



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, FL 33139, www.miamibeachfl.gov

OFFICE OF MARKETING & COMMUNICATIONS, Tel: 305.673.7575

Tonya Daniels, E-mail: tonyadaniels@miamibeachfl.gov
Melissa Berthier, E-mail: melissaberthier@miamibeachfl.gov

PRESS RELEASE

FOR IMMEDIATE RELEASE

Jan. 28, 2021

City Commission Adopts Tougher Penalties for Iconic Sidewalk Cafés

— The ordinance holds sidewalk café operators accountable for deceptive business practices, solicitation and noise —

Miami Beach, FL – The Miami Beach City Commission unanimously adopted tougher sanctions for violations of the city’s Sidewalk Café Code of Conduct, which imposes escalating penalties for violations, including solicitation and improper disclosure of menu prices, taxes, fees or other charges. The ordinance affects all sidewalk cafés in the city.

“Outdoor café tables are a very important source of revenue to many restaurants,” explained Miami Beach Mayor Dan Gelber, who introduced the measure. “We want business operators to act responsibly. That means not harassing people as they walk by their establishments, being mindful of noise levels and being good corporate citizens by not blocking public rights of way.”

In addition to the existing fine structure, violations of the Sidewalk Café Code of Conduct now carry a 24-hour suspension of the sidewalk café permit for a first violation. Upon reopening, “the sidewalk café shall cease all sidewalk café business operations at midnight each day until the permittee submits an operational plan, which must be approved by the city manager, detailing how the violation(s) will be corrected.”

The second violation within the preceding 12-month period now carries a weekend-long suspension of the sidewalk café permit along with a 10 p.m. daily closure of the sidewalk café until an operational plan is approved. The third violation within the preceding 12-month period will result in revocation of the sidewalk café permit for the remainder of the permit year.

Sidewalk café operators who receive four or more sidewalk café violations over the preceding 12-month period will now be banned from “applying for and obtaining” a sidewalk café permit for two consecutive permit years following the permit year in which the most recent violation occurred.

“I think this is an important ordinance. We’re strengthening. We’re getting tougher on bad operators,” declared Miami Beach Commissioner Mark Samuelian, who co-sponsored the enhanced penalties. “As we’ve said many times, operating and making money on public property is a privilege, not a right. I think this is good government.”

The ordinance, which takes effect 10 days from the date of adoption, also targets unsightly food displays, visual and physical clutter, overcrowding of the rights of way, along with misleading advertising and bait-and-switch tactics.

###