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PRESS RELEASE

FOR IMMEDIATE RELEASE

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City of Miami Beach to Appeal Circuit Court's Ruling on Ordinances

— Maintains Stance that Ordinances are Properly Enacted Pursuant to Florida Law—

Miami Beach, FL – Last night, the circuit court in Miami-Dade County issued an order granting summary judgment to Natalie Nichols, which invalidated the City of Miami Beach's short-term rental ordinances based upon a conflict with state law.

"While we respectfully disagree with the court's ruling regarding this matter, the City of Miami Beach intends to immediately seek appellate review of this decision — and are confident that the Third District Court of Appeal will validate our ordinance," said Mayor Dan Gelber.

In 2016, the City of Miami Beach increased their short-term rental fines to \$20,000 for the first violation, where it had previously been \$1,500 for single-family and \$500 for multifamily residences. Under the current fine schedule, each subsequent violation increases by \$20,000, and can be as high as \$100,000 for multiple violations.

"It's no secret that rental rates in Miami Beach are astronomical, and our previous fines represented the cost of doing business and were a mere fraction of the charges for the illegal rentals," added Gelber. "There was a need for more substantial penalties as the city has an obligation to maintain the aesthetics, character and tranquility of our residential neighborhoods."

Furthermore, the city maintains that the fines are not in conflict, are legal and enforceable under Florida law. Chapter 162 of the Florida Statutes merely affords one method of enforcing the city's ordinances, but the clear and plain language of the statute authorizes municipalities to adopt an alternate code enforcement system, which the city has done in this matter. Florida courts have routinely upheld similar alternative code enforcement systems that have been adopted by municipal and county governments, including those that set their own fines beyond those established within Chapter 162. The city's ordinances are not in conflict with Florida law.

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