance as the required side yard.

For combined lots, the side yard minimum shall be 10 per cent of total width.

(6) *Floor area.* Minimum habitable building area of 800 square feet per dwelling unit.

(7) *Pervious area.* Minimum of 25 per cent. Stormwater shall be retained onsite.

(8) *Height.* ~~Maximum of 30 feet or 2 stories, whichever is less, for structures with habitable dwelling space below the applicable base flood elevation. Maximum of 40 feet and two stories as mandated by Florida Building Code for structures where all habitable space exceeds applicable base flood elevation.~~

Additions to existing structures containing nonconforming habitable space below the applicable base flood elevation shall be permitted, provided the total height of the structure, including the addition, does not exceed 30 feet or two (2) stories, whichever is less.

Additions to existing structures that conform to the flood provisions of the Florida Building Code shall not exceed 40 feet in height or two (2) stories, whichever is less.

New construction shall not exceed 40 feet in height or two (2) stories, whichever is less.

In the event the application is made to elevate one-half of an existing duplex, the architectural review procedures of section 101-167(2)(i) shall be applicable, with particular emphasis on the resulting harmoniousness with the adjoining half-duplex. Notification of the architectural review hearing shall be made in writing to all property owners within three hundred (300) feet of the proposed construction and notice of the hearing shall be published in a newspaper of general circulation in Key Colony Beach no less than seven (7) days prior to the date of the hearing. ~~No mechanical equipment shall be allowed on roof.~~

Mechanical equipment shall not be permitted on the roof.

(9) *Special regulations.* See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI] and signs [article X].

Sec. 101-13. - R-2B Two dwelling unit residence district.

(1) *Intent.* This district is intended to accommodate one unit detached and two-unit dwellings. It conforms with the two-family residential category of the comprehensive plan.

(2) *Permitted uses.*

One unit detached dwelling.

Two unit dwelling.

(3) *Accessory structures and uses.* See section 101-26 for detailed regulations.

Dockside shelter and related uses.

Private boat dock or pier.

Private garage.

Swimming pool.

Tennis court.

Home occupation as defined in section 101-34.

Family day care home as defined in article II.

Utility use, minor.

Yard adornments.

(4) *Lot area and width.*

Minimum lot area of 5,500 square feet.

Minimum lot width of 40 feet.

See also section 101-192, nonconforming lots.

(5) *Setbacks* (see also section 101-26).

Front yard minimum of 20 feet, except 5 feet on Clara Boulevard and Coral Lane.

Side yard minimum of 5 feet on each side, except on corner lots or on combined lots. In the case of attached two-unit dwellings, one side setback shall be required for each dwelling. A minimum side-yard setback of 5 feet shall be allowed only for pools within R2B zoning in accordance with section 101-26.

Rear yard minimum of 15 feet, except 5 feet on Clara Boulevard and Coral Lane.

Corner lot minimum side yard of 15 feet on the street frontage and rear yard of 5 feet.

For combined lots, the side yard minimum shall be 10 per cent of total width.

(6) *Floor area.* Minimum habitable building area of 450 square feet per one story dwelling unit and minimum 800 square feet per two story dwelling unit.

(7) *Pervious area.* Minimum of 25 per cent. Stormwater shall be retained onsite.

(8) *Height.* ~~Maximum of 20 feet or 1 story, whichever is less, for structures with habitable dwelling space below the applicable base flood elevation. Maximum of 40 feet and 2 stories as mandated by Florida Building Code for structures where all habitable space exceeds applicable base flood elevation.~~

Additions to existing structures containing nonconforming habitable space below the applicable base flood elevation shall be permitted, provided the total height of the structure, including the addition, does not exceed 20 feet or one (1) story, whichever is less.

Additions to existing structures that conform to the flood provisions of the Florida Building Code shall not exceed 40 feet in height or two (2) stories, whichever is less.

New construction shall not exceed 40 feet in height or two (2) stories, whichever is less.

In the event that application is made to elevate only one-half of an existing duplex, the architectural review procedures of section 101-167(2)(i) shall be applicable, with a particular emphasis on the resulting harmoniousness with the adjoining half-duplex. Notification of the architectural review hearing shall be made in writing to all property owners withing three hundred (300) feet of the proposed construction and notice of the hearing shall be published in a newspaper of general circulation in Key Colony Beach no less than seven (7) days prior to the date of the hearing. ~~No mechanical equipment shall be allowed on roof.~~

Mechanical equipment shall not be permitted on the roof.

(9) New construction or renovation of an existing structure to a higher elevation shall require a minimum of 2 parking spaces for standard automobiles with one being an under structure parking space.

(10) *Special regulations.* See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI] and signs [article X].

Sec. 101-14. - R-2C Two dwelling unit residence district.

(1) *Intent.* This district is intended to accommodate single unit detached and two unit dwellings located on Lots 4-10, Marina Subdivision, and any platted resubdivision of the said lots. It conforms with the two-family residential category of the comprehensive plan.

(2) *Permitted uses.*

One unit detached dwelling.

Two unit dwelling.

(3) *Accessory structures and uses.* See section 101-26 for detailed regulations.

Dockside shelter and related uses.

Private boat dock or pier.

Private garage.

Swimming pool.

Tennis court.

Home occupation as defined in section 101-34.

Family day care home as defined in article II.

Utility use, minor.

Yard adornments.

(4) *Lot area and width.*

Minimum lot area of 6,500 square feet.

Minimum lot width of 65 feet.

(5) *Setbacks.* (See also section 101-26.)

Front yard minimum of 25 feet.

Side yard minimum of 8.5 feet. In the case of attached two unit dwellings, one side setback shall be required for each dwelling.

Rear yard minimum of 20 feet.

For combined lots, the side yard minimum shall be 10 per cent of total width.

Commercial uses adjacent to the southerly boundary of Lot 10 would be 9 feet (see also B-1 regulations, section 101-17).

(6) *Floor area.* Minimum habitable building area of 800 square feet per dwelling unit.

(7) *Pervious area.* Minimum of 25 per cent. Stormwater shall be retained onsite.

(8) *Height.* ~~Maximum of 30 feet or 2 stories, whichever is less, for structures with habitable dwelling space below the applicable base flood elevation. Maximum of 40 feet and two stories as mandated by Florida Building Code for structures where all habitable space exceeds applicable base flood elevation.~~

Additions to existing structures containing nonconforming habitable space below the applicable base flood elevation shall be permitted, provided the total height of the structure, including the addition, does not exceed 30 feet or two (2) stories, whichever is less.

Additions to existing structures that conform to the flood provisions of the Florida Building Code shall not exceed 40 feet in height or two (2) stories, whichever is less.

New construction shall not exceed 40 feet in height or two (2) stories, whichever is less.

In the event the application is made to elevate one-half of an existing duplex, the architectural review procedures of section 101-167(2)(i) shall be applicable, with particular emphasis on the resulting harmoniousness with the adjoining half-duplex. Notification of the architectural review hearing shall be made in writing to all property owners within three hundred (300) feet of the proposed construction and notice of the hearing shall be published [prior] to the date of the hearing. ~~No mechanical equipment shall be allowed on roof.~~

Mechanical equipment shall not be permitted on the roof.

(9) *Special regulations.*

Type of construction: **Enclosure of the area under elevated buildings that comply with the flood resistant construction requirements of the Florida Building Code** ~~Ground floor structures which comply with federal flood elevation requirements~~ shall be permitted, provided there is a two-car garage per dwelling unit and such garage may not thereafter be converted to any other use other than parking, **storage, or building access**, and the lot is no less than 79 feet wide. ~~Lots~~ **Buildings on lots** less than 79 feet in width must be **supported on piles or columns and be** ~~stilt construction~~ elevated **at least** 8 feet above grade to ~~and~~ provide for parking underneath the structure. The **area used for** parking underneath the structure may not subsequently be converted to any other use.

Parking: No boat trailers, utility trailers, recreational vehicles, campers or other than private passenger vehicles shall be parked outside of the footprint of the house. No parking of any vehicles shall be permitted on the right-of-way.

Landscaping: A landscape buffer shall be maintained at a height no less than 6 feet along the northerly side of Lot 4 and the road adjoining said lot.

See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI] and signs [article X].

Sec. 101-15. - R-3 Multiunit residence district.

(1) *Intent.* This district is intended to accommodate the full range of residential uses and related amenities. It conforms with the multifamily residential category of the comprehensive plan and therefore the density shall not exceed 8 units per acre.

(2) *Permitted uses.*

One unit detached dwelling.

Two unit dwelling.

Multiunit dwelling.

Beach club. (See definition of beach club for restrictions.)

Community residential home as defined in article II.

(3) *Accessory structures and uses.* See section 101-26 for detailed regulations.

Dockside shelter and related uses.

Private boat dock or pier.

Private garage.

Swimming pool.

Tennis court.

Home occupation as defined in section 101-34;

Family day care home as defined in article II;

Utility use, minor.

Yard adornments.

(4) *Lot area and width.*

Minimum lot area of 20,000 square feet.

Minimum lot width of 75 feet.

(5) *Density.* Not more than 8 units per acre.

(6) *Setbacks.*

Front yard minimum of 50 feet, except tennis courts and swimming pools which may be set back 25 feet.

Side yard minimum of 15 feet on each side, except 25 feet from street line on corner lots, and at least 10 per cent of total width for combined lots, up to a maximum of 30 feet on each side; no fence, gate, wall or hedge over 4 feet in height, or any accessory structure is permitted within the minimum required side yard.

Rear yard minimum of 20 feet.

Ocean: 100 feet from mean high water line.

(7) *Floor area.* Minimum habitable building area of 900 square feet per dwelling unit.

(8) *Building coverage.* Maximum of 33 per cent of lot area.

(9) *Pervious area.* Minimum of 20 per cent.

(10) *Height.* ~~Maximum of 3 stories, but in no case more than 35 feet, whichever is less, for structures with habitable dwelling space below the applicable base flood elevation. Maximum of 48 feet and three stories as mandated by Florida Building Code for structures where all habitable space exceeds applicable base flood elevation. No mechanical equipment shall be allowed on roof.~~

Additions to existing structures containing nonconforming habitable space below the applicable base flood elevation shall be permitted, provided the total height of the structure, including the addition, does not exceed 30 feet or two (2) stories, whichever is less.

Additions to existing structures that conform to the flood provisions of the Florida Building Code shall not exceed 40 feet in height or two (2) stories, whichever is less.

New construction shall not exceed 40 feet in height or two (2) stories, whichever is less.

Mechanical equipment shall not be permitted on the roof.

(11) *Site plan.* A site plan is required for all development other than one or two family dwellings; see article XII.

(12) *Special regulations.* See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI] and signs [article X].

Sec. 101-16. - RH Resort hotel district.

(1) *Intent.* This district is intended to accommodate hotels, multiunit dwellings, beach clubs and restaurants with a waterfront, ocean resort orientation. The site plan review process shall further this goal. It conforms with the resort category of the comprehensive plan.

(2) *Permitted uses.*

Multiunit dwelling.

Hotel.

Beach club. (See definition of beach club for restrictions.)

Private membership club.

Restaurants and bars. (See article IV, supplemental regulations, section 101-42, for requirements for restaurants and bars.)

(3) *Accessory structures and uses.* See section 101-26 for additional regulations.

Club or bath house.

Dockside shelter and related uses.

Private boat dock or pier.

Private garage.

Utility shed.

Swimming pool.

Tennis court.

Home occupation as defined in section 101-34.

Utility use, minor.

Yard adornments.

(4) *Lot area and width.*

Minimum lot area of 20,000 square feet.

Minimum lot width of 75 feet.

(5) *Density.* Not more than 8 dwelling units per acre. In the case of a mixed-use project, this density shall be calculated by considering each hotel unit (suite or room) and each 1,200 square feet of business floor area as a dwelling unit.

(6) *Setbacks.*

Front yard minimum of 50 feet, except tennis courts and swimming pools which may be set back 25 feet.

Side yard minimum of 15 feet on each side, except 25 feet from street line on corner lots, and at least 10 per cent of total width for combined lots, up to a maximum of 30 feet on each side; no fence, gate, wall or hedge over 4 feet in height, or any accessory structure is permitted within the minimum required side yard.

Rear yard minimum of 20 feet.

Ocean: 100 feet from mean high water line.

(7) *Floor area.* Minimum habitable building area of 600 square feet per dwelling unit but not hotel units.

(8) *Building coverage.* Maximum of 33 per cent of lot area.

(9) *Open space.* A hotel project shall provide 1,000 square feet of recreational open space per hotel unit. The location, design and facilities shall be reviewed and approved as part of the site plan.

(10) *Pervious area.* Minimum of 20 per cent.

(11) *Height.* Maximum of 3 stories, but in no case more than 48 feet in height. No mechanical equipment shall be allowed on roof.

(12) *Site plan.* A site plan is required for all development; see article XII.

(13) *Special regulations.* See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI] and signs [article X]. See also section 101-35 relative to any resort dwelling units to be sold as time shares.

Sec. 101-17. - B-1 Neighborhood business district.

(1) *Intent.* This district is intended to provide those retail, personal service and office uses needed to serve the city's residential neighborhoods plus marinas. This conforms with the commercial category of the comprehensive plan. The site plan review process shall further the goal of water-related uses and design in B-1 districts south of the bridge.

(2) *Permitted uses.* Convenience retail sales including groceries, hardware, variety, gift, florist, video, newspaper, jewelry, wearing apparel, fabrics, books, bakery goods, and similar retail uses.

Self-service laundry, dry cleaning and laundry pick-up, and similar service establishments.

Personal service shops such as barber, beauty parlor, shoe repair and tailor.

Offices.

Restaurants and bars. (See article IV, supplemental regulations, section 101-42, for requirements for restaurants and bars.)

Marina, to include boats for rent or hire carrying no more than 35 passengers except as expressly approved in advance by the city commission for special occasions, but not boat repair uses. (See section 101-51 for parking requirements.)

Live-aboard boats in conformance with chapter 5, article II and the densities in (6) below.

Medical marijuana treatment facilities and dispensing facilities are prohibited.

(3) *Conditional uses.*

Gasoline station: Conditioned on frontage along an arterial roadway (as so classified in the comprehensive plan).

(4) *Accessory structures and uses.* All customary accessory structures and uses.

(5) *Lot area and width.*

Minimum lot area of 10,000 square feet.

Minimum lot width of 90 feet.

(6) *Density.* Live-aboard boats tied up to docks located within the B-1 district shall not exceed a density of 8 dwelling units per net acre with each such boat considered a dwelling unit.

(7) *Setbacks.*

Sadowski Causeway: Minimum of 40 feet.

Other front yard: Minimum of 25 feet.

Other side yard: Minimum of 5 feet, except 25 feet on a corner lot or from a residentially zoned parcel and at least 10 per cent of total width for a combined lot, up to a maximum of 30 feet on each side.

Rear yard: Minimum of 15 feet.

(8) *Lot coverage.* Maximum of 45 per cent.

(9) *Pervious area.* Minimum of 20 per cent.

(10) *Height.* Maximum of 2 stories, but in no case more than 48 feet in height as mandated by Florida Building Code. No mechanical equipment shall be allowed on roof.

(11) *Site plan.* A site plan is required in accordance with article XII.

(12) *Special regulations.* See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI] and signs [article X].

Sec. 101-18. - PB Public buildings and grounds districts.

(1) *Intent.* This district is intended to accommodate city administrative or maintenance buildings, city wastewater treatment plant and other governmental uses. It conforms with the Public category of the comprehensive plan.

(2) *Permitted uses.*

Governmental administrative offices, including police station.

Governmental maintenance facilities.

Libraries.

Post offices.

Public parking including boat trailers.

Public parks.

Public restrooms.

Utility use, major.

(3) *Site design standards.*

Building setbacks:

Side setback: 20 feet, except on a combined lot where the side yard minimum shall be 10 per cent of total width, up to a maximum of 30 feet on each side.

Front setback: 25 feet.

Rear setback: 25 feet.

Pervious area minimum of 20 per cent.

Height maximum of 2 stories but in no case more than 48 feet in height as mandated by Florida Building Code. No mechanical equipment shall be allowed on roof.

(4) *Special regulations.* See sections on floodplain management [article VIII], parking [article V], and landscaping (article VI].

Sec. 101-19. - PR Public recreation district.

(1) *Intent.* This district is intended to accommodate the city's park, recreation and public golf course facilities. It conforms to the recreational category of the comprehensive plan.

(2) *Permitted uses.*

Public parks and related recreational facilities.

Public golf courses and related building facilities.

(3) *Site design standards.*

Building setback minimum of 25 feet.

Height maximum of 40 feet.

Sec. 101-20. - C Conservation district.

(1) *Intent.* This district is intended to preserve unique natural features, particularly wetlands, in their natural state. This conforms to the conservation category in the comprehensive plan.

(2) *Permitted uses.* Open space, including wetlands.

(3) *Accessory uses.* Environmentally sensitive walkways.

Secs. 101-21—101-24. - Reserved.

ATTACHMENT C

Land Development Code
Article VIII (FLOODPLAIN MANAGEMENT)

ARTICLE VIII. FLOODPLAIN MANAGEMENT

ARTICLE VIII. FLOODPLAIN MANAGEMENT

Sec. 101-90. - Floodplain management; general.

(1) *Title.* These regulations shall be known as the Floodplain Management Ordinance of the City of Key Colony Beach, hereinafter referred to as "this article."

(2) *Scope.* The provisions of this article shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to, the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the Florida Building Code; installation or replacement of tanks; installation of swimming pools; and any other development.

(3) *Intent.* The purposes of this article and the flood load and flood-resistant construction requirements of the Florida Building Code are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

(a) Minimize unnecessary disruption of commerce, access and public service during times of flooding;

(b) Require the use of appropriate construction practices in order to prevent or minimize future flood damage;

(c) Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;

(d) Manage the alteration of flood hazard areas and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;

(e) Minimize damage to public and private facilities and utilities;

(f) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;

(g) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and

(h) Meet the requirements of the National Flood Insurance Program for community participation as set forth in Title 44 Code of Federal Regulations, Section 59.22.

(4) *Coordination with the Florida Building Code.* This article is intended to be administered and enforced in conjunction with the Florida Building Code. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the Florida Building Code.

(5) *Warning.* The degree of flood protection required by this article and the Florida Building Code, as amended by this community, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This article does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal

Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this article.

(6) *Disclaimer of Liability.* This article shall not create liability on the part of the City Commission of the City of Key Colony Beach or by any officer or employee thereof for any flood damage that results from reliance on this article or any administrative decision lawfully made thereunder.

Sec. 101-91. - Applicability.

(1) *General.* Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

(2) *Areas to which this article applies.* This article shall apply to all flood hazard areas within the City of Key Colony Beach, as established in Section 101-91(3) of this article.

(3) *Basis for establishing flood hazard areas and Species Focus Areas and Real Estate Numbers.*

(a) The Flood Insurance Study for Monroe County, Florida and Incorporated Areas, dated February 18, 2005, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this article and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at City Hall, 600 West Ocean Drive, Key Colony Beach, FL 33051.

(b) The Species Focus Area Maps (SFAMs) and the real estate numbers of parcels (RE List) that are within the SFAMs identified by the U.S. Fish and Wildlife Service in accordance with the Biological Opinion, dated April 30, 2010, as amended, for the City of Key Colony Beach, and any subsequent revisions there to, are hereby declared to be a part of this article. The SFAMs and RE list are on file at the City Hall.

(4) *Submission of additional data to establish flood hazard areas.* To establish flood hazard areas and base flood elevations, pursuant to Section 101-95 of this article the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

(a) Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this article and, as applicable, the requirements of the Florida Building Code.

(b) Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

(5) *Other laws.* The provisions of this article shall not be deemed to nullify any provisions of local, state or federal law.

(6) *Abrogation and greater restrictions.* This article supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to, land development regulations, zoning ordinances, stormwater management regulations, or the Florida Building Code. In the event of a conflict between this article and any other ordinance, the more restrictive shall govern. This article shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this article.

(7) *Interpretation.* In the interpretation and application of this article, all provisions shall be:

(a) Considered as minimum requirements;

(b) Liberally construed in favor of the governing body; and

(c) Deemed neither to limit nor repeal any other powers granted under state statutes.

Sec. 101-92. Duties and powers of the floodplain administrator.

(1) *Designation.* The Building Official is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

(2) *General.* The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this article. The Floodplain Administrator shall have the authority to render interpretations of this article consistent with the intent and purpose of this article and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this article without the granting of a variance pursuant to Section 101-97 of this article.

(3) *Applications and permits.* The Floodplain Administrator, in coordination with other pertinent offices of the community, shall:

(a) Review applications and plans to determine whether proposed new development will be located in flood hazard areas;

(b) Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this article;

(c) Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;

(d) Provide available flood elevation and flood hazard information;

(e) Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;

(f) Review applications to determine whether proposed development will be reasonably safe from flooding;

(g) Issue building permits for development other than buildings and structures that are subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code, when compliance with this article is demonstrated, or disapprove the same in the event of noncompliance; and

(h) Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this article.

(4) *Substantial improvement and substantial damage determinations.* For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

(a) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;

(b) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;

(c) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; ~~the determination requires evaluation of previous permits issued for improvements and repairs as specified in the definition of "substantial improvement" and for proposed work to repair~~

~~damage caused by flooding, the determination requires evaluation of previous permits issued to repair flood-related damage as specified in the definition of "substantial damage";~~ and

(d) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood-resistant construction requirements of the Florida Building Code and this article is required.

(5) *Modifications of the strict application of the requirements of the Florida Building Code.* The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood-resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 101-97 of this article.

(6) *Notices and orders.* The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this article.

(7) *Inspections.* The Floodplain Administrator shall make the required inspections as specified in Section 101-96 of this article for development that is not subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

(8) *Other duties of the Floodplain Administrator.* The Floodplain Administrator shall have other duties, including but not limited to:

(a) Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 101-92(4) of this article;

(b) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations or flood hazard area boundaries; such submissions shall be made within 6 months of such data becoming available;

(c) Review required design certifications and documentation of elevations specified by this article and the Florida Building Code to determine that such certifications and documentations are complete;

(d) Notify the Federal Emergency Management Agency when the corporate boundaries of the City of Key Colony Beach are modified; and

(e) Advise applicants for new buildings and structures, including substantial improvements, that are located in any unit of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction; areas subject to this limitation are identified on Flood Insurance Rate Maps as "Coastal Barrier Resource System Areas" and "Otherwise Protected Areas."

(9) *Floodplain management records.* Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this article and the flood-resistant construction requirements of the Florida Building Code, including Flood Insurance Rate Maps; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and this article; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this article and the flood-resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at City Hall, 600 West Ocean Drive, Key Colony Beach, FL 33051.

Sec. 101-93. - Permits.

(1) *Permits required.* Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this article, including buildings, structures and facilities exempt

from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this article and all other applicable codes and regulations has been satisfied.

(2) *Building permits.* Building permits shall be issued pursuant to this article for any development activities not subject to the requirements of the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a building permit is required in addition to a building permit.

(3) *Buildings, structures and facilities exempt from the Florida Building Code.* Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), building permits shall be required for the following buildings, structures and facilities that are exempt from the Florida Building Code and any further exemptions provided by law, which are subject to the requirements of this article:

(a) Railroads and ancillary facilities associated with the railroad.

(b) Nonresidential farm buildings on farms, as provided in section 604.50, F.S.

(c) Temporary buildings or sheds used exclusively for construction purposes.

(d) Mobile or modular structures used as temporary offices.

(e) Those structures or facilities of electric utilities, as defined in section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.

(f) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.

(g) Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.

(h) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

(i) Structures identified in section 553.73(10)(k), F.S., are not exempt from the Florida Building Code if such structures are located in flood hazard areas established on Flood Insurance Rate Maps.

(4) *Application for a permit or approval.* To obtain a building permit the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:

(a) Identify and describe the development to be covered by the permit or approval.

(b) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.

(c) Indicate the use and occupancy for which the proposed development is intended.

(d) Be accompanied by a site plan or construction documents as specified in Section 101-95 of this article.

(e) State the valuation of the proposed work.

(f) Be signed by the applicant or the applicant's authorized agent.

(g) Give such other data and information as required by the Floodplain Administrator.

(h) For projects proposing to enclose areas under elevated buildings, include signed Declaration of Land Restriction (Nonconversion Agreement); the agreement shall be recorded on the property deed prior to issuance of the Certificate of Occupancy.

(5) *Validity of permit or approval.* The issuance of a building permit pursuant to this article shall not be construed to be a permit for, or approval of, any violation of this article, the Florida Building Codes, or any other ordinance of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

(6) *Expiration.* A building permit shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

(7) *Suspension or revocation.* The Floodplain Administrator is authorized to suspend or revoke a building permit if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this article or any other ordinance, regulation or requirement of this community.

(8) *Other permits required.* Floodplain building permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

(a) The South Florida Water Management District; section 373.036, F.S.

(b) Florida Department of Economic Opportunity, section 380.05, F.S., Areas of Critical State Concern, and Chapter 553, Part IV, F.S., Florida Building Code.

(c) Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F.S. and Chapter 64E-6, F.A.(3).

(d) Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, F.S.

(e) Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.

(f) Federal permits and approvals.

Sec. 101-94. - Protection of endangered species.

(1) *Applications with Determination of Unsuitable Habitat.* Upon receipt of a floodplain building permit application for a property that is determined to be on the SFAMs and the RE list as containing unsuitable habitat, the Floodplain Administrator shall place a letter in the floodplain building permit file that indicates:

(a) The name of the city official that made the determination;

(b) The date of the determination; and

(c) The date of the SFAM and RE list used to make the determination.

Once the determination has been made, the City of Key Colony Beach may take action on the floodplain building permit application without further concern for Federally threatened and endangered species and their habitat.

(2) *Species Assessment Guides and Acceptance Form.* The Species Assessment Guide for the City of Key Colony Beach provided by the U.S. Fish and Service (Service), dated November 2011, and any subsequent revisions there to, is hereby declared to be a part of this article. The Species Assessment Guide is on file at the City Hall.

(a) The City of Key Colony Beach shall use the Species Assessment Guide to determine whether the applicant for a floodplain building permit application must seek technical assistance by the Service. For

applications that require such assistance, the City of Key Colony Beach shall provide copies of the applications to the Service for review on a weekly basis.

(b) Based on the Service's technical assistance, the City of Key Colony Beach shall condition the floodplain building permit to incorporate the Service's recommendations to avoid and/or to minimize possible impacts on Federally listed threatened and endangered species and their habitat.

(c) The City shall maintain an Acceptance Form of the Service's recommendations in the permit file. The Acceptance Form shall be signed by the permit applicant and the building official.

(d) The City shall use the Species Assessment Guide (SAG) for properties that exist within the boundaries of a completed Habitat Conservation Plan and which are subject to the SFAMs. The Real Estate folio number list which accompanies the SFAMs will be utilized in combination to determine if a building permit application must be provided to the Service for technical assistance in order to meet the full requirements of the Endangered and Threatened sections of this section.

(3) *Avoiding Impacts on Federally Listed Species.* All proposed development shall meet the conditions attached to floodplain building permits in accordance with Section 101-94(b) to avoid possible impacts to Federally threatened and endangered species and their habitat.

Sec. 101-95. - Site plans and construction documents.

(1) *Information for development in flood hazard areas.* The site plan or construction documents for any development subject to the requirements of this article shall be drawn to scale and shall include, as applicable to the proposed development:

(a) Delineation of flood hazard areas, flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.

(b) Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, new buildings shall be located landward of the reach of mean high tide.

(c) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.

(d) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.

(e) Extent of any proposed alteration of sand dunes or mangrove stands, provided such alteration is approved by the Florida Department of Environmental Protection.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this article but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this article.

(2) *Additional analyses and certifications.* For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), an engineering analysis signed and sealed by a Florida licenses engineer that demonstrates that the proposed alteration will not increase the potential for flood damage shall be submitted with the site plan and construction documents.

(3) *Submission of additional data.* When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

Sec. 101-96. - Inspections.

(1) *General.* Development for which a building permit is required shall be subject to inspection.

(2) *Development other than buildings and structures.* The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this article and the conditions of issued building permits.

(3) *Buildings, structures and facilities exempt from the Florida Building Code.* The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the Florida Building Code to determine compliance with the requirements of this article and the conditions of issued building permits.

(4) *Buildings, structures and facilities exempt from the Florida Building Code, lowest floor inspection.* Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the Florida Building Code, or the owner's authorized agent, shall submit to the Floodplain Administrator the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor.

(5) *Buildings, structures and facilities exempt from the Florida Building Code, final inspection.* As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 101-96(4) of this article.

(6) *Manufactured homes.* The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this ordinance and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Floodplain Administrator.

Sec. 101-97. - Variances and appeals.

(1) *General; recommendations.* The Planning and Zoning Committee Commission shall hear requests for appeals and requests for variances from the strict application of this article and the flood-resistant construction requirements of the Florida Building Code. Based on the provisions of this section, the Planning and Zoning Committee shall make recommendations to the City Commission. Pursuant to section 553.73(5), F.S., the City Commission shall hear and decide on requests for appeals and requests for variances from the strict application of the flood-resistant construction requirements of the Florida Building Code.

(2) *Appeals.* The City Commission shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this article. Any person aggrieved by the decision may appeal such decision to the Circuit Court, as provided by Florida Statutes.

(3) *Limitations on authority to grant variances.* The City Commission shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 101-97(6) of this article, the conditions of issuance set forth in Section 101-97(7) of this article, and the comments and recommendations of the Floodplain Administrator and the Building Official. The City Commission has the right to attach such conditions as it deems necessary to further the purposes and objectives of this article.

(4) *Historic buildings.* A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood-resistant construction requirements of the Florida Building Code, Existing Building, Chapter 12 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code.

(5) *Functionally dependent uses.* A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this article is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

(6) *Considerations for issuance of variances.* In reviewing requests for variances, the City Commission shall consider all technical evaluations, all relevant factors, all other applicable provisions of the Florida Building Code, this article, and the following:

(a) The danger that materials and debris may be swept onto other lands resulting in further injury or damage;

(b) The danger to life and property due to flooding or erosion damage;

(c) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;

(d) The importance of the services provided by the proposed development to the community;

(e) The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;

(f) The compatibility of the proposed development with existing and anticipated development;

(g) The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;

(h) The safety of access to the property in times of flooding for ordinary and emergency vehicles;

(i) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and

(j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

(7) *Conditions for issuance of variances.* Variances shall be issued only upon:

(a) Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this article or the required elevation standards;

(b) Determination by the City Commission that:

(i) Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;

(ii) The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and

(iii) The variance is the minimum necessary, considering the flood hazard, to afford relief.

(c) Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and

(d) If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up

to amounts as high as $25.00 for $100.00 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

Sec. 101-98. - Violations.

(1) *Violations.* Any development that is not within the scope of the Florida Building Code but that is regulated by this article that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this article or the conditions established by grants of variance, shall be deemed a violation of this article and punishable as a non-criminal violation. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this article or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

(2) *Authority.* For development that is not within the scope of the Florida Building Code but that is regulated by this article and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work. Nothing herein contained shall prevent the Floodplain Administrator from taking such other lawful actions as are necessary to prevent or remedy any violation.

(3) *Unlawful continuance; fine.* Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be fined not more than $500.00, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

Secs. 101-99, 101-100. - Reserved.

Sec. 101-101. - Buildings and structures.

(a) *Design and construction of buildings, structures and facilities exempt from the Florida Building Code.* Pursuant to Section 101-93(3) of this article, buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood-resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of Section 101-106 of this article.

(b) *Florida Building Code, amendments.* Amendments to the Florida Building Code adopted by the City are contained in the Code of Ordinance of the City of Key Colony Beach, Chapter 6 Buildings.

Sec. 101-102. - Subdivisions.

(1) *Minimum requirements.* Subdivision proposals shall be reviewed to determine that:

(a) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;

(b) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and

(c) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

(2) *Subdivision plats.* Where any portion of proposed subdivisions lies within a flood hazard area, the following shall be required:

(a) Delineation of flood hazard areas and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats; and

(b) Compliance with the site improvement and utilities requirements of Section 101-103 of this article.

Sec. 101-103. - Site improvements, utilities and limitations.

(1) *Minimum requirements.* All proposed new development shall be reviewed to determine that:

(a) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;

(b) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and

(c) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

(2) *Sanitary sewage facilities.* All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into floodwaters, and impairment of the facilities and systems.

(3) *Water supply facilities.* All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.(3) and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

(4) *Limitations on placement of fill.* Subject to the limitations of this article, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the Florida Building Code.

(5) *Limitations on sites in coastal high hazard areas (Zone V).* In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by Section 101-95(2) of this article demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with Section 101-106(6)(c) of this article.

Sec. 101-104. - Manufactured homes and recreational vehicles.

~~Installation of manufactured homes shall not be permitted.~~

(1) Recreational vehicles are permitted to be stored but not occupied.

(2) *Manufactured homes*. Manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this article.

(a) New manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:

(i) In flood hazard areas (Zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the *Florida Building Code, Residential* Section R322.2 and this article.

(ii) In coastal high hazard areas (Zone V), are designed in accordance with the foundation requirements of the *Florida Building Code, Residential* Section R322.3 and this article.

(b) New manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation

system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

(c) Manufactured homes that are placed, replaced, or substantially improved, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A) or Section R322.3 (Zone V and Coastal A Zone).

(d) Enclosed areas below elevated manufactured homes shall comply with the requirements of the *Florida Building Code, Residential* Section R322.2 or R322.3 for such enclosed areas, as applicable to the flood hazard area.

(e) Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the *Florida Building Code, Residential* Section R322, as applicable to the flood hazard area.

Sec. 101-105. - Tanks.

(1) *Underground tanks.* Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

(2) *Above ground tanks, not elevated.* Above ground tanks that do not meet the elevation requirements of Section 101-104(3) of this article shall:

(a) Be permitted in flood hazard areas (Zone A) other than coastal high hazard areas, provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

(b) Not be permitted in coastal high hazard areas (Zone V).

(3) *Above ground tanks, elevated.* Above ground tanks in flood hazard areas shall be elevated to or above the design flood elevation and attached to a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

(4) *Tank inlets and vents.* Tank inlets, fill openings, outlets and vents shall be:

(a) At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and

(b) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

Sec. 101-106. - Other development.

(1) *General requirements for other development.* All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this article or the Florida Building Code, shall:

(a) Be located and constructed to minimize flood damage;

(b) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;

(c) Be constructed of flood damage-resistant materials; and

(d) Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

(2) *Detached accessory structures in coastal high hazard areas (Zone V).* In coastal high hazard areas, detached garages are not permitted. Detached accessory structures used only for storage that are 100 square feet or less in area are permitted below the base flood elevation provided the structures comply with Section 101-106(1) of this article.

(3) *Concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses in coastal high hazard areas (Zone V).* In coastal high hazard areas, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses are permitted beneath or adjacent to buildings and structures provided the concrete slabs are designed and constructed to be:

(a) Structurally independent of the foundation system of the building or structure;

(b) Frangible and not reinforced, so as to minimize debris during flooding that is capable of causing significant damage to any structure; and

(c) Have a maximum slab thickness of not more than four (4) inches.

(4) *Decks and patios in coastal high hazard areas (Zone V).* In addition to the requirements of the Florida Building Code, in coastal high hazard areas decks and patios shall be located, designed, and constructed in compliance with the following:

(a) A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.

(b) A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.

(c) A deck or patio that has a vertical thickness of more than twelve (12) inches or that is constructed with more than the minimum amount of fill necessary for site drainage shall not be approved unless an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to the building or structure or to adjacent buildings and structures.

(d) A deck or patio that has a vertical thickness of twelve (12) inches or less and that is at natural grade or on nonstructural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave runup and wave reflection.

(5) *Other development in coastal high hazard areas (Zone V).* In coastal high hazard areas, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate federal, state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include, but are not limited to:

(a) Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;

(b) Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters; and

(c) On-site sewage treatment and disposal systems defined in 64E-6.002, F.A.(3), as filled systems or mound systems.

(6) *Nonstructural fill in coastal high hazard areas (Zone V).* In coastal high hazard areas:

(a) Minor grading and the placement of minor quantities of nonstructural fill shall be permitted for landscaping and for drainage purposes under and around buildings.

(b) Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures.

(c) Where authorized by the Florida Department of Environmental Protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave runup and wave reflection if the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

ATTACHMENT D

Code of Ordinances
Chapter 6 (BUILDINGS)
Article I (BUILDING CODE)

Chapter 6 – BUILDINGS

ARTICLE I. – BUILDING CODE

Sec. 6-1. - Purpose.

The purpose of this article is to compile all of the regulations pertaining to the construction of buildings, applications for building permits, and the inspection of construction within the city.

Sec. 6-2. - Codes adopted.

(a) Adopted.

(1) Standard codes.

a. The Florida Building Codes;
b. ICC (International Code Council);
c. NFPA (National Fire Protection Association);
d. NEC (National Electric Code);
e. ASHRAE (American Society of Heating, Refrigeration and Air Conditioning Engineers);
~~f. IAMPO (International Association of Mechanical and Plumbing Officials);~~
f. ~~g.~~ City, county, state and federal laws, regulations and codes (FEMA, ADA, etc.);

(2) The latest editions, revisions and amendments of these codes shall be adopted and enforced as the building codes for the city.

(b) *Most restrictive applies.* In the case of differing requirements between standard codes cited above, requirements imposed by state statute, requirements imposed by federal laws, and the city provisions cited elsewhere in the City Code, the most restrictive code shall apply.

Sec. 6-3. - Additional construction specifications.

(1) *Wind and flood loads.*

(a) Buildings and structures and every part thereof shall be designed to withstand the forces of wind pressure assumed in any direction. Allowance shall not be made for the effect of shielding by other structures.

(b) A registered professional engineer must state and certify, including his seal impression on the plans, and by letter to the city, that the plans reflect that:

1. The pilings or columns used as structural supports are designed and anchored so as to withstand all applied loads ~~of the base flood flow~~ **required by the Florida Building Code**.
2. All buildings or structures are designed to be securely anchored on pilings or columns so as to withstand velocity water and hurricane wave wash.

(2) *New construction materials.*

(a) **Excluding new single-family dwellings, masonry** ~~Masonry~~ type materials must be used for all new construction.

1. The masonry content shall consist of reinforced concrete, concrete block, and/or prestressed concrete products, and shall be a minimum of seventy-five (75) per cent of the overall exposed vertical walls, excluding screened-in and glass areas.

(b) Review by building official:

1. The building official will review all plans for new construction to ensure architectural style and building materials are harmonious in character and appearance with existing buildings in the neighborhood and are appropriate to their surroundings. If the opinion of the building official there are issues regarding any of these matters, it shall be referred to the planning and zoning committee.
2. Harmony shall be achieved through the use of similar building massing, scale, materials and colors or other architectural features. Design features such as, but not limited to, articulation of doors and windows, sculptural or textural relief of facades, architectural ornamentation or varied rooflines shall be incorporated into building designs to provide aesthetically satisfactory views from public rights of way as determined by the Key Colony Beach Planning and Zoning Committee through section 101-28 of the land development regulations.
3. Designs for new buildings, additions or alterations will not be permitted which will adversely affect neighboring properties in appearance or value resulting from design factors or construction techniques in accordance with subsection 101-167(2)(i)1. or as amended.

(3) *Foundation pilings.*

(a) Must be no more than seventeen (17) feet, zero (0) inches on center either way.

(b) Must be physically connected to pile caps with adequate lapping of piling strands to pile cap rebar.

(4) *Pile caps.*

(a) Minimum dimensions two (2) feet zero (0) inches x two (2) feet zero (0) inches x one (1) foot, six (6) inches deep with reinforcing steel.

(5) *Grade beams.*

(a) Minimum dimensions twelve (12) inches wide x sixteen (16) inches deep and must connect all perimeter pilings of proposed structures.

(b) Must be physically connected to slab and columns with doweled and spliced rebar.

(6) *Columns.*

(a) Minimum dimensions eight (8) inches x twelve (12) inches. No more than eighteen (18) feet zero (0) inches on center and within two (2) feet zero (0) inches of piling with reinforcing steel to be approved by the building official and city engineer.

(b) Must be physically connected to tie beams with doweled and spliced rebar.

(7) *Tie beams.* Minimum dimensions eight (8) inches wide x sixteen (16) inches deep with reinforcing steel to be approved by the building official and city engineer.

(8) *Hurricane straps.*

(a) Must be in place prior to tie beam concrete pour.

(b) Double hurricane straps (one (1) each side of roof member), to be designed for double roof member uplift.

(c) Hurricane straps to be wrapped over top chord of each roof member embedded to four (4) inches depth.

(d) All hurricane straps embedded into concrete must have hooked ends.

(9) *Hurricane shutters.* Hurricane shutters will be required for all new construction and/or existing structures undergoing remodeling.

(a) SBCCI Standard-SSTD 12-97, "Test Standard for Determining Impact Resistance from Wind-borne Debris," is hereby adopted as the test standard for hurricane shutters. Product approval by the products control section of the Dade County Building Codes Compliance Office shall constitute and acceptable alternative to the aforementioned standard.

(b) All shutters and prescribed fasteners shall be designed to withstand the wind loads generated by a minimum peak wind speed of one hundred fifty (150) mph (i.e., in three (3) second gusts) pursuant to the latest revision of ASCE Standard 7. This minimum peak wind speed is equivalent to a minimum fastest mile wind speed of approximately one hundred thirty (130) mph and a minimum sustained wind speed of approximately one hundred twenty-two (122) mph.

(c) All shutters and prescribed fasteners shall be designed (when installed) to withstand wind-borne debris impact loads (i.e., "a large missile load") pursuant to SBCCI SSTD 12-97. Any shutter that has received product approval by the product control section of the Dade County Building Compliance Office will be accepted insofar as the debris impact requirements are concerned.

(d) Shutters shall be required for all glass areas and shall be specified on the drawing submitted for permit.

(e) All structures shall have engineer approved fastening devices which must be specified on the plans and permanently installed (if applicable) on the structure during construction. These fasteners will facilitate the installation and removal of the panels.

(f) Prior to the issuance of a certificate of occupancy (and as part of the final building inspection), physical verification of the installation of the fasteners together with the availability of the shutters will be required.

(g) Shutters shall be erected in accordance with manufacturers' shop drawings, as approved by the engineer of record. Any shutter system specified by the engineer must meet the design requirements specified herein.

(10) *Trusses.*

(a) Truss drawings to be approved by job engineer of record prior to installation.

(b) All trusses to receive interior lateral supports as per truss manufacturer's engineer and job engineer of record approvals.

(11) *Roof sheathing.*

(a) New three-quarter (¾) inch CDX plywood minimum.

(b) Minimum fastening to roof members will be hot dipped galvanized common nails to SBCCI 1705.1.

(12) *Roof coverings.*

(a) First ply minimum #30 (ASTM) felt.

(b) Fiberglass shingles will require six (6) nails per shingle.

(c) Galvanized nails to go through ~~sheating~~ **sheathing**. No staples permitted.

(d) All roof tiles to be screwed with two (2) #10 galvanized screws minimum per tile whether mortar is used or not.

(13) *Exterior walls, soffits and fascia.*

(a) New one-half (½) inch CDX plywood minimum is required.

(b) Particle board, wafer board, greenboard and similar materials are prohibited from use.

(14) *Concrete.* All concrete shall be minimum three thousand (3,000) psi.

(15) *Framing specifications.*

(a) All exterior framing to be minimum 2 x 6 pressure treated members sixteen (16) inches on center.

(b) Exterior framed walls must have subsheathing of at least one-half (½) inch thick CDX plywood with structural siding such as T-111 or plaster and metal lath. Nailing to be same as roof.

(c) Exterior framing must be tied in to beams every thirty-two (32) inches with hurricane straps to run up the 2 x 6's at least sixteen (16) inches.

(d) Wood floors shall be two (2) layers three-fourths (¾) inch T&G plywood glued and affixed by screws.

(16) *Miscellaneous structural specifications.*

(a) Minimum reinforcing bar lap thirty-six (36) times diameter.

(b) All reinforcing bar laps of beam rebar and main structural floor rebar to be lapped over beam.

(c) All rebar to be free of rust and scale.

(17) *Refuse storage and disposal.* A dumpster with a minimum capacity of two (2) cubic yards must be on hand for storage of all refuse beginning on the day construction starts. Refuse must be hauled away as soon as the dumpsters are full but at least weekly. Burning of refuse is not permitted. Adjacent lots must be kept clean and free of refuse at all times. Wire cages are prohibited.

(18) *Water meters.* Water meters must be installed so that the top of the water box is level with the finish grade of the pertinent lot.

(19) *Toilets.* Adequate portable toilet facilities must be provided during the construction period or a substitute therefore must be approved by the building official.

(20) *Water conservation.* The following water conservation requirements (or the latest Standard Plumbing Code, whichever is more restrictive) shall apply to any new building. They shall apply to an addition to or a renovation of an existing building only if the cost of the addition or renovation exceeds twenty-five (25) per cent of the value of the existing building and compliance with the requirements of this section will not require substantial modification of the existing plumbing system.

(a) *Water closet:* No tank-type water closet shall have a tank capacity in excess of three and one-half (3½) gallons of water; or

(b) *Shower head:* No shower head or faucet shall allow a flow of more than an average of three (3) gallons of water per minute at sixty (60) pounds of pressure per square inch;

(c) *Exception:* In the case of additions or renovations authorized above, the installation of tank-type water closets having a tank capacity in excess of three and one-half (3½) gallons shall be permitted if such water closets are equipped with a device which reduces average water consumption to no more than three and one-half (3½) gallons per flush. In addition, the city commission may allow the use of standard flush toilets if, in the opinion of the commission, the configuration of the building drainage system requires a quantity of water greater than three and one-half (3½) gallons to adequately flush the system.

(21) *Sewer laterals.* Upon construction of a new residence or redevelopment of an existing residence, the city will inspect the existing lateral for structural soundness. The city may delay issuance of the building permit to allow the city to repair or replace the lateral.

(22) *Sewer pipe inspection.* If a sewer pipe is under an area to be improved, the pipe must first be inspected.

Sec. 6-4. - Building official.

(1) *Appointment.* There shall be a building official who shall be appointed by the city commission. The building official may designate a building inspector to be approved by the city commission. The appointment of the

building official and building inspector shall be subject to the provisions of **the Florida Building Code** ~~section 102.1 (Right of entry) and section 102.2 (Stop work orders) of the standard building code~~.

(2) *Powers and duties.* The general powers and duties of the building official shall include, but not be limited to the following:

(a) Review plans and specifications for proposed construction and improvements, for compliance with existing codes.

(b) Conduct preliminary plan reviews with owner/builders and contractors, as required.

(c) Approve and issue building permits for construction meeting building code requirements and city ordinances.

(d) Make field inspections and issue inspection reports to contractor.

(e) Issue stop orders on own recognizance.

(f) Enforce the land development code (in cooperation with the planning and zoning committee) including the review and issuance of sign permits.

(g) Enforce article ii of this chapter, the dangerous buildings code.

(h) Perform the duties of code enforcement officer as described in chapter 1, section 1-10 of the City Code.

(i) Issue certificates of occupancy.

(j) Conduct an inspection of the premises where any business is to be conducted prior to issuance of occupational license and periodically thereafter.

(k) Administer the public right-of-way permit process contained in this chapter.

(l) Supervise city public works employees.

(m) Utilize the services of the consulting city engineer when required to administer this chapter; retain the services of other technical experts when authorized by the city commission.

(n) Make recommendations and perform inspections required for city projects.

(o) Obtain bids for city projects.

(p) Follow-up and make recommendations on citizen complaints on roads, drainage, etc.

(q) Recommend changes to city ordinances pursuant to construction, permitting or code violations, when applicable.

(r) Assist city sewer utility board when requested.

(s) Supervise outside contractors employed by the city.

(t) Attend city meetings as required.

(u) Attend county meetings pertaining to building code issues when so designated by city commission.

(v) Perform such other duties as are assigned by the city commission.

(3) *Compensation.*

(a) Building official: The full-time building official shall be compensated on a salaried basis, including benefits as provided for in the appropriate city resolutions.

(b) Temporary building inspector: Any person hired to temporarily perform the duties of the building official shall be compensated in accordance with a schedule set forth by the city commission.

Sec. 6-5. - Consulting city engineer.

A consulting city engineer shall be appointed by the city commission. The consulting city engineer must be a certified professional engineer of the State of Florida who is qualified to review building plans and construction to determine that **the Florida Building Code** ~~standard building codes~~ and all construction requirements of the city are followed. This person shall perform other assignments as requested by the city administrator or city commission. Any time the services of the consulting city engineer are used under this chapter, there shall be an additional fee to the applicant over and above other fees.

Sec. 6-6. - Building permit.

(1) *When required.* No building permit is required for cosmetic maintenance (painting, roof coating, plastering, stucco) on single-family or duplex residential structures.

A building permit must be obtained for:

(a) Any new use ~~as described in section 401.1, standard building code~~, or a change of an existing use as described in ~~section 401.1, standard building code~~ **Florida Building Code**, on any plot.

(b) Construction, alteration or major structural repair of any buildings, canals, swimming pools, tennis courts, walls, seawalls, docking facilities, driveways, barbecue pits, new roofs, roof repairs and similar projects; what constitutes major structural repair shall be determined by the building official. **Such construction, alteration, or major structural repair projects** ~~In any case, a project~~ with an estimated cost exceeding **two thousand five hundred dollars ($2,500.00)** ~~one thousand dollars ($1,000.00),~~ shall require a permit, again, the cost to be determined by the building official.

(c) A permit for fence construction shall be obtained for any fence constructed in the city.

(d) Any electrical, plumbing or mechanical addition or alteration.

(e) Capping a sewer lateral upon demolition of an existing structure.

Anyone initiating such work prior to obtaining a building permit shall pay a penalty fee as specified in the fee schedule.

(2) *Who may apply.*

(a) In general: Application for a permit required by this article must be submitted by a person certified or licensed by either the State of Florida or Monroe County to do the work for which the permit is desired, except that the owner of the property who is building or improving a single-family dwelling for the use of such owner may submit such application. Also the owner who is building or improving a commercial building may submit an application if the cost is under twenty-five thousand dollars ($25,000.00) and is for occupancy or use by such owner.

(b) Prospective buyer: If an application for a building permit is made by a prospective buyer, a copy of the "contract to buy," signed by the current property owner, must be presented with the building permit application.

(c) Owner/builder: An individual may alter or repair his own residence or construct a new residence in agreement with F.S. §§ 489.103(7), (9), and the City of Key Colony Beach Owner/Builder Requirements. All work must conform to codes adopted by the city and pass all inspections. An owner/builder taking out such a permit shall be restricted to one (1) permit in five (5) years, for the construction of a new single-family dwelling for his or her use and must be present on the job site whenever work is in progress and during an inspection. Other than common laborers*, anyone assisting the owner/builder on construction activity must either be licensed by the state or certified by Monroe County. The building official is authorized to have an owner/builder sign an affidavit incorporating more detailed city owner/builder requirements. For the purposes of this provision, the term "individual" shall include members of the applicant's immediate family, including spouse and minor children, and also any corporations owned in full or in part by the applicant.

*A common laborer is defined as a person who works under the direct supervision of the owner/builder in performing nontechnical tasks of a routine nature.

(3) *Application procedures.* An application for a building permit shall be made in writing at the office of the city clerk. The application shall give a legal description of the property where the construction is proposed. The legal description shall include the lot and block number and subdivision involved. Said application must be accompanied by three (3) complete sets of plans.

(4) *Application contents.* The drawings shall show the following in detail:

(a) A lot survey by a registered surveyor to establish lot lines is required before construction of a seawall, new building or external addition thereto or boundary fence may be started. Stakes outlining the property shall be placed and so identified on the survey and shall be maintained during the course of construction.

(b) Location of all buildings showing:

1. Front, side and rear elevations; height from the average crown of the road and from mean sea level.
2. The distance of all setbacks from property lines as determined from a recent survey.
3. Driveways with finished elevations.

(c) For new or substantial improvement of any residential structure, the elevation of the **bottom of the lowest horizontal structural member** ~~base~~ of the lowest ~~supporting member of the lowest habitable~~ floor and the elevation of the finished lowest ~~finished habitable~~ floor (in relation to **the datum on the Flood Insurance Rate Map** ~~mean sea level or NGVD~~). See the **Florida Building Code and** land development code for this and other flood protection requirements.

(d) For new or substantial improvement of any commercial or other nonresidential structure, the elevation of the **bottom of the lowest horizontal structural member** ~~base~~ of the lowest ~~supporting member of the lowest habitable~~ floor and the elevation of the finished lowest ~~finished habitable~~ floor (in relation to **the datum on the Flood Insurance Rate Map** ~~mean sea level or NGVD~~).

(e) Description of type of breakaway **walls and flood openings in walls below the elevated building, if any,** ~~or vented walls planned, if any, below the base flood elevation~~ and designate on the plans the use to be made of each portion of the enclosed area. Plans for **walls of enclosed areas** ~~breakaway or vented walls~~ must be submitted to the building official for approval.

(f) Location, height and nature of all lot perimeter walls and fences shall be shown on the plan. See article VI of the land development code.

(g) In R-3, RH and B-1 zoning districts:

1. Locations and dimensions of all driveways on and giving access to the site.
2. Location and dimension of all areas to be used for automobile parking, with parking spaces indicated in accordance with article V of the land development code.
3. The number of residential dwelling units and density per net acre.
4. The number, placement and design requirements of fire well(s), also known as a "dry hydrant" as described by the National Fire Protection Association, Inc., in NFPA ~~"Standard on Water Supplies for Suburban and Rural Fire Fighting 1231" published 1984~~ **1142, published in 2022** as approved by the Monroe County Fire Marshal.

(h) A registered professional engineer must state and certify, including his seal impression on the plans and by letter to the city, that the plans reflect that:

1. The pilings or columns used as structural supports are designed and anchored so as to withstand all applied loads ~~of the base flood flow~~ **required by the Florida Building Code**.
2. All buildings or structures are designed to be securely anchored on pilings or columns so as to withstand velocity water and hurricane wave wash.

3. The building or structure and every part thereof are designed to structurally remain standing, without allowance for the effect of shielding by other structures, as required by the **Florida Building Code** ~~Standard Building Code, SBBCI~~.
4. On all new construction of multifamily residential and commercial buildings, the building official may accept a sworn affidavit from a registered architect, ~~or~~ engineer, **or private provider,** stating that the plans submitted conform to the laws as to egress, and Chapter ~~11~~ **10**, ~~Standard Building Code~~ **Florida Building Code**, "Means of egress requirements", type of construction and general arrangement, and if accompanied by drawings showing the structural design, and by a statement that the plans and design conform to the requirements of the ~~Standard Building Code~~ **Florida Building Code** as to strength, stresses, strains, loads and stability.

(i) A registered Florida engineer responsible for the final grading must state and certify, including their seal impression on the plans, and by letter to the city, that the plans reflect that lot drainage planned is such that water will be retained on site and will otherwise conform to the drainage provisions of the land development code, including the level of service standard contained in section 101-151(4). No certificate of occupancy will be issued until this requirement is satisfied. A drainage and grading plan showing proposed finished grades must be submitted for building official approval.

(j) Plans and elevations showing structural design and diagrams for electrical, mechanical, plumbing and roofing installations.

(k) Location, size, type and design of all signs to be in accordance with article X of the land development code.

(l) A landscaping plan in accordance with article VI of the land development code.

(m) The names of the plumbing, mechanical, electrical and roofing subcontractors.

(n) A statement as to use of said property and structure.

(o) Such other information as the building official may require.

(5) *Utility adequacy and concurrency.* No building permit for construction of a single family dwelling shall be issued until affidavits are provided from the Florida Keys Aqueduct Authority showing that there will be an adequate potable water supply and from the Florida Keys Electric Cooperative showing that there will be an adequate electricity supply for the proposed development. An applicant for a multifamily residential, commercial or other project subject to the concurrency provisions of article XI of the land development code, shall show evidence of an approved concurrency review plus an affidavit from the Florida Keys Electric Cooperative.

(6) *Review procedures.*

(a) Building official: The building official shall approve the plans for renovation to multifamily dwellings and commercial buildings as well as plans for new construction, alterations and additions to conforming uses in the R-1A, R-1B, R-2A and R-2B zoning districts if said plans meet all of the requirements of this chapter, the codes adopted hereby, the land development code, and all other pertinent ordinances, rules and regulations.

(b) Planning and zoning committee: If requested by the building official, the planning and zoning committee shall review; (i) building plans for all new construction or additions to existing structures; (ii) building plans for nonconforming uses in any zoning district; (iii) all deviations from the land development code and impact statement ordinance regulations; and (iv) any engineered deviations from this chapter. The planning and zoning committee shall report its findings and recommendations in writing to the city commission.

(c) City engineer: The city's consulting engineer will review those plans for new construction of multifamily and commercial buildings. The engineer shall also review any request for engineered deviations from this chapter or any unique design issue on which the building official needs technical assistance. The engineer will inform the building official in writing as to his findings.

(d) City commission: The city commission, after reviewing the building plans, the reports from the planning and zoning committee, the city consulting engineer and the city building official shall approve or disapprove the issuance of a building permit for the construction or addition to a multifamily dwelling or commercial building by a roll call vote at a city commission meeting.

(7) *Permitting fees.*

(a) Fee schedule: When a permit application has been approved as herein provided, the applicant shall be issued a permit by the building official to perform the construction or alteration as specified in the plans upon payment to the city of the permitting fee. Cost estimates will be determined by the periodic construction cost reports of the Means Cost Data Manuals. Building permit fees shall be specified in a fee schedule adopted by the city commission.

(b) Additional fees: The building official shall advise the city clerk promptly when additional inspection fees are to be charged the builder for:

Work not ready for inspection when called.

Condemned work resulting from faulty construction.

Work not in accordance with plan.

Builder's request for on-job advice.

A charge for excessive time spent at the office with builder or his representative.

Engineered deviations from this chapter, as approved by the city engineer.

(c) Fire safety inspection fees.

1. Plan review: The city fee schedule shall also include plan review fees to cover the costs of reviewing construction and alteration plans for smoke detectors, firewalls, emergency lighting, fire extinguishing systems, exit signs, means of egress distances, emergency egress windows, fire-rated self-closing doors, etc. (Life Safety 101), and on-site inspections of same, plus the continued certification and education of the building official as the fire safety inspector as required by Florida Statute.
2. Annual inspection of existing structures: The fee schedule shall also include the fee for the annual fire inspection of public assemblies and public areas (means of egress, fire, alarm and suppression systems, smoke detectors, etc.). The written schedule for these periodic inspections shall be as follows:

a. Sprinkler systems:

Wet pipe system:
Visual inspection—monthly.
Alarm and water flow tests—yearly.

Dry pipe system:
Visual inspection—weekly.
Alarm test—monthly.
Trip test—yearly.

Deluge and preaction:
Visual—monthly.
Main drain—yearly.

b. Standpipe systems:

Wet—Six (6) months.

Dry—Annually and hydrostatically tested every five (5) years.

c. Fire and smoke alarm systems—Six (6) months.

d. Smoke detectors: Hotel, motel, private residential rentals and offices—yearly.

e. Extinguishing systems:

Portable fire extinguishers—yearly and hydrostatically every five (5) years.

Fixed systems (CO_2, Halogenatal agents, wet chemical)—yearly.

f. Fire wells—yearly.

g. Records of the above inspections shall be maintained by the owner for five (5) years.

(8) *Cleanup bond.*

(a) *Amount.* At the time of obtaining a building permit, the applicant will place with the city a good and sufficient bank check, or cash money, at the option of the city clerk, in the amount of three (3) per cent of the cost of construction or alteration, provided however that said bank check or cash money will not exceed five hundred dollars ($500.00) for the construction or alteration of a single-family or duplex dwelling, one thousand dollars ($1,000.00) for the construction or alteration of up to and including nine (9) units, and two thousand dollars ($2,000.00) for the construction or alteration of a multifamily dwelling over nine (9) units, said bond to insure that such person will clean up and carry away all materials, trash and debris left or placed on the premises for which the permit is issued, or permitted on any premises adjoining thereto, as a result of said construction or alteration.

(b) *Cleanup bond refund.* After the cleanup and removal of all of said material, trash and debris has been performed to the satisfaction of the building official and the final inspection has been completed, written approval of the same will be given by the building official to the city clerk, said bank check or cash money will be refunded to the person placing it with the city. In the event that any such person fails to clean up and carry away all of said materials, trash and debris within fifteen (15) days after completion of work provided for on the permit, the bond will be forfeited to and the aforesaid bank check or cash money will become the sole property of the city and will be used by the city to clean up the property. Provided, however, that the bond or deposit required hereby shall not be considered as liquidated damages, and the city reserves the right to proceed against the permittee for any costs incurred by the city in excess of said bond or deposit.

(9) *Permit display.* The building permit shall be permanently displayed at the site to which it is pertinent from the start of construction until the completion of construction. Said permit shall be clearly visible from the street. Said permit shall be encased in plastic and affixed to a display board which shall be on a separate post on the property or affixed to the temporary power pole, or to an existing building. The building official shall use this display board as the location for the signed inspection slips and other information for the builder.

(10) *Transfer of permits.* A building permit may be transferred only after written permission therefore has first been secured from the building official. No such transfer shall be permitted unless the new owner or builder would have been qualified to receive the permit initially. There shall be no transfer to relatives except in the case of the death of the initial applicant; however, if the applicant is survived by a spouse, then that spouse shall automatically have the rights of the applicant. Said new owner or builder shall succeed only to such rights and such duties as were applicable to the previous owner or builder prior to transfer. No fees shall be charged for any such transfer.

(11) *Refund of permit fee.*

(a) *Permit never granted:* In the event that a building permit application has been filed and a building permit fee paid as provided herein and due to irregularities, incompleteness, or noncompliance with the Code of Ordinances, a permit cannot be granted within ninety (90) days, the fee less a handling charge of ten (10) per cent or one hundred dollars ($100.00), whichever is greater, and the building plans shall be returned to the property owner.

(b) *Permit granted:* In the event the building permit is granted and within ninety (90) days from the date of issuance of said building permit the owner requests the cancellation of said permit, fifty (50) per cent of the permit fee shall be returned to the owner if construction thus permitted has not started. If said

request for cancellation shall be made after construction has started or after expiration of the ninety-day period, no refund shall be made. If a second application is made on the same property, the rules and regulations in existence at the time of the new application shall apply.

Sec. 6-7. - New construction: required performance and permit expiration.

(a) *Failure to begin work.* Completed foundation and/or pilings for the structure for which the permit was issued must be in place within the time provided in the Florida Building Code. An appeal can be made to the city commission for one (1), ninety-day extension prior to expiration of the initial period. If an extension is not requested or granted, the permit becomes null and void. If a permit becomes null and void pursuant to this subsection, a new permit must be obtained before construction is started, and new fees must be paid therefor.

(b) *Discontinuance of work.* If work on new construction under a permit issued in accordance with this chapter is discontinued and builder does not request an inspection to show proof of continued construction for a period of one hundred eighty (180) days without the consent of the city commission, the permit shall be null and void.

(c) *Restoration of property.* If a permit becomes null and void for either failure to begin the new construction work or discontinuance of the work, it shall be the duty of the permittee and the property owner to restore the property to its condition prior to the issuance of the permit.

(d) *Deadline for completing new construction.* Unless otherwise specified by the city commission, every building or structure on which new construction is started must be completed within fifteen (15) months from the date of the start of construction, and any building or structure which is not completed within said fifteen (15) months shall be considered in violation of this article and the owner thereof shall be subject to penalties for violation of this article; provided, however, that the city commission may grant extensions not to exceed one (1) year in the aggregate for the completion of said construction. Said extension shall not be considered unless requested by the property owner or owner's agent prior to thirty (30) days of the date of expiration of the permit, unless the applicant shows good cause to the commission that he was unable to present his request for an extension prior to thirty (30) days of the date of expiration of the permit. Unless otherwise directed by the city commission, the monthly fee payable in advance for the extension shall be ten (10) per cent of the original building fees including impact fees and sewer connection fees for issuance of the permit. After the extension has expired, the permit shall be null and void.

(e) *Continuation of construction permit.* When a permit becomes null and void because of permit expiration, and the property owner has not requested an extension, the property owner must then apply to the building department for a continuation permit to complete the construction. The monthly fee payable in advance for the continuation permit shall be fifteen (15) per cent of the original building fees including impact fees and sewer connection fees applicable when the original building permit was issued. The time frame for the continuation permit shall be the decision of the city commission and the property owner.

Sec. 6-8. Remodeling: required performance and permit expiration.

Remodeling or other alteration work under a permit issued in accordance with this chapter shall not be discontinued for more than thirty (30) days. Evidence of this shall be: (i) failure of the builder to request an inspection within thirty (30) days of the last inspection; or (ii) building official field inspection determination that no significant work has been performed during this period. Such discontinuance shall result in an indefinite extension of the permit coupled with a three dollar ($3.00) daily fee until the work is completed and the required inspections called for resulting in approval of the work.

Sec. 6-9. Inspections.

(a) *In general.* The building official shall establish a schedule of building inspections and approvals shall be granted in accordance with the schedule during the course of construction or alteration. The builder shall notify the building official when work is ready for inspection, and allow one (1) full working day for completion of the inspection. In the event that the builder does not notify the building official of a required inspection, the building official may at his option require a letter of compliance from the applicant's engineer, or he may

require the builder to tear down or demolish the work done since the preceding completed inspection. The permittee may appeal this decision to the city commission within ten (10) working days. In any case, the building official shall inspect all permitted work at least once every thirty (30) days.

(b) *Requests for inspections.*

(1) Requests for inspections are to be made only by the builder, or by the plumbing, electrical, mechanical or roofing subcontractor.

(2) Requests for inspections are made to the building official who will obtain the following:

Date when ready for inspection.

The address and legal description.

Name of party calling.

Type of inspection requested.

(c) *Stop orders.* In the event that the building official shall become aware that any construction or alteration is in violation of this chapter or any other pertinent ordinance, rule or regulation, a stop order may be issued for such construction or alteration. Said stop order shall be of such form and substance as shall be provided by the building official. Said stop order shall be posted on the site of said construction or alteration and all building activity thereon shall cease and shall remain in cessation until said stop order has been withdrawn by the building official.

Sec. 6-10. - Working days.

Construction activity can occur only during the following time periods:

(1) *Working days.* Working days are Monday, Tuesday, Wednesday, Thursday, Friday and Saturday except when any such day shall be a holiday.

(2) *Working hours.* Working hours are from 7:30 a.m. until 6:00 p.m. on working days.

(3) *Holidays.* For the purposes of this section, holidays are New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Any other special holiday may be granted at the discretion of the city commission.

(4) *Applicability.* The above restrictions apply only to work performed which requires a building permit.

Sec. 6-11. Certificate of occupancy.

(a) *Documents.* Before a certificate of occupancy is issued, the building official must receive:

(1) A written certification with seal impression by a registered land surveyor or professional engineer of the actual elevation, in relation to mean sea level or NGVD, of the applicable floor structure as specified in article VIII of the land development code; this certification should be obtained prior to the "pour" of said floor. The building official shall ascertain that the applicable elevation meets city requirements.

(2) A written certification by the contractor or owner that the building has been constructed according to the approved plans.

(b) *Permit and use conformance.* It shall be the duty of the building official to issue a certificate of occupancy after a final inspection at which it has been determined that the building has been constructed in accordance with the provisions of the building permit and provided that such building is designed, arranged, intended and authorized (zoning) for the specified use. This also includes satisfactory completion of the certificate of occupancy check list. In no event shall any building be occupied or used until a certificate of occupancy is issued by the building official.

(c) *Change of use.* Whenever the principal use, as classified ~~under chapter 4 of the standard building code~~ **in the Florida Building Code**, of an existing structure or parcel is to be changed, the owner, agent, lessee or intended

occupant thereof shall apply to the building official for a certificate of occupancy stating that the new use is an approved use within the zoning district in which the structure or parcel is located. The building official shall issue a certificate of occupancy only when the new use conforms to the requirements set forth in the land development code including the concurrency requirements of article XI.

(d) *Site cleanup.* A cleanup of the construction site must be performed and the requirements of the cleanup bond met before the issuance of a certificate of occupancy. See subsection 6-6(8).

(e) *Sewer connection.* Prior to connecting to the city sewer line, the builder must give twenty-four (24) hours notice to the city as to the need for an on-job inspection for the proper tie-in with the sewer line. The building official, after inspecting the connection, will sign a tie-in certificate showing that the connection was witnessed. The tie-in certificate will be given to the builder or representative making the connection. The sewer tie-in certificate must be signed before a certificate of occupancy is issued.

(f) *Address numbers.* The building must display correct numbers as specified in article III prior to the certificate being issued.

(g) *Revocation of certificate of occupancy.* The building official may revoke any certificate of occupancy if a false statement is contained in the application on which the certificate was issued or if the subsequent use does not conform to the requirements of the zoning district in which the structure or parcel is located.

Sec. 6-12. - Inspection of business property.

The building official or his designee shall conduct an inspection of the premises where any business is to be conducted whenever an application is submitted in order to insure that the premises are in compliance with all applicable codes. An annual inspection may be conducted as scheduled throughout the year with an administrative fee to be paid for each inspection and reinspection. The amount of inspection fee and reinspection fee may be set by resolution of the commission.

Sec. 6-13. - Public right-of-way use permit.

(a) *When required.* Any person, firm, corporation or other entity who has a use within the public right-of-way use which requires maintenance and repairs to be made including streets, bike paths, rights-of-way, swales, or any paved area on city property, shall be required prior to commencement of any such maintenance and repair to obtain a city public right-of-way use permit from the building official.

(b) *Restoration by permittee.* Where any city road or right-of-way is damaged or impaired in any way because of construction, installation, inspection or repair work by any permittee pursuant to subsection (1), the permittee shall, at their own expense, promptly restore the road or right-of-way to the satisfaction of the city in regard to its original condition before such damage. If the permittee fails to make such restoration, the city is authorized to do so and charge the cost thereof against the permittee in accordance with the provisions of F.S. §§ 338.18, 338.20 and 125.42, 1981.

(c) *Requirements of permittee.*

(1) Utility notification: All existing aerial and underground utilities must be located and the appropriate utilities notified of the proposed work.

(2) Traffic and safety: All necessary provisions shall be made for the accommodation and convenience of traffic and shall take such safety measures, including the placing and display of caution signs and signals as required by the current edition of the Florida Department of Transportation Manual on Uniform Traffic Control Devices for Streets and Highways. The applicant shall further prevent obstruction or conditions which are or may become dangerous to the traveling public. The authority to temporarily close off a street or easement in its entirety rests entirely with the city administrator or police chief.

(3) Police and fire: The city police department and the concerned ambulance and fire districts shall be notified in writing before any street closing (when approved by the city commission), street opening and/or pavement excavation.

(4) Hydrants: Fire hydrants and fire wells shall be left accessible at all times.

(5) Inspection: All repairs will be made under the supervision of the building official; final inspection of all repairs will be made by the building official or designee thereof.

(6) Utility sewer disruption: Existing utility service shall not be disrupted without specific authority of the concerned utility and public notification, by newspaper or the airways, that the disruption will occur. Repairs determined to be of an emergency nature are not subject to the notification procedure.

(7) Pollution control: The flow of stormwater within drainage facilities will remain unimpeded. Adequate measures will be taken to prevent pollution of water in the area from runoff, and pollution of the air from dust, during the course of construction and restoration.

(8) Property restoration: Any property (public or private) which is used or affected by a permitted project will be maintained and preserved from damage to the maximum extent feasible during the operation and restored to its original condition upon completion or cessation of work.

Sec. 6-14. - Appeal of building official's decision.

Any person aggrieved by a decision of the building official in the enforcement of this chapter may appeal in writing to the city commission. Any such appeal must be filed in writing with the city clerk together with the fee established in the fee schedule. Any such appeal must be filed within thirty (30) days after the act or decision upon which the appeal is made and must specify the grounds thereof.

Sec. 6-15. - Penalties and fines.

See section 1-1 of the Code of Ordinances for the provisions covering penalties, fines and liens relative to enforcement of this chapter as administered by the code enforcement board.

Sec. 6-16. - Contractor liability.

Any contractor or subcontractor who performs work on a residence which exceeds the scope of a building permit, or without benefit of a building permit, in a manner which creates a habitable floor ~~below base flood elevation or converts~~ ~~nonhabitable~~ **, or converts parking, storage or building access** space to a habitable floor below **the lowest floor elevation required by the Florida Building Code** ~~base flood elevation~~ or causes a violation of the density requirements for the district or location shall be subject to the enforcement procedures of the code enforcement board. The code enforcement board, upon finding a contractor or subcontractor in violation of this section, shall have the power to revoke or suspend the privilege of the contractor or subcontractor, or both, to perform work in the City of Key Colony Beach for an appropriate period of time within the discretion of the board. This section shall be considered to supplement and not to abridge any remedies against the owner of the property as provided elsewhere in the Code.

Sec. 6-17. - Private improvements on city rights-of-way.

Any construction of driveways or other private improvements within city rights-of-way by a property owner:

(1) Shall be located in the city right-of-way that is in front of, and in the case of corner lots, also on the side of, that owner's property.

(2) Shall be at the sole expense of that property owner.

(3) Shall only be undertaken pursuant to a building permit.

(4) Shall be maintained by that property owner.

(5) Shall be restored at the sole expense of that property owner if damaged or destroyed, pursuant to repair or construction on roads, walking paths, sewers, phone lines and cables or other utilities.

Right-of-way is hereby defined as land which the City of Key Colony Beach owns or has been dedicated in the plat for public use, or has an easement devoted to or required for use as a transportation facility or public utilities.

It includes, but is not limited to, the public streets and land between the public street and the front lot line of the adjacent platted lot.

Said rights-of-way shall remain city property after permitted improvements are built upon them.

The city reserves the right to remove improvements within the rights-of-way if the city determines it to be necessary.

At the time of issuance of a permit for construction across the city rights-of-way, permittee shall sign an acknowledgment of this section to remain in the building file.

Sec. 6-18. - Certificate of competency required.

(a) Any person, firm or corporation shall be subject to the provisions and penalties of this chapter if they do not possess a current certificate of competency and they:

(1) Advertise in any newspaper, airwave transmission, phone directory or other advertising media; or

(2) Issue any card advertising, or device indicating to the public that they are a contractor, or are qualified to engage in the business as a contractor; or

(3) Hold themselves out as a contractor as plaintiff or defendant in any court of this state.

A certified copy of such court record or a copy of such newspaper, telephone directory, or other advertising making such assertion shall be prima facie evidence in court, or in any other proceeding authorized by this chapter, that the person purports to have the capacity to act as a contractor.

(b) Contractors conducting their contracting business with the City of Key Colony Beach shall identify all vehicles used in the furtherance of their business by use in the transporting of materials, equipment or employees to a job site, by placing on the sides thereof identification of the contractor by name and their certificate number, in a size no less than three (3) inches.

Exceptions:

Those vehicles rented or leased by a contractor from a commercial vehicle rental agency for a period of less than one (1) month and such vehicles are plainly marked with the name of the lessor in a size which is easily readable.

A vehicle owned by an employee which vehicle is only used for private transportation or in carrying employees' personal tools and personal equipment necessary to fulfill their job tasks.

Sec. 6-19. - Sheds.

(a) A manufactured shed may be placed on a property without a building permit provided that the following requirements are met:

(1) Maximum of two (2) per dwelling unit.

(2) Maximum size for each manufactured shed is one hundred thirty (130) cubic feet.

(3) No encroachment into the setbacks is created by the placement of the shed.

(4) The shed must be securely anchored to the wall of the dwelling unit.

(b) Administrative variances for manufactured and constructed sheds in the side setback. The building official, with the concurrence of the mayor, shall grant an administrative side setback variance for a shed if the following conditions are met:

(1) Applicant submits an application form accompanied by a signed consent from the property owner adjacent to the requested variance. Application is to be filed with the city clerk along with the required fee.

(2) Creating the administrative variance leaves adequate access for fire and EMS personnel and equipment.

(3) The shed does not create an aesthetic detriment to the neighborhood.

If the building official or mayor believes that all of these conditions have not been met, the variance application may proceed only if the applicant follows the requirements of land development regulations section 101-171, "Variances".

No administrative setback variance for a shed shall constitute precedent or justification for additional setback variances on the property receiving the administrative variance.

Sec. 6-20. - Signs.

(a) With written concurrence of the city administrator and the building official, the city shall grant an administrative variance for a permit not to exceed one (1) year, upon the following conditions:

(1) A temporary sandwich board not to exceed two feet by four feet (2 × 4 ft.) shall be placed in B-1, RH zoning districts only.

(2) A banner sign not to exceed thirty (30) square feet may be placed in B-1, RH and R3 zoning districts only.

(3) Sign shall be professionally manufactured and inspected by the city administrator and the building official prior to placement.

(4) Creating the administrative variance leaves adequate access for fire and EMS personnel and equipment.

(5) Fees for the administrative variance for one (1) year are: sandwich board style shall be seventy-five dollars ($75.00) and banner style one hundred fifty dollars ($150.00).

(6) Although an applicant shall be allowed to apply for an annual renewal of the administrative variance the city shall retain the right to amend its criteria and disapprove renewals.

(7) Signs placed pursuant to the administrative variance shall not be considered grandfathered in the event of a change of criteria or the repeal of the ordinance. If the applicant is a lessee the application form shall be accompanied by a signed consent from the property owner. Applications shall be filed with the city clerk along with the required fee.

(8) Only one (1) administrative sign variance may be granted for a business.

(b) If the building official or mayor believes that all of these conditions have not been met, the variance application may proceed only if the applicant follows the requirements of land development regulations section 101-171, Variances.

Sec. 6-21. - Silt fence required.

(a) A silt fence is a temporary sediment control device to protect water quality from sediment (loose soil) in stormwater runoff.

(b) No demolition of existing structures or construction of new structures shall commence until such time as a silt fence is installed in a manner to prevent erosion and/or the migration of silt, fill or other matter into the adjacent waterway or onto the adjacent lot(s). Building permits issued by the city shall contain this requirement in conspicuous print.

(c) The silt fence shall be removed only upon the construction project passing the final inspection or such earlier time that written consent is issued by the building official.

Secs. 6-22—6-24. - Reserved.

Sec. 6-25. - Amendments to the Florida Building Code~~, Building~~.

(1) Required certification forms.

(a) The City of Key Colony Beach V-Zone Certification shall be submitted for buildings in Coastal High Hazard Areas and Coastal A Zones.

(b) Where elevations of buildings in flood hazard areas are specified in applications, and where certification of the elevation of buildings in flood hazard areas is required, the FEMA Elevation Certificate shall be submitted.

(c) Where certifications of the design of dry floodproofed nonresidential buildings in flood hazard areas is required and where certification of the elevation of dry floodproofing is required, the FEMA Dry Floodproofing Certificate for Nonresidential Structures shall be submitted.

(2) *Nonconversion agreements.* Applications for buildings with enclosures below the required elevation shall include signed declarations of land restrictions (nonconversion agreements), as defined in the Land Development Regulations, Article II. The agreements shall be recorded on the property deed prior to issuance of the Certificate of Occupancy.

(3) *Enclosures below required elevations for dwellings in floor hazard areas.* Enclosed areas below the required elevation for dwellings in flood hazard areas shall be limited as follows:

(a) The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code.

(b) Where perimeter walls are permitted, the limitation on partitions does not apply to load bearing walls interior to perimeter wall (crawlspace) foundations.

(c) Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).

~~**107.3.5 Minimum plan review criteria for buildings.**~~

~~**Commercial Buildings: Building**~~

~~8. Structural requirements shall include:~~

~~Flood requirements in accordance with Section 1612, including lowest floor elevations, the City of Key Colony Beach VE-Zone Certification form, FEMA's Floodproofing Certification form (FEMA Form 086-0-34), enclosures, declaration of land restriction (nonconversion agreement), flood damage-resistant materials.~~

~~**Residential (one- and two-family):**~~

~~6. Structural requirements shall include:~~

~~Flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures, the City of Key Colony Beach VE-Zone Certification form, declaration of land restriction (nonconversion agreement), equipment, and flood damage-resistant materials.~~

~~**110.3 Required inspections.**~~

~~**Building** [partial shown]~~

~~1. Foundation inspection.~~

~~1.1. In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the FEMA Elevation Certificate (FEMA Form 086-0-33) shall be submitted to the authority having jurisdiction.~~

5. Final inspection.

5.1. In flood hazard areas, as part of the final inspection, final FEMA Elevation Certificate (FEMA Form 086-0-33) of the lowest floor elevation shall be submitted to the authority having jurisdiction.

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any combination of repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure taking place during a 1-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. The period of accumulation begins when the first improvement or repair of each building or structure is permitted subsequent to November 22, 2011. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that is the minimum necessary to assure safe living conditions.

2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

Sec. 6-26. - Reserved. Amendments to the Florida Building Code, Existing Building.

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any combination of repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure taking place during a 1-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. The period of accumulation begins when the first improvement or repair of each building or structure is permitted subsequent to November 22, 2011. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

3. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that is the minimum necessary to assure safe living conditions.

4. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

Sec. 6-27. - Reserved. Amendments to the Florida Building Code, Residential.

Modify Sec. R322 as follows:

R322.2.2 Enclosed area below design flood elevation. Enclosed areas, including crawl spaces, that are below the design flood elevation shall:

1. Be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code. The limitation on partitions does not apply to load bearing

walls interior to perimeter wall (crawlspace) foundations. Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).

Remainder unchanged

R322.3.4 Walls below design flood elevation. Walls are permitted below the elevated floor, provided that such walls are not part of the structural support of the building or structure and:

1. Electrical, mechanical and plumbing system components are not to be mounted on or penetrate through walls that are designed to break away under flood loads; and
2. Are constructed with insect screening or open lattice; or
3. Are designed to break away or collapse without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Such walls, framing and connections shall have a resistance of not less than 10 (479 Pa) and not more than 20 pounds per square foot (958 Pa) as determined using allowable stress design; or
4. Where wind loading values of this code exceed 20 pounds per square foot (958 Pa), as determined using allowable stress design, the construction documents shall include documentation prepared and sealed by a registered design professional that:
   4.1. The walls below the design flood elevation have been designed to collapse from a water load less than that which would occur during the base flood.
   4.2. The elevated portion of the building and supporting foundation system have been designed to withstand the effects of wind and flood loads acting simultaneously on structural and nonstructural building components. Water loading values used shall be those associated with the design flood. Wind loading values shall be those required by this code.
5. Walls intended to break away under flood loads as specified in Items 3 or 4 have flood openings that meet the criteria in Section R322.2.2, Item 2.

R322.3.5 Enclosed areas below the design flood elevation. Enclosed areas below the design flood elevation shall be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed area shall not be temperature-controlled or partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code. Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).

R322.3.6 Construction documents. The construction documents shall include the City of Key Colony Beach V-Zone Certification form that is prepared and sealed by a registered design professional that the design and methods of construction to be used meet the applicable criteria of this section.

Secs. 6-28, 6-29. - Reserved.

ORDINANCE NO. 2026-517

AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING ARTICLE X. (SIGNS) OF THE LAND DEVELOPMENT REGULATIONS RELATED TO GOVERNMENT SIGNS IN ZONING DISTRICTS PUBLIC BUILDINGS AND GROUNDS (PB) AND PUBLIC RECREATION (PR); SPECIFICALLY AMENDING SECTION 101-130 (PURPOSE AND DEFINITIONS) TO PROVIDE FOR A NEW DEFINITION OF GOVERNMENT SIGNS, AMENDING SECTION 101-131 (PROHIBITED SIGNS) TO REMOVE PROHIBITIONS ON GOVERNMENT SIGNS, AND AMENDING SECTION 101-133 TO EXEMPT GOVERNMENT SIGNS IN ZONING DISTRICTS PUBLIC BUILDINGS AND GROUNDS (PB) AND PUBLIC RECREATION (PR); PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS THEREOF FOUND TO BE IN CONFLICT; PROVIDING FOR SEVERABILITY, REPEAL, AND CODIFICATION IN THE LAND DEVELOPMENT REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Key Colony Beach, Florida (the "City"), is a Florida Municipal Corporation with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, Chapter 166, Florida Statutes, grants the City broad municipal home rule powers to enact ordinances which represent official legislative action of the City Commission and are enforceable as a matter of law; and

WHEREAS, the City Commission of the City of Key Colony Beach, Florida (the "City Commission") determined the need to amend the Land Development Regulations as relating to government signs within zoning districts PB and PR; and

WHEREAS, the City Commission desires to specifically amend Article X, Sections 101-130, 101-131, and 101-133 of the City's Land Development Regulations in order to define and regulate government signs within zoning districts PB and PR; and

WHEREAS, the City Commission finds and declares that the adoption of this Ordinance is appropriate, and in the public interest of this community.

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

~~Strikethrough~~ = deletion **Bold underline** = addition

Section 1: Recitals

The above recitals are true and correct, and incorporated herein.

Section 2: Amending Section 101-130 of the Land Development Regulations

Section 101-130 (Purpose and definitions.) of Article X. (Signs) of the Land Development Regulations of the City of Key Colony Beach, Florida, is hereby amended as follows:

Sec. 101-130. – Purpose and definitions.

***

Flag: A piece of light-weight, flexible material such as cloth or plastic with one (1) side attached to a pole and the other end flying freely.

***Government sign:* A temporary or permanent sign erected by or on the order of: (1) the City; (2) an authorized City public official; or (3) a quasi-public entity at the federal, state or local government level in the performance of any duty.**

Ground or monument sign: Any freestanding solid monument structure containing a sign face which is supported solely by its own ground-mounted base and which is not attached or affixed in any way to a building or other structure.

****

Section 2: Amending Section 101-131 of the Land Development Regulations

Section 101-131 (Prohibited signs.) of Article X. (Signs) of the Land Development Regulations of the City of Key Colony Beach, Florida, is hereby amended as follows:

Sec. 101-131. – Prohibited signs.

Excluding government signs in zoning districts PB and PR, the ~~The~~ following signs are prohibited anywhere in the city:

(1) Abandoned signs.

****

Section 3: Amending Section 101-133 of the Land Development Regulations

Section 101-133 (Public interest or exempt signs.) of Article X. (Signs) of the Land Development Regulations of the City of Key Colony Beach, Florida, is hereby amended as follows:

***

(8) Memorial signs including but not limited to names of buildings or individuals when made of bronze or other durable materials or when cut into any masonry surface provided the signs do not exceed four (4) square feet per sign face.

(9) Government signs with commission approval in zoning districts PB and PR are expressly exempt from the requirements of Article X.

Section 4: Severability and Conflict

If any portion of this Ordinance is declared by a Court of competent jurisdiction to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining portions of this Ordinance. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: Inclusion in the Land Development Regulations

The provisions of this Ordinance shall be included and incorporated into the Land Development Regulations of the City of Key Colony Beach, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the code.

Section 6: Effective Date

This Ordinance shall become effective upon its final adoption by the City Commission of the City of Key Colony Beach, Florida.

-[Remainder of Page Left Intentionally Blank]-

FIRST READING by the City of Key Colony Beach, Florida, City Commission this 22nd day of October, 2026.

Mayor Freddie Foster	NO_____	YES___x____
Vice-Mayor Doug Colonell	NO_____	YES___x____
Commissioner Tom Harding	NO_____	YES___x____
Commissioner Tom DiFransico	NO_____	YES___x____
Commissioner Kirk Diehl	NO_____	YES___x____

SECOND READING AND DULY ADOPTED by the City of Key Colony Beach, Florida, City Commission on this 19th day of November, 2026.

Mayor Freddie Foster	NO_____	YES_____
Vice-Mayor Doug Colonell	NO_____	YES_____
Commissioner Tom Harding	NO_____	YES_____
Commissioner Tom DiFransico	NO_____	YES_____
Commissioner Kirk Diehl	NO_____	YES_____

DULY PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, this 19th day of November, 2026.

_____
Freddie Foster
Mayor

_____
Silvia Roussin, City Clerk

Approved as to form and legal sufficiency:

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

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 2026-517: AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING ARTICLE X. (SIGNS) OF THE LAND DEVELOPMENT REGULATIONS RELATED TO GOVERNMENT SIGNS IN ZONING DISTRICTS PUBLIC BUILDINGS AND GROUNDS (PB) AND PUBLIC RECREATION (PR); SPECIFICALLY AMENDING SECTION 101-130 (PURPOSE AND DEFINITIONS) TO PROVIDE FOR A NEW DEFINITION OF GOVERNMENT SIGNS, AMENDING SECTION 101-131 (PROHIBITED SIGNS) TO REMOVE PROHIBITIONS ON GOVERNMENT SIGNS, AND AMENDING SECTION 101-133 TO EXEMPT GOVERNMENT SIGNS IN ZONING DISTRICTS PUBLIC BUILDINGS AND GROUNDS (PB) AND PUBLIC RECREATION (PR); PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS THEREOF FOUND TO BE IN CONFLICT; PROVIDING FOR SEVERABILITY, REPEAL, AND CODIFICATION IN THE LAND DEVELOPMENT REGULATIONS; AND PROVIDING FOR 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 City;

☐ 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): The proposed ordinance will allow the City to install an electronic sign to provide important public information, including emergency notifications, storm warnings, public health advisories, and other City notices. The purpose of the ordinance is to promote public health, safety, and welfare by improving communication with residents and visitors. The project will be funded through monies awarded by the Tourist Development Council (TDC).
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: None.

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs: None.

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: None.

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.): N/A.

WEEKLY

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)

November 5, 2026

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 5 day of NOV, 2026.
(SEAL)

Notary

TERRY PATTERSON
MY COMMISSION # HH 741031
EXPIRES: December 17, 2029

CITY OF KEY COLONY BEACH
NOTICE OF CODE AMENDMENT HEARING
"SECOND/FINAL READING OF ORDINANCE NO. 2026-517"

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, November 19, 2026, 10:00 AM

LOCATION: Temporary Meeting Place for the City of Key Colony Beach at The Key Colony Inn, Back Patio, 700 W. Ocean Dr., Key Colony Beach, Florida.

The proposed Ordinance to be heard by the City Commission is [ORDINANCE NO. 2026-517], entitled: "AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING ARTICLE X. (SIGNS) OF THE LAND DEVELOPMENT REGULATIONS RELATED TO GOVERNMENT SIGNS IN ZONING DISTRICTS PUBLIC BUILDINGS AND GROUNDS (PB) AND PUBLIC RECREATION (PR); SPECIFICALLY AMENDING SECTION 101-130 (PURPOSE AND DEFINITIONS) TO PROVIDE FOR A NEW DEFINITION OF GOVERNMENT SIGNS; AMENDING SECTION 101-131 (PROHIBITED SIGNS) TO REMOVE PROHIBITIONS ON GOVERNMENT SIGNS; AND AMENDING SECTION 101-133 TO EXEMPT GOVERNMENT SIGNS IN ZONING DISTRICTS PUBLIC BUILDINGS AND GROUNDS (PB) AND PUBLIC RECREATION (PR); PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS THEREOF FOUND TO BE IN CONFLICT; PROVIDING FOR SEVERABILITY, REPEAL, AND CODIFICATION IN THE LAND DEVELOPMENT REGULATIONS; AND PROVIDING FOR 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, November 19, 2026, but wish to comment, please direct correspondence to the City Clerk, P.O. Box 510141, Key Colony Beach, FL 33051, or cityclerk@keycolonybeach.net, and your comments will be entered into the record.

To be published: On or before November 9th, 2026
City Clerk
City of Key Colony Beach
Publish:
November 5, 2026
The Weekly Newspapers

ORDINANCE NO. 2026-518

AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING ARTICLE II. (DEFINITIONS) AND ARTICLE IV. (SUPPLEMENTAL REGULATIONS) OF THE LAND DEVELOPMENT REGULATIONS RELATED TO GOVERNMENT PROPERTY ADORNMENTS IN ZONING DISTRICTS PUBLIC BUILDINGS AND GROUNDS (PB) AND PUBLIC RECREATION (PR); SPECIFICALLY AMENDING SECTION 101-8 (DEFINITIONS) OF THE LAND DEVELOPMENT REGULATIONS TO PROVIDE FOR A NEW DEFINITION OF GOVERNMENT PROPERTY ADORNMENT, AND AMENDING SECTION 101-26 (ACCESSORY STRUCTURES AND USES) TO ESTABLISH REGULATIONS RELATED TO GOVERNMENT PROPERTY ADORNMENTS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS THEREOF FOUND TO BE IN CONFLICT; PROVIDING FOR SEVERABILITY, REPEAL, AND CODIFICATION IN THE LAND DEVELOPMENT REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Key Colony Beach, Florida (the "City"), is a Florida Municipal Corporation with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, Chapter 166, Florida Statutes, grants the City broad municipal home rule powers to enact ordinances which represent official legislative action of the City Commission and are enforceable as a matter of law; and

WHEREAS, the City Commission of the City of Key Colony Beach, Florida (the "City Commission") determined the need to amend the Land Development Regulations as relating to governmental property adornments on property within zoning districts PB and PR; and

WHEREAS, the City Commission desires to specifically amend Article II, Section 101-8, and Article IV, Section 101-26of the City's Land Development Regulations in order to define and regulate governmental property adornments within zoning districts PB and PR; and

WHEREAS, the City Commission finds and declares that the adoption of this Ordinance is appropriate, and in the public interest of this community.

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

~~Strikethrough~~ = deletion **Bold underline** = addition

Section 1: Recitals

The above recitals are true and correct, and incorporated herein.

Section 2: Amending Section 101-8 of the Land Development Regulations

Section 101-8 (Definitions.) of Article II. (Definitions) of the Land Development Regulations of the City of Key Colony Beach, Florida, is hereby amended as follows:

Sec. 101-8. – Definitions.

***

Gasoline station: Any place that is designed or used for the retail sale and direct delivery to motor vehicles of fuels, lubricating oil, air, water and other operating commodities but not facilities for the installation of such commodities but not including the performance of any auto body work, welding, painting or other than emergency repairs on any motor vehicle.

***Government property adornment:* Any statuary, fountain, bird bath, planter or similar item that is placed by the City, or with its approval, as a permanent adornment in zoning districts PB Public Buildings and Grounds and PR Public Recreation.**

Group home: A dwelling unit licensed to serve clients of the Department of Health and Rehabilitative Services which provides a living environment for 6 or less unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of residents. The clients are limited to: children (including foster children), the aged, physically disabled, handicapped, developmentally disabled and mentally ill who do not constitute a direct threat to the health, property and safety of the neighborhood. State statutory requirements must be met, including 1,000 foot (or more) spacing between such homes.

***

Yard adornments: Any statuary, fountain, bird bath, planter or similar item that is placed in any yard as a permanent adornment. **The term "yard adornment" expressly excludes government property adornments**. (See article IV, Supplemental Regulations, section 101-26(10) for yard adornment regulations.)

****

Section 2: Amending Section 101-26 of the Land Development Regulations

Section 101-26 (Accessory structures and uses.) of Article IV. (Supplemental Regulations) of the Land Development Regulations of the City of Key Colony Beach, Florida, is hereby amended as follows:

Sec. 101-26. – Accessory structures and uses.

****

(13) *Yard adornments.* Yard adornments are permitted in any front or rear yard area, but no yard adornment shall be permitted in any side setback. Yard adornments cannot be more than 48

inches high and not more than 9 square feet at the base. No more than 2 yard adornments are permitted in any front or rear yard area of a lot.

(14) *Government property adornments.* Subject to commission approval, government property adornments are permitted in zoning districts PB and PR.

Section 3: Severability and Conflict

If any portion of this Ordinance is declared by a Court of competent jurisdiction to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining portions of this Ordinance. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: Inclusion in the Land Development Regulations

The provisions of this Ordinance shall be included and incorporated into the Land Development Regulations of the City of Key Colony Beach, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the code.

Section 5: Effective Date

This Ordinance shall become effective upon its final adoption by the City Commission of the City of Key Colony Beach, Florida.

-[Remainder of Page Left Intentionally Blank]-

FIRST READING by the City of Key Colony Beach, Florida, City Commission this 19th day of November 2026.

Mayor Freddie Foster	NO_____	YES_____
Vice-Mayor Doug Colonell	NO_____	YES_____
Commissioner Tom Harding	NO_____	YES_____
Commissioner Tom DiFransico	NO_____	YES_____
Commissioner Kirk Diehl	NO_____	YES_____

SECOND READING AND DULY ADOPTED by the City of Key Colony Beach, Florida, City Commission on this 17th day of December 2026.

Commissioner Freddie Foster	NO_____	YES_____
Commissioner Doug Colonell	NO_____	YES_____
Commissioner Tom Harding	NO_____	YES_____
Commissioner Tom DiFransico	NO_____	YES_____
Commissioner Lynne Benton	NO_____	YES_____

DULY PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, this 17th day of December 2026.

_____

Mayor

_____

Silvia Roussin, City Clerk

Approved as to form and legal sufficiency:

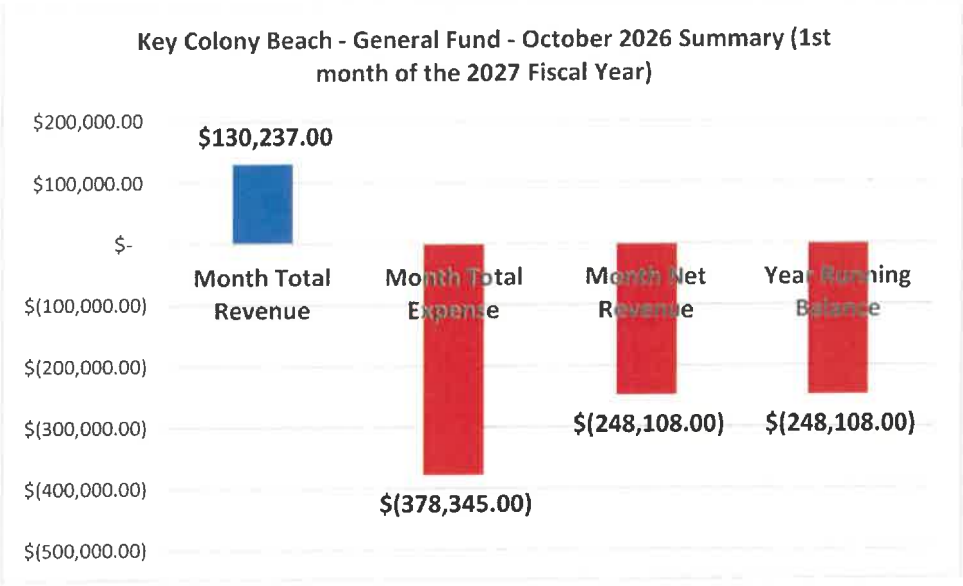
_____

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

City of Key Colony Beach Treasurer's Report – November 19, 2026

October 31, 2026, financial summary – General Fund

✓ 1st Month of the 2026 fiscal year budget, Monthly Plot below:



Revenue Comments:

- Revenue in good shape for 1st month of the Fiscal year

Expenses Comments:

- Overall expenses are slightly below normal
- Areas over budget for the month:
  - Financial and Administration

Building Fund:

- Revenue meeting budget, and expenses are below budget values, overall, in good shape.

Grant Status:

- Dry Flood Proofing, Design Phase Reimbursement, received for the amount of $53,856.
- Fishing pier TDC reimbursement included in the October financials, $19,600.

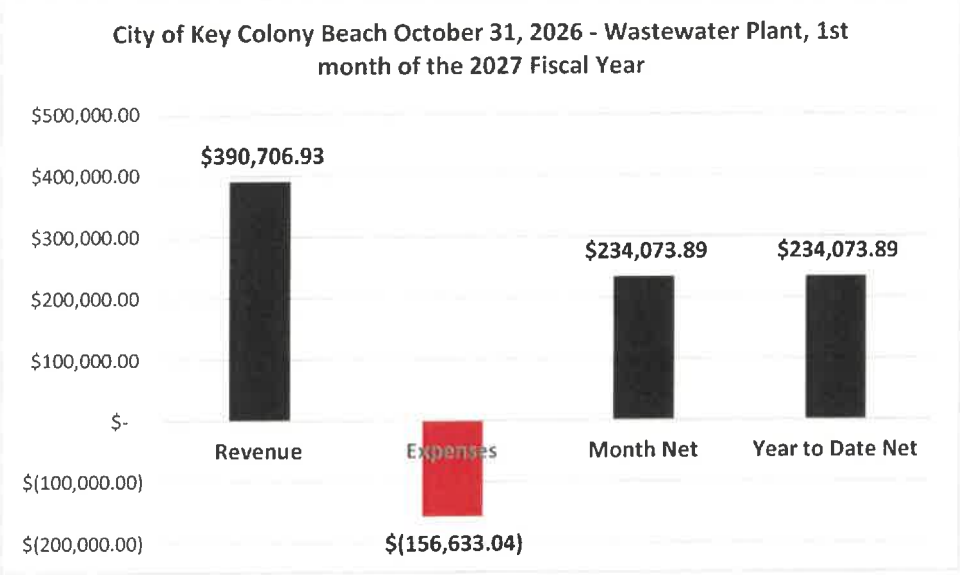
Infrastructure Fund:

- Revenue for October is in line with budgeted amount, in good shape.
- Expenses included for this month, $521,385 applied to City Hall and Post Office work

City of Key Colony Beach Treasurer's Report – November 19, 2026

October 31, 2026, financial summary – Wastewater/Stormwater

✓ 1st month of the 2026 Fiscal Year, Wastewater Monthly plot below:



Revenue Status:

- Overall, 1st month in good shape

Expenses Status:

- Overall, 1st month expenses are in good shape
- Specific expenses high for this month
  - Supplies and Chemicals
  - Telephone

Stormwater:

Checking/Savings balance $532,059.06

Grants:

- West Ocean Drive project reimbursement funds received for $38,478.00
- Shelter Bay Drive/7th Street project reimbursement received for $262,862.30

City of Key Colony Beach Treasurer's Report – November 19, 2026

2026/2027 Budget Potential edits

General Budget:

- Offset Fire/EMS costs increase of $125,949.00, Ideas:
  - Budget Reduction - Police/Code
    - Miscellaneous $20,000
    - Protective Inspections $20,000
  - Budget Reduction - Parks
    - City Park Improvements $20,000
  - Budget Reduction - Public Works $20,000
  - Review Fees, and Increase Fees for the needed balance of $46,000

The City Attorney requests a Closed Session at the December 2nd, 2026, Special Meeting, to be held at The Key Colony Inn – Back Patio, 700 W. Ocean Drive, Key Colony Beach, Florida, at 10:00 AM The purpose of the Closed Session is to discuss pending litigation in the matter entitled "City of Key Colony Beach v. Richard B. Harper, individually, and Richard B. Harper, Trustee of the Richard B. Harper Revocable Trust Dated December 20, 2006," filed in the Circuit Court of the 16th Judicial Circuit in and for Monroe County, Florida. This pending litigation concerns the property located at 680 11th Street, Key Colony Beach, Florida, and the City Attorney seeks advice on the matter. In attendance at the Closed Session shall be the City Commissioners, City Administrator, City Clerk, City Attorney Dirk M. Smits, and litigation counsel from Vernis & Bowling of the Florida Keys, PA.

KEY COLONY BEACH EVENTS SCHEDULE

Meeting Planning Calendar | March 3-7

Day	Time	Event / Location	Person Responsible	Notes / To Finalize
Wednesday, March 3	Morning	Snapper Derby	Chris / Skip & Nancy	Time TBD
	2:00 PM	Mahjong - Marble Hall	Sandy / Cindy	-
	TBD	Naughty Turtle - Awards & Happy Hour	Rachel / Skip & Nancy	Time TBD
Thursday, March 4	9-12ish	Golf	David Evangelista	-
	TBD	Key Colony Inn - Awards & Happy Hour	Rachel / Skip & Nancy	Time TBD
	6:00-9:00 PM	Texas Hold'em Tournament - Marble Hall	Greg Gardner	-
Friday, March 5	9-12	Bocce Ball	Frank Tremblay	-
	9-11	Cornhole	Freddie	-
	4:30-10:00 PM	Havana Jack's Birthday Luau Awards @4:30	Rachel	-
Saturday, March 6	9-11	Pickleball	Diane Slusher	-
	12:00- 4:00 PM	Police with Band to play 3 hours	Freddie & Jen	-
	During Saturday Event	Food & Drinks: hot dogs, hamburgers, kegs, water & soda	Rachel / Freddie	-
		Pickleball Awards	Freddie	-
Sunday, March 7	ALL DAY ☺	**KEY COLONY BEACH DAY**	Commissioners Breakfast 8-10am $10/person- 250-person limit	