



**CITY OF FORT LAUDERDALE  
City Commission Agenda Memo  
REGULAR MEETING**

**#24-0300**

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**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Greg Chavarria, City Manager

**DATE:** March 19, 2024

**TITLE:** Second Reading – Ordinance Amending the City of Fort Lauderdale Chapter 8,  
Public Beaches, Section 8-55.4, Titled “Sale, Service, and Consumption of Food  
and Alcoholic Beverages.”- **(Commission District 2)**

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**Recommendation**

Staff recommends the City Commission approve an ordinance amending Section 8-55.4 to expand the license program and authorize Breakers Avenue hotel operators to sell, serve and deliver alcoholic beverages and food on or within specified public beach areas to customers renting a beach chair from a city-approved beach concessionaire.

**Background**

In 2015, the City Commission adopted an ordinance establishing a program to allow vendors to obtain a permit to sell food and non-alcoholic beverages on the beach. There was little to no participation in the program, effectively leaving no food and beverage service on the beach.

On July 5, 2022, the City Commission provided direction to staff to amend the Code of Ordinances to allow upland hotels to serve food and beverages (including alcohol) to customers sitting on City-concessionaire chairs directly across the street from their property. Customers may be hotel guests or members of the public, provided they are sitting in a City concessionaire-provided chair.

On October 18, 2022, the City Commission voted to approve an ordinance on first reading with an amendment to make the program a one-year pilot. The amendment proposed to repeal the ordinance in one year from adoption unless the City Commission votes to maintain it. The amendment also designated operating hours and beach chair locations to run congruently with the City’s beach equipment concessionaire’s contract. On November 1, 2022, the City Commission voted to approve the ordinance on second reading.

The pilot program existed for one-year beginning November 1, 2022, and was managed by the Parks and Recreation Department. With City Commission approval, eight upland property hotels have obtained licenses from the City to use the public beach directly in

front of their property to sell and serve their food and beverages (including alcohol) to customers sitting on the City- concessionaire provided chairs (this includes guests of the hotel and non-hotel guests).

On November 21, 2023, the City Commission voted to adopt the program following the pilot program. As part of the adoption, the ordinance allowed hotels north of Sunrise Boulevard that are situated on the beach to participate in the program.

With the adoption of the program on November 21, 2023, the Commission directed staff to explore an amendment to allow the participation of hotels located on Breakers Avenue. Staff worked with property owners in concert with the Central Beach Alliance and have prepared a proposed amendment to authorize hotels along Breakers Avenue, as defined by City Code Section 8-55.4, to participate in the program. Per the proposed amendment, any qualifying Breakers Avenue Hotel may participate with the exception of a Breakers Avenue Hotel with a participating Upland Hotel to the east of it. An Upland Hotel is defined as any hotel that directly abuts Fort Lauderdale Public Beach or shares a property line with State Road A-1-A.

At the March 5, 2024, City Commission Regular Meeting the Commission asked staff to clarify the definitions of “Hotel” and “Breakers Avenue Hotel” prior to the second reading of the ordinance. Within Section 8-55.4.A, the definition of “Hotel” will be amended to clarify the requirement to have at least twenty-five (25) guest rooms and the definition of “Breakers Avenue Hotel” will be amended to clearly state that it is a hotel located on Breakers Avenue.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

This item is a *FY2024 Commission Priority*, advancing the Economic Development initiative.

This item supports the *Press Play Fort Lauderdale 2029 Strategic Plan*, specifically advancing:

- The Business Growth and Support Focus Area ,Goal 6: Build a diverse and attractive economy.

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Prosperous*.

### **Attachment**

Exhibit 1 - Ordinance

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Prepared by: Christopher Cooper, AICP, Development Services Department

Director: Christopher Cooper, AICP, Development Services Department