

ORDINANCE NO. 2006-3525

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE MIAMI BEACH CITY CODE BY ADDING ARTICLE 6 THEREOF ENTITLED "TURTLE NESTING PROTECTION ORDINANCE," ESTABLISHING REGULATIONS FOR LIGHTING AND OTHER ACTIVITIES ON PROPERTIES ABUTTING OR AFFECTING THE BEACH, INCLUDING EAST OF THE COASTAL CONSTRUCTION CONTROL LINE, FOR THE PROTECTION OF SEA AND MARINE TURTLES, ENDANGERED SPECIES NESTING ON MIAMI BEACH; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the beach along the Atlantic Ocean, within the boundaries of the City of Miami Beach, is utilized by federally protected sea turtles for nesting; and

**WHEREAS**, artificial night-time lighting directly affects and disorients turtle hatchlings resulting in losses in turtle populations; and

**WHEREAS**, the City desires to adopt a lighting ordinance for the protection of endangered sea turtles, as per federal and state environmental regulations.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA** that Chapter 46 of the Miami Beach City Code is hereby amended to add a new Article VI, entitled "Turtle Nesting Protection Ordinance," as follows:

**Section 1.** The Miami Beach City Code, Chapter 46, "Environment," is hereby amended by adding a new Article VI, entitled "Turtle Nesting Protection Ordinance," which shall read as follows:

## Article VI. Turtle Nesting Protection Ordinance

### Sec. 46-201. Purpose and Intent.

The purpose of this article is to reduce the impacts of artificial coastal lighting on threatened and endangered sea turtles that nest on the beaches of Miami Beach by restricting artificial lighting and other activities that disorient turtle hatchlings, causing them to crawl toward land rather than toward the ocean. This article is intended to provide overall improvements in nesting habitat degraded by light pollution, and increase successful nesting activity and production of hatchlings. The restrictions and constraints of this article shall be effective within the incorporated areas of Miami Beach and apply to any coastal lighting or other activity that has potential to adversely impact sea turtles within City limits.

### Sec. 46-202. Definitions.

*Artificial light* means any point source of light emanating from a device made by humans, including but not limited to incandescent mercury vapor, metal halide, sodium lamps, fluorescent, flashlights, spotlights, streetlights, vehicular lights, construction lights, security lights, bonfires, or any light emanating from any reflective surface of the device.

*Beach* means that area of unconsolidated material that extends landward from the mean low-water line of the Atlantic Ocean, to the place where there is a marked change in material or physiographic form, or to the line of permanent vegetation.

*Bug type bulb* means any yellow or other colored light bulb that is marketed as being specifically treated in such a way so as to reduce the attraction of bugs to the light.

*Coastal construction activities* mean any work or activity that is likely to have a material physical effect on existing coastal conditions or natural shore and inlet processes.

*Coastal Construction Control Line (CCCL)* means the line established by the State of Florida pursuant to section 161.053, Florida Statutes, and filed in the public records of the county, which defines that portion of the beach dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

*County* means Miami-Dade County.

Cumulatively illuminated means illuminated by numerous artificial light sources that as a group illuminate any portion of the beach.

Directly illuminated means illuminated as a result of glowing elements, lamps, globes, or reflectors of an artificial light source that is visible to an observer on the beach.

Dune means a mound or ridge of loose sediments, usually sand-sized, lying landward of the beach and deposited by any natural or artificial mechanism.

Filmed glass means window glass that has been covered with a film such that the material has a shading coefficient of forty-five (45) percent or less, adhesive as an integral part, and has performance claims that are supported by approved testing procedures and documentation.

Floodlight means a reflector-type light fixture that may be attached directly to a building, other structure, or free-standing, and is unshielded.

Frontal dune means the first natural or artificial mound or bluff of sand that is located landward of the beach and that has sufficient vegetation, height, continuity and configuration to offer protective value.

Ground-level barrier means any vegetation, natural feature or artificial structure rising from the ground that prevents beachfront lighting from shining directly onto the beach-dune system.

Hatchling means any species of marine turtle, within or outside of a nest, which has recently hatched from an egg.

Indirectly illuminated means illuminated as a result of glowing elements, lamps, globes, or reflectors of an artificial light source that is not visible to an observer on the beach.

Low-profile luminaire means a light fixture set on a base that raises the source of light no higher than forty-eight (48) inches off the ground, and designed in such a way that light is directed downward from a hooded light source.

Marine turtle means any marine-dwelling reptile of the families Cheloniidae or Dermochelyidae found in Florida waters or using the beach as a nesting habitat, including the species: *Caretta caretta* (loggerhead), *Chelonia mydas* (green), *Dermochelys coriacea* (leatherback), *Eretmochelys*

imbricata (hawksbill), and Lepidochelys kempii (Kemp's ridley). For purposes of this section, marine turtle is synonymous with sea turtle.

Nest means an area where marine turtle eggs have been naturally deposited or subsequently relocated.

Nesting season means the period from April 1 through October 31 of each year.

New development means new construction and remodeling of existing structures when such remodeling includes alteration of exterior lighting.

Nighttime means the time period between sunset and sunrise within the city limits of Miami Beach.

Person means individuals, firms, associations, joint ventures, partnerships, estates, trusts, syndicates, fiduciaries, corporations, and all other groups or combinations.

Pole lighting means a light fixture set on a base or pole that raises the source of the light higher than forty-eight (48) inches off the ground.

Solar screens mean screens that are fixed installations and permanently project shade over the entire glass area of the window. The screens must be installed on the outside of the glass and must have a shading coefficient of forty-five (45) percent or less and have performance claims supported by approved testing procedures and documentation.

Tinted glass means any glass treated to achieve an industry-approved inside-to-outside light transmittal value of forty-five (45) percent or less. Such transmittance is limited to the visible spectrum (four hundred (400) to seven hundred (700) nanometers) and is measured as the percentage of light that is transmitted through the glass.

**Sec. 46-203. Prohibited activities disruptive to marine turtles.**

(a) The following activities involving direct illumination of portions of the beach are prohibited on the beach at nighttime during the nesting season for the protection of nesting marine turtle females, nests and hatchlings:

- (1) The operation of all motorized vehicles, except emergency and law enforcement, or beach maintenance vehicles or those permitted on the beach for marine turtles conservation and/or research.
- (2) The building of campfires or bonfires.
- (3) Fireworks displays, except those that have City special event permits and a Florida Department of Environmental Protection ("DEP") permit.

(b) *Special events.*

Special events taking place on the beach during nesting season that may have lighting needs shall require a permit from the Florida Department of Environmental Protection.

(c) *Lighting standards for new development.*

It is the policy of the City of Miami Beach that no artificial light shall illuminate any area of the beach. The following applies to lighting located east of the Coastal Construction Control Line (CCCL) or lighting that directly illuminates the beach and interferes with turtle nesting. To meet this intent, all public and private properties and uses involving new construction, or renovations exceeding 50% of the value of the structure as determined by the Building Official, located east of the CCCL shall comply with the following:

(1) Exterior artificial light fixtures shall be designed and positioned so that the point source of light or any reflective surface of the light fixture is not directly visible from the beach; areas seaward of the dune are not directly or indirectly illuminated.

(2) Exterior artificial light fixtures within direct line-of-sight of the beach shall be completely shielded downlight only fixtures, or recessed fixtures having low wattage (i.e., "bug" type bulbs of fifty (50) watts or less) and non-reflective interior surfaces. Other fixtures that have appropriate shields, louvers or cut-off features may also be used if in compliance with the requirements of subsection (1) of this section.

(3) All fixtures shall be mounted as low in elevation as possible through use of low-mounted wall fixtures, wall fixtures fitted with hoods, low bollards and ground-level fixtures, so that no light is directly visible from the beach or illuminates the beach.

(4) Floodlights, upward-oriented lights, spotlights or search lights for decorative and accent purposes, or used as security lights, are prohibited if they would be directly visible from the beach, or would indirectly or cumulatively illuminate the beach.

(5) Exterior lights used expressly for safety or security purposes shall be limited to the minimum number and configuration required to achieve the safety and security function in compliance with the provisions of Crime Prevention Through Environmental Design (CPTED). Motion detectors should be employed to keep lights off except when approached, and such motion detectors should switch lights on for the minimum duration possible.

(6) Pole lights, if used, shall be shielded in such a manner that light will be contained primarily within the area that is landward of the pole, and light shall not be directly visible from the beach.

(7) Lights on balconies and catwalks facing the ocean shall be limited to: low profile luminaries positioned so that no light illuminates or is visible from the beach; wall mounted fixtures fitted with hoods with non-reflective interiors so that no light illuminates the beach or overhead lighting containing bug-type bulbs or other bulbs with fifty (50) watts or less and non-reflective interior surfaces.

(8) Tinted glass shall be installed on all windows and glass doors of single and multi-story structures facing or within line-of-sight of the beach. Shade screens can be substituted for this requirement.

(9) Parking areas and structures shall be designed and located to prevent vehicular headlights from directly or indirectly illuminating the beach. Parking area and parking structure lighting shall be shielded from the beach through the use of shields that direct light away from the beach, and ground-level barriers designed in conformance to the CPTED principals. Such ground-level barriers shall not interfere with marine turtle nesting or hatchling emergence and shall not cause short or long-term damage to the beach/dune system. Entrances and exits to parking structures shall not face the ocean. Surfaces of parking areas shall not contain ground glass or other reflective material.

(10) Lighting provided for any outdoor recreational feature on or abutting the beach (such as tennis court, swimming pool, etc.) shall be shielded to prevent light from directly or indirectly illuminating the beach.

(11) Dune crosswalks, if lighted, shall utilize low profile shielded luminaries.

(12) No roof top advertising sign that is illuminated in any fashion shall be permitted.

(13) Temporary security lights at construction sites shall not be mounted more than fifteen (15) feet above the ground. Illumination from the lights shall be the minimum necessary to assure security, shall not

spread beyond the boundary of the property being developed, and in no case shall such lights illuminate the beach.

(d) *Lighting standards for new development that has already been permitted*

The provisions of subsection (c) of this section shall not apply to any structure for which the City of Miami Beach Building Department has issued a building permit prior to the effective date of this division. Such structures shall be governed by the provisions of subsection (e) of this section.

(e) *Lighting standards for existing development*

It is the policy of the City of Miami Beach that no artificial light shall illuminate any area of the beach. To meet this intent, lighting of existing structures, located east of the CCCL and that can be seen from the beach, shall be in compliance with the following:

(1) Within six (6) months of the effective date of this article, existing artificial light fixtures shall be repositioned, modified, or removed so that:

a. The point source of light or any reflective surface of the light fixture is not directly visible from the beach;

b. Areas seaward of the frontal dune are not directly or indirectly illuminated; and

c. Areas seaward of the frontal dune are not cumulatively illuminated.

(2) Within one (1) year of the effective date of this article, the following measures shall be taken to reduce or eliminate the negative effects of existing exterior artificial lighting:

a. Reposition fixtures so that the point source of light or any reflective surface of the light fixture is no longer visible from the beach;

b. Replace fixtures having an exposed light source with fixtures containing recessed light sources or shields;

c. Replace traditional light bulbs with bug type bulbs not exceeding fifty (50) watts;

d. Replace non-directional fixtures with directional fixtures that point down and away from the beach;

e. Replace fixtures having transparent or translucent coverings with fixtures having opaque shields covering an arc of at least 180 degrees and extending an appropriate distance below the bottom edge of the fixture on the seaward side so that the light source or any reflective surface of the light fixture is not visible from the beach;

f. Replace pole lamps with low-profile, low-level luminaries so that the light source or any reflective surface of the light fixture is not visible from the beach;

g. Replace incandescent, florescent, and high intensity lighting with the lowest wattage low pressure sodium vapor lighting possible for the specific application;

h. Plan or improve vegetation buffers between the light source and the beach to screen light from the beach;

i. Construct a ground level barrier to shield light sources from the beach. Ground-level barriers must not interfere with marine turtle nesting or hatchling emergence, or cause short- or long-term damage to the beach/dune system;

j. Permanently remove or permanently disable any fixture that cannot be brought into compliance with the provisions of these standards.

(3) Commercial signage facing the ocean or in the line-of-sight of the beach, except building identification signs, shall not be illuminated during the hours of 9pm - 7am of nesting season within eighteen (18) months of the effective date of this article.

(4) Buildings located along Ocean Drive that are east of the CCCL line are allowed to maintain current outdoor lighting. Additional special event spotlights or lighting during turtle season should be minimized after 9pm and/or directed away from the beach. When conducting renovations, buildings are encouraged to replace Neon lighting with LED lighting.

(f) *Publicly owned lighting.*

Street lights, existing lighting at parks, publicly owned parking facilities and publicly owned walkways shall be subject to the following:

(1) *Streetlights.* Street lights installed after the effective date of this ordinance shall either be located so that the bulk of illumination will travel away from the beach, and shielding is used to prevent light from illuminating the beach, or shall be low profile luminaries. Street lights existing prior to the effective date of this ordinance shall be equipped with shields that minimize backlighting shall not illuminate the beach and shall reduce visibility from the beach.

(2) *Lighting at parks, publicly owned parking facilities and publicly owned walkways* shall be shielded or shaded during nighttime hours of nesting season so that such lighting does not illuminate the beach and visibility is reduced from the beach. Such shielding or shading shall not create a CPTED problem or safety hazard for pedestrians.



**Sec. 46-204. Enforcement and Penalties.**

Violation of the provisions of this article or failure to comply with any of its requirements shall constitute an offense enforceable pursuant to the enforcement provisions of Section 1-14 and Chapter 30 of this Code. When it has been determined that a violation has occurred, notice of the violation and an opportunity for a hearing shall be served on the property owner. Other person or persons responsible for lighting or management of the property may also be served with notice if determined appropriate by the City administration. Upon refusal, failure or neglect of the person or persons served with a notice of violation to cure the violation with ten (10) days of such notice, or when the violator or the violator's representatives do not appear at the hearing granted pursuant to this Code or as otherwise provided by law, or when an order finding a violation is entered against the violator, the enforcing agency shall notify the property owner, in writing, that an external lighting source causing the violation may be removed by the City within ten (10) business days thereafter. Alternatively, or in addition, at the discretion of the City administration, a daily fine may be assessed against the violator, with such fine to begin to be assessed within ten (10) business days thereafter, and to be continuously assessed until the conclusion of nesting season or until the violation is corrected. Costs incurred by the City associated with the removal by the City of external lighting sources causing violations shall be recovered from the property owner, or such person or persons causing the violation, and, if not recovered from the person or persons, shall be placed as a lien against the property and reimbursed to the City at time of sale of the property.

**SECTION 2. REPEALER.**

All ordinances or parts of ordinances and all sections and parts of sections in conflict herewith are hereby repealed.

**SECTION 3. CODIFICATION.**

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

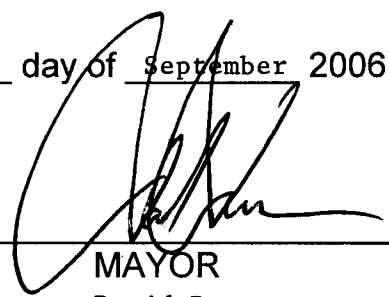
**SECTION 4. SEVERABILITY.**

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this 6th day of September 2006.

  
\_\_\_\_\_  
MAYOR  
David Dermer

ATTEST:   
\_\_\_\_\_  
CITY CLERK

Robert Parcher

APPROVED AS TO FORM  
AND LANGUAGE & FOR EXECUTION

  
\_\_\_\_\_  
CITY ATTORNEY 

9/13/06  
Dated

**Condensed Title:**

Adoption of a Turtle Protection Ordinance for the protection of endangered sea turtles in Miami Beach.

**Key Intended Outcome Supported:**

Preserve Our Beaches.

**Issue:**

Shall the Mayor and Commission adopt the Turtle Protection Ordinance?

**Item Summary/Recommendation:**

Sea Turtles are protected by the U.S. Endangered Species Act of 1973 and Florida Law Chapter 370. It is illegal to harm or harass sea turtles, their nests or hatchlings. In addition, the Coastal Construction Control Line (CCCL) program, which regulates coastal construction, provides specific requirements for beachfront lighting. To prevent hatchling disorientation and adverse impacts to nesting turtles, installation of exterior lighting is strongly discouraged. If exterior lighting is proposed, the Florida Department of Environmental Protection (FDEP) outlines specific guidelines that a permittee must follow.

In order to be more effective, the responsibility for protecting nesting female and hatchling marine turtles should be a joint responsibility of local government and the Florida Department of Environmental Protection. Within the state of Florida, 18 Counties and 54 cities have adopted their own local turtle protection ordinances. The City of Miami Beach is proposing new local legislation that will protect native sea turtles by minimizing beachfront lighting and reducing the impact on the native population. The ordinance will restrict artificial lighting and other activities that disorient turtle hatchlings, causing them to crawl toward land rather than toward the ocean.

Adopt the Ordinance.

**Advisory Board Recommendation:**

Land Use Committee – approved February 2006




**Financial Information:**

Source of Funds:		Amount	Account	Approved
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	2			
	3			
	4			
	Total			

**Financial Impact Summary:**

**City Clerk's Office Legislative Tracking:**

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
		





# MIAMI BEACH

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

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

*For JMG [Signature]*

DATE: September 6, 2006

**SECOND READING**

SUBJECT: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CITY OF MIAMI BEACH CODE BY ADDING ARTICLE 6 THEREOF ENTITLED "TURTLE NESTING PROTECTION ORDINANCE", ESTABLISHING REGULATIONS FOR LIGHTING AND OTHER ACTIVITIES ON PROPERTIES ABUTTING OR AFFECTING THE BEACH, INCLUDING EAST OF THE COASTAL CONSTRUCTION CONTROL LINE, FOR THE PROTECTION OF SEA AND MARINE TURTLES, ENDANGERED SPECIES NESTING ON MIAMI BEACH; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

### ADMINISTRATION RECOMMENDATION

Approve the Ordinance on second reading.

### ANALYSIS

Sea Turtles are protected by the US Endangered Species Act of 1973 and Florida Law Chapter 370. It is illegal to harm or harass sea turtles, their nests or hatchlings. In addition, the Coastal Construction Control Line (CCCL) program, which regulates coastal construction, provides specific requirements for beachfront lighting. To prevent hatchling disorientation and adverse impacts on nesting turtles, installation of exterior lighting is strongly discouraged. If exterior lighting is proposed, the Florida Department of Environmental Protection (FDEP) outlines specific guidelines that a permittee must follow.

In order to be effective, the responsibility for protecting nesting female and hatchling marine turtles should be a joint responsibility of local government and the FDEP. Within the state of Florida, 18 Counties and 54 cities have adopted their own local turtle protection ordinances. The City of Miami Beach is proposing new local legislation that will protect native sea turtles by minimizing beachfront lighting and reducing our impact on the native turtle population. This ordinance will minimize artificial lighting and other activities that disorient turtle hatchlings.

The City of Miami Beach is a natural nesting habitat for five species of endangered sea turtles; the Loggerhead, Green, Leatherback, Kemp's Ridley, and Hawksbill. Annually, beginning in April through early November, native sea turtles come to nest along our coastline. Although most nests are buried 12 to 24 inches deep, some are only a few inches below the beach surface. Hatchlings often sit at the top of the nest, just beneath the sand,

for one or more days waiting to leave the nest. Sea turtle hatchlings typically emerge from their nest at night. It is important not to disturb hatchlings, eggs or nests since hatchlings need to crawl to the sea unaided.

Although turtles prefer dark beaches, many do nest on lighted shores. In doing so, the lives of their hatchlings are jeopardized. Hatchlings are attracted to the brightest source of light, which on an unlighted beach would be the reflection of the moon off the surf. Beachfront artificial lighting poses a serious threat to nesting females as well as hatchlings. Beachfront lighting has been documented to negatively affect nesting females and often results in reduced or abnormal nesting activity. Visible light sources and the reflection of "glow" resulting from the cumulative effects of coastal lights contribute to this problem. On beaches where artificial lighting is visible, nesting females are deterred from nesting and the hatchlings, important journey to the sea is disrupted.

Hatchlings may wander landward through beachfront property or across parking lots and highways toward light sources. Most die from dehydration, direct exposure to the morning sun, or contact with vehicles. For those hatchlings that reach the ocean, unnecessary wandering due to disorientation increases their vulnerability to predation and expends limited energy stores.

During the nesting season, April 1<sup>st</sup> until October 31<sup>st</sup>, the following activities are prohibited:

- Direct illumination of the beach at nighttime during the nesting season.
- The operation of all motorized vehicles, except emergency and law enforcement, or beach maintenance vehicles or those permitted on the beach for marine turtle conservation and/or research.
- The building of campfires or bonfires.
- Fireworks displays, except those that have City special event permits and an ("FDEP") permit.

Special events taking place on the beach during nesting season that may have lighting needs shall require a permit from the FDEP.

New development or renovations exceeding 50 percent must be designed and built to meet the ordinance lighting guidelines. New developments that have already been permitted and existing developments will have six months from the effective date of this ordinance to reposition, modify or redirect existing lights that directly illuminate the beach, such as floodlighting directly visible from the beach. In addition, a one year period will be granted to permanently remove, change or disable any fixture that cannot be brought into compliance with the provisions of these standards.

Commercial signage facing the ocean, or in the line-of-sight of the beach, except building identification signs, shall not be illuminated during the hours of 9:00pm- 7:00am during nesting season within 18 months of the effective date of this article.

Buildings located along Ocean Drive that are east of the CCCL line are allowed to maintain current outdoor lighting. Additional special event spotlights or lighting during turtle season should be minimized after 9:00pm and/or directed away from the beach.

Once initial compliance is achieved within the first year, the number of lighting violations is anticipated to be minimal. This ordinance will be enforced by the City of Miami Beach Code Compliance Division and the Environmental Resources Management Division of the Public Works Department, in cooperation with the FDEP. A City-wide inspection by the Environmental Division will be conducted at the beginning of the Turtle Nesting Season. If a violation is found, the Division will conduct outreach to the owner to attempt voluntary compliance. If no voluntary compliance is achieved, then Code Compliance will intervene.

City regulatory departments, Planning, Building and Public Works, will continue to review construction plans to ensure that new developments, major renovations, or new lighting be in compliance with the ordinance. Therefore, no additional resources are required.

Violations of this ordinance are enforceable pursuant to the enforcement provisions of Section 1-14 and Chapter 30 of this Code. Violations fees will be used to further enhance and protect the dunes system, which are part of the native sea turtle habitat.

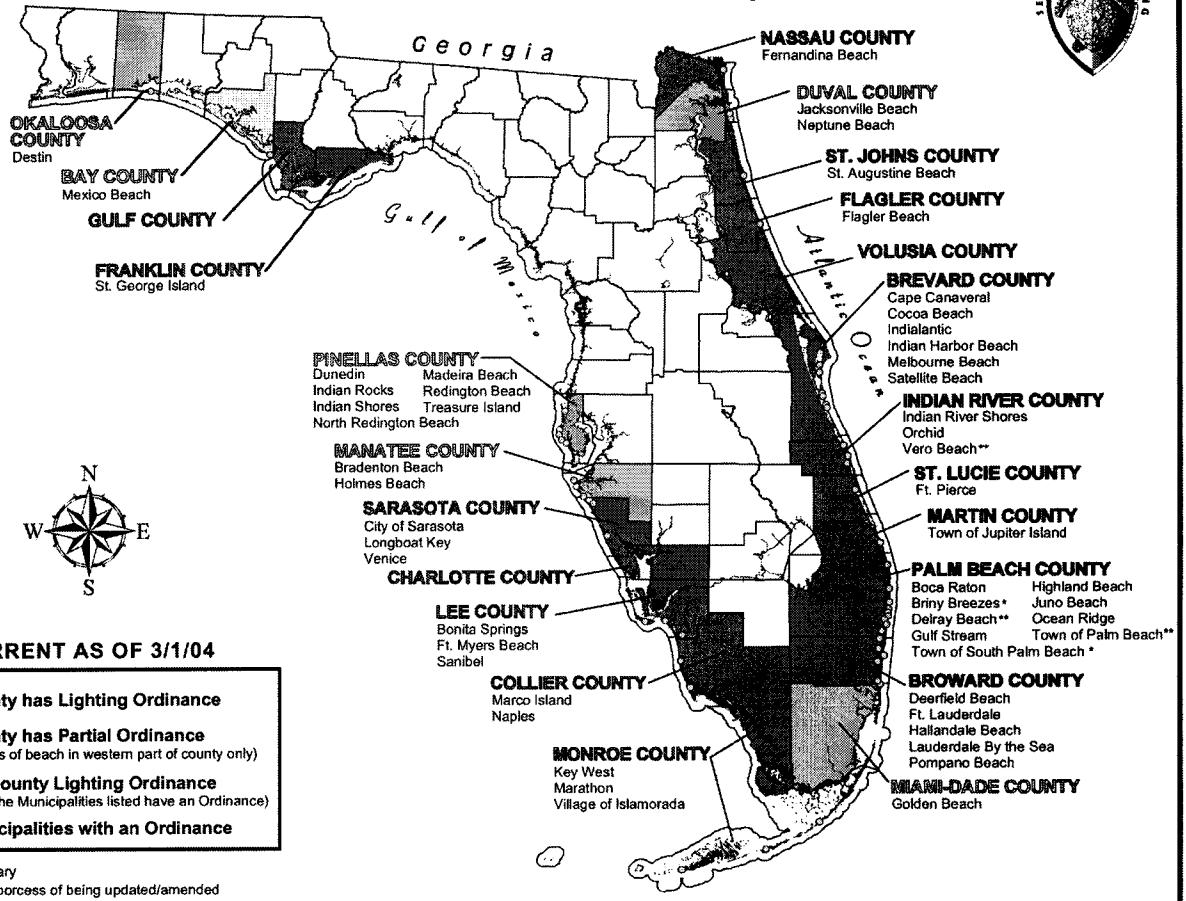
Initial outreach for this ordinance has been successfully conducted with the Greater Miami Beach Hotel Association, North Beach Development Corporation, the CMB Beach Preservation Committee, ECOMB, and several other hotels and condos, including Triton Towers, Riviera Condominium Association, Four Points Sheraton, Best Western Beach Resort, Days Inn Oceanside, Fairfield Inn & Suites and Days Inn South Beach.

The administration recommends the adoption of the Turtle Protection Ordinance to protect our native Sea Turtle Population.

JMG/RM/FHB/RH/FV/jzr

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# Sea Turtle Lighting Ordinances for Florida Counties and Municipalities





**MIAMIBEACH**

**CITY OF MIAMI BEACH  
NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY** given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, September 6, 2006**, to consider the following:

**10:15 a.m.**

An Ordinance Amending Chapter 2 Of The Miami Beach City Code Entitled "Administration" Amending Article 3, Entitled "Agencies, Boards, And Committees" Amending Division 25, Entitled "Transportation And Parking Committee" Amending Section 2-190.94, Entitled "Composition", By Reducing The Number Of Voting Members On The Committee From 19 To 14, And Amending The Composition Of The Committee To Delete The Memberships Representation From The Following Organizations: Washington Avenue Task Force; South Pointe Advisory Board To The Miami Beach Redevelopment Agency; Miami Beach Transportation Management Association; Miami Beach Convention Center And Theater Of The Performing Arts (SMG); And Middle Beach Partnership, Inc., D/B/A 41st Street-Middle Beach Partnership; Further Deleting The Non-Voting Ex-Officio Member Representations.

Inquiries may be directed to the Parking Department at (305) 673-7275.

**10:20 a.m.**

An Ordinance Amending Chapter 46 Of The City Of Miami Beach Code By Adding Article 6 Thereof Entitled "Turtle Nesting Protection Ordinance," Establishing Regulations For Lighting And Other Activities On Properties Abutting Or Affecting The Beach, Including East Of The Coastal Construction Control Line, For The Protection Of Sea And Marine Turtles, Endangered Species Nesting On Miami Beach.

Inquiries may be directed to the Public Works Department at (305) 673-7080.

**10:25 a.m.**

An Ordinance Amending Chapter 2 Of The Miami Beach City Code, Entitled "Administration" By Amending Article VI, Entitled "Procurement" By Amending Division 6, Entitled "Living Wage Requirements For City Service Contracts And City Employees" By Amending Section 2-408(B), Entitled "Health Benefits; Eligibility Period", To Require Covered Employers, Or The City, To Pay A Living Wage Of \$9.81 An Hour, Commencing On The Date Of Hire Of The Covered Employee, Through The Eligibility Period.

Inquiries may be directed to the Procurement Division at (305) 673-7490.

**10:40 a.m.**

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 118, "Administration And Review Procedures", Article II, "Boards", Division 4, "Historic Preservation Board", Section 118-106 To Modify The Requirements For Approvals Of Certificates Of Appropriateness.

Inquiries may be directed to the Planning Department at (305) 673-7550.

**10:50 a.m.**

An Ordinance Amending Chapter 142, "Land Development Regulations," Of The City Code; By Amending Article IV, "Supplementary Use Regulations," Section 142-874, "Required Enclosures," By Clarifying Store Enclosures; And Amending Section 142-904, "Additional Mixed Use Entertainment District Regulations," To Allow The Sale Of Cigars And Cigarettes By A Vendor Licensed On The Premises With Transactions To Occur Only Within Private Property.

Inquiries may be directed to the Planning Department at (305) 673-7550.

**2:00 p.m.**

An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Section 114-1, "Definitions," Clarifying The Meaning Of "Site;" Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 18, "PS Performance Standard District," Clarifying That Floor Area May Be Distributed On Block 1 Through Covenants In Lieu Of Unity Of Title.

Inquiries may be directed to the City Attorney's Office at (305) 673-7470.

**5:05 p.m.**

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, Chapter 142, "Zoning Districts And Regulations," Division 2, "RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts," By Amending Lot Coverage, Structure Size, Building Height And Setback Requirements For New Single-Family Residential Construction And By Amending The Criteria And Procedural Thresholds For The Review And Approval Of New Single-Family Residential Construction Inclusive Of The Creation Of A New Single-Family Residential Review Panel.

Inquiries may be directed to the Planning Department at (305) 673-7550.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. Copies of these ordinances are available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, and Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk  
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305) 673-7218 (TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Ad #386

MIAMI HERALD | THURSDAY, AUGUST 24, 2006 | 121

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