



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

FROM: Greg Chavarria, City Manager

DATE: November 1, 2022

TITLE: Second Reading – Ordinance Amending the City of Fort Lauderdale Chapter 8, Public Beaches, by Repealing in its Entirety Section 8-55.4, Titled “Food and Non-Alcoholic Beverage Service” and Creating a New Code Section 8-55.4, Titled “Sale, Service, and Consumption of Food and Alcoholic Beverages”; and Amending Section 8-85, Titled “Alcoholic Beverages Prohibited” to Allow an Exception - **(Commission District 2)**

Recommendation

Staff recommends the City Commission approve an ordinance replacing the current language in 8-55.4 with amended language to authorize upland hotel owners and operators directly across from the beach 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. Staff also recommends amending section 8-85, to allow for an exception for the upland hotels to sell, serve and deliver alcoholic beverages on the public beach. These proposed amendments are intended to provide for the sale and consumption of food and alcohol on the Public Beach directly in front of the hotels facing A1A and replace the existing permit program with a new program that will encourage and promote Fort Lauderdale Beach as a world-class destination.

Background

On October 18, 2022, the City Commission voted to approve the ordinance on first reading with an amendment to make the program a one-year pilot. The amendment proposes to repeal the ordinance in one year from adoption unless the City Commission votes to maintain it. The amendment will also designate operating hours and beach chair locations to run congruently with the City’s beach equipment concessionaire’s contract. During the pilot year, staff was directed to work with stakeholders about fair access to the program for other establishments including beach side restaurants and near-beach hotels. Additionally, staff will continue stakeholder outreach with the Central Beach Civic Association and other interested parties.

At their July 5, 2022 meeting, 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.

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

The program proposed now, as managed by the Parks and Recreation Department, should better meet the high standards of service requested by hotel guests and the public:

- With City Commission approval, upland property hotels can obtain 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).
- The hotel must submit a site plan depicting the extension of the property boundaries into the public beach, and a detailed design of any temporary beachfront structure shall be reviewed and processed by the City, subject to any applicable regulations.
- The hotel must submit a traffic control plan with safety guidelines for crossing the public right-of-way.
- Service providers must wear uniforms identifying the hotel.
- Hotels must commit to exclusive use of recyclable or reusable food and beverage containers, cutlery, and packaging.
- Associated waste and litter disposal will be the responsibility of the hotels.
- All applicants for a permit shall be properly licensed by the applicable regulatory agency for food and beverage service delivery.
- The license fee shall be calculated at an amount equal to \$25 per guest room, per year, for each licensed hotel.
- Licenses may be suspended or revoked for non-compliance. Such suspensions or revocations can be appealed to the City Commission. Continued non-compliance may initiate code enforcement proceedings.

Strategic Connections

This item is a *2022 Commission Priority*, advancing the Economic Diversification initiative.

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Business Development Focus Area
- Goal 5: Build an attractive global and local economic community marketplace

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

Attachment

Exhibit 1 - Ordinance

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