ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 106 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55 THEREOF, ENTITLED "PARKING RATES, FEES, AND PENALTIES; EXCEPTIONS," BY ESTABLISHING A VOLUNTARY DISABLED PERSON PARKING REGISTRATION PROGRAM FOR INDIVIDUALS PROPERLY IN POSSESSION OF A VALID DISABLED PERSON PARKING PERMIT, DISABLED PERSON LICENSE PLATE OR DISABLED VETERAN LICENSE PLATE, IN ORDER TO PROVIDE THOSE PERSONS WHO ELECT TO REGISTER WITH THE CITY THE BENEFIT OF PARKING WITHOUT INCURRING A FEE WHEN PARKED IN CITY PARKING LOTS, FACILITIES, AND TIMED ON-STREET METERED PARKING SPACES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach is a small barrier island nestled between Biscayne Bay (on the west) and the Atlantic Ocean (on the east); and

WHEREAS, the City only has approximately 90,000 residents and fifteen (15) square miles of land within its territorial jurisdiction; and

WHEREAS, despite its small size, the City of Miami Beach is an internationally-renowned tourist destination; and

WHEREAS, due to its domestic and international popularity as an art and cultural, resort, shopping, and entertainment destination, the City hosts thousands of visitors (including many "day-trippers") nearly every single day of the year; and

WHEREAS, due to its density and small geographic area, there is a limited amount of parking within the City; and

WHEREAS, there is a statewide (and national) problem concerning the fraudulent and illegal acquisition and usage of disabled person license plates and parking permits/placards; and

WHEREAS, the rampant use (and misuse) of disabled person license plates and parking permits/placards within the City's parking lots, facilities, and on-street metered spaces has directly led to many City residents, whether disabled or not, often being unable to find any available parking space; and

WHEREAS, the Mayor and City Commission find that this issue concerning the lack of available parking is caused, in substantial part, by vehicle owners or operators parking vehicles throughout the City merely by virtue of displaying a disabled person license plate or parking permit, or a disabled veteran license plate, whether valid or not, and whether transporting the person with the disability or not; and

WHEREAS, pursuant to Florida law, in particular Fla. Stat. § 316.1964, and section

30-43(7) of the Miami-Dade County Code, the City is authorized to charge and collect parking fees for parking in City facilities and lots that provide timed parking spaces by any vehicle that displays a disabled parking permit or license plate issued under state law in the same manner and amount as it charges other persons, except any such vehicle: (i) with specialized equipment, such as ramps, lifts, or foot or hand controls, or for utilization by a person who has a disability; (ii) whose vehicle is displaying the Florida Toll Exemption permit; or (iii) displaying a disabled veteran license plate; and

WHEREAS, pursuant to Fla. Stat. § 316.1964, and section 30-43(5) of the Miami-Dade County Code, when an on-street parking meter restricts the duration of time that a vehicle may be parked, a vehicle properly displaying a disabled person or disabled veteran license plate or permit, may be penalized if parked in excess of posted time limits or parked in areas that are clearly defined as one of the following: bus loading zones; fire zones or fire lanes; emergency vehicle zones; access aisles adjacent to parking spaces for persons who have disabilities; or in areas posted as "no parking" zones; and

WHEREAS, by establishing a voluntary disabled person parking registration program for persons with valid disabled parking placards and license plates, the City may be better able to contend with the ongoing issues surrounding the abuse of disabled parking permits/placards and license plates; and may also be better able to distinguish valid and properly issued disabled parking permits/placards and license plates from those that were not properly issued or are being utilized in an inappropriate and/or illegal manner; and

WHEREAS, the voluntary City disabled person parking registration program shall include registrants providing certain basic information concerning their vehicle and the physician who certified their eligibility to receive such disabled parking permit/placard or license plate, and the City will then provide registrants with free parking in City lots, facilities, and timed on-street metered parking spaces (with the exception of designated residential parking permit zones); and

WHEREAS, the Mayor and City Commission desire to adopt the following amendments to address, and hopefully aid in remediating, the ongoing issue concerning the lack of available parking spaces for City residents and visitors, and especially City residents and visitors with disabilities, in City parking lots, facilities, and on-street metered parking spaces.

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

SECTION 1. Section 106-55 of the City Code, be amended as follows and as hereinafter set forth below:

CHAPTER 106

TRAFFIC AND VEHICLES

* * *

ARTICLE II. METERED PARKING

* * *

DIVISION 1. GENERALLY

* * *

Sec. 106-55. Parking rates, fees, and penalties; exceptions.

Parking rates, fees, and penalties for the following parking facilities are set forth in appendix A to this Code:

(a) *Parking meter zones and time limits.*

(1) *Entertainment district parking zone:* All metered parking from Ocean Drive to Pennsylvania Avenue; and from 5th Street to 15th Street, including Washington Avenue. All metered parking in the Entertainment District Parking Zone shall be enforced 24 hours a day, seven days per week.

(2) *South Beach Parking Zone:* All metered parking south of 23rd Street (Dade Boulevard), from Ocean Drive to the westernmost parking lane of Alton Road, between South Pointe Park and 17th Street; and from 17th Street to 21st Street (Sunset Harbour Drive) from Alton Road to the westernmost parking areas along Purdy Avenue and to Biscayne Bay, with the exception of the areas referenced in subsection 106-55(a)(1) entitled "Entertainment District Parking Zone". All metered parking in the South Beach Parking Zone shall be enforced from 9:00 a.m. until 3:00 a.m., seven days per week.

(3) *East Middle Beach Zone:* All metered parking from 23rd Street to 44th Street, and from Collins Avenue to Indian Creek. All metered parking in this area shall be enforced from 9:00 a.m. until 3:00 p.m., seven days per week.

(4) *West Middle Beach Zone:* All metered parking north of 23rd Street and south of 63rd Street, with the exception of the areas referenced in subsection 106-55(a)(3) entitled "East Middle Beach Zone". All metered parking shall be enforced from 8:00 a.m. until 6:00 p.m., seven days per week.

(5) *North Beach Zone:* All metered parking north of 63rd Street. All metered parking shall be enforced from 8:00 a.m. until 6:00 p.m., seven days per week.

(b) *Municipal parking garages and parking lots.*

(1) 7th Street Garage.

(2) 12th Street Garage.

(3) 13th Street Garage.

(4) 16th Street Garage.

(5) 17th Street Garage.

(6) City Hall Garage.

(7) Pennsylvania Avenue Garage.

(8) Sunset Harbor Garage.

(9) 42nd Street Garage.

(10) Convention Center Garage.

(11) P71 - 46th Street and Collins Avenue Municipal Parking Lot: Monday to Sunday, 24 hours a day enforcement.

(12) Collins Park Garage.

(c) *Facility specific monthly parking permit program.*

(1) Facility specific monthly parking is available on a first-come first-served, space available basis.

a. *Municipal parking lots:* Facility specific monthly parking in surface lots is available on a first-come first-served, space available basis. The monthly permit is issued by the parking department's permit liaison at the offices of the parking department. All monthly parkers are required to renew their monthly parking in advance, no later than the fifth of each month. If payment is not received by the fifth of the month, then the permit is rendered invalid. Monthly facility specific permit parking can be purchased for up to three months at a time. At no time shall such permit parking be sold for a period of greater than three months, unless by action of the mayor and city commission.

b. *Municipal parking garages:* Facility specific monthly parking in municipal parking garages available on a first-come first-served, space available basis. Permits are issued by the parking department's permit liaison at the offices of the parking department. There is a deposit required for each access card (permit) issued. Lost access cards will be replaced at a fee per access card. All monthly parkers are required to renew their monthly parking in advance, no later than the 25th of each month. If payment is not received by the 25th of the month, then the access card (permit) is electronically rendered invalid. Monthly facility specific permit parking can be purchased for up to three months at a time. At no time shall such permit parking be sold for a period of greater than three months, unless by action of the mayor and city commission.

c. *On-street areas:* Area specific on-street monthly parking is available on a first-come first-served, space available basis. Permits are issued by the parking department's permit liaison at the offices of the parking department. The parking director shall oversee and develop these special on-street monthly permit areas as deemed necessary, where off-street parking facilities are not available to accommodate monthly parkers. All monthly parkers are required to renew and pay for their monthly parking in advance, no later than the 25th of each month. If payment is not received by the 25th of the month, then the permit is rendered invalid. Monthly on-street area specific permit parking can be purchased for up to three months at a time. At no time shall such permit parking be sold for a period of greater than three months, unless by action of the mayor and city commission.

(d) *Special realtor permits.* Parking permits are available to realtors licensed in the city and may be purchased by realtors presenting a real estate license with a city address. This special realtor permit allows Miami Beach realtors to park in restricted residential zones throughout the city, during the days and hours of restriction for a maximum of two hours per location. The permit is not valid at parking meters (on-street or off-street) and is not valid at any attended municipal parking lot or municipal parking garage.

(e) *Reserved/restricted commercial on-street permit parking.* Reserved/restricted commercial on-street permit parking is permitted for the production industry only. Requests for said areas are handled by the parking director on a case by case, space available basis. No reserved/restricted on-street permit area shall be created from a metered parking space. Said reserved/restricted on-street permit parking shall be installed to accommodate broadcast/satellite and production vehicles. The monthly fee for the reserved/restricted on-street spaces are calculated based on the linear feet of reserved space, per month; payable on a quarterly basis only. Reserved/restricted commercial on-street permit parking

permittees are required to renew their parking permit quarterly in advance, no later than the 25th of the month preceding the next quarterly billing period. If payment is not received, then the permit and restricted area is rendered invalid. Permit parking may be purchased for up to three months at a time. At no time shall such permit parking be sold for a period of greater than three months unless by action of the mayor and city commission. New and replacement signs shall be paid by the permittee.

(f) *Valet storage spaces.* The city may provide on an as-needed basis, the ability for a valet service company to rent public parking spaces to accommodate valet parking storage for special events. The parking director shall weigh the impact of each request on the parking area and its users, and shall determine both the ability to lease spaces, and the number of spaces that may be leased for, the special event. The fee per space is payable in advance at least 48 hours or two business days, whichever is greater. The daily rate includes applicable sales tax. No additional public parking space rentals for valet storage shall be allowed unless by action of the mayor and city commission.

(g) *Metered parking space rentals.*

(1) *Administrative fees:* The parking department shall charge an administrative service fee for all space rental requests. The fee schedule is according to the number of spaces rented.

(2) *Valet ramp space rentals:* The city may provide on an as-needed basis, the ability for a valet service company to rent public parking spaces for the purpose of creating a valet ramp for the expeditious unloading and loading of passengers. The parking director shall determine the number and location of said spaces, and will provide, if possible, spaces adjacent to the business served by the valet service. A copy the valet occupational license for the location to be served, a notarized letter of authorization from the business owner and a certificate of insurance covering the valet service location must be presented to the parking department when submitting for the first space rental request. The fee per space is payable two weeks in advance for regular users, and at least 48 hours or two business days, whichever is greater, in advance for special events. Rented spaces shall state, "No Parking/Tow Away" and shall be strictly enforced.

(3) *Construction space rentals:* Space rentals for construction purposes shall only be restricted between the hours of 6:00 a.m. and 6:00 p.m., Monday through Friday. Space rental shall end on Friday evenings at 6:00 p.m. to allow for additional parking opportunities for the public on the weekends. Construction space rentals shall state, "No Parking 6am—6pm/Tow Away." A copy of a valid, city issued building permit must accompany each application for space rental. Only essential vehicles shall be parked at rented spaces. No construction crew parking is allowed at spaces rented for construction. Construction rented spaces are payable two weeks in advance. If the rental is to be greater than a two-week period; then payment shall be due one month in advance. Construction rented spaces can be purchased for up to three months at a time. At no time shall such permit parking be sold for a period of greater than three months unless by action of the mayor and city commission.

(4) *Production and film space rental:* The city may provide on an as-needed basis, rented spaces to accommodate production and film needs. A copy of a valid, city issued production/film permit must accompany each application for space rental. The fee per space is payable in advance at least 48 hours or two business days, whichever is greater. Rented spaces for production and film use shall state "No Parking/Tow Away," and shall be strictly enforced. Only essential vehicles shall be allowed to park at rented

spaces, arrangements for crew parking on a first-come, first-served basis can be arranged with the parking department at underutilized parking garages and lots, as determined by the parking department director. A daily flat rate per vehicle shall apply. Production vehicles may obtain a production company recreational vehicle (PCRV) parking permit. A PCRV parking permit for production and film recreational vehicles may be used at metered parking spaces citywide and at taxi stands during non-operational hours. A PCRV parking permit is not valid in residential parking zones. A valid production/film permit must be prominently displayed on the driver's side dashboard. The PCRV parking permit is valid only during the days/hours stated on the production/film permit displayed. Metered parking rates are effective at all other applicable enforcement hours.

(5) *Special events space rental:* The city may provide on an as-needed basis, parking space rental to accommodate special events. A copy of a valid, city-issued special event permit must accompany each application for space rental. The fee per space is payable in advance at least 48 hours or two business days, whichever is greater. The fee per space for not-for-profit organizations is payable in advance at least 48 hours or two business days, whichever is greater. Only essential vehicles shall be allowed to park at rented spaces arrangements for event staff parking on a first-come, first-served basis can be arranged with the parking department. Rented spaces shall state, "No Parking/Tow Away", and shall be strictly enforced.

(h) *Parking space removal.*

(1) *Temporary parking meter removal:* The city may provide for the temporary removal of parking meters to accommodate construction and other limited needs. There is a fee for the removal and a fee for the re-installation of the post. Space removal and replacement shall be paid to the parking department in advance. Additionally, the applicable bagged space rental rate shall be assessed on a per space, per day basis, payable in advance, until such time as the parking post is reinstalled.

(2) *Private requests for permanent parking space or loading zone removal prohibited:* Private requests for permanent parking space or loading zone removal shall only be allowed for the purpose of creating access to an off-street parking facility or other vehicular access to the property. Private requests for the permanent removal of a parking space or loading zone for any other reason shall be prohibited. When permitted, the fee for the private permanent removal of a parking space or loading zone shall be the same rate as the fee in lieu of required parking, except that single family uses seeking to provide access to off-street parking shall be exempt from paying this fee for the removal of one space.

(i) *Temporary residential guest parking placard permits.* Temporary residential guest permits, allowing for guest parking in the restricted residential zones and metered zones is available to bona fide guests of a resident of the restricted residential parking zones. Permits must be purchased by a restricted residential zone resident. Temporary guest permits are only valid in the residential zone of the resident purchasing the guest permit, and are not valid at any parking meter, municipal parking lot or garage. Documentation established by the City of Miami Beach Parking Department will be required as proof of residency.

(j) *Hotel hang tag program.* A daily 24-hour small hotel hang tag program is made available by the parking department through eligible hotels. A small hotel is defined as a hotel consisting of less than 150 guest rooms, and does not provide a hotel valet parking service for its guests. The hotel hang tag is day, month and year specific. The hang tag is sold by the hotel to the guest. The hotel is responsible for proper issuance of the hang tag to include: hole

punching the appropriate day, month and year and charging no more than $10.00 the fee set forth in appendix A to this Code to the hotel guest for the hang tag. At no time may the hotel add any surcharge or additional charge to the hotel hang tag fee. The hotel hang tag is valid from 12:00 noon on the day of issuance (the hole punched date) until 12:00 noon the following day. The parking director shall establish the parking areas of the hotel hang tag program.

(k) *Restricted and non-restricted residential parking program.* Residential parking zones are created to protect the quality of life of the city's residents in areas where residential parking is severely impacted by competing uses. The zones are as follows:

(1) Zone 1 South Pointe.

(2) Zone 2 Flamingo Park.

(3) Zone 3 Michigan/Lenox.

(4) Zone 4 Museum District.

(5) Zone 5 Art Deco District.

(6) Zone 6 Indian Creek/Collins Avenue.

(7) Zone 8 Bonita Drive.

(8) Zone 9 Alton Road/MSMC (Alton Road between 41 Street and Alton Road North Bound).

(9) Zone 11 Lake Pancoast (bounded by 25 Street on the north: 24 Street on the south: Lake Pancost Drive on the east: and Pine Tree Drive on the west).

(10) Zone 12 Upper West Avenue.

(11) Zone 14 Belle Isle.

(12) Zone 15 Altos del Mar (bounded by 87 Terrace on the north; 75 Street on the south; Collins Avenue on the east; and Collins Court on the west).

(13) Zone 16 North Michigan Avenue/Bayshore (bounded by Alton Road on the north; Dade Boulevard on the south; Michigan Avenue on the east; and Alton Road on the west).

(14) Zone 17 Meridian Avenue (North of Dade Blvd.)/Bayshore (2000 Block of Meridian Avenue).

(15) Zone 19 Nautilus (42 Street and Sheridan Avenue).

(16) Zone 20 Flamingo Drive (bounded by 41 Street on the north; 25 Street on the south; Flamingo Drive on the east; and Pine Tree Drive on the west).

(17) Zone 21 Sheridan Avenue/Bayshore (bounded by 30 Street on the north; 28 Street on the south; Pine Tree Drive on the east; and Sheridan Avenue on the west).

(18) Zone 22 Nautilus Drive (bounded by 42 Street on the north: 41 Street on the south; N. Meridian Avenue on the east: and Alton Road on the west).

(19) Zone 23 Garden Avenue (Garden Avenue - Meridian Avenue/39 Street - 40 Street).

(20) Zone 25 Prairie Avenue (Prairie Ave between W. 42 Street and W. 44 Street).

(l) *Exceptions.*

(1) *Flat parking rate.* A flat parking rate for nonresidents and for residents of the city (photo identification required) may be established during the city's annual budget process, as

recommended by the city manager and approved by the city commission, at certain attended municipal garages and surface lots which have been identified by the city manager to be in the best interest of the community's health, safety, and welfare.

(2) *Parking incentive program.* The city manager is authorized to designate "resident parking days" (evenings 6:00 p.m. to 12:00 midnight) for city residents (proof of residency required) at all attended garages and lots and residential decal holders at on-street meters and/or off-street metered facilities and identify an incentive to be combined with specific initiatives sponsored and/or promoted by the city to stimulate local businesses during off-peak periods.

(3) *Miami Beach registered resident discount.* Miami Beach residents, who have registered and provided with proof of residency to the parking department, shall receive a discounted hourly rate at on-street meters, off-street meters, and garages.

(4) *Voluntary parking registration program for disabled persons*. The city shall establish, and the parking department shall implement and administer, a voluntary disabled person parking registration program which shall be made available to any person properly in possession of a valid disabled person parking permit or license plate, or a disabled veteran license plate.

(a) Registrants electing to participate in the program must provide the following basic information, in a form and manner to be determined by the parking department, prior to being enrolled in the program:

(i) the name, address and telephone number of the registrant (the person to whom the disabled person parking permit, disabled person license plate or disabled veteran license plate was issued);

(ii) the make, model and license plate number of the registrant's vehicle, or the vehicle used to transport the registrant (the parking director, or designee, may approve the registrant enrolling more than 1 vehicle, as may be necessary, in the sole discretion of the parking director or designee, based upon the particular circumstances of the registrant;

(iii) a certification from the physician or other medical professional that approved the issuance of the disabled parking permit or license plate, or disabled veteran license plate to the registrant; or, alternatively, the registrant may provide the name, business address, telephone number, and medical license number of the physician or other medical professional that approved the issuance of the disabled parking permit or license plate, or disabled veteran license plate to the registrant; and

(iv) a fully executed and duly notarized consent, waiver and release, in a form to be provided by the city, providing express consent for the city to contact the physician or other medical professional who approved the issuance of the registrant's disabled parking permit or license plate, or disabled veteran license plate, for the limited purpose of the city verifying that such physician or other medical professional exists, is properly licensed and, in fact, certified the registrant as having a qualifying disability.

(b) Registrants approved for enrollment in the program by the parking director, or designee, shall be entitled to park, without incurring any fee, in city parking lots, facilities and timed on-street metered parking spaces, except that the restrictions on parking within designated residential parking permit zones shall not be included, as parking in designated residential zones shall still be governed by section 106-84 of the city code.

(m) *Residential parking visitor permit.* Daily restricted residential parking visitor permits are valid for a 24-hour period.

(n) *Smartway vehicles incentive.* The Smartway program will use the state ILEV list; EPA (Environmental Protection Agency) "Smartway" designation; and allow all street legal electric vehicles to qualify for participation in the program. Incentives to be offered to qualified and registered vehicle owners include:

(1) Monthly parking permit holders for all facilities will be afforded a 50-percent discount on the monthly rate.

(2) Residential permit holder in all designated zones shall receive a 50-percent savings on either their annual or semi-annual residential permit.

(3) One thousand city-wide parking decals, honored at metered spaces only, shall be available only to state-registered Smartway vehicles; vehicles receiving an EPA (Environmental Protection Agency) "Smartway" designation; and all street legal electric vehicles on a first-come, first-served basis. Upon reaching the sale of 750 "Smartway" city-wide permits, the sustainability and resiliency committee shall take this matter under consideration and provide a recommendation to the city commission.

(4) Two percent of the parking spaces at the 42nd Street Municipal Parking garage may be designated as "Smartway Vehicle Parking Only" for use by recognized Smartway vehicles. One percent of the parking spaces at the 7th Street garage and 13th Street garage may be designated as "Smartway Vehicle Parking Only" for use by recognized Smartway vehicles. Notwithstanding the preceding sentence, the city manager or his designee, who shall be the city's parking director, reserves the right, in his reasonable business judgment and discretion, to temporarily suspend the aforestated "Smartway Vehicle Parking Only" during special events in order to ensure maximum utilization of all parking spaces.

(o) *Resident scooter and motorcycle permits.* Annual scooter and motorcycle parking permits are available for Miami Beach residents who are registered with the State of Florida as the scooter or motorcycle owner. The permit will be honored at all designated scooter and motorcycle municipal metered parking spaces.

(p) *Freight loading zone (FLZ) permit.* An FLZ permit will allow the use of freight loading zones by permitted commercial motor vehicles. Qualifying commercial motor vehicles must register and purchase an annual permit. One of every five non-transferable permits shall authorize the permittee to purchase a transferable permit. Permits are transferable to other qualifying commercial motor vehicles, as described in herein, and shall expire annually. The permit must be in good standing and the commercial motor vehicle must be actively engaged in loading activities when stopping, standing, or parked in a freight loading zone. Freight loading locations, regulations, including maximum time limits, and permitted days/hours shall be determined by the city manager or his designee.

(q) *Alley loading (AL) permit.* An AL permit will allow for the use of alleys by permitted vehicles. Qualifying vehicles must register and purchase an annual permit. One of every five non-transferable permits shall authorize the permittee to purchase a transferable permit. Permits are transferable to other qualifying vehicles, as described herein, and shall expire on annually. The permit must be in good standing, prominently displayed, and the vehicle must be actively engaged in loading activities when stopping, standing, or parked in an alley. Alley regulations, including maximum time limits and permitted days/hours shall be determined by the city manager or his designee.

(r) *Hostel/Bed & Breakfast (B&B) in Restricted Residential Zones.* A daily 24-hour parking permit is made available by the parking department for Hostel/Bed & Breakfast located in restricted residential zones. The parking permit is sold by the hostel/B&B to the guest. The hostel/B&B is responsible for proper issuance of the permit (ensuring that vehicle license plate information is entered correctly) and is also responsible for charging the hostel/B&B guest no more than the daily fee set forth in "appendix A" to this Code for the permit. At no time may the hostel/B&B add any surcharge or additional charge to the parking permit fee. The permit is valid for 24 hours from time of purchase. The maximum number of daily permits allowable is determined according to the number of rooms in the establishment, as follows:

Three to ten rooms: Three guest permits. 11 to 20 rooms: Ten guest permits.

Over 20 rooms: One permit for every five rooms.

The hostel/B&B must provide a sworn affidavit stating the number of rooms in the establishment.

SECTION 2. REPEALER.

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

SECTION 3. SEVERABILITY.

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

SECTION 4. 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 Miami Beach City Code. 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 5. EFFECTIVE DATE.

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

PASSED AND ADOPTED this ____ day of _____, 2023.

ATTEST:

_____
Dan Gelber, Mayor

_____
Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

Underline denotes additions
~~Strikethrough~~ denotes deletions