

27. DISCUSS REORIENTING THE CITY'S CODE DEPARTMENT TO ADOPT A MORE PROACTIVE RATHER THAN REACTIVE APPROACH TO ENFORCEMENT AND COMMUNITY ENGAGEMENT.

Applicable Area:

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Eric Carpenter, City Manager

DATE: April 9, 2025

TITLE: DISCUSS REORIENTING THE CITY'S CODE DEPARTMENT TO ADOPT A MORE PROACTIVE RATHER THAN REACTIVE APPROACH TO ENFORCEMENT AND COMMUNITY ENGAGEMENT.

RECOMMENDATION

The Administration recommends a discussion regarding the perception of the Code Compliance Department (Department) as having a reactive approach and the data regarding the breakdown of proactive versus reactive investigations. Once these items are discussed, we recommend to conclude this item, and hopefully the Department will have demonstrated their continuing efforts for a proactive approach to enforcement and community engagement.

BACKGROUND/HISTORY

On December 11, 2024 City Commission meeting, at the request of Commissioner Tanya K. Bhatt, the Mayor and City Commission (City Commission) referred agenda item C4 O to the Public Safety and Neighborhood Quality of Life Committee (PSNQLC) to discuss re-orienting the City's Code Department to adopt a proactive rather than reactive approach to enforcement and community engagement.

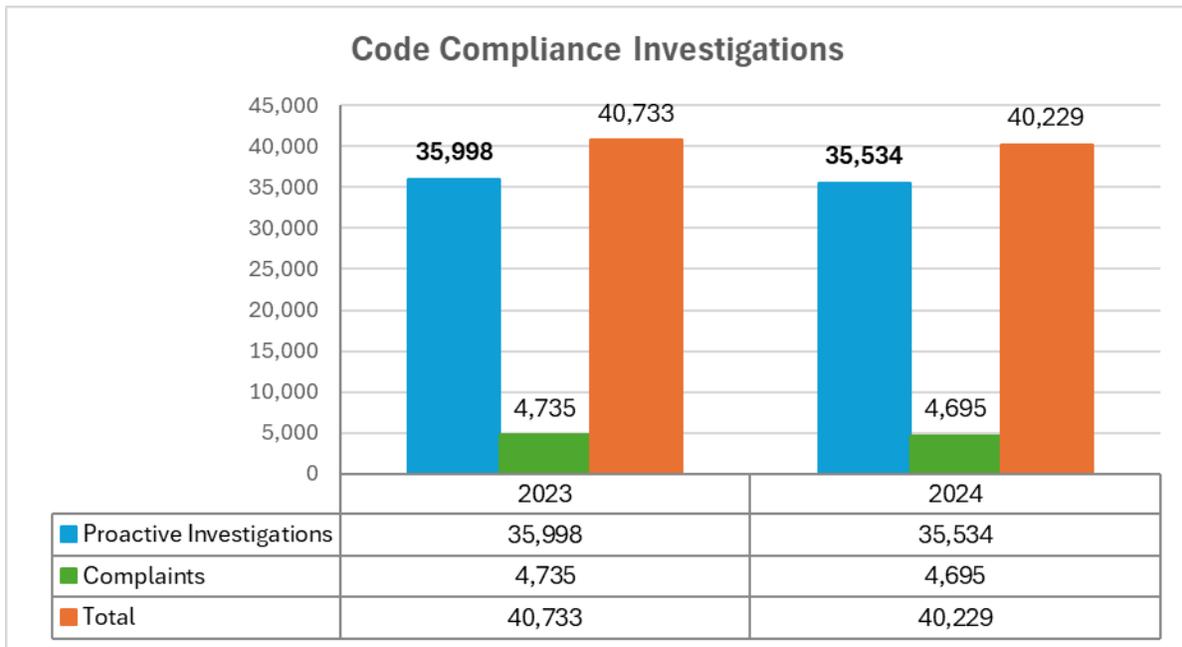
The item was discussed at the January 29, 2025 PSNQLC meeting and at the request of the sponsor, item to return to next Committee agenda for further discussion and for Code Compliance to provide a breakdown of the proactive investigations. At the request of the sponsor, item was deferred to April 9, 2025.

ANALYSIS

Code Compliance has transitioned over the years to a more proactive approach to addressing quality-of-life concerns, with the majority of investigations initiated by staff observations rather than waiting for public complaints. A significant evolution happened during and after the pandemic as the Department was forced to proactively engage with businesses and individuals as orders changed on weekly if not daily basis.

In both 2023 and 2024, an impressive 88% of investigations were proactive, initiated through staff efforts to identify potential violations before they become larger issues, while 12% were complaint-driven. This consistent approach reflects the Department's dedication to maintaining community standards and resolving issues efficiently, reducing the need for residents to file complaints.

Attached herein are the types of proactive investigations conducted by Code Compliance from January 1, 2024 – December 31, 2024.



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-notice/>

FINANCIAL INFORMATION

CONCLUSION

To sustain and build on the success of our proactive efforts, the Code Compliance Department will continue to prioritize proactive investigations as a cornerstone of its operations.

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 Tanya K. Bhatt

Co-sponsor(s)

Condensed Title

Ref: PSNQLC - Re-Orienting the City's Code Comp. Dept. to Adopt Proactive Rather Than Reactive Apch. to Enf. (Bhatt)

Code Compliance
Proactive Investigations
January 1, 2024 - December 31, 2024

Proactive Investigation Types	Count of Investigations
City Code Other*	11,231
Alleyway/Sanitation	4,724
Alcohol Check	3,542
Illegal Dumping	2,070
Early Construction Detail	1,701
Business Tax Receipt	1,403
Early Sanitation Detail	1,334
Illegal Vendor/Peddler	1,190
Miami Beach Marina Unpermitted Hours	1,154
Sanitation Other (Roll-Off Permits, Garbage Service, Forthwith, etc.)	947
Graffiti	893
Signage	700
Short Term Rental	691
Dog Issues	653
Property Maintenance	557
Blocking Right-of-Way	541
Gas Leaf Blower	518
Special Detail (Marina, Indian Creek Waterway, Dinghy Patrol, etc.)	483
Zoning**	347
Community Outreach	311
Litter	193
Special Event and Film/Print	128
Sidewalk Café Concessionaire Agreement	126
Styrofoam	73
Sea Turtle Inspection	24
Grand Total	35,534

*City Code Other includes investigations related to business tax receipts, delivery hours, food sales, event permits, graffiti, human trafficking, signage, litter, animals, resort tax, sea turtle lighting, right-of-way, styrofoam, marine, etc.

**Zoning includes investigations related to certificate of appropriateness, boat/trailer visible from right-of-way, landscape requirements, etc.

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Tanya K. Bhatt
DATE: December 11, 2024
TITLE: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE TO DISCUSS REORIENTING THE CITY'S CODE DEPARTMENT TO ADOPT A MORE PROACTIVE RATHER THAN REACTIVE APPROACH TO ENFORCEMENT AND COMMUNITY ENGAGEMENT.

RECOMMENDATION

BACKGROUND/HISTORY

Please place on the December 11, 2024 agenda a referral to the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC") to discuss reorienting the City's Code Department to adopt a more proactive rather than reactive approach to enforcement and community engagement.

Currently, the Code Department primarily responds to complaints and violations as they are reported, which can result in delayed enforcement, recurring issues, and inefficiencies in addressing community concerns. Transitioning to a proactive model would involve the Department identifying and addressing potential code violations before they become significant issues, enhancing safety, and resident quality of life.

I would like for the Administration to come before the Committee prepared to present ideas and strategies for achieving this shift.

ANALYSIS

FISCAL IMPACT STATEMENT

n/a

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-notices/>

FINANCIAL INFORMATION

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Applicable Area

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Department

Office of Commissioner Tanya K. Bhatt

Sponsor(s)

Commissioner Tanya K. Bhatt

Co-sponsor(s)

Condensed Title

Ref: PSNQLC - Reorienting Code Dept to Adopt Proactive Rather Than Reactive Approach to Enforcement. (Bhatt)