

PRIORITY ITEMS 1

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: February 20, 2025

TITLE: BI-MONTHLY UPDATE ON CODE ENFORCEMENT ACTIVITIES, AND THE STATUS OF SPECIAL MAGISTRATE CASES, INVOLVING PROPERTIES AND/OR BUSINESSES LOCATED IN NORTH BEACH AND TO ADDRESS ANY ONGOING CONCERNS AND NEW DEVELOPMENTS IN NORTH BEACH

RECOMMENDATION

The Administration is committed to providing bi-monthly updates at the Land Use and Sustainability Committee (LUSC) for Code Enforcement activities and the status of Special Magistrate cases to address any ongoing concerns and new developments in North Beach, to ensure that issues affecting the public safety and neighborhood quality of life are addressed in a timely and efficient manner.

BACKGROUND/HISTORY

On December 11, 2024, at the request of Commissioner Alex Fernandez, the Mayor and City Commission approved Resolution No. 2024-33436 which directs a representative from the Code Enforcement Department to appear before the LUSC bi-monthly commencing February 2025, to address any ongoing concerns and new developments in North Beach.

ANALYSIS

The Code Compliance Department has established various enforcement strategies to ensure adherence to local regulations and improve neighborhood standards. These efforts focus on education, proactive inspections, corrective actions, penalties, and community engagement to encourage compliance while minimizing repeat violations.

The Code Compliance Department has six (6) dedicated Code Compliance Officers (CCOs) and one (1) Code Compliance Administrator (CCA) assigned to the North Beach area.

The Code Compliance Department also has a special detail assignment for North Beach Community Redevelopment Agency (NBCRA) enforcement initiatives with enhanced staffing on an overtime basis since October 1, 2022.

Below is an analysis of the department's key enforcement strategies and their effectiveness.

- **Proactive Inspections and Monitoring** – CCOs conduct routine property inspections and monitor their cases to verify the violations are addressed timely. When violations have not been corrected by the compliance date, the CCO will execute an Affidavit of Non-Compliance and escalate the violation to the Special Magistrate Office to schedule a hearing.
- **Issuance of Warnings and Violations** – CCOs have provided warnings and notices of violations to violators. Of these warnings and violations, the violators are offered a

compliance deadline with clear instructions for corrective actions, and follow-up notices are sent to ensure the violations are addressed.

- **Community Education and Outreach** – CCOs educate the community on city codes and regulations while providing resources to address current issues or neighborhood concerns. This is accomplished by community engagement at neighborhood and business association meetings, as well as direct engagement.

Since the inception of the special detail assignment for NBCRA, the Code Compliance Department has conducted 1,140 calls for service and inspections. Of these, 802 violations were issued for property maintenance standards, city code, zoning, sanitation, noise and marine issues.

In the first published Letter To Commission (LTC) No. 011-2025 for the bi-weekly North Beach Update, the Code Compliance Department provided a detailed status report on all open North Beach violations. The most common violations found for property maintenance issues included overgrowth vegetation and accumulated trash on properties. Common sanitation issues included illegal dumping and improperly managed dumpsters. Illegal short-term rentals and improper signage are ongoing zoning challenges. City code issues, such as, graffiti, businesses operating without a Miami Beach business tax receipt, environmental illicit discharge, unapproved planting on swales without a permit, and obstruction of the public right-of-way without a permit remain a constant focus.

As of January 30, 2025, the Special Magistrate Office has 72 open Special Magistrate cases for properties in North Beach that have been either appealed by the violator awaiting a hearing date or a hearing date is scheduled, adjudicated guilty with fines imposed by the Special Magistrate, or adjudicated guilty with fines imposed.

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate?

(FOR ORDINANCES ONLY)

The Business Impact Estimate (BIE) was published on .

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

CONCLUSION

The Code Compliance Department has been working diligently to address issues in our North Beach neighborhood and will continue their enforcement efforts. While many violators respond to warnings and notices of violations, we agree that stronger enforcement measures, would enhance compliance and deter repeat offenders. Continued refinement of the Code Compliance Department's enforcement strategies, along with community engagement, will enhance compliance rates and improve the overall quality of life for our North Beach neighborhood.

Applicable Area

North Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

Yes

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Code Compliance

Sponsor(s)

Commissioner Alex Fernandez

Co-sponsor(s)

Condensed Title

Bi-monthly Update on Code Enforcement Activities, and the Status of Spec. Magistrate Cases in N. Beach