MIAMIBEACH

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

COMMISSION MEMORANDUM

Second Reading/Public Hearing

TO: **Mayor Dan Gelber**
Members of the City Commission
Raul J. Aguila, Interim City Manager

FROM: **Rafael A. Paz, Acting City Attorney**

DATE: **April 21, 2021**

SUBJECT: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING ARTICLE II, ENTITLED "PUBLIC PLACES," BY AMENDING DIVISION 2, ENTITLED "BICYCLING, SKATEBOARDING, ROLLER SKATING, IN-LINE SKATING, MOTORIZED MEANS OF TRANSPORTATION, ELECTRIC BICYCLES, MOPEDS, MOTORCYCLES, MOTORIZED BICYCLES, AND MOTORIZED SCOOTERS," BY AMENDING SECTION 70-70.1 THEREOF, ENTITLED "RESPONSIBILITIES OF PERSONS AND BUSINESS ENTITIES PROVIDING RENTALS OR LEASES OF MOPEDS, MOTORCYCLES, AND MOTORIZED BICYCLES," TO EXPAND THE CITY MANAGER'S AUTHORITY TO ORDER THE IMMEDIATE SUSPENSION AND CLOSURE OF THOSE BUSINESS ENTITIES RENTING OR LEASING CERTAIN VEHICLES UPON THE CITY MANAGER'S DECLARATION OF A HIGH IMPACT PERIOD; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.**

The proposed Ordinance (the "Ordinance"), which is sponsored by Commissioner David Richardson and co-sponsored by Mayor Dan Gelber and Commissioner Mark Samuelian, is submitted for second reading at the April 21, 2021 meeting of the City Commission.

The Ordinance seeks to expand the City Manager's authority to order the immediate suspension and closure of those business entities renting or leasing certain vehicles – ***including golf carts, low-speed vehicles, autocycles or motorized scooters*** -- upon the City Manager's declaration of a high impact period. The Ordinance amends Section 70-70.1 of the City Code, which currently provides the City Manager with the authority to suspend or close those business entities renting or leasing mopeds, motorcycles powered by motors of 50cc or less, and motorized bicycles, upon declaration of a high impact period.

On March 17, 2021, the Mayor and City Commission adopted, the proposed Ordinance was approved on first reading.

RAP/MAF/bhs