

ORDINANCE NO. C-26-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING CHAPTER 8, ARTICLE III, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TITLED "PUBLIC BEACHES," BY AMENDING SECTION 8-55.5, TITLED "HIGH IMPACT EVENTS ON BEACH PROPERTY," BY RENAMING SECTION 8-55.5 TO "HIGH IMPACT ZONES DURING HIGH IMPACT PERIODS" TO AUTHORIZE THE CITY MANAGER TO DESIGNATE HIGH IMPACT ZONES WITHIN THE CITY AND IMPOSE ADDITIONAL TEMPORARY IMMEDIATE MEASURES DURING HIGH IMPACT PERIODS, INCLUDING A CURFEW THAT RESTRICTS JUVENILE ACCESS TO DESIGNATED AREAS, SUSPENSION OF SIDEWALK CAFÉ PERMITS AND REMOVAL OF CAFÉ EQUIPMENT WITH NOTICE TO THE PERMITTEE, AND MODIFICATION OF OPERATING HOURS FOR CITY PARKS AND FACILITIES; PROVIDING FOR DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND REPEAL; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, section 8-55.5 of the Code of Ordinances of the City of Fort Lauderdale currently regulates high impact events on the public beach property and authorizes the City Manager or designee to impose immediate measures for high impact events including the Tortuga Music Festival, Panthers Stanley Cup Celebration Parade, Fort Lauderdale International Boat Show, and Fort Lauderdale Air Show, among others; and

WHEREAS, during high impact events, City staff have observed an increased percentage of activity, such as public intoxication, loitering, crowd control, and public disturbances, that warrant police intervention; and

WHEREAS, the proposed amendments to section 8-55.5 of the Code will grant the City Manager or designee independent authority to impose additional immediate temporary measures whenever, in his/her reasonable discretion, the City Manager determines that a high impact event will occur or is in progress, including a curfew that restricts juvenile access to designated areas, suspension of sidewalk café permits and removal of café equipment with notice to the permittee, and modification of operating hours for City parks and facilities, providing

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the City Manager or designee the flexibility to enforce said rules and regulations for enhanced safety measures during each high impact period; and

WHEREAS, as a condition to the City's issuance of a sidewalk café permit and pursuant to section 25-189(3) of the Code, the City has the authority to suspend a permit, when an ordinance, resolution, or motion is adopted by the city commission providing for an event that requires the sidewalk be clear for a period of time; and

WHEREAS, the City Commission finds amending section 8-55.5 will serve a legitimate municipal purpose by promoting a controlled and safe environment for the public during high impact events and contribute to promoting the City of Fort Lauderdale as a world-renowned tourist destination;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That section 8-55.5 of the Code of Ordinances of the City of Fort Lauderdale entitled "High impact events on beach property" is hereby amended as follows:

Sec. 8-55.5. High impact events on beach property zones during high impact periods.

(a) Definitions.

- ~~(1) Barrier island means and includes beach property as defined herein, up to and including the westernmost bank of the intracoastal waterway to the west. Southeast 17th Street to the south and Northeast 42nd Court to the north.~~
- ~~(2) Beach property means and includes the public bathing beach or beaches on the waters of the Atlantic Ocean in the city extending from the north line of Government Lot 3, Section 12, Township 50 South, Range 42 East extended to the Atlantic Ocean on the south to the northern boundary line of Section 31, Township 49 South, Range 43 East on the north and from North Atlantic Boulevard (State Road A-1-A) on the west to the waters of the Atlantic Ocean on the east, save and except therefrom that area bounded on the east by the waters of the Atlantic Ocean, on the west by the easternmost right-of-way of State Road A-1-A, with the northern and southern boundaries thereof as described in those instruments recorded at Deed Book 372, Page 360 and Official~~

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~~Records Book 1213, Page 643 of the Public Records of Broward County, Florida, said instruments being on file in the office of the city clerk, and said area generally known as Bonnet House Private Beach, being seven hundred (700) feet of privately owned beach, unencumbered by any public beach easement rights and further excepting therefrom that area shown as Sand Beach on the plat of Lauderdale Beach as recorded in Plat Book 4, Page 2, of the Public Records of Broward County, Florida, which extends from the northern boundary line of Section 31, Township 49 South, Range 43 East on the south to the north boundary line of Oakland Park Beach Boulevard extended to the waters of the Atlantic Ocean on the north and from the east boundary line of Blocks 12, 13, Vista Park, 14, C, D, 15, 16, 17, 18 and 19 of Lauderdale Beach Subdivision as recorded in Plat Book 4, Page 2 of the Public Records of Broward County, Florida, on the west to the waters of the Atlantic Ocean on the east, and it is hereby known and designated as "Fort Lauderdale Beach" and is hereby declared to be a public municipal beach and recreational area for the use of the public in general, including the westernmost sidewalk of State Road A-1-A.~~

- (1) "High Impact Zone" means the area(s) of the city, which may include the beach property, that the city manager designates as subject to a high impact period. The city manager's designation of a high impact area shall be based on history of past impact of similar high impact periods.
- (2) "Cooler" means a container designed for or capable of carrying or storing foods and beverages in cans or bottles.
- (3) "High Impact eventPeriod" means an event, activity, period of time, or gathering on beach property within a high impact zone in the City of Fort Lauderdale during which one (1) or more of the following occur:
 - a. An event, activity, or period of time within a high impact zone for which no city issued outdoor event permit has been granted, that generates a significant spike in social media conversations, increasing audience impressions, and attention on the city, which is and either (i) in the prior calendar year, generated attendance of more than five thousand (5,000) people; or (ii) is expected to generate attendance by more than five thousand (5,000) people for an area of beach property within a

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high impact zone, as determined by the city manager, in his or her reasonable discretion;

- b. City parking lots and garages in an area within a 15-block radius of an event that is held ~~on beach property~~ within a high impact zone pursuant to an outdoor special event permit, or otherwise, are at full capacity;
 - c. An event is held pursuant to an outdoor special event permit which is expected to result in attendance by more than twenty-five thousand (25,000) people ~~on beach property~~ within a high impact zone, as determined by the city manager, in his or her reasonable discretion;
 - d. A maintenance of traffic (MOT) plan would be required, or is required (e.g., including, but not limited to, street closures, lane closures, shuttle service) ~~based upon the~~ within a high impact zone event, or pursuant to an outdoor special event permit;
 - e. Hotel occupancy levels are anticipated to be greater than eighty-five (85) percent in the city; ~~or~~
 - f. Law enforcement mutual aid or other assistance from outside law enforcement agencies is required to provide for the safety and well-being of residents and visitors ~~to the beach property~~ within a high impact zone; or
 - g. A period of time that includes an observed holiday for which during the prior calendar year the city experienced an increased congregation of people in a high impact zone.
- (b) *City manager's authority to impose immediate measure(s) for high impact events.* Whenever the city manager or designee determines that a high impact event ~~on beach property~~ within a high impact zone will occur, or is in progress, the city manager or designee may impose one (1) or more of the following immediate measures for a temporary period, as determined by the city manager or designee, to protect the ~~beach~~

public property from damage, and property degradation, and or any unauthorized use in order to protect the health, safety, and welfare of the general public:

- (1) ~~The p~~Prohibition of coolers.
- (2) ~~The p~~Prohibition of any inflatable devices.
- (3) ~~The p~~Prohibition of tents, tables, and similar structures.
- (4) ~~The l~~Limitation of live or amplified music.
- (5) ~~The l~~Limitation of traffic routes to prohibit vehicular access to non-residents, and permit access only for residents and those patrons and employees of businesses located in the specific area where traffic routes have been limited.
- (6) ~~The e~~Establishment of occupancy limits for different segments of ~~beach~~public property; and prohibiting access to those areas that have reached those occupancy limits.
- (7) ~~The p~~Prohibition of any sale, distribution, or consumption of alcohol on the beach public property including, but not limited to, any public road, street, alley, park, canal or beach.
- (8) Implement a curfew that restricts juveniles under the age of 18 years from accessing specific area(s) at or near a high impact event, as designated by the city manager or designee, without the supervision of a parent or adult 18 years of age or older.
- (9) Suspend sidewalk café permits, including outdoor on-premises sale, and order the removal of associated café equipment with notice to the permittee pursuant to section 25-190 of the Code.
- (10) Modify operating hours for parks and city facilities.

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- (~~8~~11) Notwithstanding Chapter 27, Article VII, Division 2 of the Code, the prohibition or limitation of dockless scooters and other dockless mobility programs on the barrier island as defined herein.
- (~~9~~12) Notwithstanding the provisions in Chapter 26, Article IV, Division 4, Section 26-161 of the Code, the implementation of a high impact period parking rate of up to one hundred dollars (\$100.00) per calendar day.
- (c) *Notification of high impact event measures.* When one (1) or more immediate measures are implemented by the city manager, or designee, pursuant to subsection b., above, such measures, the charges or rates, and their duration, shall be filed with the city clerk and delivered through all appropriate city communication methods, and news and social media for publication and through local radio and television stations for broadcast. If practicable, signs may be posted in the impacted area(s) advising of the measures during the duration of such measures.
- (d) *Enforcement penalty.* Any refusal to comply with the measures imposed pursuant to subsection 8-55.5(b)(~~1-12~~8), above, may be punished as provided in section 1-6 of this Code. Any refusal to comply with the measures imposed pursuant to subsection 8-55.5(b)(~~9~~12), above, may be punished as provided in ~~S~~section 26-91 of this Code.

SECTION 2. At the direction of the City Attorney, the publisher of the Code of Ordinances of the City of Fort Lauderdale, Florida, is authorized to conform chapter, article, section, subsection, and clause numbers and letters, and capitalization, set forth in the Code of Ordinances of the City of Fort Lauderdale, Florida, and to correct any non-substantive scrivener's errors in the codification of this Ordinance without the need for a public hearing.

SECTION 3. That if any clause, section, or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 5. That this Ordinance shall be in full force and effect upon its passage on second reading.

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PASSED FIRST READING this ____ day of _____, 2026.

PASSED SECOND READING this ____ day of _____, 2026.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN