



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Steven Meiner and Members of the City Commission

FROM: Ricardo J. Dopico, City Attorney

SECOND READING

DATE: July 24, 2024

SUBJECT: 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, ENTITLED "ENVIRONMENT," BY CREATING ARTICLE XI, ENTITLED "LIGHT POLLUTION," AND CREATING SECTION 46-250 ENTITLED "GARISH FLASHING, STROBING, AND/OR MULTICOLORED LIGHTS PROHIBITED" TO PROHIBIT GARISH FLASHING, STROBING AND/OR MULTICOLORED LIGHTS ON RESIDENTIAL PROPERTIES THAT WOULD UNREASONABLY DISTURB THE QUIET ENJOYMENT OF A NEIGHBORING RESIDENCE BY A NEARBY RESIDENT AND ESTABLISHING ENFORCEMENT AND PENALTY PROVISIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The proposed Ordinance (the "Ordinance"), which is sponsored by Commissioner Kristen Rosen Gonzalez, was submitted to the City Commission for First Reading on June 26, 2024. The proposed Ordinance would potentially preserve and enhance the environment of the City of Miami Beach in residential neighborhoods and the improve the quality of life of residents.

On January 31, 2024, the Mayor and City Commission referred a discussion regarding potential solutions to light pollution from multi-colored decorative lighting emanating from adjacent properties to the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC") for the Committee's deliberation.

A discussion was held at the March 20, 2024 PSNQLC meeting, where the Committee voted to return the item to the full City Commission with a positive recommendation to enact an ordinance to regulate party lighting on residential properties that would unreasonably disturb the quiet enjoyment of a neighboring residence by a nearby resident.

The proposed Ordinance was presented to, and approved at First Reading, by the Mayor and City Commission on First Reading at the June 26, 2024 City Commission Meeting, subject to certain minor clarifications.

Specifically, the proposed Ordinance was amended by the sponsor to strike the original exemption for periods before and after holidays, to clarify that the Ordinance only prohibits flashing, strobing, or other "disco-ball" type lights, to raise the applicable fines, and to change the word "special master" to "special magistrate" throughout the proposed Ordinance. All of these changes are indicated by double underlining in the Second Reading version of the proposed Ordinance.