

Seawalls

Seawalls serve as a critical defense against tides, wave action, and rising sea levels. In Miami Beach, there are about 55 miles of seawalls, of which roughly 5 miles are publicly owned making private seawalls the principal front line protection for most properties along the Biscayne Bay and our other canals.

Seawall Ordinance Highlights

Minimum Elevation Standards

- All new seawalls and substantially improved seawalls must be built to a minimum elevation of 5.7 NAVD88. Seawalls undergoing less than substantial improvements may meet a 4.0 ft NAVD88 minimum if designed to support future elevation to 5.7 ft NAVD88. Limited maintenance work (such as riprap replacement) is exempt if an engineering report confirms the seawall is structurally sound.

Applicability/Who can apply?

- The ordinance applies to all new waterfront construction, new seawalls, and substantial improvements to existing seawalls, bulkheads, and living shorelines. Not applicable to oceanfront beaches or shorelines seaward of the Coastal Construction Control Line.

Maintenance Requirements

- Property owners must maintain seawalls, bulkheads, or living shorelines in good repair to prevent tidal waters from flooding their property, neighboring properties, or public right-of-way. Failing seawalls must be repaired or replaced. Progress must be shown within 60 days (such as contractor proposals, permit applications, etc.) and may include, but is not limited to, obtaining proposals from seawall contractors, securing financing, and/or applying for permits. A permit application submitted within 6 months and final completion achieved within 730 days of citation.

Enforcement and Penalties

- Enforcement may be carried out by the floodplain administrator, code compliance officers, or police officers. A written warning is generally issued first, requiring corrective action. Civil penalties include:
 - \$250 fine for first violation.
 - \$500 fine per day for subsequent violations.
- Violators may appeal within 10 days of notification. The city may install temporary flood barriers (such as sandbags and panels) if property owners fail to act, at the owner's expense.

Permitting Requirements

- *Permitting, including as-built surveys (NAVD88) and professional engineer certifications, is required to verify compliance.*

Encouragement of Green-Grey Infrastructure

- Property owners are encouraged to incorporate living shoreline features and materials that enhance biodiversity (such as marine enhancement tiles) as alternatives or complements to hard seawalls.



Frequently Asked Questions (FAQs)

1. What do I do if I receive a seawall citation?

Upon receiving a citation, property owners must begin addressing the seawall violation and be able to demonstrate progress within 60 days. Within 6 months, you must submit a permit application to the City of Miami Beach Building Department and Miami-Dade County RER (DERM) for the necessary seawall repairs or improvements. Owners have up to 730 days from receipt of the citation to fully complete the necessary repairs. Violators can appeal within 10 days of receiving notification.

2. What is considered a substantial seawall repair?

A substantial repair is defined as any improvement and/or repairs to the existing seawall with a cost of \$500 or more per linear foot. These projects must raise the seawall to a minimum elevation of 5.7 feet NAVD88.

- Non-substantial improvements (less than \$500 per linear foot) must meet a minimum elevation of 4.0 feet NAVD88, but only if designed and constructed to support a future raise to 5.7 feet NAVD88.
- Limited maintenance work, such as riprap placement, may be exempt from the minimum elevation requirement if an engineering report confirms the seawall is structurally sound and the remainder of the ordinance is being met.

3. What if my seawall allows tidal waters to flow over or through it to the upland property, adjacent properties, or public right-of-way?

If your seawall is allowing tidal waters to flow over or through it to the upland property, adjacent properties, or public right-of-way, this is considered a violation. Property owners must take corrective action such as raising, repairing, or replacing the seawall.

4. Can I repair instead of replacing my seawall?

In many cases, minor, non-substantial repairs may be allowed without raising the seawall to 5.7 feet NAVD88, provided the seawall can support a future raise. However, substantial improvements always require elevation to 5.7 feet NAVD88.

5. What happens if I do not comply?

- First offense: Written warning requiring corrective action.
- Civil penalties: \$250 for the first violation; \$500 for each subsequent day of violation.
- The City may also install temporary tidal barriers at the property owner's expense if timely mitigation is not provided.
- Failure to comply may result in liens recorded against the property.

6. What if I don't have a seawall?

If you don't have a seawall and tidal waters are flowing onto adjacent properties, you may still be cited. You will need to install a seawall, bulkhead, living shoreline or other approved shoreline protection to prevent tidal waters from leaving your property.

7. Are alternatives to seawalls allowed?

The City encourages the use of living shorelines and green-grey infrastructure, which can enhance biodiversity and water quality while providing flood protection, provided they are designed to prevent tidal waters from overtopping.

For more information on the City's Seawall Ordinance and a list of contractors previously utilized on projects, visit our website at MBRisingAbove.com/seawalls.

Please send any questions to mbrisingabove@miamibeachfl.gov.

