



# MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # **42-2014**

RECEIVED

2014 FEB -5 AM 9:57  
LETTER TO COMMISSION  
CITY CLERK'S OFFICE

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: February 3, 2014

SUBJECT: Noise Report – Quarter 4, 2013 (October 2013 through December 2013)

The purpose of this Letter to Commission (LTC) is to provide information and analysis on the Code Compliance Department's enforcement efforts regarding Noise Ordinance cases for the period between October 1, 2013 and December 31, 2013. For the purpose of Noise Reports, quarters are reflected by Calendar Year, as opposed to Fiscal Year as prescribed in the 2008 Administrative Guidelines. Said guidelines also require data and analysis to be presented in a specific format.

## I. SUMMARY

The data is presented in a table format (Attachment A), and commercial noise data is further detailed in a similar arrangement (Attachment B). The third and last attachment (Attachment C) reflects a synopsis on the resolution of noise-related cases that have been appealed, have been presented or are scheduled to be presented before the Special Master.

The compiled data reflects that during the rating period there were a total of **1,182** noise cases, opened through complaints or proactively. Of these, there were 159 cases that were either canceled by the complainant (22), were deemed to be duplicate (78), were voided due to input error (32), did not apply to Code (1), and/or were referred to the Miami Beach Police Department (MBPD) for handling (26). When these 159 cases are subtracted from the total number of noise cases, the result is **1,023 cases** with either a valid or a non-valid disposition. Of the 1,023 cases, 599 (58.6%) were identified to have taken place at a residentially zoned location; 301 cases (29.4%) occurred at a commercial establishment; and 123 (12.0%) were identified to have taken place on public property and are reflected as "other". The matrix below reflects the breakdown by type of location.

| BREAKDOWN OF TOTAL CASES BY LOCATION<br>October 2013 – December 2013 |     |       |
|--|-----|-------|
| RESIDENTIAL  | 599 | 58.6% |
| COMMERCIAL   | 301 | 29.4% |
| OTHER  | 123 | 12.0% |

During the rating period, there were a total of 221 valid noise cases and the aggregate validity rate for all noise cases was identified to be at 21.6%. The validity rate for noise cases within commercially zoned areas was slightly higher, at 22.6%. However, this rate is skewed by calls at one specific location which is currently in litigation with a neighboring property, and where the vast majority of the calls are invalid. If these calls (216) total noise cases for the current period, 5 of which were valid, and the rest were either invalid (130), duplicates (74), canceled (4), or voided (3) are backed out of the equation, the overall validity rate increases to 24.3%. Taking it a step further, when cases routed to the MBPD for handling are also removed from the equation (exclusively measuring the validity rate of noise cases responded to by Code) the rate increases to 26.3%.

**II. VALIDITY RATES**

Historically, noise validity rates have been incorrectly associated with the overall performance of Code Compliance. This correlation is not accurate as there are a myriad of factors that impact the validity of a noise complaint. Some factors that have a direct relationship to validity include response time and accessibility. Another reason that a case would be deemed invalid is that it simply fails to meet the validity threshold as reflected in Article IV – Section 46-152 of the City of Miami Beach Code. According to the code the noise must be identified to be “excessive, unusual, or unnecessary”; and between 11 PM and 7 AM, a noise may be deemed valid if it is “plainly audible at 100 feet.” However, there are occasions where the complaint cannot be assessed as the location in question may not be accessible (i.e. Code Compliance Officer (CCO) may not be able to enter the property as it may require an access code that was not provided by the complainant); or the noise ceased to exist by the time the CCO arrives to the subject address, or the call was unfounded/no noise.

Below is a chart reflecting the multiple reasons why noise complaints were deemed invalid during the rating period.

| EXPLANATION AS TO CALL WAS DEEMED NOT VALID<br>Commercial Noise Cases Only |                            |                  |                                    |                   |  |   |                             |       |
|--|----------------------------|------------------|------------------------------------|-------------------|--|---|-----------------------------|-------|
| No Noise Occurring at Arrival  | No access / No Access Code | Not a Code Issue | Lowered prior to officer's arrival | Exception Granted | Call handled by MBPD, no details available | After 11 PM Not Plainly Audible at 100 Feet | Music not loud or excessive | TOTAL |
| 40   | 1                          | 1                | 5                                  | 2                 | 9  | 25  | 150                         | 233   |

It is also important to denote that there is a direct correlation between noise validity rates and the complainants providing their identity and or contact information. During Q4 2013, the validity rate when the complainant leaves a contact number is 22.3%; as opposed to when the complainant remains anonymous (19.1%).

Notwithstanding, and directly as a result of multiple efforts including case monitoring, closer case review by Code Compliance Administrators (CCA) and management, accountability and follow up, the noise validity rate has gradually increased over the past seven (7) quarters. The chart below reflects the validity rate for commercial cases, which has improved more than 10 percentage points relative to quarters in year 2009, 2010, and 2011.

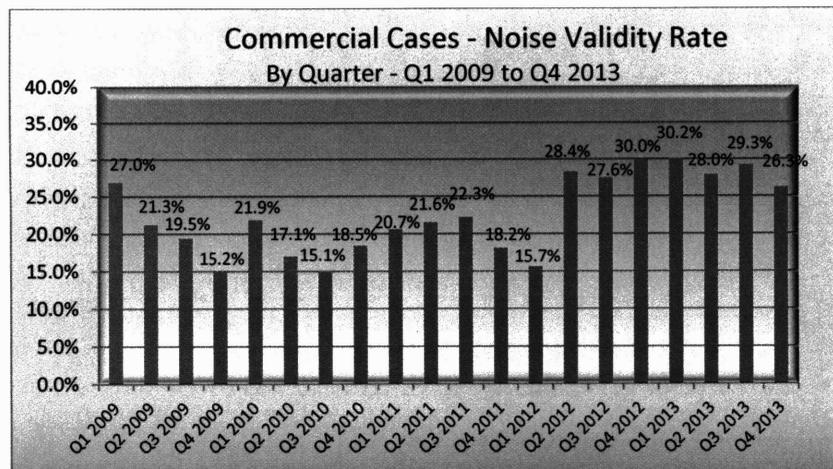


Chart #1

### III. ALL NOISE CASES

Historical analysis reflects a consistent pattern where Quarter 4 has the second highest number of Noise Violations within any calendar year. This pattern is in line with the festivities and special events that take place at the end of the year. The chart below demonstrates the quarterly trend and horse-shoe pattern in effect for the past eight (8) years.

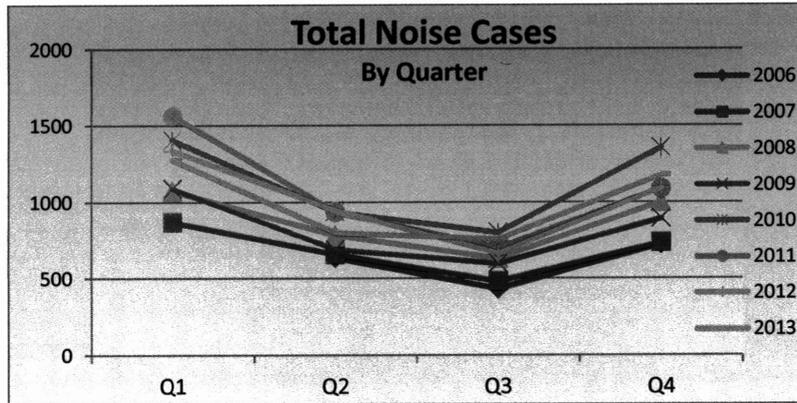


Chart #2

### IV. COMMERCIAL CASES

A historical trend analysis beginning on Quarter 1 2008 clearly reflects that the majority of noise-related cases take place within residentially zoned areas. This pattern is clearly illustrated in Chart #3, below.

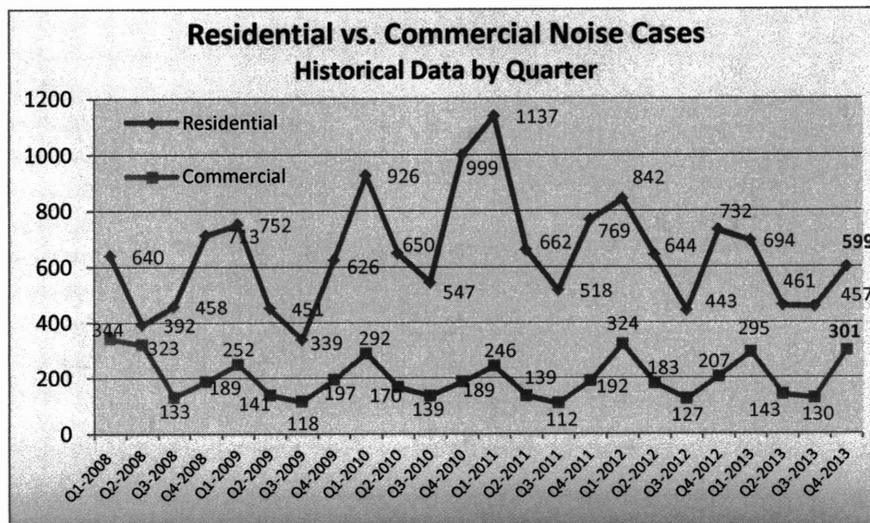


Chart #3

During Quarter 4 2013, there were a total of 599 noise cases that took place in residential properties, and 301 cases in commercial. For the analysis, commercial noise cases are those that take place in hotels, condo/hotels, restaurants, bars, retail space and commercial construction sites. A detailed breakdown of the 301 commercial cases and their location is reflected in Chart #4 on the following page.

A cursory analysis reveals that noise from hotels and restaurants make up more than half (56.5%) of all the commercial noise cases; followed by condo-hotels, bars, and clubs; while commercial retail space made up less than 2% of the cases.

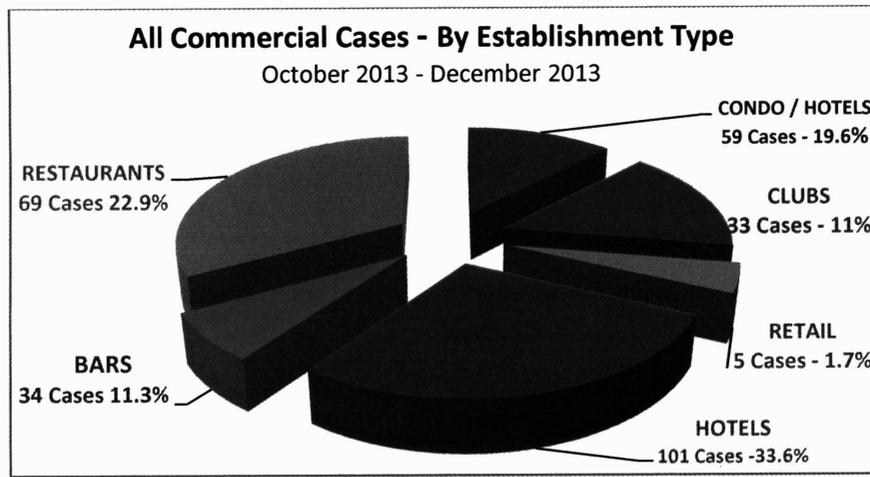


Chart #4

#### A. Type of Noise - Commercial Cases

As trending in noise reports since 2006, loud music is the most common type of noise reported. During the rating period, loud music accounted for 62.1% of commercial noise cases opened. This was followed by construction noise (110 cases – 36.5%), honking / car alarms (3 cases – 1%) and one (1) incident of a barking dog within a commercially zoned location.

#### B. Time/Day of Week Commercial Noise Occurs

Following a different pattern to previous years, data for Q4 2013 reflected a slight shift in the amount of commercial cases opened/reported between 7 AM to 11 PM (184 cases – 61.1%) and those cases opened/reported between 11 PM and 7 AM (117 cases – 38.9%). Historically, the 8-hour period between 11 PM and 7 AM accounted for about the same number of noise for the 16-hour period between 7 AM and 11 PM. It is also important to denote that part of the reason for the slight shift is the number of calls received from the aforementioned property that is in litigation with its neighboring building (where 68 of the 184 cases received between 7 AM to 11 PM were deemed related to this location).

During the current rating period, there has been an increase in the number of commercial cases during the day period. This may be as a result of an increase in construction activity. Attachment B provides detailed data regarding this experience.

As it relates to the day of the week when a noise case from a commercially zoned area is received / addressed, Saturday remains the day with the highest incidence of commercial noise violations, followed closely by Friday and then Sunday. These three (3) days account for nearly half (48.9%) of all the noise cases. For a more detailed breakdown, please see Attachment B.

**C. Response Time**

Response time is determined by information obtained from the Dispatch Division at the City’s Parking Department. The collected data reflects the time a call is received from a complainant and the time a CCO reports their arrival. Below is a chart reflecting the average time for a CCO to arrive, broken down by establishment type and status outcome for 911 cases (89% of all noise cases within the rating period). It is important to reflect that there were 113 cases where either received time or dispatched time was not captured by the system. On average, Code staff responds to a noise complaint well within 30 minutes of a complaint being received by Dispatch.

| <b>Average Response Time for Code Officer on Noise Complaints (Q4-2013)</b> |                    |                               |           |                  |   |
|---|--------------------|-------------------------------|-----------|------------------|---|
| Number of Cases*  | Establishment Type | Overall Average Response Time | Status    | Number of Cases* | Average Time from Call Received by Dispatch to Code Officer's Arrival |
| 911   | Residential        | 0:23:56                       | VALID     | 119              | 0:23:26   |
|   |                    |                               | NON-VALID | 424              | 0:24:04   |
|   | Commercial         | 0:25:02                       | VALID     | 50               | 0:19:52   |
|   |                    |                               | NON-VALID | 218              | 0:26:13   |
|   | Other              | 0:29:12                       | VALID     | 16               | 0:26:49   |
|   |                    |                               | NON-VALID | 84               | 0:29:39   |
| All Cases   | 0:24:50            | VALID                         | 185       | 0:24:45          |   |
|   |                    | NON-VALID                     | 726       | 0:25:22          |   |

\*Average Time Calculated using those cases with valid time data for both "Time Call Received by Dispatch" and "Time of Arrival by Code Officer"

It is worth mentioning that response times for commercial cases were within the set goal of 20 minutes or less. The validity rate for commercial cases was higher than it has been in the past; indicating that there may be a direct correlation between validity rates and response time.

**V. MAJOR / SPECIAL EVENTS**

Within the rating period, there were multiple major events within the City of Miami Beach, including Art Basel and New Year’s Eve. However, Art Basel is not a music-related event, and therefore it does not generate noise-related incidents.

Permits Plus database research reflects that the level of incidence for New Year’s Eve noise complaints marginally decreased relative to the past few years; while the ratio of valid noise complaints has been in the mid 20 percent (with the exception of 2012 where 50% of noise cases were identified to be valid). The chart below illustrates the data for the past five (5) years.

| <b>NEW YEAR'S NOISE INCIDENCE</b> |      |      |      |      |      |
|-----------------------------------|------|------|------|------|------|
|                                   | 2013 | 2012 | 2011 | 2010 | 2009 |
| TOTAL NOISE CASES                 | 47   | 52   | 74   | 68   | 42   |
| LOUD MUSIC                        | 39   | 46   | 71   | 66   | 40   |
| TOTAL VALID                       | 11   | 26   | 22   | 15   | 9    |

## **VI. NOISE ORDINANCE EXEMPTIONS**

During the rating period there were a number of requests for extended work hours by construction companies for after hours, weekends, or holidays. The majority of the requests were denied, but four (4) were granted to work extra hours after proper coordination through the Building Department, Public Works, and the Office of the City Manager.

## **VII. SPECIAL MASTER APPEAL HEARINGS**

Between the period of October 1 through December 31, 2013, there were a total of 24 appeals heard or filed with the Special Master for noise-related cases. As of the date of this LTC, three (3) cases were adjudicated guilty, one (1) was dismissed for lack of clear and convincing evidence, and one (1) was withdrawn by the petitioner and the fine was paid. The remaining 19 cases are either yet to be heard or requested a continuance. Detailed status on the 24 cases is reflected in **Attachment C**.

JLM/MLJ/HC/RSA/rfm  
  
Attachments

Attachment A - Noise Data – 10/01/2013 through 12/31/2013

Attachment B – Commercial Noise Cases - 10/01/2013 through 12/31/2013

Attachment C – Special Master Appeal Hearings - (10/01/2013 through 12/31/2013)

**ALL CASES**  
Noise Data 10/01/2013 - 12/31/2013 (Q4-2013)

| Total Number of Noise Complaint Cases Opened/Calls Received |   |                         |                                     |
|---|---|-------------------------|-------------------------------------|
| Total Cases Opened  | Less Voided, Canceled, Duplicate Complaints, Complaints not Applicable to Code Compliance | Total with Dispositions | Complaint Calls Received            |
| 1,182   | 159   | 1,023                   | 1,008                               |
|   |   |                         | Code of PD Initiated (Proactive) 15 |

*\*\*Canceled calls are cases canceled by the complainant prior to a Code Officer's arrival*

*\*Voided cases are cases that were entered in error, etc.*

| Valid Violation Breakdown |                 |           |
|---------------------------|-----------------|-----------|
| Verbal                    | Written Warning | Violation |
| 18                        | 160             | 43        |
|                           | 8.1%            | 72.4%     |
|                           | 19.5%           | 100%      |
| <b>Total Valid Cases</b>  | <b>221</b>      |           |

|               | Total Cases     |                         |                     |
|---------------|-----------------|-------------------------|---------------------|
|               | Number of Cases | Percentage of All Cases | Percentage of Cases |
| Residential   | 599             | 58.6%                   | 78.1%               |
| Commercial    | 301             | 29.4%                   | 77.4%               |
| Other         | 123             | 12.0%                   | 17.9%               |
| <b>Totals</b> | <b>1,023</b>    | <b>100%</b>             | <b>78.4%</b>        |

Residential = Apt, Condo, Single Family  
Commercial = Bar, Club, Hotel, Hotel-Condo, Restaurant, Retail, Constr-Com  
Other = Bandshell, Beach, Public Property, etc..

|               | Valid Cases     |                     | Non-Valid Cases |                     |
|---------------|-----------------|---------------------|-----------------|---------------------|
|               | Number of Cases | Percentage of Cases | Number of Cases | Percentage of Cases |
| APT           | 40              | 3.9%                | 194             | 19.0%               |
| BAR           | 10              | 1.0%                | 24              | 2.3%                |
| CLUBS         | 9               | 0.9%                | 24              | 2.3%                |
| CONDO         | 42              | 4.1%                | 169             | 16.5%               |
| CONDO-HOTEL   | 8               | 0.8%                | 51              | 5.0%                |
| HOME          | 49              | 4.8%                | 105             | 10.3%               |
| OTHER         | 22              | 2.2%                | 101             | 9.9%                |
| RESTAURANT    | 18              | 1.8%                | 51              | 5.0%                |
| RETAIL        | 1               | 0.1%                | 4               | 0.4%                |
| HOTEL         | 22              | 2.2%                | 79              | 7.7%                |
| UNKNOWN       | 0               | 0.0%                | 0               | 0.0%                |
| <b>Totals</b> | <b>221</b>      | <b>21.6%</b>        | <b>802</b>      | <b>78.4%</b>        |

| Disposition of All Noise Cases         |              |
|--|--------------|
| Type                                   | #            |
| <b>Total Cases</b>                     | <b>1,182</b> |
| Canceled**                             | 22           |
| Voided*                                | 32           |
| Duplicate Complaint                    | 78           |
| Not Applicable to Code                 | 1            |
| Referred to PD                         | 26           |
| <b>Total Valid and Non-Valid Cases</b> | <b>1,023</b> |
| Valid Cases                            | 221          |
| Non-valid Cases                        | 802          |

**Noise Cases by Noise Type**

| Noise Type          | TOTALS       |             | Valid Cases |              | Non-valid Cases |              |
|---------------------|--------------|-------------|-------------|--------------|-----------------|--------------|
|                     |              |             |             |              |                 |              |
| LOUD MUSIC          | 624          | 61.0%       | 152         | 14.9%        | 472             | 46.1%        |
| LIVE ENTERTAINMENT  | 2            | 0.2%        | 0           | 0.0%         | 2               | 0.2%         |
| BARKING DOG         | 99           | 9.7%        | 18          | 1.8%         | 81              | 7.9%         |
| CROWD NOISE         | 2            | 0.2%        | 0           | 0.0%         | 2               | 0.2%         |
| CONSTRUCTION        | 280          | 27.4%       | 50          | 4.9%         | 230             | 22.5%        |
| OTHER               | 0            | 0.0%        | 0           | 0.0%         | 0               | 0.0%         |
| HONKING CARS/ALARMS | 16           | 1.6%        | 1           | 0.1%         | 15              | 1.5%         |
| <b>Totals</b>       | <b>1,023</b> | <b>100%</b> | <b>221</b>  | <b>21.6%</b> | <b>802</b>      | <b>78.4%</b> |

**Call Time of Day / Day of Week**

**ALL CASES (VALID AND NON-VALID)**

|               | Total        |             | 7a - 11p   |              | 11p - 7a<br>(of the following morning) |              |
|---------------|--------------|-------------|------------|--------------|--|--------------|
|               |              |             |            |              |  |              |
| Monday        | 112          | 10.9%       | 80         | 7.8%         | 32                                     | 3.1%         |
| Tuesday       | 122          | 11.9%       | 68         | 6.6%         | 54                                     | 5.3%         |
| Wednesday     | 125          | 12.2%       | 81         | 7.9%         | 44                                     | 4.3%         |
| Thursday      | 120          | 11.7%       | 70         | 6.8%         | 50                                     | 4.9%         |
| Friday        | 170          | 16.6%       | 93         | 9.1%         | 77                                     | 7.5%         |
| Saturday      | 229          | 22.4%       | 124        | 12.1%        | 105                                    | 10.3%        |
| Sunday        | 145          | 14.2%       | 102        | 10.0%        | 43                                     | 4.2%         |
| <b>Totals</b> | <b>1,023</b> | <b>100%</b> | <b>618</b> | <b>60.4%</b> | <b>405</b>                             | <b>39.6%</b> |

**VALID**

|               | Total      |             | 7a - 11p   |              | 11p - 7a<br>(of the following morning) |              |
|---------------|------------|-------------|------------|--------------|--|--------------|
|               |            |             |            |              |  |              |
| Monday        | 24         | 10.9%       | 22         | 10.0%        | 2                                      | 0.9%         |
| Tuesday       | 21         | 9.5%        | 16         | 7.2%         | 5                                      | 2.3%         |
| Wednesday     | 17         | 7.7%        | 9          | 4.1%         | 8                                      | 3.6%         |
| Thursday      | 23         | 10.4%       | 13         | 5.9%         | 10                                     | 4.5%         |
| Friday        | 34         | 15.4%       | 13         | 5.9%         | 21                                     | 9.5%         |
| Saturday      | 75         | 33.9%       | 29         | 13.1%        | 46                                     | 20.8%        |
| Sunday        | 27         | 12.2%       | 16         | 7.2%         | 11                                     | 5.0%         |
| <b>Totals</b> | <b>221</b> | <b>100%</b> | <b>118</b> | <b>53.4%</b> | <b>103</b>                             | <b>46.6%</b> |

**NON-VALID**

|               | Total      |             | 7a - 11p   |              | 11p - 7a<br>(of the following morning) |              |
|---------------|------------|-------------|------------|--------------|--|--------------|
|               |            |             |            |              |  |              |
| Monday        | 88         | 11.0%       | 58         | 7.2%         | 30                                     | 3.7%         |
| Tuesday       | 101        | 12.6%       | 52         | 6.5%         | 49                                     | 6.1%         |
| Wednesday     | 108        | 13.5%       | 72         | 9.0%         | 36                                     | 4.5%         |
| Thursday      | 97         | 12.1%       | 57         | 7.1%         | 40                                     | 5.0%         |
| Friday        | 136        | 17.0%       | 80         | 10.0%        | 56                                     | 7.0%         |
| Saturday      | 154        | 19.2%       | 95         | 11.8%        | 59                                     | 7.4%         |
| Sunday        | 118        | 14.7%       | 86         | 10.7%        | 32                                     | 4.0%         |
| <b>Totals</b> | <b>802</b> | <b>100%</b> | <b>500</b> | <b>62.3%</b> | <b>302</b>                             | <b>37.7%</b> |

**Call Time of Day - Residential vs Commercial**

|               | Total        |             | 7a - 11p   |              | 11p - 7a<br>(of the following morning) |              |
|---------------|--------------|-------------|------------|--------------|--|--------------|
|               |              |             |            |              |  |              |
| RESIDENTIAL   | 599          | 58.6%       | 346        | 33.8%        | 253                                    | 24.7%        |
| COMMERCIAL    | 301          | 29.4%       | 184        | 18.0%        | 117                                    | 11.4%        |
| OTHER         | 123          | 12.0%       | 88         | 8.6%         | 35                                     | 3.4%         |
| <b>Totals</b> | <b>1,023</b> | <b>100%</b> | <b>618</b> | <b>60.4%</b> | <b>405</b>                             | <b>39.6%</b> |

**Breakdown of Calls with Identified Complainants and with Anonymous Complainants**

|                              | Total Cases  |             | Valid Cases |              | Non-valid Cases |              |
|------------------------------|--------------|-------------|-------------|--------------|-----------------|--------------|
|                              |              |             |             |              |                 |              |
| <b>Totals</b>                | <b>1,023</b> | <b>100%</b> | <b>221</b>  | <b>21.6%</b> | <b>802</b>      | <b>78.4%</b> |
| Anonymous Complainant        | 565          | 55.2%       | 108         | 10.6%        | 457             | 44.7%        |
| Anonymous with Contact made  | 63           | 6.2%        | 17          | 1.7%         | 46              | 4.5%         |
| Contact Information Provided | 380          | 37.1%       | 82          | 8.0%         | 298             | 29.1%        |
| Internal                     | 15           | 1.5%        | 14          | 1.4%         | 1               | 0.1%         |

**ATTACHMENT B**

**COMMERCIAL NOISE CASES  
Noise Data 10/01/2013 - 12/31/2013 (Q4-2013)**

**Total Number of Noise Complaint Calls Received**

| Total Cases<br>(Valid and Non-valid only) | Less Code or<br>PD Initiated<br>(Proactive) | Complaint Calls Received |
|---|---|--------------------------|
| 301                                       | 11  | 290                      |

**Disposition of All Noise  
Cases**

| Type                                     | #          | %           |
|--|------------|-------------|
| Valid Cases                              | 68         | 22.6%       |
| Non-valid Cases                          | 233        | 77.4%       |
| <b>Total Valid and Non-Valid Cases =</b> | <b>301</b> | <b>100%</b> |

Total Valid and Non-Valid Cases =

**Valid Violation Breakdown**

|                          |           |             |
|--------------------------|-----------|-------------|
| Verbal                   | 12        | 17.6%       |
| Written Warning          | 30        | 44.1%       |
| Violation                | 26        | 38.2%       |
| <b>Total Valid Cases</b> | <b>68</b> | <b>100%</b> |

**Noise Cases by Type of Establishment**

| Location Type | Totals     | % of Commercial Cases<br>(By Establishment Type) | Valid     | Non-Valid  |
|---------------|------------|--|-----------|------------|
| BAR           | 34         | 11.3%  | 10        | 24         |
| CLUBS         | 33         | 11.0%  | 9         | 24         |
| CONDO-HOTEL   | 59         | 19.6%  | 8         | 51         |
| RESTAURANT    | 69         | 22.9%  | 18        | 51         |
| RETAIL        | 5          | 1.7%   | 1         | 4          |
| HOTEL         | 101        | 33.6%  | 22        | 79         |
| <b>Total</b>  | <b>301</b> | <b>100%</b>                                      | <b>68</b> | <b>233</b> |

**Noise Cases by Noise Type**

| Noise Type          | Totals     | % of Commercial Cases<br>(By Type of Noise) | Valid     | Non-valid  |
|---------------------|------------|---|-----------|------------|
| LOUD MUSIC          | 187        | 62.1%                                       | 52        | 135        |
| LIVE ENTERTAINMENT  | 0          | 0.0%  | 0         | 0          |
| BARKING DOG         | 1          | 0.3%  | 1         | 0          |
| CROWD NOISE         | 0          | 0.0%  | 0         | 0          |
| CONSTRUCTION        | 110        | 36.5%                                       | 14        | 96         |
| OTHER               | 0          | 0.0%  | 0         | 0          |
| HONKING CARS/ALARMS | 3          | 1.0%  | 1         | 2          |
| <b>Totals</b>       | <b>301</b> | <b>100%</b>                                 | <b>68</b> | <b>233</b> |

**Time of Day / Day of Week of Call**

**ALL CASES (VALID AND NON-VALID)**

|               | Total      |               | 7a - 11p   |              | 11p - 7a<br>(of the following morning) |              |
|---------------|------------|---------------|------------|--------------|--|--------------|
|               |            |               |            |              |  |              |
| Monday        | 29         | 9.6%          | 24         | 8.0%         | 5                                      | 1.7%         |
| Tuesday       | 39         | 13.0%         | 23         | 7.6%         | 16                                     | 5.3%         |
| Wednesday     | 41         | 13.6%         | 29         | 9.6%         | 12                                     | 4.0%         |
| Thursday      | 37         | 12.3%         | 23         | 7.6%         | 14                                     | 4.7%         |
| Friday        | 41         | 13.6%         | 17         | 5.6%         | 24                                     | 8.0%         |
| Saturday      | 66         | 21.9%         | 36         | 12.0%        | 30                                     | 10.0%        |
| Sunday        | 48         | 15.9%         | 32         | 10.6%        | 16                                     | 5.3%         |
| <b>Totals</b> | <b>301</b> | <b>100.0%</b> | <b>184</b> | <b>61.1%</b> | <b>117</b>                             | <b>38.9%</b> |

**VALID**

|               | Total     |               | 7a - 11p  |            | 11p - 7a<br>(of the following morning) |            |
|---------------|-----------|---------------|-----------|------------|--|------------|
|               |           |               |           |            |  |            |
| Monday        | 5         | 7.4%          | 5         | 7.4%       | 0                                      | 0.0%       |
| Tuesday       | 9         | 13.2%         | 9         | 13.2%      | 0                                      | 0.0%       |
| Wednesday     | 3         | 4.4%          | 1         | 1.5%       | 2                                      | 2.9%       |
| Thursday      | 10        | 14.7%         | 4         | 5.9%       | 6                                      | 8.8%       |
| Friday        | 5         | 7.4%          | 1         | 1.5%       | 4                                      | 5.9%       |
| Saturday      | 23        | 33.8%         | 9         | 13.2%      | 14                                     | 20.6%      |
| Sunday        | 13        | 19.1%         | 6         | 8.8%       | 7                                      | 10.3%      |
| <b>Totals</b> | <b>68</b> | <b>100.0%</b> | <b>35</b> | <b>51%</b> | <b>33</b>                              | <b>49%</b> |

**NON-VALID**

|               | Total      |             | 7a - 11p   |            | 11p - 7a<br>(of the following morning) |            |
|---------------|------------|-------------|------------|------------|--|------------|
|               |            |             |            |            |  |            |
| Monday        | 24         | 10.3%       | 19         | 8.2%       | 5                                      | 2.1%       |
| Tuesday       | 30         | 12.9%       | 14         | 6.0%       | 16                                     | 6.9%       |
| Wednesday     | 38         | 16.3%       | 28         | 12.0%      | 10                                     | 4.3%       |
| Thursday      | 27         | 11.6%       | 19         | 8.2%       | 8                                      | 3.4%       |
| Friday        | 36         | 15.5%       | 16         | 6.9%       | 20                                     | 8.6%       |
| Saturday      | 43         | 18.5%       | 27         | 11.6%      | 16                                     | 6.9%       |
| Sunday        | 35         | 15.0%       | 26         | 11.2%      | 9                                      | 3.9%       |
| <b>Totals</b> | <b>233</b> | <b>100%</b> | <b>149</b> | <b>64%</b> | <b>84</b>                              | <b>36%</b> |

**Breakdown of Calls with Identified Complainants and with Anonymous Complainants**

|                              | Total Cases |       | Valid Cases |       | Non-valid Cases |       |
|------------------------------|-------------|-------|-------------|-------|-----------------|-------|
|                              |             |       |             |       |                 |       |
| Total Complainants           | 301         | 100%  | 68          | 22.6% | 233             | 77.4% |
| Anonymous Complainant        | 146         | 48.5% | 29          | 9.6%  | 117             | 38.9% |
| Anonymous with Contact made  | 15          | 5.0%  | 6           | 2.0%  | 9               | 3.0%  |
| Contact Information Provided | 129         | 42.9% | 22          | 7.3%  | 107             | 35.5% |
| Internal (Proactive)         | 11          | 3.7%  | 11          | 3.7%  | 0               | 0.0%  |

**ATTACHMENT C**

| Information on Disposition of Cases by Special Master and by Judicial (Q4-2013) |               |                            |                  |                         |   |  |
|---|---------------|----------------------------|------------------|-------------------------|---|--|
| Date of Violation   | Request Filed | Special Master Case Number | Code Case Number | Address                 | Name  | Status   |
| 07/20/2013  | 07/29/2013    | JC13000483                 | CE13011484       | 1701 Collins Ave        | 1701 COLLINS (MIAMI) OPERATING COMPANY          | SM 11/07/2013 - On 10/29/13 attorney for the appeal sent a letter withdrawing the appeal.  |
| 08/07/2013  | 08/15/2013    | JC13000553                 | CE13012180       | 1427 West Ave           | CULINARY ARTS CATERING, LLC D/B/A BARTON G      | SM 11/07/2013 - City Bill issued CB#00043020 / CUST# 021184 Customer paid full amount at Finance Department with Check# 25814. Still on calendar for SM ON 01/24/2014. |
| 09/01/2013  | 09/09/2013    | JC13000585                 | CE13013056       | 835 N Shore Drive       | IVAN DEL RIO & ELIGIO MOYA .                    | SM 10/10/2013 - Guilty of a First Offense - Fine of \$250 shall be paid by December 13, 2013.  |
| 09/24/2013  | 10/8/13.      | JC14000055                 | CE13013792       | 1140 ALTON RD           | FRIENDS OF LUBAVITCH OF FLA INC                 | SM 11/7/2013 - Case Dismissed. Violation not proven by clear and convincing evidence.  |
| 09/08/2013  | 09/27/2013    | JC14000070                 | CE13013266       | 6261 Collins Ave        | RP/WG Cabana Owners L.P.                        | SM 02/06/2014  |
| 09/09/2013  | 09/27/2013    | JC14000071                 | CE13013314       | 6261 Collins Ave        | RP/WG Cabana Owners L.P.                        | SM 02/06/2014  |
| 09/10/2013  | 09/27/2013    | JC14000072                 | CE13013318       | 6261 Collins Ave        | RP/WG Cabana Owners L.P.                        | SM 02/06/2014  |
| 09/20/2013  | 09/27/2013    | JC14000073                 | CE13013637       | 6261 Collins Ave        | RP/WG Cabana Owners L.P.                        | SM 02/06/2014  |
| 09/19/2013  | 09/27/2013    | JC14000074                 | CE13013634       | 6261 Collins Ave        | RP/WG Cabana Owners L.P.                        | SM 02/06/2014  |
| 10/06/2013  | 10/16/2013    | JC14000098                 | CE14000188       | 1000 South Pointe Drive | La Piaggia, Inc.                                | SM 03/13/2014  |
| 10/13/2013  | 10/22/2013    | JC14000099                 | CE14000416       | 8109 Crespi Blvd        | Pedro Garcia                                    | SM 01/09/2014 - Violator not present at SM. Adjudicated Guilty of a First Offense. Fine of \$250 imposed and shall be paid by 03/12/2014.                              |
| 10/13/2013  | 10/22/2013    | JC14000100                 | CE14000403       | 136 Collins Ave         | Amnesia International LLC / DBA Story           | SM 03/13/2014  |
| 10/12/2013  | 10/23/2013    | JC14000101                 | CE14000397       | 7300 Gary Ave           | Ivy Swanes                                      | SM 02/06/2014  |
| 10/27/2013  | 10/29/2013    | JC14000106                 | CE14000899       | 1701 Collins Ave        | 1701 COLLINS (MIAMI) OPERATING COMPANY          | SM 02/06/2014  |
| 10/24/2013  | 01/01/2014    | JC14000119                 | CE14000797       | 242 Washington Ave      | Ibiza, 2, Inc. / Richard Silverman              | SM 03/13/2014  |
| 11/10/2013  | 11/12/2013    | JC14000120                 | CE14001299       | 1000 South Pointe Drive | La Piaggia, Inc.                                | SM 03/13/2014  |
| 11/03/2013  | 11/12/2013    | JC14000121                 | CE14001113       | 1000 South Pointe Drive | La Piaggia, Inc.                                | SM 03/13/2014  |
| 10/27/2013  | 11/12/2013    | JC14000150                 | CE14000903       | 1685 Collins Ave        | Beach Hotel Associates LLC, d/b/a Bianca Delano | SM 03/13/2014  |
| 11/03/2013  | 11/12/2013    | JC14000151                 | CE14001092       | 960 Ocean Drive         | SOBE USA, LLC d/b/a Ocean's Ten                 | SM 03/13/2014  |
| 11/17/2013  | 11/25/2013    | JC14000183                 | CE14001540       | 960 Ocean Drive         | Ocean's Ten                                     | SM 03/13/2014  |
| 11/02/2013  | 11/08/2013    | JC14000188                 | CE14001070       | 960 Ocean Drive         | SOBE USA, LLC d/b/a Ocean's Ten                 | SM 03/13/2014  |
| 11/24/2013  | 12/02/2013    | JC14000191                 | CE14001763       | 960 Ocean Drive         | SOBE USA, LLC d/b/a Ocean's Ten                 | SM 03/13/2014  |
| 12/06/2013  | 12/10/2013    | JC14000194                 | CE14002134       | 1020 Ocean Drive        | 2K Cleveland Inc.                               | SM 04/10/2014  |
| 01/01/2014  | 01/10/2014    | JC14000241                 | CE14002988       | 27 Star Island Drive    | Starboard Florida IV, LLC                       | SM 05/08/2014  |