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# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Members of the Finance and Citywide Projects Committee

FROM: Jimmy L. Morales, City Manager 

DATE: September 19, 2013

SUBJECT: **A DISCUSSION REGARDING ABATING SIDEWALK CAFÉ FEES FOR BUSINESSES NORTH OF 63<sup>RD</sup> STREET, THROUGH AND INCLUDING SEPTEMBER 30, 2015.**

### BACKGROUND

The Miami Beach City Code Chapter 82 authorizes the City to charge restaurants with sidewalk cafes a \$150.00 annual permit fee, plus \$20.00 per square foot for the café area. The City does not charge Sidewalk Café fees for businesses situated on State Roads because they were outside its jurisdiction. This created a competitive disadvantage for sidewalk cafes on City streets in the North beach Area.

In 1998, pursuant to Ordinance No. 98-3146, Sidewalk Café fees were abated during the North Shore construction project and for a year after completion as an economic development measure. Pursuant to Ordinance No. 2000-3237 adopted on April 12, 2000, the City Commission extended the fee waiver provisions to September 30, 2001.

At its January 15, 2003, the Finance and Citywide Projects Committee (FCWPC) recommended that the City of Miami Beach again waive Sidewalk Café fees for all businesses north of 63<sup>rd</sup> Street and annually review this waiver at budget time, in order to create a more equitable completion and stimulate business for sidewalk cafés in the North Beach Area. On February 26, 2003, the City Commission adopted Ordinance No. 2003-3397 which reinstated the fee waiver provisions subject to a two year budget analysis and review by the Administration. Later that same year, the City Commission adopted Ordinance No. 2003-3423 on July 30, 2003 repealing the Sidewalk Café fee abatement provisions.

At the July 19, 2013 meeting, the City Commission referred a discussion to immediately reinstate the fee waiver for sidewalk cafes in North Beach to the FCWPC, scheduled for September 19, 2013. In addition, the Commission requested that a new fee abatement program be established for the square footage fee on sidewalk café permits issued for locations north of 63<sup>rd</sup> Street.

At the September 11, 2013 meeting, the City Commission referred this item to the Neighborhoods/Community Affairs Committee, in addition to the FCWPC and requested that the item be brought back to the full Commission with a proposed Ordinance thereafter.

**CONCLUSION**

The following is presented to the members of the Finance and citywide Projects Committee for consideration and further discussion.

MT/EC/JJF

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