

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Ricky Arriola
DATE: March 9, 2022

SUBJECT: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE AND THE PLANNING BOARD TO DISCUSS PERMITTING LIVE ENTERTAINMENT TO PROMOTE ARTS AND CULTURE.

ANALYSIS

I am asking the Land Use and Sustainability Committee & Planning Board to consider permitting ambient indoor live entertainment citywide to promote arts and culture, which the City Commission has acknowledged as a strategic priority. Ambient live entertainment is allowed only in certain areas of the City. In the areas where the Ambient Entertainment Permit Program does not apply, the definition and prohibition of live entertainment are legally problematic because it discriminates against a live show or performance versus a recorded show or performance. The code makes this distinction despite the performances being identical in content and being conducted privately inside a commercial establishment at an ambient noise level that is inaudible from the exterior of the premises.

If we are serious about turning Miami Beach into an arts & culture capital, then we must embrace music and artistic performances in private spaces regardless of which medium they are exchanged by, whether live or recorded, so long as noise pollution does not emanate outside of the commercial establishment.

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

N/A

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