

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 86 OF THE MIAMI BEACH CITY CODE, ENTITLED "SALES," BY AMENDING ARTICLE II, ENTITLED "GARAGE SALES," BY AMENDING SECTION 86-58, ENTITLED "CONDITIONS FOR ISSUANCE," BY AMENDING SUBSECTION (A) TO PROVIDE THAT A GARAGE SALE PERMIT AS REQUIRED BY SECTION 86-56 SHALL BE ISSUED FOR A GARAGE SALE LOCATED IN ANY SINGLE-FAMILY RESIDENCE OR MULTIFAMILY BUILDING ON NO MORE THAN TWO OCCASIONS DURING ANY 12-MONTH PERIOD, AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, currently, section 86-58 of the City Code allows for a garage sale permit for any one single-family or multifamily residence building on no more than one (1) occasion during any 12-month period; and

**WHEREAS**, at the December 11, 2024 City Commission meeting, at the request of Commissioner Laura Dominguez, the Mayor and City Commission referred an item to the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC") to discuss and consider amending Section 86-58 of the City Code to allow multifamily residence buildings to be issued up to two (2) garage sale permits during any 12-month period; and

**WHEREAS**, multifamily residences often have limited storage space, and allowing garage sales two times in any 12-month period provides residents with an additional opportunity to sell excess belongings and free up valuable space in their home; and

**WHEREAS**, this item was presented and discussed at the January 29, 2025 PSNQLC meeting and the Committee unanimously recommended an Ordinance amendment that would permit garage sales at multifamily residence buildings twice in any 12-month period; and

**WHEREAS**, the Mayor and City Commission wish to amend Section 86-58 to allow for multifamily residence buildings to hold garage sales on no more than two (2) occasions during any 12-month period.

**NOW, THEREFORE, BE IT DULY ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AS FOLLOWS:**

**SECTION 1.** That Section 86-58 of Chapter 86 of the City Code is hereby amended as follows:

## Chapter 86

### SALES

\* \* \*

### ARTICLE II. GARAGE SALES

\* \* \*

### DIVISION 2. PERMIT

\* \* \*

#### **Sec. 86-58. - Conditions for issuance.**

- (a) A garage sale permit as required by section 86-56 shall be issued for a garage sale located in any one single-family residence ~~or multifamily residence building~~ on no more than one-occasion during any 12-month period or for a garage sale located in any multifamily residence building on no more than two occasions during any 12-month period.
- (b) No garage sale permit shall be issued for a garage sale in a multifamily residence building unless the property owner gives written permission for the conduct of the sale.
- (c) No garage sale permit shall be issued for a garage sale occurring on more than two consecutive days. Failure to request a two-day permit or to conduct the sale on both days shall not entitle the permit holder to conduct another garage sale on any date other than that appearing on the permit or to obtain ~~another~~ an additional permit beyond the permissible number of permits during the applicable 12-month period ~~prior to 12 months from the date on the last permit.~~
- (d) Each garage sale permit must be prominently displayed on the premises upon which the garage sale is held at all times while the sale is in progress.
- (e) No garage sale permit shall be issued to a person who has conducted a garage sale without obtaining a permit within the preceding 12 months or who has outstanding unpaid fines imposed pursuant to section 86-106 or to a person applying to conduct a garage sale from a premises where an unpermitted garage sale was conducted within the last 12 months

\* \* \*

#### **SECTION 2. REPEALER.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3. SEVERABILITY.**

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

**SECTION 4. CODIFICATION.**

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," article," or other appropriate word.

**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall take effect on the \_\_\_\_ day of \_\_\_\_\_, 2025.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2025.


**ATTEST:**

\_\_\_\_\_  
Steven Meiner, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

(Sponsored by Commissioner Laura Dominguez)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

2/21/2025  
\_\_\_\_\_  
Date

MAF