



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	File No.:	Item Type:	1 st Reading	2 nd Reading	
11/20/2024	24-466	<input type="checkbox"/> Resolution	Ordinance Reading	10/30/2024	11/20/2024
		<input checked="" type="checkbox"/> Ordinance	Public Hearing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/> Other	Advertising Required	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			Quasi-Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number:		
\$10,000	0	N/A	N/A		
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	Cathie Schanz	Parks, Recreation and Open Spaces		
Strategic Plan Focus Areas:					
<input type="checkbox"/> Fiscal Stability	<input checked="" type="checkbox"/> Resident Services	<input type="checkbox"/> Public Safety	<input type="checkbox"/> Infrastructure & Mobility	<input type="checkbox"/> Economic Development & Affordable Housing	
Implementation Timeline:					
Estimated Start Date: 4/25/2024			Estimated End Date: 11/1/2024		

SHORT TITLE:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 16 OF THE CODE OF ORDINANCES ENTITLED, "PARKS AND RECREATION," SECTION 16-1, "DEFINITIONS" FOR COMMERCIAL ACTIVITY; CREATING ARTICLE III, ENTITLED "PUBLIC BEACHES," TO PROMULGATE RULES AND REGULATIONS RELATED TO CITY BEACHES, INCLUDING BEACH CHAIR SERVICES; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

STAFF SUMMARY:

Summary:

The City of Hallandale Beach enjoys .82 miles of public beach. The areas east of the erosion control line are public beach owned by the State of Florida and managed by the City. There are two public parks and several multi-family condominium properties upland of the public beach within the City. There is no privately owned or managed beach within the City of Hallandale Beach limits.

The public beach is extremely busy and getting busier. Almost a million people visit the City's beach annually. Beach equipment services and the demand for them have increased as have the resulting challenges managing their impact to the public beach including public access, beach cleaning, sea turtle protection, and trash removal.

To ensure the beach is held by the City for the use, convenience, and enjoyment of the residents and visitors of the City, a new article in the City Code is recommended, which will consolidate various beach related provisions into a centralized part of the code, enact new provisions to regulate conduct and protect natural resources and create a managed beachfront chair service program.

Background:

On April 10, 2024 the City Commission considered options for a managed beachfront concessions program, which would also include beach chair service, and directed staff to create and bring back a beachfront concessions program for upland properties adjacent to the public beach. They also directed staff to allow the upland properties to apply for temporary approval pending final approval of the program.

The permit program, guided by the program in place in Maimi Beach, was drafted and reviewed by several City departments including City Attorney's Office, City Manager's Office, Parks, Recreation and Open Spaces including Beach Safety, Risk Management, Sustainable Development including Code Enforcement and Business Tax and Regulations.

On April 25th, the Beachfront Chair Program was posted on the City website at www.coHB.org/BeachfrontChairPermit and was sent via email to representatives from La Mer Condominium Assn, Beachclub Condominium Assn, and 2080 Ocean who had previously requested the information. On April 26th the information was also provided via email to representatives from the Hemisphere's operator and on May 9th to the Hemispheres and Malaga Towers representatives. The remaining properties on the beach do not have contact information on file with the City.

Four of the eligible upland properties have submitted a trial program application to date. The first application was completed and approved on July 22, 2024. Two additional applications were approved on July 31, 2024 and August 19, 2024, and the fourth application was withdrawn.

On August 7, 2024 the City Commission discussed the proposed Beachfront Concessions program requesting the addition of a second level of approval to set courtesy chairs with no presetting nor storage on the beach:

The annual fees were approved as follows:

- \$1,000 Level 1 Application Fee (with storage and/or presetting)
- \$ 500 Level 2 Application Fee (no storage or presetting)
- \$ 5 Per Chair Fee based on Maximum Number of Chairs

The program does not provide for an increase in availability of retail beachfront chair/ umbrella service. These services will be procured under a separate program.

Current Situation:

The Beachfront Chair Program has been updated to provide two levels of approval as follows:

Level 1 Courtesy Chair Service Permit: A limited license that is issued to an Upland Property by the CITY, which authorizes the operation of a Courtesy Chair Service and the placement of such beach equipment in a designated location on the public beach, with authorization to store equipment and/or preset, solely for the residents or guests of the Upland Property and strictly in accordance with specified rules and conditions.

Level 2 Courtesy Chair Service Permit: A limited license that is issued to an Upland Property by the CITY, which authorizes the operation of a Courtesy Chair Service and the placement of such beach equipment in a designated location on the public beach, without authorization to store equipment and/or preset, solely for the residents or guests of the Upland Property and strictly in accordance with specified rules and conditions.

The annual fees for the program will be:

- \$1,000 Level 1 Application Fee (with storage and/or presetting)
- \$ 500 Level 2 Application Fee (no storage or presetting)
- \$ 5 Per Chair Fee Based on Maximum Number of Chairs

The three temporary approvals which expired on September 30, 2024 have been extended until November 30, 2024 pending final approval of the program.

The attached draft ordinance changes for Chapter 16 of the City of Hallandale Beach Code of Ordinances, titled "Parks and Recreation", presented for City Commission consideration, amends the code to codify the program, regulate conduct and protect natural resources.

Why Action is Necessary:

Pursuant to Article V, Section 5.01 of the City of Hallandale Beach Charter, an Ordinance must be adopted by the City Commission.

In accordance with Chapter 10, Article III, Section 10-61, Fees, of the City of Hallandale Beach Code of Ordinances, service or user charges or fees shall be set or amended by a Resolution of the City Commission.

Cost Benefit:

The established fees will be used to defray the cost of managing the program.

PROPOSED ACTION:

The City Commission consider the attached Resolution and approve the attached Ordinance on First Reading and schedule the Second Reading on November 20, 2024.

ATTACHMENT(S):

- Exhibit 1 – Ordinance
- Exhibit 2 – Beachchair Program Rules and Regulations
- Exhibit 3 - Beachchair Program Application

Prepared By: Cathie Schanz

Cathie Schanz
Parks, Recreation and Open Spaces Director

Reviewed By: Noemy Sandoval

Noemy Sandoval
Assistant City Manager