

C7 Y A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO ENHANCE ENFORCEMENT OF ILLEGAL AND EXCESSIVE VEHICULAR MUFFLER/EXHAUST NOISE CITYWIDE, WITH A FOCUS ON 5TH STREET, 41ST STREET, 71ST STREET, AND COLLINS AVENUE; AND, AS PART OF ITS INITIAL ENHANCED ENFORCEMENT EFFORTS, DIRECTING THE ADMINISTRATION TO DEVELOP NINETY (90) DAY TARGETED, COMPREHENSIVE, AND UNIFIED PLANS TO MITIGATE ILLEGAL MUFFLER/EXHAUST NOISE ON THESE ROADWAYS, BEGINNING WITH 5TH STREET, INCLUDING ADJACENT PORTIONS OF THE MACARTHUR CAUSEWAY IN PROXIMITY TO RESIDENTIAL BUILDINGS AND HIGH PRIORITY LOCATIONS IN THE SOUTH OF 5TH AREA; AND FURTHER, DIRECTING THE ADMINISTRATION TO PROVIDE THE MAYOR AND CITY COMMISSION WITH MONTHLY UPDATES REGARDING THE EFFECTIVENESS OF THE ENHANCED ENFORCEMENT EFFORTS, INCLUDING DATA COLLECTION AND ANALYSIS, ALONG WITH ANY ADDITIONAL OR ALTERNATIVE MEASURES THAT MAY BE NECESSARY.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: May 21, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO ENHANCE ENFORCEMENT OF ILLEGAL AND EXCESSIVE VEHICULAR MUFFLER/EXHAUST NOISE CITYWIDE, WITH A FOCUS ON 5TH STREET, 41ST STREET, 71ST STREET, AND COLLINS AVENUE; AND, AS PART OF ITS INITIAL ENHANCED ENFORCEMENT EFFORTS, DIRECTING THE ADMINISTRATION TO DEVELOP NINETY (90) DAY TARGETED, COMPREHENSIVE, AND UNIFIED PLANS TO MITIGATE ILLEGAL MUFFLER/EXHAUST NOISE ON THESE ROADWAYS, BEGINNING WITH 5TH STREET, INCLUDING ADJACENT PORTIONS OF THE MACARTHUR CAUSEWAY IN PROXIMITY TO RESIDENTIAL BUILDINGS AND HIGH PRIORITY LOCATIONS IN THE SOUTH OF 5TH AREA; AND FURTHER, DIRECTING THE ADMINISTRATION TO PROVIDE THE MAYOR AND CITY COMMISSION WITH MONTHLY UPDATES REGARDING THE EFFECTIVENESS OF THE ENHANCED ENFORCEMENT EFFORTS, INCLUDING DATA COLLECTION AND ANALYSIS, ALONG WITH ANY ADDITIONAL OR ALTERNATIVE MEASURES THAT MAY BE NECESSARY.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

The attached Resolution was prepared at the request of the sponsors, Commissioner Laura Dominguez, and Mayor Steven Meiner.

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-notice/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

No

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

City Attorney

Sponsor(s)

Commissioner Laura Dominguez
Mayor Steven Meiner

Co-sponsor(s)

Commissioner Joseph Magazine

Condensed Title

Enhance Vehicle Muffler Noise Enforcement and Implement Comprehensive Plan.
(Dominguez/Meiner/Magazine) CA

Previous Action (For City Clerk Use Only)

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO ENHANCE ENFORCEMENT OF ILLEGAL AND EXCESSIVE VEHICULAR MUFFLER/EXHAUST NOISE CITYWIDE, WITH A FOCUS ON 5TH STREET, 41ST STREET, 71ST STREET, AND COLLINS AVENUE; AND, AS PART OF ITS INITIAL ENHANCED ENFORCEMENT EFFORTS, DIRECTING THE ADMINISTRATION TO DEVELOP NINETY (90) DAY TARGETED, COMPREHENSIVE, AND UNIFIED PLANS TO MITIGATE ILLEGAL MUFFLER/EXHAUST NOISE ON THESE ROADWAYS, BEGINNING WITH 5TH STREET, INCLUDING ADJACENT PORTIONS OF THE MACARTHUR CAUSEWAY IN PROXIMITY TO RESIDENTIAL BUILDINGS AND HIGH PRIORITY LOCATIONS IN THE SOUTH OF 5TH AREA; AND FURTHER, DIRECTING THE ADMINISTRATION TO PROVIDE THE MAYOR AND CITY COMMISSION WITH MONTHLY UPDATES REGARDING THE EFFECTIVENESS OF THE ENHANCED ENFORCEMENT EFFORTS, INCLUDING DATA COLLECTION AND ANALYSIS, ALONG WITH ANY ADDITIONAL OR ALTERNATIVE MEASURES THAT MAY BE NECESSARY.

WHEREAS, unreasonable and excessive vehicular muffler and exhaust noise emanating from vehicles creates a nuisance and adversely affects the quality of life for residents of the City of Miami Beach ("City"); and

WHEREAS, vehicular noise disturbances throughout the City, particularly noise emanating from vehicle muffler and exhaust systems, and the revving of engines, continues nearly unabated especially in heavily travelled corridors, which negatively impacts the quality of life, tranquility, and health of City residents; and

WHEREAS, of particular concern are noise disturbances occurring in and around residential areas, where such unreasonable and excessive noise deprives residents of the peaceful enjoyment of their homes, and severely disrupts their ability to sleep; and

WHEREAS, the enhanced Citywide enforcement efforts to address and abate illegal muffler and exhaust noise (in particular on 5th Street, 41st Street, 71st Street, and Collins Avenue) should utilize all available resources and personnel including, but not limited to, increased patrols in identified problem areas, targeted enforcement operations, increased public awareness campaigns and signage, and consistent application of existing laws governing exhaust noise (along with other applicable laws that may be violated at the time such as speeding, racing, etc.); and

WHEREAS, without effective remedial action, the ongoing unreasonable and excessive vehicular exhaust noise will lead to greatly decreased resident satisfaction, dangerous conditions, and eroding public trust in the City's ability to manage its roadways and public spaces effectively; and

WHEREAS, the 5th Street corridor, including portions of the MacArthur Causeway with adjacent residential buildings, and certain high-priority locations in the South of 5th area, 41st Street, 71st Street, and Collins Avenue have been identified as areas particularly impacted by egregious and persistent illegal muffler and exhaust noise (typically in the overnight hours when

traffic has subsided to allow for speeding, racing, and the like which are the natural precursors to illegal and excessive exhaust noise); and

WHEREAS, in order to effectively address these noise challenges, the Administration should develop 90-day targeted, comprehensive, and unified plans to mitigate illegal exhaust noise on these roadways beginning with 5th Street (including the portions adjacent to residential buildings) and South of 5th Street, to include public awareness and educational campaigns to inform visitors about noise limitations, enhanced and targeted police enforcement during peak overnight noise-producing hours, the implementation of strategically-placed police decoy vehicles (including with solar-powered lights), and the utilization of automated flashing speed signs and LED Message Board systems to post warnings and related public safety messages to remediate excessive exhaust noise.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR and City Commission of the City of Miami Beach, Florida, hereby directs the City Administration to enhance enforcement of illegal and excessive vehicular muffler/exhaust noise citywide, with a focus on 5th Street, 41st Street, 71st Street, and Collins Avenue; and, as part of its initial enhanced enforcement efforts, directing the Administration to develop ninety (90) day targeted, comprehensive, and unified plans to mitigate illegal muffler/exhaust noise on these roadways, beginning with 5th Street, including adjacent portions of the MacArthur Causeway in proximity to residential buildings and high priority locations in the South of 5th area; and further, directing the Administration to provide the Mayor and City Commission with monthly updates regarding the effectiveness of the enhanced enforcement efforts, including data collection and analysis, along with any additional or alternative measures that may be necessary.

PASSED and ADOPTED this ____ day of _____, 2025.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Laura Dominguez and Mayor Steven Meiner)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

5/14/2025

Date