

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: June 25, 2025 9:45 a.m. Second Reading Public Hearing

TITLE: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING ARTICLE III, ENTITLED "GRAFFITI," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 70-123 THEREOF, ENTITLED "PROHIBITIONS; ENFORCEMENT; AND PENALTIES," TO DOUBLE THE CIVIL FINES FOR VIOLATIONS OF THIS SECTION; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **RECOMMENDATION**

### **BACKGROUND/HISTORY**

### **ANALYSIS**

The attached ordinance is presented for the consideration of the Mayor and City Commission on first reading by the sponsor, Commissioner Kristen Rosen Gonzalez.

Section 70-123 of the Miami Beach City Code establishes penalties for graffiti-related property damage.

The Public Safety and Neighborhood Quality of Life Committee (PSNQLC), at its April 9, 2025 meeting, recommended increasing the penalties for violations of this section, which currently range from \$250 for a first offense to \$1,000 for third and subsequent offenses within one year..

If adopted, the proposed ordinance would double the amounts of fines imposed under Section 70-123.

### **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: 6/9/2025  
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?** No

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

### **Department**

City Attorney

### **Sponsor(s)**

Commissioner Kristen Rosen Gonzalez

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

Commissioner David Suarez  
Mayor Steven Meiner

### **Condensed Title**

9:45 a.m. 2nd Rdg, Double Graffiti Fines. (Rosen Gonzalez/Suarez/Meiner) CA

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

First Reading Public Hearing on 5/21/2025 - R5 AH