



Kevin Madok, CPA

Clerk of the Circuit Court & Comptroller – Monroe County, Florida

July 14, 2023

Department of State
Administrative Code & Register
500 S Bronough Street
Tallahassee FL 32399-0250

To Whom It May Concern,

Attached is a copy of Ordinance No. 014-2023 of the Board of County Commissioners of Monroe County, Florida, amending Section 19-4 of the Monroe County Code providing for revised Toll Rates and Toll-by-Plate Rates; providing for severability; providing for repeal of all Ordinances inconsistent herewith; providing for incorporation into the Monroe County Code of Ordinances; and providing for an effective date.

This Ordinance was adopted by the Monroe County Board of County Commissioners at a regular meeting, held in formal session, on June 21, 2023. Should you have any questions please feel free to contact me at (305) 292-3550.

Respectfully Submitted,

Kevin Madok, CPA, Clerk of
the Circuit Court & Comptroller &
ex-officio to the Monroe County
Board of County Commissioners
by: Liz Yongue, Deputy Clerk

cc: County Administrator
County Attorney
MuniCode
BOCC
File

KEY WEST
500 Whitehead Street
Key West, Florida 33040

MARATHON
3117 Overseas Highway
Marathon, Florida 33050

PLANTATION KEY
88770 Overseas Highway
Plantation Key, Florida 33070

ORDINANCE NO. 014 -2023

AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTION 19-4 OF THE MONROE COUNTY CODE PROVIDING FOR REVISED TOLL RATES AND TOLL-BY-PLATE RATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (BOCC) after discussion and public input at its March 21, 2018 meeting in Key Largo set the toll rate for the Card Sound Road at \$.75 per axle for 2-axle vehicles; \$1.00 per axle for vehicles with greater than 2-axles to be effective upon implementation of the all-electronic tolling (AET) system and directed for the rate to be adjusted annually in accordance with the Consumer Price Index (CPI); and

WHEREAS, the BOCC adopted *Ordinance No. 008-2018*, which increased the rates and became effective upon the completion of the all-electronic tolling (AET) system on Card Sound Road; and

WHEREAS, the BOCC adopted *Ordinance No. 032-2019*, which increased the toll rates by 2.1% in accordance with the Bureau of Labor Statistics Consumer Price Index for all items less food and energy for Fiscal Year 20 (effective October 1, 2019); and

WHEREAS, the BOCC adopted *Ordinance No. 028-2020*, which increased the toll rates by 1.2% in accordance with the Bureau of Labor Statistics Consumer Price Index for all items less food and energy for Fiscal Year 2021 (effective October 1, 2020); and

WHEREAS, the BOCC adopted *Ordinance No. 015-2021*, which increased the toll rates by 1.6% in accordance with the Bureau of Labor Statistics Consumer Price Index for all items less food and energy for Fiscal Year 2022 (effective October 1, 2021); and

WHEREAS, the BOCC adopted *Ordinance No. 007-2022*, which increased the toll rates by 8.5% in accordance with the Bureau of Labor Statistics Consumer Price Index for all items less food and energy for Fiscal Year 2023 (effective October 1, 2022); and

WHEREAS, due to increased administrative cost for the processing and collection of toll-by-plate customers, a separate toll-by-plate rate was added for these customers to offset the higher administrative cost effective October 1, 2022; and

WHEREAS, the toll rates are being revised as set forth below pursuant to the BOCC's direction to adjust the rates annually in accordance with the Bureau of Labor Statistics Consumer Price Index for all items less food and energy, which rose 5% over the last 12-months and which is rounded to the nearest dollar for consistency at each per axle and toll-by-plate rates;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

SECTION 1: Section 19-4(b)(1) shall be amended to read as follows (added text noted in underlined text and deleted text noted in ~~striketrough~~ text):

(b) *Toll schedule.*

(1) The following toll per axle schedule is hereby established for travel through the Card Sound Road and Toll Bridge Facility:

2-axle vehicle	\$.87 <u>1.00</u>
Vehicles of 3-axle or greater	\$1.14 <u>1.28</u>
<u>Each Additional axle</u>	<u>\$1.14</u> <u>1.28</u>
Toll-by-plate	
<u>2-axle vehicle</u>	\$1.31 <u>1.50</u>
<u>Vehicles of 3-axle or greater</u>	\$1.71 <u>1.92</u>
<u>Each Additional axle</u>	\$1.71 <u>1.92</u>

SECTION 2: SEVERABILITY. If any portion of this ordinance is for any reason held invalid or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect its applicability to any other person, property or circumstances.

SECTION 3: CONFLICT WITH OTHER ORDINANCES. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

SECTION 4: INCLUSION IN CODE OF ORDINANCES. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION 5: TRANSMITTAL AND EFFECTIVE DATE. This Ordinance shall be filed with the Department of State as provided in section 125.66(2), Florida Statutes and shall be effective October 1, 2023 at 12:00 a.m.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a meeting of the Board held on the 21st day of June 2023.

Mayor Craig Cates	<u>Absent</u>
Mayor Pro Tem Holly Raschein	<u>Yes</u>
Commissioner Michelle Lincoln	<u>Yes</u>
Commissioner James K. Scholl	<u>Yes</u>
Commissioner David Rice	<u>Absent</u>



ATTEST: KEVIN MADOK, CLERK

By *Kevin Madok*
As Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY *Holly Raschein*
Mayor Pro Tem

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:
Christine Limbert-Barrows
CHRISTINE LIMBERT-BARROWS
ASSISTANT COUNTY ATTORNEY
DATE: 6/6/23

FILED FOR RECORD
2023 JUL 14 PM 1:26
CLK. CIR. CL.
MONROE COUNTY, FLA

THE CITIZEN

KEY WEST

The Florida Keys Only Daily Newspaper, Est. 1876
PO Box 1800, Key West FL 33041
P: (305) 292-7777 ext. 219 F: (305) 295-8025
legals@keysnews.com

MONROE CO ENGINEERING ROADS &
BRIDGES
1100 SIMONTON ST ROOM 2-216
KEY WEST FL 33040

Account: 419670

Ticket: 3892062

PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA COUNTY OF MONROE

Before the undersigned authority personally appeared

_____Melinda Prescott_____, who on oath says that he or she is

The legal advertising representative of the Key West Citizen, a five day newspaper published in Key West, in Monroe County, Florida; that the attached copy of advertisement, being a legal notice in the matter of Revised Toll Rate was published in said newspaper in the issues of:

Saturday, May 27, 2023

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspapers has heretofore been continuously published in said Monroe County, Florida Tuesday thru Saturday weekly, and has been entered as periodicals matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she 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.

Melinda Prescott

(Signature of Affiant)

Affirmed and subscribed before me this 30th day of May 2023

Laura M Robins

(Notary Public Signature)

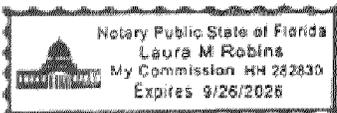
_____Laura M Robins_____

(Notary Public Printed Name)

My commission expires _____9/26/2026_____

Personally Known Produced Identification _____

Type of Identification Produced _____ (Notary Seal) _____



NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on June 21, 2023, at 9:00 A.M. or as soon thereafter as the matter may be heard, at the Murray E. Nelson Government Center, 102050 Overseas Highway, Key Largo, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider adopting the following ordinance:

AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTION 19-4 OF THE MONROE COUNTY CODE PROVIDING FOR REVISED TOLL RATES AND TOLL-BY-PLATE RATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

The proposed ordinance may be inspected by the public at the Monroe County website by viewing the agenda packet for the June 21, 2023 meeting, which will be posted beginning on June 9, 2023 at: <http://monroecountyfl.iqm2.com/citizens/default.aspx>. The ordinance may also be viewed at the Monroe County Attorney's office at 1111 12th St. Ste. 408 Key West, FL 33040.

The public can participate in the June 21, 2023 meeting of the Board of County Commissioners of Monroe County, FL by attending in person or via Zoom. The Zoom link can be found in the agenda at <http://monroecountyfl.iqm2.com/citizens/default.aspx>.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30a.m.—5:00p.m., prior to the scheduled meeting; if you are hearing or voice-impaired, call "711". Live Closed-Captioning is available via our web portal @ <http://monroecountyfl.iqm2.com/Citizens/Default.aspx> for meetings of the Monroe County Board of County Commissioners.

Dated at Key West, Florida, this 17th day of May, 2023.

(SEAL) KEVIN MADOK, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Monroe County, Florida
05/27/23 - KWC
419670 3892062



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)

May 25, 2023

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 day of May 25, 2023
(SEAL)

Terry Patterson
Notary

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Dated at Key West, Florida, this 17th day of May, 2023.
KEVIN MADOK, Clerk of the Circuit Court and
Ex Officio Clerk of the Board of County Commissioners of Monroe County, Florida
Publish:
May 25, 2023
The Weekly Newspapers

