

Alexander Tachmes Quoted in RE: Miami Beach Discussing Possible Spring Break Alcohol Restrictions

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After last year's Spring Break, Miami Beach Mayor Dan Gelber is proposing an ordinance to cease the sale and service of alcohol after 2:00 am for 17 days in March in South Beach's Mixed Use Entertainment District (MXE) and a little further west. The time period for the restrictions would begin with the first Friday in March and continue for 17 days.

However, Miami partner Alexander Tachmes -- who represents the Ocean Drive Association (consisting of all the businesses on the famous 10 block strip) -- stated that the ordinance, if passed, is not enforceable because it fails to amend the Land Development Regulations, which govern uses in zoning districts. "The ordinance represents a change to the permissible uses in the MXE zoning district that can only be accomplished by an amendment to the City's Land Development Regulations (LDRs). That means the City would have to follow all the necessary procedures for an LDR amendment, including a 5/7 vote and review by the Planning Board," Tachmes wrote in a letter to Miami Beach City Attorney Raul Aguila.

As a result, Tachmes said the ordinance is legally insufficient to amend the hours of alcohol sales and, if passed by the City Commission, will be of no force or effect.

To read the full article, please click [here](#).

About Alexander I. Tachmes

[Alexander I. Tachmes](#) is a partner in the Miami office of Shutts & Bowen LLP, where he is Chair of the Land Use and Government Relations Practice Group and a member of the Real Estate Practice Group. A Martindale-Hubbell AV® rated attorney, Alex concentrates his practice on governmental matters, including land use and zoning, public-private transactions, competitive bidding and lobbying, and commercial real estate transactions, including hospitality matters.

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