

CHAPTER 82

PUBLIC PROPERTY

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**ARTICLE VI. NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT
OF MONUMENTS OR MEMORIALS.**

Sec. 82-501. - Generally.

- (a) No public facility located in or owned by the city shall be named except in accordance with the procedures set forth in this article.
- (b) No monument or memorial shall be established within the city except in accordance with the procedures set forth in this article.
- (c) Effective upon adoption of this Ordinance No. 2014-3875, no street located in the city shall be hereafter named, renamed, or co-named, or co-designated except as provided in Section 82-503(c), hereof. The Bass Museum of Art; the city-owned building, located at 2200 Liberty Avenue, Miami Beach, Florida (the Miami City Ballet Building); and the city-owned cultural facility referred to as the "Jackie Gleason Theater of the Performing Arts," located at 1700 Washington Avenue, Miami Beach, Florida, shall be exempt from the provisions of this article, as hereinafter provided: all or any portion(s) of the city-owned property comprising the public cultural facility known as the "Altos Del Mar Sculpture Park," located within a portion of Altos Del Mar Park, on Collins Avenue between 76th and 77th Street, Miami Beach, Florida (the ADMSP Sculpture Park) and all or any portion(s) of the city-owned property comprising the Miami Beach Botanical Garden, located at 2000 Convention Center Drive; and the ground level, exterior portions of those certain leased premises as described and identified in the lease agreement between the city and the New World Symphony (NWS), dated January 15, 2004 (the NWS Lease), and including the ground level, exterior portions of the NWS building and other tenant improvements (as said term is also defined in the NWS Lease) and the city-owned park bounded by Washington Avenue, 17th Street, Lincoln Lane, and Pennsylvania Avenue, the city-owned garage (currently referred to as the Pennsylvania Avenue Garage), and any and all other city-owned buildings, structures, furnishings, fixtures, improvements, streets, sidewalks, and/or rights-of-way in connection with the NWS project, shall be exempt from the provisions of this article.

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Sec. 82-502. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Committee means the community affairs committee created by the city commission on March 18, 1998, and as merged with the neighborhood committee on November 25, 2003, pursuant to Resolution No. 2003-25446, or any other such committee designated by the city commission to review and recommend names for public facilities and the co-naming of streets, and approve the establishment of monuments or memorials to be located within or owned by the city.

Memorial means a site, art work or structure created to preserve the memory of a significant event(s) or person(s).

Monument means a bust, sculpture, or similar structure, erected in honor of a significant event(s) or person(s).

Public facility means any public building or park owned by the city.

Street means that area of a public right-of-way improved, designed, and ordinarily used for vehicular traffic and/or parking including, without limitation, avenues, roads, drives, lanes, boulevards, courts, and alleys. For purposes of this article, streets shall only be intended to include city-owned streets, and not state- or county-owned and/or controlled streets except with regard to the co-designation of state-owned or controlled streets that require a city resolution in support of the co-designation.

Sec. 82-503. - Naming of public facilities; co-naming and renaming of streets.

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(c) *Co-naming/renaming of streets or portions thereof.*

- (1) a. Streets, or portions thereof, located in the city may be co-named in honor of:
 - (i) Miami Beach police officers who died or were killed in the line of duty;
 - (ii) A public facility located on the street to be co-named;
 - (iii) Private not-for-profit organizations with significant historic value to the city and associated with structures which have a significant historical value or architectural significance to the city and which are located on the street, or portion thereof, to be co-named;
 - (iv) Geographic areas within the city;
 - (v) A commercial establishment that has been in business in the City of Miami Beach for 100 or more years and which is located on the street to be co-named; or
 - (vi) Deceased person who achieved international acclaim as a world champion in a sport and whose sports career associations with city

facilities or other structures are of historical value or significance to the city.

The provisions in this subsection 82-503(c)(1)a., shall not apply to streets named or co-named prior to June 21, 2014. The provisions in subsection 82-503(c)(1)a.(vi) and (c)(2)a.7., shall automatically sunset on May 1, 2017.

- b. Notwithstanding the provisions in subsection 82-503(c)(1)a., the following streets, or portions thereof, shall not be co-named or renamed: 5th Street, 41st Street, 71st Street, Collins Avenue, Washington Avenue, Alton Road, and Ocean Drive, except that Washington Avenue and Ocean Drive may be co-named, or the City Commission may support a state co-designation of 5th Street, 41st Street, 71st Street, Collins Avenue, and Alton Road if such co-name or co-designation is for the name of the City of Miami Beach or a geographic area in the City, provided the procedures in subsection 82-503(c)(2) are followed. The provisions in this subsection 82-503(c)(1)b., shall not apply to streets, or portions thereof, that are co-named or renamed prior to December 27, 2014.

- (2) Whenever a request is made to co-name a City street or for the City Commission to support the co-designation of a street, the co-naming or co-designation shall first be considered and reviewed by the committee according to the following procedures:

a. Any person, organization, association, corporation or other entity, including a member of the city commission, may propose that a street be co-named or a state street be co-designated, by submitting the request in writing to the committee. At a minimum, such request shall include the following:

1. The street, or portion thereof, to be co-named or co-designated; and
2. The proposed co-name or co-designation of the street, or portion thereof; and
3. The reason for the request; and
4. If the proposed co-naming is requested pursuant to subsection 82-503(c)(1)a.(i), a factual summary including the date and circumstances under which the officer died or was killed in the line of duty; and
5. If the proposed co-naming is requested pursuant to subsection 82-503(c)(1)a.(iii), a factual summary confirming the significant historic value of the private not-for-profit organization; and the associated structure; to the city; and

6. If the proposed co-naming is requested pursuant to subsection 82-3(c)(1)a.(v), a factual summary confirming the commercial establishment's contribution to the city.
7. If the proposed co-naming is requested pursuant to subsection 82-503(a)(1)a.(vi), a factual summary confirming the world champion status and sports career of the person and the associations of the person's sports career with city facilities or other structures that are of historical value or significance to the city.

b. Within a reasonable time after receipt of the request, the committee shall meet to consider and review same. Notice of the meeting shall be given to the person and/or organization that made the request.

c. After reviewing the request, the committee shall transmit its recommendation to the city commission regarding the request. The committee's recommendation requires a simple majority vote.

d. Within a reasonable time after receiving the recommendation from the committee, the commission shall call a public hearing regarding the co-naming or the co-designation. Notice of the public hearing shall be published at least ten days prior to the hearing in a newspaper of general circulation in the city.

e. At the close of the public hearing, the city commission may approve the co-naming request or support the co-designation request. Any request to co-name or co-designate a street, or portion thereof, pursuant to this subsection 82-503(c) must be approved by a 5/7th vote of the city commission.

f. Any person, not-for-profit organization, or commercial establishment to be recognized by the co-naming of a street, or portion thereof, must be in good standing in the community at the time of final approval of same by the city commission and if, after the street is co-named, the person recognized, or the principal(s) of the not-for-profit commercial establishment recognized are subsequently convicted or adjudicated guilty of a felony, the co-name shall be removed from the street sign. In addition, the city commission may approve the removal of the co-name of a street at a public hearing if said person, not-for-profit organization, or commercial establishment is no longer in good standing in the community. In either case, neither the city, nor any of its officers, employees, contractors, or agents, shall have any liability to the person, not-for-profit organization, or commercial establishment recognized by the co-naming of the street or to the principal(s) of such not-for-profit organization or commercial establishment (including, without limitation, if such person or principal(s) are deceased, his/her heirs, relatives, successors, or assigns), and/or any other party(ies) for any costs or claims resulting from such removal (and including,

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without limitation, reimbursement of any costs incurred for design, fabrication, installation, and/or maintenance of the street sign, if applicable).