

## COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: June 10, 2025

TITLE: DISCUSS AN ORDINANCE INCREASING FINES AND PENALTIES FOR FREQUENT CODE VIOLATIONS THAT AFFECT RESIDENT QUALITY OF LIFE

### **RECOMMENDATION**

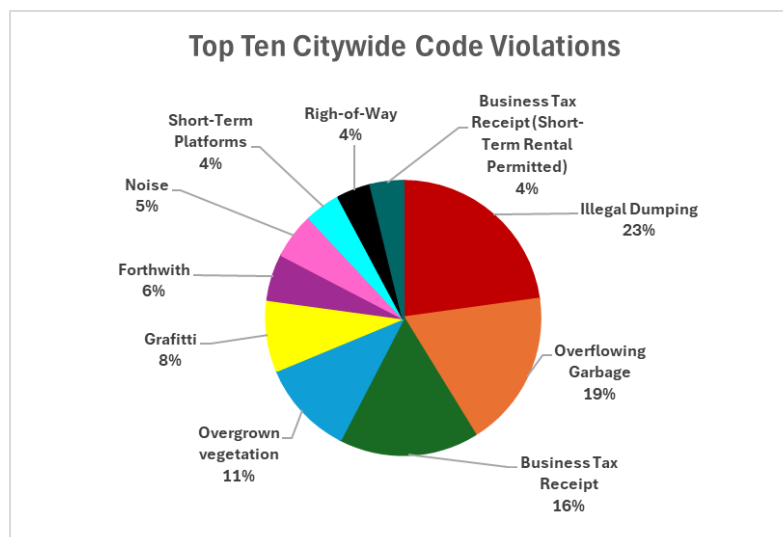
The Administration recommends moving forward with the City Attorney's Office to amend legislation by increasing fines for frequent code violations that the Committee deems appropriate.

### **BACKGROUND/HISTORY**

At the June 26, 2024 Commission meeting, at the request of Commissioner Alex Fernandez, the Mayor and City Commission approved a referral to the Land Use and Sustainability Committee (LUSC) to discuss an ordinance increasing fines and penalties for frequent code violations that affect residents' quality of life.

At the May 8, 2025 LUSC meeting, item was not heard and was deferred to next meeting, scheduled for June 10, 2025.

### **ANALYSIS**



From March 1, 2024 – March 1, 2025, the top ten citywide code violations are as follows (Code Sections):

1. Illegal Dumping (Section 90-100)
2. Overflowing Garbage (Section 90-100)
3. Business Tax Receipt (Section 102-377)
4. Overgrown Vegetation (Section 58-298)

5. Graffiti (Section 70-125)
6. Forthwith (Section 90-101, 90-36)
7. Noise (Section 46-152)
8. Short-Term Platforms (Section 102-387)
9. Right-of-Way (Section 82-151)
10. Business Tax Receipt for Short-Term Rentals in Permitted Zones (Section 102-386)

These violations are recurring and contribute to visual blight, neighborhood dissatisfaction, and potential public health and safety concerns. Increasing the fines associated with these violations may encourage better compliance and deter repeat offenders.

Our City Attorney's Office advises we are limited by statute to:

- \$1,000 per day for first offense,
- \$5,000 per day for subsequent offense,
- \$15,000 for irreparable or irreversible violations.

### **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-notices/>

### **FINANCIAL INFORMATION**

### **CONCLUSION**

Frequent code violations negatively impact the quality of life for residents and place a strain on City resources. By increasing fines and penalties for common infractions, the City seeks to promote accountability, deter non-compliance, and maintain neighborhood standards. Staff recommends that the Committee direct the Administration and City Attorney's Office to draft the appropriate ordinances for future consideration.

### **Applicable Area**

Citywide

### **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**

Discuss Increasing Fines & Penalties for Freq. Code Vios (AF)