ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VI, ENTITLED "NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT OF MONUMENTS OR MEMORIALS," BY AMENDING SECTION 82-503 THEREOF, ENTITLED "NAMING OF PUBLIC FACILITIES; CO-NAMING AND RE-NAMING OF STREETS," BY AMENDING SUBSECTIONS (C)(1)(A) AND (C)(2)(A) THEREOF TO PROVIDE ADDITIONAL CRITERIA AND PROCEDURES FOR THE CO-NAMING OF STREETS, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

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

SECTION 1. That section 82-503 of Article VI of Chapter 82 of the Code of the City of Miami Beach is hereby amended as follows:

CHAPTER 82
PUBLIC PROPERTY

* * *

Article VI. Naming of Public Facilities and Establishment of Monuments or Memorials

* * *

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

* * *

(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~~.~~;or

(vii) Deceased person who served as the spiritual leader of a prominent religious institution in the City of Miami Beach for 35 or more years.

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. 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-naming 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, may propose that a street be co-named, 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; and

2. The proposed co-name 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 82-503(c)(1)a.(v), a factual summary confirming the commercial establishment's contribution to the city; and

7. If the proposed co-naming is requested pursuant to subsection 82-503~~(a)~~(c)(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~~.~~; and

8. If the proposed co-naming is requested pursuant to subsection 82-503(c)(1)a.(vii), a factual summary confirming the status of the person as a spiritual leader of a prominent religious institution in the City of Miami Beach for 35 or more years.

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. 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 request. Any request to co-name 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, without limitation, reimbursement of any costs incurred for design, fabrication, installation, and/or maintenance of the street sign, if applicable).

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 _____, 2018.

PASSED AND ADOPTED this ____ day of _____, 2018.

ATTEST:

_____
Dan Gelber, Mayor

_____
Rafael E. Granado, City Clerk

Underline denotes additions
~~Strikethrough~~ denotes deletions

(Sponsored by Commissioner Michael Góngora)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney for 5/24/18
Date

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