

LTC # 051-2025

LETTER TO COMMISSION

TO: Honorable Mayor Steven Meiner and Members of the City Commission

FROM: Eric T. Carpenter, City Manager



DATE: February 3, 2025

SUBJECT: **Spring Break 2025**

The purpose of this Letter to Commission (LTC) is to provide a comprehensive update on the City's preparations for Spring Break 2025. Pursuant to City Commission direction, our Spring Break 2025 strategy will continue to be focused on public safety and include various high-impact measures that will be imposed along with traffic and staffing plans. City departments have been meeting regularly to ensure a coordinated major event plan to maintain safety and resident quality of life.

The entire month of March 2025 has been designated as a high-impact period in Miami Beach, resulting in additional measures with respect to traffic, staffing and public safety.

Based on college schedules, the periods between **March 13-16** and **March 20-23** are expected to generate the largest spring break crowds this year. As such, more stringent measures will be implemented during these two weekends, including:

- **Parking garages and surface lots south of 23 Street will be closed**, including the garages at 7 Street and Collins Avenue (G1), 12 Street and Washington Avenue (G2), 13 Street and Collins Avenue (G3), 16 Street between Collins and Washington avenues (G4), 17 Street and Convention Center Drive (G5), 18 Street and Meridian Avenue (G7), Lincoln Lane North and Pennsylvania Avenue (G9) and 23 Street and Park Avenue (G12).
- **A \$100 flat fee parking rate will be in effect** for visitors at the Sunset Harbour Garage on 19 Street and Bay Road (G10) and the 42 Street garage between Royal Palm and Sheridan avenues (G6).

Parking garage and surface lot closures as well as flat-fee parking rates do not apply to Miami Beach residents, access card holders, permit holders or Miami Beach employees. For regular rates to apply, proof of Miami Beach residency or employment (pay stub, letter, ID card, etc.) will be required upon entry.

- **Sidewalk seating on Ocean Drive will be closed on March 14-16 and March 21-23.**
- The Miami Beach Police Department will implement a **License Plate Reader (LPR) detail** on the eastbound lanes of the MacArthur Causeway on March 14-16, March 21-23 starting at 8 p.m. (with set up at 7 p.m.) and on the eastbound lanes of the Julia Tuttle Causeway on March 14-16, March 21-23 starting at 9 p.m. (with set up at 8 p.m.). **Motorists should expect significant traffic impacts and delays as eastbound travel lanes will be reduced on the MacArthur and Julia Tuttle causeways.** MBPD will also

have an LPR detail along the 5 Street corridor on March 7-9 starting at 7 p.m. (with set up commencing at 6 p.m.).

License Plate Readers have historically been instrumental in the identification of serious and violent offenders as well as the recovery of stolen vehicles.

- A **DUI sobriety checkpoint** will be in place along the 400 block of 5 Street starting at 7 p.m. (with set up commencing at 6 p.m.) over March 14-15 and March 21-22.
- **Businesses renting or leasing golf carts, low-speed vehicles, autocycles (i.e. slingshots), motorized scooters, mopeds**, motorcycles powered by motors of 50 cubic centimeters or less and motorized bicycles **will be suspended from operating** on March 13-16 and March 20-23.
- **Ocean Drive will only be accessible to vehicles from the most northern available street with a sole exit at 5 Street** on March 6-9, March 13-16 and March 20-23. Barricades will line the west side of Ocean Drive to reduce the potential of pedestrians coming into contact with motor vehicles.
- The **nonresident towing rate will be \$516** — double the regular rate — for vehicles towed in South Beach.
- Beach entrances on Ocean Drive will be limited to 5, 10 and 12 streets and will have **security checkpoints** to ensure prohibited items are not brought onto the beach. **These entrances will close at 6 p.m.** Coolers, inflatable devices, tents, tables and similar objects are not permitted on the beach. Amplified music without a city-issued permit will be restricted. As a reminder, alcohol and smoking are always prohibited on city beaches.
- **Packaged liquor stores** in the Entertainment District will strictly adhere to the 8 p.m. regular closing time.
- The Miami Beach Police Department (MBPD) will implement a **traffic plan** beginning at 6 p.m. each Thursday through Sunday to reduce traffic impacts around the South of Fifth (SoFi), West Avenue and Flamingo Park neighborhoods. Motorists can access the SoFi neighborhood via Alton Road, Washington Avenue and Collins Avenue. The Flamingo Park neighborhood can only be accessed via Alton Road. Local access restrictions will be enforced on some city streets to limit traffic and improve mobility for residents and business patrons.

Every Thursday through Sunday on the first (Feb. 27- March 2), second (March 6-9) and fifth (March 27-30) weekends in March, the following high-impact measures will be in place:

- A **flat parking rate of \$30** will be in effect at city parking garages and surface lots in South Beach, including the garages at 7 Street and Collins Avenue (G1), 12 Street and Washington Avenue (G2), 13 Street and Collins Avenue (G3), 16 Street between Collins and Washington avenues (G4), 17 Street and Convention Center Drive (G5), 42 Street garage between Royal Palm and Sheridan avenues (G6), 18 Street and Meridian Avenue (G7), Lincoln Lane North and Pennsylvania Avenue (G9), 19 Street and Bay Road (G10), and 23 Street and Park Avenue (G12) — **with entry to garages closing at 6 p.m. to all visitors.**

The flat parking rate and 6 p.m. entrance restriction does not apply to Miami Beach residents, access card holders or authorized Miami Beach employees. For regular rates to apply, proof of Miami Beach residency or employment (pay stub, letter, ID card, etc.) will be required upon entry.

- The **nonresident towing rate will be \$516** — double the regular rate — for vehicles towed in South Beach.
- Beach entrances on Ocean Drive will be limited to 5, 10 and 12 streets and will have **security checkpoints** to ensure prohibited items are not brought onto the beach. **These entrances will close at 6 p.m.** Coolers, inflatable devices, tents, tables and similar objects are not permitted on the beach. Amplified music without a city-issued permit will be restricted. As a reminder, alcohol and smoking are always prohibited on city beaches.
- **Packaged liquor stores** in the Entertainment District will strictly adhere to the 8 p.m. regular closing time.
- The Miami Beach Police Department (MBPD) will implement a **traffic plan** beginning at 6 p.m. each Thursday through Sunday to reduce traffic impacts around the South of Fifth (SoFi), West Avenue and Flamingo Park neighborhoods. Motorists can access the SoFi neighborhood via Alton Road, Washington Avenue and Collins Avenue. The Flamingo Park neighborhood can only be accessed via Alton Road. Local access restrictions will be enforced on some city streets to limit traffic and improve mobility for residents and business patrons.

Staffing

Staffing levels for Miami Beach Police, Fire Rescue, Ocean Rescue, Code Compliance, Park Rangers, Parking and Sanitation will be significantly enhanced throughout the month of March.

Goodwill Ambassadors wearing pink "Take Care of Our City" T-shirts will be deployed throughout the Entertainment District to answer visitor questions, provide directions and give tips on how to enjoy the city.

The following provides additional departmental information:

Police

Residents, business owners and visitors can expect a heightened police presence throughout the month of March. MBPD will operate with extended hours and augmented staffing, using an enhanced Alpha/Bravo scheduling configuration to deploy more officers during peak days and times.

Police staffing will be supplemented by the Florida Department of Law Enforcement, Florida Highway Patrol, Miami-Dade Sheriff's Office, and other municipal law enforcement agencies. Uniformed officers will proactively patrol in vehicles, on ATVs, bicycles and on foot. Additionally, in a continued collaborative effort with the U.S. Coast Guard and the Florida Fish and Wildlife Commission, MBPD's Marine Patrol will enforce all applicable laws along the City's waterways.

MBPD is also prepared to implement special event zones, as outlined in section 316.1891 of Florida's Statutes, provided certain criteria are met. These designated zones target unpermitted temporary activities or events drawing 50 or more attendees, which pose disruptions to normal traffic flow. Within these zones, the city holds the authority to impose doubled fines for traffic infractions and has the option to impound vehicles for violations. Furthermore, law enforcement retains the ability to temporarily enforce occupancy limits within special event zones, with associated costs potentially recoverable from event promoters or organizers.

Please note that pursuant to Resolution No. 2024-32899 (refer to attached), a curfew will be swiftly implemented if necessary.

Fire

The Miami Beach Fire Department will have augmented staffing throughout South Beach to provide medical support and transport, if necessary. Fire Inspectors will conduct nightly weekend inspections focused on occupancy loads and life safety systems at nightclubs and other establishments.

Ocean Rescue will double the number of lifeguards in the towers between 4 and 14 streets as needed, while the 911 Call Center will have additional dispatchers on duty dedicated to South Beach calls.

The Fire Department Division of Emergency Management and Community Emergency Response Team (CERT) members will staff a First Aid/Hydration Station at 10 Street, on the beachside at Ocean Rescue Headquarters, providing support to EMS Paramedics to assist the public with basic medical needs such as dehydration, heat-related stress and basic first aid. Emergency Management will monitor activities at a Level 2 activation.

Code Compliance

The Code Compliance Department will have enhanced staffing to include foot patrols, ATVs and bicycle patrols in addition to proactive patrols citywide, including our dedicated Short-Term Rental (STR) team. Coverage at the Miami Beach Marina will be increased to seven days with 12-hour shifts. Teams will also be conducting outreach to nightclub owners to remind them of regulations on promoted and self-promoted events. Scooter shops will also receive outreach visits regarding scooter regulations. The City's Noise Ordinance will be aggressively enforced subject to provisions in any Conditional Use Permits or Temporary Injunctions.

Parking

The city will conduct enhanced parking enforcement and increased towing throughout the month of March — with priority attention given to residential areas.

Parking will not be allowed on Collins Avenue from 5 Street to Española Way and Washington Avenue from 5-16 streets starting at 5 a.m. on March 6-10, March 13-17 and March 20-24.

Parking along the 100 blocks of 6-15 streets will be restricted 24 hours per day on March 6-10, March 13-17 and March 20-24. Residential Zone 5 parking permit holders are exempt from these restrictions, unless noted otherwise on signs.

Parking along the 200 blocks of 6 Street through Española Way will be restricted 24 hours per day on March 6-9, March 13-16 and March 20-23. Residential Zone 5 parking permit holders are exempt from these restrictions unless noted otherwise on signs.

Transportation and Mobility

Transportation and Mobility Department staff will monitor traffic flows throughout each weekend and provide timely traffic updates. They will work with the Police Department and Office of Marketing & Communications to help manage congestion and disseminate information on major traffic incidents throughout the City.

Additionally, the City's traffic monitoring and management contractor will monitor major thoroughfares to detect incidents creating congestion using available resources and equipment, including existing closed-circuit television and portable cameras in the city, the WAZE mobile application, programming portable variable message signs for traffic/event messaging, and modifying traffic signal timing as necessary to help manage congestion. Traffic Monitors will

operate at an enhanced level of service, 18 hours a day, from 7 a.m. to 1 a.m. from March 7-9, March 14-16 and March 21-23. Beyond those dates and times, the traffic monitoring services will continue from 7 a.m. to 9 p.m. every day during the high-impact period.

Traffic monitoring personnel will be on duty at the Miami Beach Traffic Management Center (TMC) co-located at the Florida Department of Transportation (FDOT) TMC. The City's traffic monitors will coordinate with FDOT TMC staff on any incidents affecting traffic flow along the causeways to promptly dispatch Road Rangers and program real-time traffic messages on the overhead digital message boards on I-95, State Road 836/1-395/MacArthur Causeway, and State Road 112/1-195/Julia Tuttle Causeway.

The Miami Beach free citywide trolley service will operate on an enhanced schedule during three of the highest-impact periods, with two additional vehicles operating on the South Beach Loops as well as two additional vehicles assigned to the Collins Express Trolley. The enhanced trolley service will operate from 8 a.m. to 1 a.m. on March 6-9, March 13-16 and March 20-23.

Parks and Recreation Department

Miami Beach Park Rangers, maintenance and janitorial staff will have expanded service hours and increased personnel assignments. The core areas of focus will be the Lummus Park/South Pointe Park corridor, Ocean Drive and the Beachwalk south of 21 Street. Park Rangers will provide assistance on the beach as needed along with enforcement partners (MBPD, Ocean Rescue, Code, etc.).

Sanitation

Sanitation will have enhanced staffing each Thursday through Sunday in March, with additional pressure washing and mobile street sweeping being conducted on weekends as needed. In coordination with Miami-Dade County, Sanitation staff will also be assisting in shoreline cleanups each Thursday through Sunday during the Spring Break period.

Environment & Sustainability

As part of Clean Miami Beach's grant agreement with the City, they will be hosting beach cleanups in South Beach on Saturday, March 15 and Saturday, March 22.

Community Outreach

A comprehensive public outreach plan is underway and began in December 2024 with an emailed and subsequently mailed letter to all South Beach businesses with a valid Business Tax Receipt (BTR) — informing of a potential curfew and other anticipated spring break-related impacts (refer to attached).

The city will host a virtual informational spring break webinar for residents and businesses on Thursday, February 13 at 6 p.m. This will be an opportunity for city officials and law enforcement representatives to inform the community and answer questions about the public safety measures and traffic plans that will be in place during the month of March.

Marketing and Communications

The Office of Marketing & Communications, in close collaboration with the GMCVB and their agency of record VML, will launch a marketing campaign aimed at notifying potential spring breakers that Miami Beach is not interested in being a party destination and will not tolerate disorderly behavior. The campaign, "**Miami Beach Spring Break Reality Check,**" will go live with targeted digital this week, followed by out of home advertising throughout Florida focusing on our tri-county area, in-state college towns and other popular college fly-in markets. The message is clear that Miami Beach is not a place for raucous behavior, and that our laws and regulations will be fully enforced. The communications plan will amplify the additional measures being taken during the high-impact period in an effort to dissuade college-age spring breakers from coming to Miami Beach during this time. All 'Spring Break Reality Check' campaign ads will lead to

www.MBRealityCheck.com, a dedicated webpage that outlines all of the rules and safety measures.

Concurrently, the city will relaunch the “**Take Care of Our City**” safety campaign for visitors who arrive in Miami Beach – highlighting various offerings throughout the City and reminding visitors to obey local rules while enjoying Miami Beach responsibly. The campaign features a network of local residents, celebrities and business owners, including DJ Irie, Romero Britto, Michael Schwartz, Purple and Kellie Williams. The marketing collateral includes QR codes linking to www.OurCityMB.com. The GMCVB also hosts www.TakeCareMB.com, which provides similar information and messaging for consistent communications across the County.

The “Take Care of Our City” campaign utilizes multiple channels to deliver our message, including digital web banners, targeted social media posts, bus shelters and trolley wraps that engage our visitors at various points of interaction. Barricade covers along with beach and park entrance signage will be branded to reflect the campaign.

Conclusion

We feel confident that our proactive measures and messaging will help ensure that March is safe and enjoyable for residents and visitors. City departments will be ready to make any necessary adjustments as needed to the aforementioned plan.

We plan to host a **press conference** to reiterate our message to the news media **on Tuesday, February 11 at Miami Beach Police Headquarters at 10 a.m.** and hope you will attend.

Thank you for your ongoing support.

EC

Attachments:

- Letter to South Beach Businesses
- Curfew Resolution No. 2024-32899



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, FL 33139, www.miamibeachfl.gov

December 17, 2024

RE: Advance Planning for Businesses for March 2025

Dear Business Owner:

The City of Miami Beach experiences significant crowd control challenges during spring break every year. This time period places an extraordinary strain on public safety personnel and businesses alike, with the same public safety challenges, in the same area, on the same weekends — year after year.

Please find enclosed a copy of **Resolution No. 2024-33263** and **Ordinance No. 2023-4571** that were approved by the Mayor and City Commission.

Resolution No. 2024-33263, approved on September 11, 2024, endorses a comprehensive strategy for Spring Break 2025 period, incorporating several actions and measures on the part of the City Manager including, but not limited to, the imposition of a curfew if deemed necessary based on on-the-ground observations of conditions during and leading up to Spring Break as well as historical data and trends. This period is one during which the City has historically experienced threats to public safety due to excessively large crowds, high levels of criminal activity, and life-threatening violence on the City's streets. While we hope, of course, that history will not repeat itself this year, we are prepared to respond accordingly if it does.

Ordinance No. 2023-4571, effective September 23, 2023, updated the city's existing high impact ordinance, granting the City Manager exclusive authority to safeguard the City during periods of significant visitor influx, known as high impact periods. A high impact period is defined as either an unpermitted event, activity, or period of time within a zone with expected attendance to exceed 10,000 people or permitted special event which is expected to result in attendance by more than 25,000 people within a zone. Since its implementation, the ordinance has played a vital role in preserving the well-being and safety of our residents, businesses, and visitors.

To assist you in your planning, contracting and staffing decisions for March 2025, this letter and the attached resolution and ordinance shall serve as advance notice to you that the City of Miami Beach may declare a State of Emergency and/or high impact period for all areas south of Dade Boulevard/23 Street during the above-referenced period.

While we want to assure you that any emergency measures (such as a curfew) or high impact measures will only be imposed if the circumstances require it, as assessed nearer to or during this period, we also want to remind you that similar declarations have been imposed over each of the past five years, in order to maintain public safety and order in our City.

Should you have any questions, please email outreach@miamibeachfl.gov.

We thank you in advance for your cooperation.

RESOLUTION NO. 2024-33263

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION
OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING
AND DIRECTING THE CITY ADMINISTRATION TO
IMPLEMENT A COMPREHENSIVE STRATEGY FOR
SPRING BREAK 2025, IN AN EFFORT TO PROACTIVELY
STEM THE THREATS TO PUBLIC SAFETY THE CITY HAS
EXPERIENCED DUE TO EXCESSIVELY LARGE CROWDS
AND LIFE-THREATENING VIOLENCE DURING SPRING
BREAK.**

WHEREAS, the City of Miami Beach (the "City") is an internationally renowned tourist destination that is famous for its beautiful beaches, world-class shopping, entertainment, fine dining, and vast array of artistic and cultural events; and

WHEREAS, in recent years, the City has seen an increasingly large number of visitors during the Spring Break period, which has posed significant challenges including, but not limited to, extreme traffic and congestion, and severe impacts to the City's Police, Fire, Sanitation, and Code Compliance services; and

WHEREAS, many of the visitors to the City during high impact periods, such as Spring Break, are under the influence of alcoholic beverages and have demonstrated a blatant disregard for the rule of law; and

WHEREAS, in 2021, unruly crowd control issues during Spring Break resulted in the imposition of emergency measures, including an 8:00 p.m. curfew in the area between 5th Street and 16th Street, from Pennsylvania Avenue to Ocean Drive; and

WHEREAS, in March 2022, the City also experienced massive crowds and several shootings in a concentrated tourist area over a period of a few days, resulting in the declaration of a state of emergency and imposition of a weekend midnight curfew for the last weekend of March, 2022, based upon the excessively large crowds and violence occurring on the second and third weekend of March, 2022; and

WHEREAS, such 2022 incidents included the shooting of 5 different innocent pedestrians and created stampedes and mayhem in the public streets and rights-of-way; and

WHEREAS, also in 2022, the Police Department and its law enforcement partners impounded one-hundred (100) firearms from February 18, 2022 – March 21, 2022, with approximately thirty-seven (37) of such firearms having been impounded during the third weekend in March spanning March 18 – 20; and

WHEREAS, in March 2023, the City experienced multiple fights, shootings, and various other incidents and police calls for service—for example, for the period between

February 27, 2023 and March 18, 2023, there were four (4) aggravated assault arrests, three (3) aggravated battery arrests, seven (7) robbery arrests, twenty (20) arrests for carrying a concealed firearm, thirty-seven (37) felony drug arrests, twelve (12) arrests for battery on a law enforcement officer, and eighty-two (82) arrests for other felonies; and

WHEREAS, in addition, the Police Department and its law enforcement partners impounded over seventy (70) firearms from February 27, 2023 – March 19, 2023; and

WHEREAS, such March 2023 incidents included two (2) shootings that occurred the weekend of March 17th, which resulted in two (2) fatalities and injuries to others, and which also created stampedes that caused injuries to several people, including two (2) volunteer goodwill ambassadors, and all of which posed a danger to public safety and order in the public streets and rights-of-way; and

WHEREAS, in response to each of the two (2) deadly shootings, officers were able to arrive on the scene within a matter of seconds, but nevertheless were unable to prevent the shootings (and were, themselves, endangered by their close proximity to the shootings); and

WHEREAS, for Spring Break 2024, the Mayor and City Commission adopted Resolution No. 2024-32905, which authorized and directed the City Administration to enact the proactive measures set forth in this Resolution, leading to the City's most successful Spring Break response; and

WHEREAS, various after-action reports and meetings were held after Spring Break 2024, where the input of residents and business owners were solicited and heard, and there was consensus that the proactive measures employed for Spring Break 2024 were successful and effective; and

WHEREAS, based on the foregoing, the Mayor and City Commission desire to approve and direct the City Administration to implement the measures specified in this Resolution, as part of the Mayor and City Commission's comprehensive strategy to mitigate the massive challenges associated large crowds and violence during Spring Break, and protect the health, safety and welfare of all residents and visitors in the City of Miami Beach.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve and direct the City Administration to implement the following comprehensive strategy for Spring Break 2025, in an effort to proactively stem the threats to public safety the City has experienced due to excessively large crowds and life-threatening violence during Spring Break:

(1) adopt and execute a heightened law enforcement staffing plan, including "Alpha Bravo" staffing from Thursday through Sunday on the second and third weekends in March, in partnership with law enforcement agencies providing additional resources to

the Miami Beach Police Department, including the Florida Highway Patrol, Miami-Dade County Police Department, City of Miami Police Department, and Coral Gables Police Department, among other jurisdictions;

(2) vigorously enforce the "Open Container" law, prohibiting consumption of alcoholic beverages in public areas and rights-of-way;

(3) close public beaches, from 5th Street to 15th Street, or portions thereof, at 6:00 p.m., from Thursday, March 6, 2025 until Sunday, March 9, 2025, and Thursday, March 13 until Sunday, March 16, as authorized by Section 82-443 of the City Code;

(4) support, if necessary, the suspension of sidewalk café operations on Ocean Drive, from 5th Street to 15th Street, at 7:00 p.m., from Friday, March 7, 2025 through Sunday, March 9, 2025, and from Friday, March 14, 2025 through Sunday, March 16, 2025, as authorized by the City's outdoor dining concession agreements;

(5) enforce the City's Noise Ordinance to the fullest extent permitted by law, with a focus on preventing the spillover of loud music from establishments that contribute to the party atmosphere on public rights-of-way;

(6) increase Code enforcement, Parking enforcement and Fire Code staffing and inspections of business establishments to ensure compliance with all laws;

(7) continue to explore the implementation of a secured perimeter on Ocean Drive or portions thereof;

(8) continue to explore the implementation of midnight curfews and other emergency measures in accordance with all laws, as deemed necessary by the City Manager based on on-the-ground observations of conditions during and leading up to Spring Break as well as historical data and trends;

(9) implement a robust marketing and communications campaign to apprise the public and area businesses to anticipate possible curfews and to be aware of the significant additional restrictions during Spring Break;

(10) work closely with Uber, Lyft, and other rideshare apps to communicate restrictions to the public via their platforms;

(11) close all City-owned or City-operated parking lots and garages in the Art Deco Cultural District, including along Washington Avenue and Collins Avenue, between 5th Street and 15th Street, starting each Thursday at 6:00 p.m. and reopening at 6 a.m. each Monday morning of the second and third weekends of March (and reserving the ability to close any City-owned garages and parking lots, if necessary, any of the five weekends of March 2025);

(12) implement the high impact parking rate in City-owned or City-operated parking lots and garages, with a daily rate of up to \$100, with the exception of residents, employees working in the City, and access card holders;

(13) restrict on-street parking on Ocean Drive, Collins Avenue, and Washington Avenue, from 5th Street to 16th Street;

(14) work with Miami-Dade County to explore the closure of the Venetian Causeway and/or restrict the Venetian Causeway for resident use only;

(15) create a special event zone or zones, if legally justified, pursuant to Fla. Stat. 316.1891, post all legally required signage, and enforce penalties, such as double fines and vehicle impoundment for noncriminal traffic infractions within the designated special event zone(s); and

(16) explore all alternative modes of transportation to reduce traffic congestion during high impact periods.

PASSED and ADOPTED this 11 day of September, 2024.

ATTEST:

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Rafael E. Granado, City Clerk

SEP 17 2024

Steven Meiner
Steven Meiner, Mayor

(sponsored by Mayor Steven Meiner and Vice Mayor Alex J. Fernandez)

Co-Sponsored by Commissioner Laura Dominguez

Co-Sponsored by Commissioner Joseph Magazine



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

RS 9/16/2024
City Attorney Date
RFR

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: City Attorney Ricardo J. Dopico
DATE: September 11, 2024
TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND DIRECTING THE CITY ADMINISTRATION TO IMPLEMENT A COMPREHENSIVE STRATEGY FOR SPRING BREAK 2025, IN AN EFFORT TO PROACTIVELY STEM THE THREATS TO PUBLIC SAFETY THE CITY HAS EXPERIENCED DUE TO EXCESSIVELY LARGE CROWDS AND LIFE-THREATENING VIOLENCE DURING SPRING BREAK.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

The above-referenced Resolution was prepared at the request of the sponsors, Mayor Steven Meiner and Vice-Mayor Alex J. Fernandez. It will be submitted via Supplemental Agenda.

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate? (FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

**Is this a "Residents Right to Know" item,
pursuant to City Code Section 2-17?**

No

**Is this item related to a G.O. Bond
Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481,
includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

Department

City Attorney

Sponsor(s)

Mayor Steven Meiner
Commissioner Alex Fernandez

Co-sponsor(s)

Condensed Title

Comprehensive Strategy for Spring Break 2025. (Meiner/Fernandez) CA

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE V, ENTITLED "BEACHES," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 82-443 THEREOF, ENTITLED "HIGH IMPACT PERIODS WITHIN HIGH IMPACT ZONES," IN ORDER TO MODIFY THE GEOGRAPHIC BOUNDARIES OF A HIGH IMPACT ZONE, AND TO CLARIFY AND DELINEATE THE AUTHORITY OF THE CITY MANAGER TO IMPOSE IMMEDIATE MEASURES IN RESPONSE TO HIGH IMPACT PERIODS IN HIGH IMPACT ZONES; AND BY AMENDING APPENDIX "A" OF THE CITY CODE, ENTITLED "FEE SCHEDULE," TO PROVIDE FOR HIGH IMPACT PARKING AND TOWING RATES CONSISTENT WITH THE AMENDMENTS IN SECTION 82-443; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach is an internationally renowned tourist destination that is famous for its beaches, shopping, arts and entertainment, which are among the best in the world; and

WHEREAS, due to its domestic and international popularity as a resort destination, many large-scale events and activities, both authorized by City permits and otherwise, occur on the beaches and on the City's property; and

WHEREAS, the City has seen an increasingly large number of visitors during these large-scale events and activities, and the sizeable number of individuals attending these events/activities has posed numerous challenges for the City; and

WHEREAS, authorized and unauthorized uses of the beaches and City property during these events and activities have caused extensive damage, personal injury, property degradation, and have dramatically affected the quality of life of the City's residents; and

WHEREAS, these supplemental measures will authorize the City Manager to implement additional specific and immediate measures to protect the beaches and the City's property; and

WHEREAS, the Mayor and City Commission desire to adopt those additional measures, set forth herein, to further protect the beaches, City property and to ensure the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. That Division 1 of Article V of Chapter 82 of the Code of the City Miami Beach is hereby amended as follows:

CHAPTER 82
PUBLIC PROPERTY

* * *

ARTICLE V. BEACHES

* * *

DIVISION 1. GENERALLY

* * *

Sec. 82-443. High impact periods within high impact zones.

(a) Definitions.

High impact zone means:

- (1) ~~The public beach property between the mean high water mark and the erosion control line, which is the subject of the Management Agreement for Certain Lands No. 750-006 between the City of Miami Beach and the Trustees of the Internal Improvement Trust Fund of the State of Florida, and/or~~

The area(s) of the city, which may include the public beach property, that the city manager designates as subject to a high impact period.

- ~~(2) The MXE mixed use entertainment district, excluding that portion of the MXE district located between 73rd and 75th Streets; and/or~~
- ~~(3) That portion of the CD-2 commercial, medium intensity district between Pennsylvania Avenue and Collins Court, from 5th Street to 16th Street.~~

High impact period means:

- (1) An event, activity or period of time within a high impact zone for which no city issued special event permit has been granted, and either (i) in the prior calendar year, generated attendance of more than 10,000 people; or (ii) if it is the first occurrence of an event, activity or period of time, it is expected to generate attendance of more than 10,000 people, as determined by the city manager, in his or her reasonable discretion; or
- (2) An event that is held pursuant to a city-issued special event permit, which is expected to result in attendance by more than 25,000 people within a high impact zone, as determined by the city manager, in his or her reasonable discretion.

Note(s)—The city manager's determination of a high impact period should be limited to a finite period ("~~72~~ 96 hours"), unless otherwise extended by the mayor and city commission.

- (b) *City manager's authority to impose immediate measure(s) during high impact periods.* Whenever the city manager determines that a high impact period in a high impact zone will occur, or is in progress, one or more of the following immediate measures may be imposed to protect the public health, safety and welfare including, without limitation, the protection of public and private property from damage, degradation, and/or unauthorized uses:

- (1) ~~The prohibition of any direct or indirect consumption of alcohol on public beach property.~~

The implementation of a high impact parking rate equal to double the event flat rate otherwise in effect.

- (2) ~~The limitation of live or amplified music, including those exemptions set forth in section 46-157 of this Code.~~

The implementation of a high impact, non-resident towing rate equal to double the non-resident towing rate otherwise in effect.

- (3) The limitation of traffic routes to prohibit vehicular access to non-residents, and permit access only for residents and those patrons and employees of businesses located in the specific area where traffic routes have been limited.
- (4) The establishment of occupancy limits for different segments of public beach property and prohibiting access to those areas that have reached such occupancy limits.
- (5) The prohibition of coolers and inflatable devices on public beach property.
- (6) The prohibition of tents, tables, and similar structures.
- (7) ~~The implementation of a license plate reader police detail, which may be utilized on eastbound traffic lanes of the MacArthur Causeway, Julia Tuttle Causeway, and on any other access points into the city.~~

The closure of any segment(s) of the public beach property at 6:00 p.m., unless any such area is utilized for a ticketed special event.

- (8) The suspension, or the issuance, of a business tax receipt to promoters pursuant to section 102-360 of this Code.
- (9) ~~The suspension and closure of all or part of sidewalk café operations (including, without limitation, the removal of all or any sidewalk café furniture), pursuant to subsection 82-381(e)(i) of the Code.~~

The requirement that all sound amplification devices, other than cellular telephones, smart watches and those devices contained within a motor vehicle, must obtain a permit from the city prior to the use of any such sound amplification device on public property.

- (c) *Notification of high impact period measures.* When one or more immediate measures are implemented by the city manager pursuant to subsection (b) above, the city manager shall provide written notice to the mayor and city commissioners of the measures he or she intends to take, including their intended duration; provided, however, that the city manager shall not implement such measures for a consecutive period of more than ~~72~~ 96 hours without calling an emergency meeting of the city commission and getting the city commission's approval to extend. Notice shall also be provided to appropriate news media for publication and to local radio and television stations for broadcast, as well as posted on the city's website. If practicable, signs may be posted in the impacted area(s) advising of the measures during the duration of such measures.
- (d) *Enforcement; penalty.* Any violation of the measures imposed pursuant to subsection 82-443(b) above shall be punished as provided in section 1-14 of this Code.

SECTION 2. Appendix A, entitled "Fee Schedule," is hereby amended as provided in "Exhibit A" to this Ordinance.

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. SEVERABILITY.

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

SECTION 5. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect on the 23 day of September, 2023.

PASSED AND ADOPTED this 13 day of September, 2023.

ATTEST:

781

SEP 20 2023


Dan Gelber, Mayor

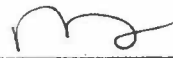
Rafael E. Granado, City Clerk

Underline denotes additions
~~Strikethrough~~ denotes deletions

(Sponsored by Mayor Dan Gelber)



**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**


City Attorney MAP

7-18-23
Date

EXHIBIT "A"

APPENDIX A - FEE SCHEDULE

FEE SCHEDULE

Pursuant to section 1-15 of this Code, this appendix includes all fees and charges established by the city commission that are referred to in the indicated sections of the Code of Ordinances. Certain specified fees and charges, as identified herein, shall be subject to annual adjustment by the city manager, pursuant to the provisions of section 1-15 and this Appendix "A". A schedule of all current city fees and charges as set forth in Appendix "A" shall be maintained on the city's website.

Section of this Code	Description	Amount (Sales tax or other taxes may apply)	Annual Adjustment (References shown at the end of this Appendix A)
	<u>Chapter 82. Traffic and Vehicles</u>		
	* * *		
	<i>Article V. Beaches</i>		
	<u>DIVISION 1. GENERALLY</u>		
<u>82-443(b)(1)</u>	<u>High impact parking rate</u>	<u>Double the event flat rate otherwise in effect</u>	
<u>82-443(b)(2)</u>	<u>High impact, non-resident towing rate</u>	<u>Double the event flat rate otherwise in effect</u>	

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Alina T. Hudak, City Manager
DATE: September 13, 2023

10:45 a.m. Second Reading Public Hearing

SUBJECT: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE V, ENTITLED "BEACHES," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 82-443 THEREOF, ENTITLED "HIGH IMPACT PERIODS WITHIN HIGH IMPACT ZONES," IN ORDER TO MODIFY THE GEOGRAPHIC BOUNDARIES OF A HIGH IMPACT ZONE, AND TO CLARIFY AND DELINEATE THE AUTHORITY OF THE CITY MANAGER TO IMPOSE IMMEDIATE MEASURES IN RESPONSE TO HIGH IMPACT PERIODS IN HIGH IMPACT ZONES; AND BY AMENDING APPENDIX "A" OF THE CITY CODE, ENTITLED "FEE SCHEDULE," TO PROVIDE FOR HIGH IMPACT PARKING AND TOWING RATES CONSISTENT WITH THE AMENDMENTS IN SECTION 82-443; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

RECOMMENDATION

The administration recommends that the City Commission approve the subject ordinance.

BACKGROUND/HISTORY

The High Impact Ordinance was initially introduced in 2016 as a measure to grant the City Manager with exclusive authority to safeguard the City during periods of significant visitor influx, known as high impact periods. A high impact period is defined as either an unpermitted event, activity, or period of time within a zone with expected attendance to exceed 10,000 people or permitted special event which is expected to result in attendance by more than 25,000 people within a zone. Since its implementation, the ordinance has played a vital role in preserving the well-being and safety of our residents, businesses, and visitors.

High Impact periods have historically consisted of periods of time such as Memorial Day weekend, Superbowl, and Spring Break. Over the last eight years, the challenges we encounter during high impact periods have continued to escalate demanding a comprehensive evolving approach to maintain the balance between tourism and the well-being of our local community.

The increasing attendance and influx of visitors both from out-of-state and local jurisdictions during these time periods have presented numerous issues that affect our residents' quality of life and have caused considerable impact to city resources. Typically, during high impact periods our public safety staffing levels are significantly enhanced. However, the most recent events in March 2023 have highlighted the need for further action.

Immediately following these events, I convened a multi-departmental working group to identify any additional tools that could be incorporated into the existing high impact ordinance that would delegate, for a defined period of time, additional authority to enforce heightened measures, impose extra fines, and implement early closures of specific beach areas.

The proposed ordinance was discussed at the July 6, 2023, Special Meeting of the City Commission. Through this revision we eliminated redundant language already covered by the law and established a flexible framework, allowing the City Manager to select the most suitable measures for each high impact event. The City Commission approved the subject ordinance at First Reading on July 26, 2023.

ANALYSIS

The ordinance seeks to modify the geographic boundaries of a high impact zone and clarify the immediate measures the City Manager can impose in response to high impact periods in the City. The measures and modifications include:

- Removing the current high impact zone boundary and allowing the designation of a high impact zone in areas citywide. The current zone is only specific to the Mixed-Use Entertainment (MXE) District, excluding the portion located between 734 and 75 Streets and the portion of the CD-2 commercial, medium intensity district between Pennsylvania Avenue and Collins Court, from 5th Street to 16 Street.
- The implementation of a high impact parking rate equal to double the event flat rate. The current event flat rate is \$15, the proposed ordinance would double it during a high impact period to be \$30.
- The implementation of a high impact, non-resident towing rate equal to double the non-resident towing rate. The current non-resident towing rate is a total of \$250 the proposed ordinance would double it during a high impact period to be a total of \$500.
- The closure of any segments of the public beach at 6:00 p.m., unless any area is utilized for a ticketed special event. The current closing time of the public beach is 10:00 p.m.
- The requirement that all sound amplification devices, other than telephones, smart watches, and those devices contained within a motor vehicle, must obtain a permit from the City prior to use of any sound amplification device on public property.
- Allowing high impact measures to be in place for up to 96 consecutive hours, without calling an emergency meeting of the city commission and getting the city commission's approval to extend.

Currently, high impact measures are allowed to be implemented for up to 72 consecutive hours. Currently, the City's high impact ordinance only applies to specified geographic areas, namely the beaches, the MXE District and areas in the immediate vicinity thereof. Instead of limiting the City Manager's imposition of measures to these areas, the proposed ordinance provides the administration with the flexibility to determine the specific boundaries of a high impact zone, depending on where a specific high impact event or activity will be occurring, and would thereby allow the City Manager to impose high impact measures in such areas, as may be necessary to protect the public.

The proposed Ordinance expands the timeframe for high impact periods from a maximum of 72 hours to a maximum of 96 hours, to account for high impact events that take place over long weekends and allow for high impact measures to remain in place for up to 96 hours prior to seeking City Commission approval for any extension of the high impact period.

Additionally, the proposed high impact ordinance will preserve the City Manager's existing powers during a high impact period, providing the administration with the authority to:

- Establish occupancy limits for different segments of the public beach property and prohibiting access to those areas once occupancy limits have been reached.
- Prohibit the presence of coolers and inflatable devices of public beach property.
- Prohibit the use of tents, tables, and similar structures.
- Limit traffic routes to restrict vehicular access to non-residents, allowing access only for residents and patrons and employees of businesses within the designated area where traffic routes have been limited.
- Suspend or issue business tax receipts to promoters, as necessary.

The foregoing measures are separate and distinct from the City Manager's authority to declare a state of emergency pursuant to Florida law and the City Code, in the event conditions require the City Manager to take further measures to protect the public health, safety and welfare of the City and its residents and visitors.

SUPPORTING SURVEY DATA

n/a

FINANCIAL INFORMATION

n/a

CONCLUSION

The administration recommends approval of the ordinance aimed to amend Chapter 82-443 and Appendix A of the City Code to establish additional measures to ensure the safety and welfare of our residents, businesses, and visitors during high impact periods.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Non-Applicable

Legislative Tracking

Office of the City Manager

Sponsor

Mayor Dan Gelber

ATTACHMENTS:

Description

- Ordinance

RESOLUTION NO. 2024-32899

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, REAFFIRMING RESOLUTION NO. 2023-32557, ENDORSING, IN ADVANCE OF SPRING BREAK 2024, THE CITY MANAGER'S INTENT TO DECLARE A STATE OF EMERGENCY FOR THE AREA SOUTH OF DADE BOULEVARD/23RD STREET IN ACCORDANCE WITH CHAPTER 252 OF THE FLORIDA STATUTES, INCLUDING THE IMPOSITION OF A CURFEW FOR LIMITED PERIODS IN MARCH OF 2024 AS NECESSARY TO PROVIDE FOR PUBLIC SAFETY AND ORDER IN THE CITY; AND DIRECTING THE CITY ADMINISTRATION TO IMPLEMENT A ROBUST COMMUNICATION STRATEGY TO ADVISE THE PUBLIC TO EXPECT CURFEWS DURING LIMITED PERIODS IN MARCH OF 2024 BASED UPON CONSISTENT EVIDENCE OF PAST EVENTS LEADING TO CURFEWS DURING THE MONTH OF MARCH FOR THE PAST THREE CONSECUTIVE YEARS.

WHEREAS, the City of Miami Beach (the "City") is an internationally renowned tourist destination that is famous for its beautiful beaches, world-class shopping, entertainment, fine dining, and vast array of artistic and cultural events; and

WHEREAS, in recent years, the City has seen an increasingly large number of visitors during the Spring Break period during the month of March each year, which has posed significant challenges including, but not limited to, extreme traffic and congestion, and severe impacts to the City's Police, Fire, Sanitation, and Code Compliance services; and

WHEREAS, in each Spring Break period in the month of March for the years 2021, 2022, and 2023, the City Manager was forced to declare a state of emergency and to impose curfews during one or more periods due to massive crowds, increased crime, and several shootings in densely packed tourist areas south of Dade Boulevard/23rd Street; and

WHEREAS, on March 27, 2023, the Mayor and City Commission adopted Resolution No. 2023-32557 (attached in full here), endorsing, in advance of Spring Break 2024, the City Manager's intent to declare a state of emergency for the area south of Dade Boulevard/23rd Street in accordance with chapter 252 of the Florida Statutes, including the imposition of a curfew for limited periods in March of 2024 as necessary to provide for public safety and order in the City; and

WHEREAS, the City Administration has, in accordance with Resolution No. 2023-32557, mailed a copy of that Resolution to all establishments south of Dade Boulevard/23rd Street, along with a letter advising of the likelihood of the need for curfews during limited periods in March 2024; and

WHEREAS, the Mayor and City Commission desire to reaffirm their approval and endorsement of Resolution No. 2023-32557 and of the City Manager's intent to declare a state of emergency for the area south of Dade Boulevard/23rd Street in accordance with chapter 252 of

the Florida Statutes, for a total possible period up to the statutorily allowable 42 days if authorized by the Mayor and City Commission at that time, including any determination on the part of the City Manager that the imposition of a curfew for limited periods in March of 2024 is necessary to provide for public safety and order in the City, in particular during the period which may potentially include March 7, 2024 through March 18, 2024 or portions thereof, which is the period the City has historically experienced threats to public safety due to excessively large crowds and life-threatening violence; and

WHEREAS, advance public knowledge as to the likelihood of curfews during limited periods during the March 2024 Spring Break period is of paramount importance for the safety of the public, for the economic well-being of businesses, and for the effective implementation of Resolution No. 2023-32557, so, therefore, the Mayor and City Commission direct the City Administration to create and implement a robust communication strategy to advise the public, businesses, and potential Spring Break visitors to expect curfews during these limited times during March 2024.

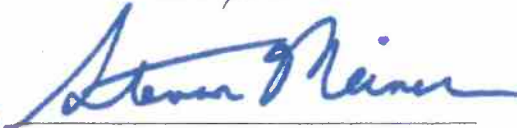
NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby reaffirm Resolution No. 2023-32557, endorsing, in advance of Spring Break 2024, the City Manager's intent to declare a state of emergency for the area south of Dade Boulevard/23rd Street in accordance with chapter 252 of the Florida statutes, including the imposition of a curfew for limited periods in March of 2024 as necessary to provide for public safety and order in the City; and directing the City Administration to implement a robust communication strategy to advise the public to expect curfews during limited periods in March of 2024 based upon consistent evidence of past events leading to curfews during the month of March for the past three consecutive years.

PASSED and ADOPTED this 31 day of January, 2024.

ATTEST:



FEB 06 2024


Steven Meiner, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION


City Attorney

1-23-24
Date