

# CODE COMPLIANCE

## DEPARTMENT MISSION STATEMENT

We are dedicated to protecting the public health, safety, welfare, and improving the quality of life for our City's residents, business owners and visitors through education and the consistent and equitable application of the City's Code of Laws and Ordinances.

## DEPARTMENT DESCRIPTION

The Code Compliance Department is responsible for maintaining the community's quality of life by seeking compliance with the City of Miami Beach Code of Laws and Ordinances. Code Compliance Officers are available to respond to resident concerns seven days a week.

Operating hours are as follows:

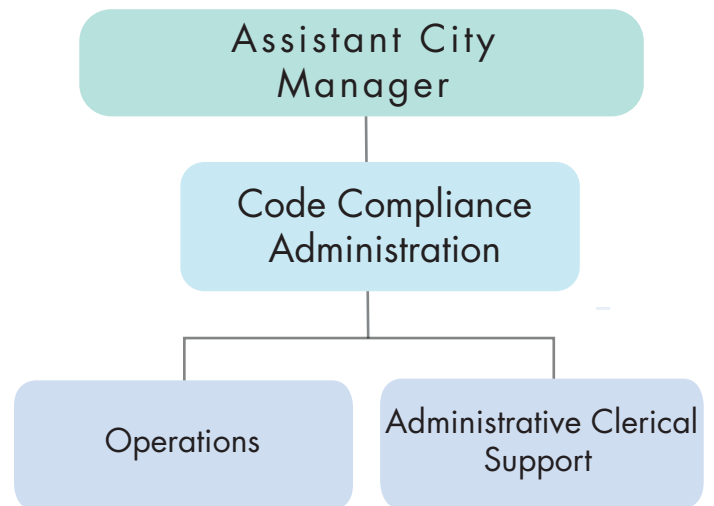
- Sunday through Wednesday from 6 a.m. to 1 a.m.
- Thursday from 6 a.m. to 3 a.m.
- Friday and Saturday 24 hours

As a regulatory department, Code Compliance is charged with enforcing the following ordinances and regulations:

- High-impact period regulations and special event compliance
- Noise
- Outdoor dining concessions, including Concession Agreements
- Sanitation and health hazards such as recycling and illegal dumping
- Commercial uses of single-family homes and short-term/transient rentals, including advertising
- Operating hours for construction, nightclubs, bars, and alcohol sales
- Polystyrene and other environmental issues
- Zoning/land development regulations
- Litter and graffiti
- Property maintenance, including the maintenance of abandoned property/vacant lots and minimum housing standards
- Signage on private property and public rights of way
- Inspections for Business Tax Receipts and Resort Tax compliance
- Artist vendors, street performers, and nonprofit vendors
- Leash laws and pooper scooper regulations
- Scooter/motorized vehicle rental regulations
- Marine and urban forestry regulations
- Sea turtle (nesting and lighting)
- Construction management — blocking of public right of way
- Tree ordinances
- Gas-powered leaf blowers
- Fertilizer use
- Water quality protection
- Tenancy Rental Increase Notice Requirement

## FISCAL ENVIRONMENT

The Code Compliance Department is supported by the General Fund, the Redevelopment Agency (RDA), the Resort Tax Fund, and the North Beach Community Redevelopment Agency (CRA). In addition, two of the department's positions are directly funded by the Sanitation Division of the Public Works Department.



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## STRATEGIC ALIGNMENT

Main Vision Area:

### Neighborhoods

Management Objectives:



- **Prosperity**
  - Revitalize targeted areas and increase investment through master plans and business vibrancy efforts as well as core services like safety and code enforcement. Better leverage our assets and parking lots. Areas include North Beach, Ocean Drive, 41<sup>st</sup> Street, Lincoln Road and Washington Avenue.
- **Neighborhoods**
  - Enhance the beautification, physical appearance and cleanliness of neighborhoods especially North Beach, City rights-of-way, town center areas, parks and beaches
  - Increase compliance with City code by creating more incentives for compliance vs. penalties, especially North Beach. Implement controls to prevent issues of unpermitted work or work exceeding permits on City projects.
  - Work cooperatively with Miami-Dade County to reduce the possibility of disease outbreaks
- **Organizational Innovation**
  - Make Miami Beach more business and user-friendly
  - Support all objectives to improve decision making and financial stewardship, making the city more business friendly, with an employee culture of problem solving and engagement

Strategic Plan Actions:

- **INCREASE** proactive patrol and community outreach initiatives to ensure vibrancy efforts
- **IMPLEMENT** responsive enforcement efforts to target areas identified through the Citywide Cleanliness Index
- **MONITOR** and increase community outreach efforts to yield compliance, proactively
- **PROACTIVELY** monitor the City for mosquito breeding grounds and work cooperatively with Miami-Dade County to reduce the possibility of mosquito-transmitted disease

Budget Enhancement Actions:

- N/A

## BUSINESS ENVIRONMENT

The Code Compliance Department is responsive to the needs of residents, homeowners, visitors, and business owners alike.

Over the past few years, the department has experienced an increase in workload as a result of the proliferation of illegal short-term/transient rental platforms. These increases include quality-of-life concerns such as noise, sanitation issues, and parking. The department has continued to experience increases in a number of construction-related complaints (e.g., noise complaints, hours of operation, and the unauthorized blocking of the public right of way). There continues to be new and amended laws and regulations related to the environment, including the ban on polystyrene products, plastic straws, and restrictions on the hours of operations of packaged liquor establishments contributing to the department's workload.

Florida Senate Bill 60 effectively prohibits Miami Beach Code Officers from initiating investigations or enforcement proceedings of potential violations of codes and ordinances based on anonymous complaints. A person reporting a potential violation must now provide their name and address before an investigation or enforcement proceeding occurs. This change will not impact Code Compliance conducting proactive site inspections and investigations to ensure compliance is achieved.

The Code Compliance Department collaborates with other City functional areas, including the Building Department, Tourism and Culture, Economic Development, the Police Department, Environment and Sustainability, Office of Marketing and Communications, Office of Housing and Community Services, Finance, Planning, Parking, Parks and Recreation, the Fire Department, and Public Works, as well as the City Attorney's Office to identify solutions for our community.



# CODE COMPLIANCE

## SIGNIFICANT ACCOMPLISHMENTS

- Established a paperless method for internal processes to streamline case workload and become more efficient
- Established a dedicated team of code officers in the Art Deco Cultural District (ADCD) to address quality-of-life issues, including hawking, soliciting, and violations of the Outdoor Dining Concession Code of Conduct
- Continued the focus on marine enforcement efforts of illegal charters and party boats operating in our jurisdictional waters
- Implemented a dedicated short-term/transient rental team to enhance investigations and ensure compliance
- Maintained certification to ISO 9001:2015, the international quality management system standard published by the International Organization for Standardization to demonstrate the department's ability to consistently provide services that meet customer and regulatory requirements and control our department operations
- Continued roll calls in several neighborhoods, including the ADCD and North Beach, increasing visibility in our neighborhoods
- Continued with our business-friendly approach, increasing the instances of voluntary compliance

## SIGNIFICANT ACCOMPLISHMENTS CONT'D

- Maintained extended service hours for Code Compliance to address cleanliness concerns, including early morning alley inspections seven days a week, resulting in improved Cleanliness Index scores
- Continued outreach and education efforts to residents and business owners by attending homeowner and merchant association meetings, both in-person and virtually. Distributed informational flyers and door hangers to properties as needed.

## CRITICAL SUCCESS FACTORS

- Coordination with the Sanitation Division to ensure timely removal of illegally dumped materials
- Collaboration with the Police Department regarding the enforcement of illegal events, illegal short-term/transient rentals, and alcohol violations
- Coordinated approach with the Finance Department for enforcement of Business Tax Receipt (BTR) applications, renewals, and Resort Tax compliance
- Legal guidance and assistance from the City Attorney's Office with Special Magistrate cases and other investigations
- Coordination with the Public Works Department for outdoor dining concession approvals and enforcement
- Collaboration with other City departments to follow up and resolve service requests

***During the last fiscal year, the Code Compliance Department addressed over 52,000 investigations and calls for service.***

## FUTURE OUTLOOK

As residents and businesses continue getting involved in representative associations, the Code Compliance Department anticipates the demand for community responsiveness will increase. As ordinances become more complex and increase in number, Code Compliance Officers will have to adapt and become problem-solvers to find solutions for our community. We continue to look for opportunities to improve the efficient delivery of services by the department.