

MIAMI BEACH

Property Management Division

MEMORANDUM

TO: Lincoln Road Sidewalk Café Operators

FROM: Adrian Morales, Lincoln Rd Manager

DATE: October 25, 2016

SUBJECT: Lincoln Road Halloween 2016

Historically, Halloween night on Lincoln Road has been very busy and active. This year we have taken extra measures to ensure a safe environment for all who live, work, and play in our city. Pedestrian safety is our top priority; traffic will be closed from Alton Road to Washington Avenue from Lincoln Lane North to Lincoln Lane South.

This memorandum serves as notice that the City of Miami Beach will not be allowing expansion of sidewalk cafes of any kind due to the amount of visitors expected. **Any failure to abide can result in immediate removal of your entire permitted sidewalk café furniture, fines, and suspension for up to thirty (30) days, including non-renewal the following year.**

Sec. 82-370. - Notice of violation

(a) Code compliance officers shall issue 24-hour warning notices for all non-life safety violations of this division. (b) No warning notices shall be required prior to the issuance of life safety violations and/or *sidewalk cafe* site plan violations, and such violations shall be corrected immediately. Life safety violations are defined as those conditions which, in the reasonable determination and judgment of the city manager, involve serious danger and/or risk to the public health, safety or welfare (including, without limitation, blocking pedestrian pathways and violations of the state accessibility code for building construction). Site plan violations are defined to include those instances where the permittee is operating outside of the permitted *sidewalk cafe* area (as approved pursuant to subsection [82-382\(b\)\(6\)](#)) and shall include a table or tables set up outside the approved boundaries of the *sidewalk cafe* site plan, and/or umbrellas, heaters, fans, bussing stations and other *sidewalk cafe* furniture found to be outside the approved site plan; but shall not be deemed to include instances where a chair or chairs are moved outside the approved boundaries of site plan by a *sidewalk cafe* patron(s).

Sec. 82-381. - Permitted areas; conditional permit; city manager's right to remove *sidewalk cafes*

(e) The city manager may cause the immediate removal, relocation and/or storage of all or part of a *sidewalk cafe* in emergency situations or for public safety considerations.

Due to the volume of visitors expected, sidewalk cafes will not be permitted to reopen until 11:00am on Tuesday November 1, 2016. This will allow sanitation crews the opportunity to clean up any debris on Lincoln Road.

Should you have any questions regarding this matter, please feel free to contact me at 786.620.6978.

Adrian Morales
Lincoln Road Manager

Cc: Jimmy Morales, City Manager
Marcia Monserrat, Chief of Staff
Eric Carpenter, Assistant City Manager/Public Works Director
Jay Fink, Assistant Public Works Director
Hernan Cardeno, Code Compliance Director