



COMMISSION MEMORANDUM

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

FROM: Kathie G. Brooks, Interim City Manager

DATE: March 13, 2013

SUBJECT: **REFERRAL TO THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE A DISCUSSION REGARDING THE CITY OF MIAMI BEACH FIRE PREVENTION FINES AND CITATIONS RELATED TO NIGHTCLUBS AND OTHER ASSEMBLIES.**

ADMINISTRATION RECOMMENDATION

Refer the item.

BACKGROUND

There are over 120 nightclubs and bar/lounges operating in the City of Miami Beach. In addition, there are hundreds more assembly occupancies such as restaurants, ballrooms, meeting rooms, performance halls, etc. The Florida Fire Prevention Code (FFPC), The Life Safety Code (NFPA 101), and the Miami Beach Code have specific requirements for the maximum number of occupants permitted in an assembly occupancy as well as many other safety regulations. The requirements are mandated to prevent fires and to ensure that occupants can evacuate safely in the event of an emergency.

The Fire Department continues to implement the Night Inspection Program since it started in the early 1990s. The night inspectors conduct random inspections of all the nightclubs and selected bar/lounges and restaurants. The main objective for the night inspections is to monitor that the establishment is not exceeding the maximum occupant load and exits are clear and accessible. The inspectors will issue a citation for these violations. The current fines are \$200.00 for the first offense and \$500.00 for the second and subsequent offenses. The current fines have not been increased since initial adoption in 1997.

The Administration proposes to increase the current fines to encourage compliance and promote safety among the City's entertainment industry. It is exactly ten years ago that the United States experienced one of the worst nightclub fires in recent history when over 100 people were killed in a Rhode Island nightclub fire. More recently, over 200 people were killed in a nightclub fire in Brazil. Therefore, the staff recommends presenting to the Neighborhood/Community Affairs Committee an ordinance to increase and add citations to achieve fire code compliance and improve overall safety of the residents and visitors of the City of Miami Beach.

KGB/JO/SM

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