

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: May 21, 2025 2:45 p.m. First Reading Public Hearing

TITLE: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-152 THEREOF, ENTITLED "NOISES; UNNECESSARY AND EXCESSIVE PROHIBITED," TO PROVIDE AN EXEMPTION ALLOWING COMMERCIAL ENTITIES TO UTILIZE CERTAIN OUTDOOR MAINTENANCE EQUIPMENT AT SPECIFIED TIMES IN ORDER TO ENHANCE SANITATION AND CLEANLINESS IN THE CITY; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **RECOMMENDATION**

### **BACKGROUND/HISTORY**

### **ANALYSIS**

The proposed Ordinance, sponsored by Commissioner Alex J. Fernandez, has been submitted for consideration by the Mayor and City Commission.

The City of Miami Beach ("City") is committed to maintaining the highest standards of public health, safety, cleanliness, and aesthetic appeal for the benefit of its residents, visitors, and commercial stakeholders. In that regard, commercial properties play a significant role in shaping the appearance and cleanliness of the City, particularly in high-traffic tourist and business areas.

Pursuant to the City's noise ordinance, as set forth in Section 46-152 of the City Code, the currently permissible weekday hours for the operation of power tools and other noise-producing equipment outdoors are between 8:00 a.m. and 8:00 p.m., which may be insufficient for commercial entities to complete cleaning and sanitation efforts. However, by providing a few additional hours, on a limited basis, commercial entities will be able to conduct more complete sanitation practices and efforts, and improve property maintenance without significantly disturbing residential life.

Accordingly, if adopted, the proposed Ordinance would extend the permissible hours of use for power washers and pressure washers until 11:59 p.m. on the first Friday of each month. While relatively minor, this modification will aid commercial entities in supporting the City's efforts to maintain a clean and vibrant environment while minimizing any potential adverse impacts to residents.

### **FISCAL IMPACT STATEMENT**

N/A.

**Does this Ordinance require a Business Impact Estimate?** Yes  
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:  
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

## **FINANCIAL INFORMATION**

## **CONCLUSION**

### **Applicable Area**

Citywide

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

No

**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?** Yes

If so, specify the name of lobbyist(s) and principal(s): Tara Chilton, Government Relations  
Manager, Publix Super Markets, Inc.

### **Department**

City Attorney

### **Sponsor(s)**

Commissioner Alex Fernandez

### **Co-sponsor(s)**

### **Condensed Title**

2:45 p.m. 1st Rdg PH, Additional Hours for Pressure Washing. (Fernandez) CA

### **Previous Action (For City Clerk Use Only)**

