

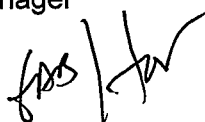
MIAMI BEACH

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

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and
Members of the City Commission
Jimmy L. Morales, City Manager

FROM: Raul Aguila, City Attorney



DATE: July 26, 2017

SUBJECT: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ALCOHOLIC BEVERAGES," ARTICLE I, ENTITLED "IN GENERAL," SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE," TO CHANGE THE HOURS OF PACKAGE LIQUOR SALES AT RETAIL STORES (INCLUDING PACKAGE, GROCERY, CONVENIENCE, AND ANY OTHER RETAIL STORES, AS WELL AS GASOLINE STATIONS/SERVICE STATIONS) AND ALCOHOLIC BEVERAGE ESTABLISHMENTS WITHIN THE CD-2, COMMERCIAL DISTRICT ON WASHINGTON AVENUE AND PENNSYLVANIA AVENUE, BETWEEN 5TH AND 15TH STREET; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

ANALYSIS

The attached Ordinance, sponsored by Commissioner Micky Steinberg, is hereby submitted for consideration by the Mayor and City Commission.

On November 9, 2016, the Mayor and City Commission adopted Ordinance No.: 2016-4058, which prohibited package liquor sales at retail stores (including package, grocery, convenience, and any other retail stores, as well as gasoline stations/service stations) and alcoholic beverage establishments before 10:00 a.m. (instead of 8:00 a.m.) each day.

On March 1, 2017, the City Commission reviewed a prior version of this Ordinance, which proposed to prohibit package liquor sales before 9:00 a.m. However, following a discussion on this item, the City Commission directed staff to revise the proposed Ordinance to prohibit package liquor sales before 8:00 a.m.

On April 26, 2017, the Mayor and City Commission reviewed the revised Ordinance, and directed the City Attorney's Office to prepare a revised drafted Ordinance that further restricted the hours of package liquor sales in the MXE district, citywide between 10:00 a.m. and 10:00 p.m. This ordinance was enacted on June 28, 2017.

The attached ordinance would extend the prohibition of 10:00 a.m. to 10:00 p.m. to the CD-2, Commercial District 2, between Washington Avenue and Pennsylvania Avenue between 5th and 15th Streets.