



City of Coral Gables

Implementing Order of the City Manager

Implementing Order No.: 2022- 01 **Title:** Outdoor Live Amplified Music Permit

Ordered: November 9, 2021 **Effective:** January 14, 2022

AUTHORITY: Coral Gables City Code Chapter 34 “Nuisances”, Article VI “Noise” Section 34-170(7) “Exemptions”.

PURPOSE

The purpose of this Implementing Order is to establish a process for permitting limited outdoor live amplified music on private property, in the Central Business District in accordance with the below criteria.

APPLICABILITY

This implementing order applies to establishments located in the Central Business District with active outdoor dining permits that can accommodate outdoor live amplified music on their private property at the ground-level.

CRITERIA

Outdoor live amplified music shall be subject to the criteria contained in City Code Section 34-170(7) for the City Code, which is summarized below.

- The establishment must have a permit for outdoor live amplified music approved by the City.
- An outdoor live amplified music permit may be issued only to establishments with active outdoor dining permits.
- The "outdoor live amplified music" shall consist only of vocal and instrumental music that is performed live only and may be amplified through the use of loudspeakers.
- The outdoor live amplified music event must be performed completely within the private property of a single establishment located in the central business district.
- At no time shall the total occupancy for the private establishment be exceeded.
- The outdoor live amplified music shall only be allowed on Fridays between the hours of 5:00 p.m. and 11:00 p.m.; on Saturdays between the hours of noon and 11:00 p.m.; and on Sundays between the hours of noon and 9:00 p.m. If a holiday, as defined in section 1-2 falls on or is observed by the city on a Monday, then the outdoor live amplified music shall be allowed on the preceding Sunday until 11:00 p.m.
- No platforms, stages, or other temporary structures or any equipment that would otherwise require a building permit, shall be erected or installed for purposes of performing the outdoor live amplified music.
- The performance of the outdoor live amplified music shall not constitute a "special event" as defined in section 62-254 of the City Code.

- The permit issued by the city manager (or his or her designee) after review of the establishment's plan and proposed noise attenuation, shall set the maximum sound level for the outdoor live amplified music and the distance at which the sound level shall be measured, but in no case shall the sound level of the outdoor live amplified music exceed 85 dBA when measured with a sound level meter manufactured according to standards prescribed by the American National Standards Institute, 100 feet from the real property line of the private establishment at which the outdoor live amplified music is being performed.

PROCESS

The outdoor live amplified music permit process shall be administered by the Development Services Department. The permit application shall require a site plan sketch, which may be prepared by the business' designee, indicating the location where the outdoor live amplified music will be performed and any noise attenuation that will be implemented by the establishment.

ENFORCEMENT

Code Enforcement and the Coral Gables Police Department shall be responsible for enforcement. The city manager may, in his or her discretion, revoke or amend the permit for outdoor live amplified music of any establishment, following both verbal and written warnings due to violations of any of the conditions of the permit or of this subsection. Revocation or amendment of an outdoor live amplified music permit under this subsection may be appealed by the holder of the permit, in writing, to the city clerk within 14 days of the written revocation of the permit. The city manager or his or her designee shall have five days to respond in writing. A special magistrate appointed by the city will promptly review the filings and will render a written order.

MIRACLE MILE AND GIRALDA AVENUE

To the extent that any other regulation of the City that applies to establishments along Miracle Mile or Giralda Plaza is in conflict with Section 34-170(7) or this IO, such regulation shall govern as to those establishments along Miracle Mile or Giralda Plaza.

EXPIRATION

This Order shall remain in effect until further notice or until superseded by action of the City Commission.

APPROVED BY:



Peter J. Iglesias, P.E.

City Manager

1/14/22

Date