

Lincoln Road – Interior and Exterior Speaker Locations

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, “ZONING DISTRICTS AND REGULATIONS,” ARTICLE II, “DISTRICT REGULATIONS,” DIVISION 6, “CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT,” BY AMENDING SECTION 142-_____ THEREOF, ENTITLED “_____,” TO CREATE REGULATIONS PERTAINING TO INTERIOR AND EXTERIOR SPEAKERS ON LOTS FRONTING LINCOLN ROAD; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS,; and

WHEREAS,; and

WHEREAS,; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

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

SECTION 1. Chapter 142, “Zoning Districts and Regulations,” Article II, “District Regulations,” Division 6, “CDd-3 Commercial, High Intensity District,” Is amended as follows:

Sec. 142-_____. - Additional restrictions for lots fronting on Lincoln Road.

All uses with a property line on Lincoln Road shall be prohibited from having speakers on the exterior of the premises and within 20 feet of the property boundary facing Lincoln Road or a side street, unless music is being played at ambient levels, or unless the establishment is fully enclosed. Additionally, music played indoors must be inaudible from the exterior of the premises at all times. In the event that the doors of an establishment are open to the sidewalk, only ambient music shall be permitted within the premises. No variances shall be granted from the requirements of this section 142-_____.

SECTION 2. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.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 re-numbered or re-lettered 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 _____, 2017.

Philip Levine
Mayor

ATTEST:

Rafael E. Granado
City Clerk

First Reading: _____, 2017
Second Reading: _____, 2017

Verified By: _____
Thomas R. Mooney, AICP
Planning Director

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