

MIAMI BEACH

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COMMISSION MEMORANDUM

TO: Mayor Steven Meiner
Members of the City Commission

FROM: Rafael A. Paz, City Attorney



DATE: January 31, 2024

SUBJECT: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 66 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "MARINE STRUCTURES, FACILITIES AND VESSELS," BY AMENDING ARTICLE III, ENTITLED "PIERS, DOCKS, AND BOAT RAMPS," BY CREATING SECTION 66-116 THEREOF, ENTITLED "COMMERCIAL VESSEL HOURS OF OPERATION AT PRIVATE MARINAS AND PRIVATE MARINE FACILITIES," TO LIMIT THE HOURS OF OPERATION FOR COMMERCIAL VESSEL ACTIVITY AT PRIVATE MARINAS AND PRIVATE MARINE FACILITIES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The proposed Ordinance (the "Ordinance"), sponsored by Commissioner David Suarez, is submitted for first reading at the January 31, 2024 City Commission meeting.

The City has seen a significant increase in commercial vessel activity in the last several years, particularly since the onset of the COVID-19 pandemic. As a result, the City has experienced many quality-of-life complaints related to commercial charter vessel activity including unruly commercial charter and boat rental patrons, disturbances caused by public intoxication, patrons engaging in excessively loud arguments and playing excessively loud music, and public urination.

In an attempt to mitigate these issues, on April 28, 2023, the City Commission approved Ordinance No. 2023-4550 (as codified in Section 82-72 of the City Code) which limits commercial vessel activity at public marinas and public marine facilities each day from 9 p.m. until 7 a.m. the following day. Importantly, the complaints and issues emanating from public marinas and public marine facilities have been greatly reduced since Ordinance No. 2023-4550 (Section 82-72) went into effect.

As such, the Mayor and City Commission may desire to adopt the proposed Ordinance to address the existing concerns and complaints surrounding commercial vessels at private marinas and private marine facilities, and to protect City residents' quality of life and further the public health, safety, and welfare.

RAP/ MAF/bhs