

Sponsored by: Garrett
Introduction Date: October 10, 2023
Public Hearing Dates: October 10, 2023
November 14, 2023
Enactment date: November 14, 2023

**CITY OF MARATHON, FLORIDA
ORDINANCE 2023-21**

AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA, AMENDING THE FIRST TIME HOMEBUYER ASSISTANCE PROGRAM; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES, CITY OF MARATHON, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Marathon (the “City”) has experienced a large disparity between the sales price of single-family and multi-family dwelling units and the median family income in the City;

WHEREAS, consequently, substantial savings for a down payment is required for a home purchase; and

WHEREAS, in Section 104.03 of the City’s Land Development Regulations (the “LDRs”), the City has set forth the income requirements for affordable housing in the City; and

WHEREAS, families that meet the affordable housing income criteria set forth in the LDRs find it difficult to save money for a down payment; and

WHEREAS, the City Council has provided the ability for First Time Home Buyers to more affordably acquire a first home in the Florida Keys through the First Time Home Buyers Assistance Program; and

WHEREAS, the City has established an Affordable Housing Program fund to collect fees and other amounts owing by developers and property owners in connection with affordable housing contributions under development agreements or otherwise pursuant to the LDRs; and

WHEREAS, the City Council requested that staff to begin revisions to the FTHBP in accordance with the Council’s additional deliberations and direction; and

WHEREAS, revision of the First Time Home Buyers Assistance Program is in the public interest as it will assist in expanding the privilege of home ownership to individuals of low and moderate income levels by providing no interest down payment loans.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:¹

Section 1. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. Chapter 3, Article III, of the Code of Ordinances, City of Marathon, Florida, is hereby amended to read as follows:

ARTICLE III. FIRST TIME HOMEBUYER ASSISTANCE PROGRAM

Sec. 3-41. Definitions.

Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa. Words of one (1) gender include the correlative words of the other gender, unless the sense indicates otherwise. Additionally, the terms set forth below have the following meaning except where the context clearly otherwise requires:

Adjusted gross income shall have the same definition as set forth in Section 104.03 of the LDRs.

Department means the Planning Department of the City.

Director means the Director of the Planning Department of the City.

First time homebuyer means a person or persons who have not had an interest in real property for at least the past three (3) years. First time homebuyer also means any person or persons currently residing in a two or more unit Habitat for Humanity affordable housing, and would not apply to those who have already received first time home buyer funds.

LDRs means the City's Land Development Regulations set forth in Chapter 16 of the City Code.

Primary employment income refers to a person's income that is derived from at least 70 percent of employment within Monroe County.

Resident of the City means the person's principal residence and domicile is within the City.

Resident of the County but within the extended qualification area means the person's principal residence and domicile is within the Florida Keys from Big Pine Key to Conch Key.

(Ord. No. 2010-01, § 2(2-200), 2-9-2010; Ord. No. 2016-08 , § 2, 10-25-2016)

Section 3. If any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

¹ / Additions and new text are shown by underline, deletions are shown as ~~strikethrough~~.

Section 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 5. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances, City of Marathon, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Marathon Code.

Section 6. This Ordinance shall be effective immediately upon enactment.

ENACTED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 14th DAY OF NOVEMBER 2023.

THE CITY OF MARATHON, FLORIDA



Robyn Still, Mayor

AYES: Smith, Gonzalez, Landry, Matlock, Still
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:



Diane Clavier, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:



Steven Williams, City Attorney

EXHIBIT "A"

Monthly Rates for Wastewater Service

	CURRENT	PROPOSED
Alternative Water Supply Customer (per month)	\$64.46	\$85.45