

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: July 10, 2024

TITLE: **DISCUSS AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-152, ENTITLED "NOISES; UNNECESSARY AND EXCESSIVE PROHIBITED," TO CORRECT A SCRIVENER'S ERROR AND TO PROVIDE AN EXEMPTION ALLOWING GOLF COURSES TO CONDUCT MAINTENANCE STARTING AT 6:00 A.M.; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

BACKGROUND/HISTORY

The attached Ordinance was prepared at the request of Commissioner Kristen Rosen Gonzalez for consideration at the January 31, 2024 City Commission meeting. The Mayor and City Commission adopted the amended Ordinance on Second Reading at the February 21, 2024 City Commission meeting.

Golf courses are unique recreational and sporting facilities that require meticulous maintenance to ensure the optimal playing conditions for golf enthusiasts. Allowing golf courses an exemption from the specified time restrictions acknowledges the specialized nature of their maintenance needs and ensures that they can conduct necessary tasks, such as mowing, edging, and other equipment operation. Between First and Second Reading, the Mayor and City Commission amended the starting time from 6:00 a.m. to 5:30 a.m..

The exemption proposed in this Ordinance aims to strike a balance between community noise considerations and the essential upkeep of golf courses, facilitating their role in providing a well maintained and enjoyable environment for both players and the community.

The Ordinance took effect on March 2, 2024 and Section 46-152(k) of the City Code states: "The restrictions on the operation of noise-producing equipment and tools at golf courses shall apply between the hours of 8:00 p.m. and 5:30 a.m. on weekdays, weekends, and national holidays."

Commissioner Kristen Rosen Gonzalez requested that Administration report back to the City Commission within six (6) months with information as to any complaints or other issues arising out of this limited exception for the golf courses, to allow the City Commission to determine whether the proposed accommodation should continue.

ANALYSIS

The Administration is not aware of any complaints or issues stemming from this exception for golf courses since the implementation of the amended Ordinance.

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

n/a

CONCLUSION

Staff will be present to discuss and provide any information as to any complaints or other issues arising out of this limited exception for golf courses.

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): n/a

Department

Code Compliance

Sponsor(s)

Commissioner Kristen Rosen Gonzalez

Co-sponsor(s)

Commissioner David Suarez
Commissioner Joseph Magazine

Condensed Title

Noise Complaint Report: Golf Courses Post-Amended Ordinance. (Rosen Gonzalez)

