

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Commissioner Alex Fernandez

DATE: February 26, 2025

TITLE: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE TO DISCUSS AND CONSIDER AMENDMENTS TO PENALTIES FOR VIOLATIONS OF THE CONSTRUCTION, PARKING, AND TRAFFIC MANAGEMENT PLAN (CPTMP) REQUIREMENT IN CHAPTER 106 OF THE CITY CODE, INCLUDING WITHOUT LIMITATION THE SUSPENSION OF A BUILDING PERMIT OR ISSUANCE OF A STOP WORK ORDER; AND DISCUSS PROACTIVE ENFORCEMENT EFFORTS BY THE POLICE, CODE COMPLIANCE, AND PARKING DEPARTMENTS WITH REGARD TO PARKING OR TRAFFIC VIOLATIONS RELATING TO CONSTRUCTION PROJECTS.

### **RECOMMENDATION**

Please place on the February 26, 2025, City Commission agenda a referral to the Land Use and Sustainability Committee (LUSC) to discuss and consider amending penalties for violations of the Construction, Parking, and Traffic Management Plan (CPTMP) requirement. This could include, without limitation, the suspension of a building permit or issuance of a stop work order, to the extent permitted under the Florida Building Code.

I would also like the LUSC to discuss proactive enforcement efforts by the Police, Code Compliance, and Parking Departments with regard to construction parking plans, contractor safety protocols, and other non-compliance issues that disrupt neighborhood quality of life or public safety.

The committee should also consider implementing a scaled penalty schedule for ongoing or repeated violations, with the fee structure increasing based on the frequency or severity of the non-compliance.

### **BACKGROUND/HISTORY**

### **ANALYSIS**

### **FISCAL IMPACT STATEMENT**

**Does this Ordinance require a Business Impact Estimate?**  
(FOR ORDINANCES ONLY)

**If applicable, the Business Impact Estimate (BIE) was published on:**

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?**

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**

Office of Commissioner Alex Fernandez

**Sponsor(s)**

Commissioner Alex Fernandez

**Co-sponsor(s)**

Commissioner Tanya K. Bhatt

**Condensed Title**

Ref: LUSC - Enforcement/Penalties for Traffic and Parking Violations by Contractors.  
(Fernandez/Bhatt)

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