

Chapter 18. Heritage Legacy Business Establishments

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 18 OF THE MIAMI BEACH CITY CODE, ENTITLED "BUSINESSES," BY CREATING ARTICLE XVIII, ENTITLED "MIAMI BEACH HERITAGE LEGACY BUSINESS REGISTRY"; BY CREATING SECTION 18-930, ENTITLED "PURPOSE," AND SECTION 18-931, ENTITLED "MINIMUM REQUIREMENTS, CRITERIA, AND PROCEDURE FOR DESIGNATION OF HERITAGE LEGACY BUSINESS ESTABLISHMENTS," TO CREATE THE MIAMI BEACH HERITAGE LEGACY BUSINESS REGISTRY, AND ESTABLISH THE PURPOSE, MINIMUM REQUIREMENTS, CRITERIA, AND PROCEDURE FOR THE DESIGNATION OF QUALIFIED BUSINESSES AS HERITAGE LEGACY BUSINESS ESTABLISHMENTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, certain businesses in the City of Miami Beach have a lengthy history, established following, and unique identity, and contribute significantly to the character and history of the City; and

WHEREAS, the Mayor and City Commission hereby determine that there is an essential need to recognize legacy business establishments throughout the City, and this recognition will serve the public interest.

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

SECTION 1. Article XVIII of Chapter 18 of the Code of the City Miami Beach is hereby created as follows:

CHAPTER 18. BUSINESSES

* * *

ARTICLE XVIII. MIAMI BEACH HERITAGE LEGACY BUSINESS ESTABLISHMENTS

Sec. 18-930. Purpose.

The purpose of this article is to create the Miami Beach Heritage Legacy Business Registry, in order to formally recognize and honor longstanding business institutions that have contributed to and define the cultural and historical identity of Miami Beach.

Sec. 18-931. Minimum requirements, criteria, and procedure for designation of heritage legacy business establishments.

(a) The Miami Beach Heritage Legacy Business Registry is hereby created and shall be maintained by the City Manager. Subject to the approval of the City Commission, as provided herein, any member of the City Commission or the City Manager may, from time to time, nominate qualified businesses in the City of Miami Beach for designation as

heritage legacy business establishments, subject to the minimum requirements and criteria set forth in this section.

(b) Minimum requirements and criteria. To be eligible for designation as a heritage legacy business establishment and listed on the Heritage Legacy Business Registry, a business must satisfy each of the following minimum requirements and applicable criteria:

(1) The business must be a commercial establishment that is open to the public including, without limitation, a retail establishment, restaurant, drinking establishment, or other commercial establishment.

(2) The business must have operated continuously in Miami Beach for at least 25 years.

(3) At the time of its nomination, the business may have no active or pending violations of the City Code.

(4) The City Manager or City Manager's designee must find that the business meets at least three of the following criteria:

(A) The establishment is unique to Miami Beach, and the original location of the establishment is located in Miami Beach.

(B) The establishment has a demonstrated record of promoting the City of Miami Beach.

(C) The establishment has contributed significantly to the history or identity of the City, or of a particular City neighborhood.

(D) The establishment has demonstrated a commitment to maintaining the unique physical features, services, performances, customs, or traditions that define the business, including, but not limited to design, crafts, cuisine, special events, or art forms.

(c) Nomination and approval. The City Manager or any member of the City Commission may, from time to time, nominate qualified businesses for designation as heritage legacy business establishments; alternatively, a request to nominate a business for designation as a heritage legacy business establishment may be submitted by the owner/operator of the business. In order to nominate Following the nomination of a business for heritage legacy designation and listing on the Miami Beach Heritage Legacy Business Registry, the City Manager shall prepare a written recommendation detailing whether the business meets the minimum requirements and criteria set forth in this section, and shall present the recommendation to the City Commission at its next regularly scheduled meeting. A resolution adopted by majority vote of the city commission shall be required to designate a business as a heritage legacy business establishment and list the business on the City's Heritage Legacy Business Registry.

SECTION 2. REPEALER.

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

SECTION 3. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this _____ day of _____, 2021.

Dan Gelber, Mayor

ATTEST:

APPROVED AS TO FORM AND
LANGUAGE AND FOR EXECUTION

Rafael E. Granado, City Clerk



City Attorney NK Date 12-31-20

First Reading: December 4, 2020
Second Reading: January 13, 2021