

MIAMI BEACH

Ricardo J. Dopico, City Attorney

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COMMISSION

MEMORANDUM

TO: Mayor Steven Meiner and Members of the City Commission
Eric Carpenter, City Manager

FROM: Ricardo J. Dopico, City Attorney

FIRST READING

DATE: February 3, 2025

SUBJECT: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 58 OF THE MIAMI BEACH CITY CODE, ENTITLED "HOUSING," BY AMENDING ARTICLE III, ENTITLED "PROPERTY MAINTENANCE STANDARDS," BY AMENDING SECTION 58-298 THEREOF TO REQUIRE PROPERTY OWNERS OF COMMERCIAL, HISTORICALLY DESIGNATED BUILDINGS IN ALL OTHER HISTORIC DISTRICTS (AS DEFINED) TO MAINTAIN THE HISTORIC CHARACTER BY PROMPTLY ADDRESSING EXTERIOR MAINTENANCE, UNAPPROVED SIGNAGE OR AWNINGS, AND OTHER VISUAL BLIGHT VIOLATIONS; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

The attached Ordinance was prepared at the request of Vice-Mayor Tanya K. Bhatt and co-sponsor Commissioner Kristen Rosen Gonzalez.

Chapter 58 of the Miami Beach City Code outlines the minimum maintenance standards for buildings within the City, which includes requirements that ensure the preservation of a building's aesthetic appeal and prevent visual blight.

At the December 11, 2024 City Commission meeting, the Mayor and City Commission adopted Ordinance No. 2024-4684, sponsored by Commissioner Kristen Rosen Gonzalez, amending Chapter 58 to require property owners of commercial, historically designated buildings in the Art Deco Cultural District to maintain the historic character by promptly addressing exterior maintenance, unapproved signage or awnings, and other visual blight violations, with the exception of properties undergoing a recertification process.

The sponsor of this Ordinance proposes to further amend Chapter 58 to extend the property maintenance requirements and more stringent penalties to any commercial, historically designated building located within any other local historic district designated in accordance with section 2.13.9 of the Resiliency Code

Prioritizing the upkeep of, and the enforcement, and prosecution of violations that create visual blight in the ADCD and the City's other historic districts will improve their aesthetic appeal and contribute to the long-term preservation of the City's art deco charm and beauty.

A first violation of the Ordinance will result in an automatic \$500 fine, with 30 days allowed for correction. Failure to correct will lead to the enforcement procedures before the special magistrate as set forth in chapter 30 of the City Code, who will set a deadline for compliance. If the violation continues past this deadline, a daily penalty of \$1,000 will apply.

RJD/FA/ag