



# MIAMI BEACH

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

## COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: *Jorge M. Gonzalez*  
Jorge M. Gonzalez, City Manager

DATE: February 8, 2012

SUBJECT: **REFERRAL TO THE NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE – DISCUSSION REGARDING AMENDING THE CITY CODE TO PROVIDE FOR ALTERNATIVE ENFORCEMENT MEANS AND ESTABLISH A FIXED FINE SCHEDULE FOR CERTAIN PROVISIONS.**

### ADMINISTRATION RECOMMENDATION

Refer the matter to the Neighborhoods/Community Affairs Committee (“Committee”) for discussion.

### BACKGROUND

Recent amendments to the City’s Code of Ordinances relating to particular violations enforced by the Code Compliance Division have included a set fine schedule, where the fines are specifically outlined in the Code for each violation. This allows the alleged violator to know the amount of the fine and provides a set period of time for payment or appeal to the Special Master. This also provides a mechanism to promote compliance in a more timely manner. Alternatively, many typical “quality of life” violations are currently subject to Chapter 30 for compliance, which means that a case must be set before the Special Master for adjudication. The result can include, for example, different fines imposed for identical violations, as well as delays in achieving compliance. Additionally, this also results in heavy Special Master caseloads, which impacts staff resources (as staff must attend).

In addition, the Administration has also identified provisions in the City Code that are currently being enforced by the Police Department, but where it may be preferable for Code Compliance Officers to have authority to enforce. An example is the City Code prohibiting bicycles on the Board Walk.

The Administration recommends a referral to the Neighborhoods/Community Affairs Committee for discussion of amendments to Chapter 30 to provide for a standardized fine/penalty schedule, which may be applied to certain code violations, as well as whether to change who should be authorized to enforce certain code provisions.

*JMG*  
JMG/HMF/SS/KT/RSA

T:\AGENDA\2012-8-12\Referral - Established Fine Schedule and Alternative Enforcement

Agenda Item   C4E  

Date   2-8-12

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