

R5 T AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE MIAMI BEACH CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE V, ENTITLED "TURTLE NESTING PROTECTION ORDINANCE," BY AMENDING SEC. 46-203, ENTITLED "PROHIBITED ACTIVITIES DISRUPTIVE TO MARINE TURTLES," BY AMENDING SECTION 46 203(C), RELATING TO SPECIAL EVENTS, TO ESTABLISH RULES FOR SPECIAL EVENTS HELD BETWEEN APRIL 1 – APRIL 30 AND MAY 1 – OCTOBER 31, INCLUDING LIGHTING PROHIBITIONS, TIME LIMITATIONS, AND PENALTIES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Applicable Area:

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: April 22, 2026 10:26 a.m. First Reading Public Hearing

TITLE: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE MIAMI BEACH CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE V, ENTITLED "TURTLE NESTING PROTECTION ORDINANCE," BY AMENDING SEC. 46-203, ENTITLED "PROHIBITED ACTIVITIES DISRUPTIVE TO MARINE TURTLES," BY AMENDING SECTION 46 203(C), RELATING TO SPECIAL EVENTS, TO ESTABLISH RULES FOR SPECIAL EVENTS HELD BETWEEN APRIL 1 – APRIL 30 AND MAY 1 – OCTOBER 31, INCLUDING LIGHTING PROHIBITIONS, TIME LIMITATIONS, AND PENALTIES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **RECOMMENDATION**

### **BACKGROUND/HISTORY**

### **ANALYSIS**

The beach along the Atlantic Ocean within the boundaries of the City of Miami Beach is utilized by federally and state-protected sea turtles for nesting, as documented in the City's lighting and turtle-nesting materials and codified within the City's existing Turtle Nesting Protection Ordinance.

Sea turtle nesting season begins on April 1 within the City of Miami Beach, to account for earlier nesting of leatherback turtles, and continues through October 31.

Artificial lighting and nighttime illumination visible from the beach during nesting season can disorient adult turtles and hatchlings, resulting in reduced nesting success and increased mortality, as recognized in existing City legislation and Florida Fish and Wildlife Conservation Commission recommendations.

Special events conducted on the beach during nesting season commonly involve lighting, equipment, and activity that—if not properly limited—can produce artificial light visible from the beach or create nighttime disturbances inconsistent with sea turtle protection best practices.

The sponsor of this proposed ordinance, Commissioner David Suarez, desires to strengthen the provisions of Section 46-203(c) by (1) codifying special-event lighting restrictions for April 1 through April 30 consistent with existing rules; (2) prohibiting special events after 9:00 p.m. between May 1 and October 31, including any associated load-in and load-out lighting; and (3) requiring the City Administration to incorporate a substantial security deposit or penalty provision of up to \$50,000 into special event agreements for any event taking place between April 1 and April 30 if sea-turtle-friendly lighting requirements are violated.

**FISCAL IMPACT STATEMENT**

N/A

**Does this Ordinance require a Business Impact Estimate?** No  
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:  
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

**FINANCIAL INFORMATION**

**CONCLUSION**

**Applicable Area**

Citywide

**Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?**

No

**Is this item related to a G.O. Bond Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying?**

If so, specify the name of lobbyist(s) and principal(s):

**Department**

City Attorney

**Sponsor(s)**

Commissioner David Suarez

**Co-sponsor(s)**

**Condensed Title**

10:26 a.m. 1st Rdg, Turtle Season Special Event Regulations. (Suarez) CA

**Previous Action (For City Clerk Use Only)**



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE MIAMI BEACH CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE V, ENTITLED "TURTLE NESTING PROTECTION ORDINANCE," BY AMENDING SEC. 46-203, ENTITLED "PROHIBITED ACTIVITIES DISRUPTIVE TO MARINE TURTLES," BY AMENDING SECTION 46-203(C), RELATING TO SPECIAL EVENTS, TO ESTABLISH RULES FOR SPECIAL EVENTS HELD BETWEEN APRIL 1–APRIL 30 AND MAY 1–OCTOBER 31, INCLUDING LIGHTING PROHIBITIONS, TIME LIMITATIONS, AND PENALTIES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, the beach along the Atlantic Ocean within the boundaries of the City of Miami Beach is utilized by federally and state-protected sea turtles for nesting, as documented in the City's lighting and turtle-nesting materials and codified within the City's existing Turtle Nesting Protection Ordinance; and

**WHEREAS**, sea turtle nesting season begins on April 1 within the City of Miami Beach, to account for earlier nesting of leatherback turtles, and continues through October 31; and

**WHEREAS**, artificial lighting and nighttime illumination visible from the beach during nesting season can disorient adult turtles and hatchlings, resulting in reduced nesting success and increased mortality, as recognized in existing City legislation and Florida Fish and Wildlife Conservation Commission recommendations; and

**WHEREAS**, special events conducted on the beach during nesting season commonly involve lighting, equipment, and activity that—if not properly limited—can produce artificial light visible from the beach or create nighttime disturbances inconsistent with sea turtle protection best practices; and

**WHEREAS**, the Mayor and City Commission desire to strengthen the provisions of Section 46-203(c) by (1) codifying special-event lighting restrictions for April 1 through April 30 consistent with existing rules; (2) prohibiting special events after 9:00 p.m. between May 1 and October 31, including any associated load-in and load-out lighting; and (3) requiring the City Administration to incorporate a substantial security deposit or penalty provision of up to \$50,000 into special event agreements for any event taking place between April 1 and April 30 if sea-turtle-friendly lighting requirements are violated; and

**WHEREAS**, the Mayor and City Commission find these amendments to be necessary to enhance protection of the City's sensitive coastal habitat for sea turtle nesting.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:**

**SECTION 1. That Section 46 203(c) of the City Code is hereby amended as follows:**

**CHAPTER 46. ENVIRONMENT**

\* \* \*

**ARTICLE V. TURTLE NESTING PROTECTION ORDINANCE**

\* \* \*

**Sec. 46-203. Prohibited activities disruptive to marine turtles.**

\* \* \*

~~(c) *Special events.* Special events taking place on the beach during nesting season that may have lighting needs shall require a permit or exemption from the Florida Department of Environmental Protection. Additionally, any lighting associated with a special event cannot be visible from the beach after 9:00 p.m. Any authorized lighting must be low wattage long wavelength light source, shielded, and directed away from the beach.~~

(c) Special Events; Seasonal Restrictions.

(1) Special events taking place on the beach during nesting season (i.e. April 1 through October 31) that may have lighting needs shall require a permit or exemption from the Florida Department of Environmental Protection. Additionally, any lighting associated with a special event cannot be visible from the beach after 9:00 p.m. Any authorized lighting must be low wattage long wavelength light source, shielded, and directed away from the beach.

(2) April 1 through April 30.

Special events occurring on the beach between April 1 and April 30 shall comply with all existing turtle friendly lighting requirements, including prohibitions on visible lighting and mandatory use of authorized, turtle friendly lighting only, as set forth in subsection (c)(1).

(3) May 1 through October 31.

Special events are prohibited on the beach after 9:00 p.m. during this period. This prohibition shall include all associated lighting, including lighting used for load in, load out, staging, or equipment movement, which shall not occur after 9:00 p.m.

(4) Security Deposit / Penalty.

The City Administration shall require each special event applicant or organizer conducting an event between April 1 and October 31 to post a significant penalty or security deposit—suggested at \$50,000—within the special event agreement.

If any sea turtle related lighting requirement is violated, the security deposit may be forfeited in whole or in part.

Any other violation of the special event permit will be subject to the penalties specified for that violation of the special event permit.

(5) Incorporation.

The rules and penalties set forth in this subsection (c) shall be incorporated into the special event permit application as well as into the special event permit.

**SECTION 2. REPEALER.**

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 3. SEVERABILITY.**

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

**SECTION 4. CODIFICATION.**

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Miami Beach City Code. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall take effect January 1, 2027, to allow adequate time for event producers, the Tourism & Culture Department, and the public to adjust planning and operations.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**ATTEST:**

\_\_\_\_\_  
Rafael E. Granado, City Clerk

(Sponsored by Commissioner David Suarez)

Underline denotes additions  
~~Strikethrough~~ denotes deletions

\_\_\_\_\_  
Steven Meiner, Mayor

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney *RR*

*4/13/2026*  
Date