

ORDINANCE NO. 260-04-108

AN ORDINANCE OF THE CITY OF COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, AMENDING CODE OF ORDINANCES CHAPTER 14, "OFFENSES AND MISCELLANEOUS PROVISIONS," ARTICLE II, "OFFENSES," SECTION 14-22, "NOISES" BY CLARIFYING THE LOCATION WHERE SOUND MAY BE MEASURED TO EVALUATE COMPLIANCE WITH THE CODE; BY AMENDING THE LAND DEVELOPMENT REGULATIONS, ARTICLE III, "ZONING DISTRICTS," BY AMENDING SECTION 5.3, "ALCOHOLIC BEVERAGE USES," BY MODIFYING THE HOURS THE SALE OF ALCOHOL IS PROHIBITED, BY REMOVING VENDOR REQUIREMENTS, AND BY CLARIFYING ZONING REQUIREMENTS FOR BARS, NIGHTCLUBS AND LIVE ENTERTAINMENT; BY AMENDING ARTICLE IV "DEVELOPMENT REVIEW REQUIREMENTS," SECTION 4.10, "CONVEYANCE OF USES THAT ARE SUBJECT TO SPECIAL EXCEPTION APPROVAL," BY ADDING NIGHTCLUBS TO THE LIST; BY FURTHER AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING SCHEDULE A, "LAND USE CLASSIFICATIONS" BY MODIFYING DEFINITIONS RELATED TO ALCOHOLIC BEVERAGE ESTABLISHMENTS AND LIVE ENTERTAINMENT AND BY AMENDING SCHEDULE B, "ALLOWABLE USES" BY AMENDING "LIVE ENTERTAINMENT, INDOORS" AND "LIVE ENTERTAINMENT, OUTDOORS" USES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has been considering extending the hours that alcoholic beverage establishments may operate from 2:00 a.m. to 4:00 a.m. on Fridays and Saturday nights within the Arts & Entertainment District; and

WHEREAS, at a City Commission retreat business owners and residents spoke in favor of the proposal, provided that the business activity could not be heard outside of the building or other sound emanating into abutting residential areas; and

WHEREAS, City staff prepared this ordinance for consideration by the City Commission which allows alcoholic beverage establishments to operate until 4:00 a.m. and puts in place regulations to ensure compliance with the City's noise ordinance and specific special exception approval; and

WHEREAS, the Planning and Zoning Board, at a duly noticed meeting and public hearing held on February 24, 2026, reviewed the request but made no recommendation after a 2-2 vote; and

WHEREAS, the City Commission, having reviewed the proposed amendments, hereby finds that modifying the regulations as set forth herein to be in the best interest of the City.

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

SECTION 1. That Chapter 14, "Offenses and Miscellaneous Provisions," Article II, "Offenses," Section 14-22, "Noises" is hereby amended as follows (underline is added; ~~strike through~~ is deleted):

Chapter 14 - OFFENSES AND MISCELLANEOUS PROVISIONS

ARTICLE II. – OFFENSES

Sec. 14-22. - Noises.

(a) *Definitions.* All terminology used in this section not defined below shall be in conformance with applicable publications of the American National Standards Institute (ANSI) or its successor body. For the purposes of this section, the following definitions shall apply:

(1) A-weighted sound level: Means the sound pressure level in decibels as measured on a sound level meter using the A-Weighting Network. The level so read is designated dBA.

(c) Maximum sound levels permitted. The following shall be considered the maximum sound levels permitted in each designated land use district as measured from the property line:

~~Sound Levels by Receiving Land Use~~

Land Use District	Time	Sound Level Limit dBA
Residential	At all times	55
Recreational	7 a.m.—10 p.m.	60
Recreational	10 p.m.—7 a.m.	55
Commercial or Business	8 a.m.—6 p.m. weekdays	65
Commercial or Business	6 p.m.—8 a.m. weekdays	55
Commercial or Business	At all times on weekends and holidays	55
Manufacturing, Industrial	At all times	70

SECTION 2. That Article III, entitled “Zoning Districts,” Section 5.3, “Alcoholic Beverage Uses” is hereby amended as follows (underline is added; ~~strike through~~ is deleted):

Article III - ZONING DISTRICTS

Sec. 5.3. - Alcoholic beverage uses.

The following regulations shall apply to the location, operation and maintenance of all places or establishments where alcoholic beverages are sold or dispensed, and shall be in addition to other requirements or limitations of these Land Development Regulations.

5.3.1. *In general.* All alcoholic beverage establishments shall be subject to the following general standards and requirements.

A. Hours during which sales are prohibited.

1. *For consumption on premises.* No vendor licensed under the provisions herein, or any employee thereof, shall sell or offer for sale or deliver or serve or permit to be consumed on or upon the premises of such vendor, any liquors, beers or wines, regardless of alcoholic content, during the following hours: Monday through Friday Saturday, 2:00 a.m. to 7:00 a.m., Saturday 4:00 a.m. to 7:00 a.m. and Sundays, 24:00 a.m. to 12:00 noon, nor allow any customer, patron, or other person, except employees, to remain upon the premises during the aforementioned hours.

B. Sale of intoxicating liquors within licensed building only; sale of beer to persons in automobiles on premises. No person shall sell or serve, by the drink, any intoxicating liquor, other than malt beverages of legal alcoholic content (malt beverages meaning beer or ale), except within the building that is the address of the person holding a state license for the sale of intoxicating liquor. Such malt beverages shall not be sold or served to persons in vehicles.

C. Responsible vendors of alcoholic beverages. Each vendor currently licensed to sell alcoholic beverages shall, ~~within eighteen (18) months of the date of mailing, by certified mail by the City, of written notice of this subsection [5.3.1.], comply with the following requirements:~~

~~1. Provide a course of instruction for its employees that must include subjects dealing with alcoholic beverages and may also include subjects dealing with controlled substances as follows:~~

- ~~a. Laws covering the service of alcoholic beverages and the operation of establishments serving alcoholic beverages.~~
- ~~b. Alcohol or controlled substances, or both, as a drug and its effects on a person operating a motor vehicle.~~
- ~~c. Effects of alcohol in combination with commonly used drugs, both legal and illegal.~~
- ~~d. Methods for recognizing and dealing with underage customers.~~

~~e. Methods for dealing with customers, and for dealing with employees, who use or traffic in illegal drugs.~~

~~2. Provide an alcohol server management course for managers of establishments that sell alcoholic beverages. The course must include subjects on alcoholic beverages and may include subjects on controlled substances as follows:~~

~~a. Laws governing the service of alcoholic beverages and the operation of establishments serving alcoholic beverages.~~

~~b. Development of standard operating procedures for dealing with underage customers.~~

~~c. Development of standard operating procedures for dealing with customers, and for dealing with employees, who use or traffic in illegal drugs.~~

~~d. Methods of assisting employees in dealing with underage customers and in maintaining records that relate to such incidents.~~

~~3. Require each non-managerial employee who is employed to serve alcoholic beverages to complete the employee training course specified in subparagraph 1. within thirty (30) days after commencing employment. The vendor must provide for the supervision of such an employee in the service of alcoholic beverages until the employee has received such training.~~

~~4. Require each managerial employee to complete the managerial training course specified in subparagraph 2. within thirty (30) days after commencing employment.~~

~~5. Establish a written policy under which any employee who engages in the illegal use of controlled substances on the licensed premises will be immediately dismissed from employment and require each employee to acknowledge the policy in writing.~~

~~6. Maintain employment records of the applications, acknowledgements, and training of its employees required by this section and records of the vendor's enforcement of the policies requiring dismissal specified in subsection (c).~~

~~7. Each vendor that becomes licensed to sell alcoholic beverages after the enactment of this subsection [5.3.1.] shall, within eighteen (18) months after obtaining a license to sell alcoholic beverages, comply with those conditions as set forth in this subsection [5.3.1.]~~

~~8. After eighteen (18) months from the enactment of this subsection [5.3.1.], vendors that were licensed to sell alcoholic beverages at the time of the enactment of this subsection [5.3.1.], shall provide proof to the City, in a form approved by the City, that the terms of this subsection [5.3.1.] are being complied with. A certificate of occupancy or local business tax receipt or both shall not be renewed unless that establishment has complied with the terms herein.~~

~~9. Vendors that obtain a state license to sell alcoholic beverages after the enactment of this subsection [5.3.1.] shall, within eighteen (18) months after obtaining a license to sell alcoholic beverages, provide proof to the City, in a form approved by the City, that the terms of this subsection [5.3.1.] are being complied with. A certificate of occupancy or local business tax receipt or both shall not be granted unless that establishment has complied with the terms herein.~~

~~10. Any vendor that furnishes proof to the City that it has complied comply with Florida Statute section 561.705 shall not be required to comply with the terms of this subsection [5.3.1.]. Proof of continuing compliance must be provided annually prior to the issuance of the certificate of occupancy or local business tax receipt or both.~~

5.3.8. *Bars, nightclubs and taverns*. This land use is prohibited in the General Commercial (CG) zoning district if:

A. The subject property does not have a minimum lot width of three hundred (300) feet, and a depth equal to or less than three hundred fifty (350) feet;

B. The ~~the land use is located on~~ subject property that abuts ~~or is located within three hundred and fifty (350) feet from property land~~ zoned RS-4, RS-4A, RS-5, RS-5A, RM-5, RM-8, RM-10, RM-18, and RM-22 zoning districts; or

C. The subject property ~~that abuts a water body zoned PO district and if the land use is located on property with a depth equal to or less than three hundred fifty (350) feet. This land use also is prohibited property where the front or rear property lines are three hundred (300) [feet] in the General Commercial zoning district if the land use is located on three hundred fifty (350) feet or less from property zoned RS-4, RS-4A, RS-5, RS-5A, RM-5, RM-8, RM-10, RM-18, or RM-22 districts.~~

5.3.8.1 *Bars, nightclubs, taverns, microbrewery/brewery tap room*. This land use is permitted in the CE and CW zoning districts and the Arts and Entertainment Overlay District.

Sec. 5.26. - Live entertainment.

5.26.1. Live entertainment.

A. CR, CF, and CW [zoning districts]. Live entertainment is allowed as a permitted accessory use in the Commercial Recreation, Community Facility, and Commercial Warehouse zoning district provided the live entertainment shall occur completely indoors.

1. The City Manager may repeal the live entertainment use if it is determined to have an adverse impact to the public safety, health and general welfare. A prima facie case for repealing the use shall be established if the City Manager finds that at least three (3) police incidents are attributable to the use within any one-year period.

B. CC, and CG ~~and~~ [zoning districts].

1. Special exception accessory use. A special exception use development order from the City Commission shall be required for live entertainment (indoors) in the community Commercial (CC) and General Commercial (CG) zoning districts unless exempted under subparagraph b. below.

2. Exception. Live entertainment (indoors) shall be allowed as a permitted accessory use in the Community Commercial (CC), General Commercial (CG) provided one (1) of the following conditions are satisfied:
 - a. The use occupies an entire freestanding building and the property where the building is located does not abut any residential or park zoning districts; or
 - b. The use is located on an outparcel, it occupies an entire freestanding building, and the shopping center shields more than ninety (90) percent of the freestanding building from any abutting residential use or park zoning district.
 - c. The City Manager may repeal the live entertainment use if it is determined to have an adverse impact to the public safety, health and general welfare. A prima facie case for repealing the use shall be established if the City Manager finds that at least three (3) police incidents are attributable to the use within any one-year period.

C. CE and the Arts and Entertainment Overlay District.

1. Live entertainment (~~both indoors and outdoors~~) shall be allowed as a permitted use within the Commercial Entertainment zoning District until 4:00 a.m.
2. Live entertainment (~~both indoors and outdoors~~) shall be allowed as a permitted use within the Arts and Entertainment District until 24:00 a.m.
3. The City Manager may repeal the live entertainment use if it is determined to have an adverse impact to the public safety health and general welfare. A prima facie case for repealing the use shall be established if the City Manager finds that at least three (3) police incidents are attributable to the use within any one-year period.

D. Alcoholic beverage establishment hours during which sales and consumption are prohibited shall follow Article III, Section 5.3.1.

E. No business or person licensed under this chapter, shall allow or permit instrumental music, singing or other forms of entertainment, unless such rooms are soundproofed in order that the noise therefrom may not disrupt the peace and quiet of the neighborhood. It is the intent of this section that, in rooms soundproofed as defined in this chapter, music, singing and other forms of entertainment may be conducted during the hours of operation.

Sec. 5.32. - Restaurants.

5.32.1. *General.* The following shall apply to all restaurants, including restaurant bars:

A. Prohibited hours of operation.

1. *Arterial and collector roads.* Restaurants fronting on an arterial or collector road shall be closed during the following hours: Monday through Saturday, 2:00 a.m. to 5:30 a.m. and Sundays, 2:00 a.m. to 6:00 a.m.

2. *Local roads.* Restaurant fronting on local roads shall be closed during the following hours: Monday through Saturday, 10:00 p.m. to 7:00 a.m. and Sunday 5:00 p.m. to 9:00 a.m.

3. *Adjustments.* The City Commission, sitting as the Board of Adjustment, may adjust the days and hours of operation for a restaurant through the special exception use process.

4. *Amortization period.* Existing restaurants currently operating within the prohibited days and hours of operation may continue to operate until December 31, 2011. Thereafter, the restaurant will be an illegal nonconforming use.

5. *Exceptions: Hours of operation.* Restaurants, restaurant-bars and bars and taverns and microbrewery, brewery also including a tap rooms located within the CE zoning district shall be closed during the following hours: Monday through Saturday 4:00 a.m. to 7:00 a.m. and Sundays from 4:00 a.m. to noon.

Restaurants, nightclubs, Restaurant-bars and bars and taverns and microbrewery, brewery also including a tap rooms located within the CW zoning district and the Arts and Entertainment Overlay District shall be closed during the following hours: Monday through ~~Friday~~ Saturday 2:00 a.m. to 7:00 a.m., Saturday 4:00 a.m. to 7:00 a.m. and Sundays from ~~24:00~~ a.m. to noon.

[5.32.3.] *Accessory uses.* The following uses may be deemed accessory to a restaurant.

A. *Banquet room.* A portion of the restaurant may be made available for private parties provided that the restaurant is made available to the general public at the same time.

B. *Catering.* Food and meals prepared on the premises may be delivered to another location for consumption off premises.

C. Live entertainment.

1. Indoor live entertainment shall be allowed as an accessory use to a restaurant (or restaurant bar) provided all the following conditions are satisfied:

~~a. The restaurant does not exceed a size of two thousand five hundred (2,500) gross square feet;~~

~~b. The restaurant does not include any open area designed or used for dancing;~~

be. The restaurant does not have an elevated stage;

cd. The number of performers cannot exceed two (2) persons; and

de. A cover charge, entrance or similar fee is not charged for admittance.

ef. Exceptions:

1. Indoor live entertainment. Restaurants, Restaurant-Bars and Bars and Taverns located within the CE zoning district, the CW zoning districts, and the Arts and Entertainment Overlay District shall be exempt to 5.32.3.C

2. Outdoor live entertainment shall be allowed as an accessory use to a restaurant (or restaurant bar) within the CE zoning district ~~and the Arts and Entertainment Overlay District~~

3. The City Manager may repeal the live entertainment accessory use if it is determined to have an adverse impact to the public safety, health and general welfare. A prima facie case for repealing the use shall be established if the City Manager finds that at least three (3) police incidents are attributable to the use within any one-year period.

4. Alcoholic Beverage Establishment hours during which sales and consumption are prohibited shall follow Article III, Section 5.3.1.

SECTION 3. That Article IV, entitled "Development Review Requirements," Section 4.10, "Conveyance of uses that are subject to special exception approval" is hereby amended as follows (underline is added; ~~strike through~~ is deleted):

Article III – DEVELOPMENT REVIEW REQUIREMENTS

Sec. 4.10. - Conveyance of uses that are subject to special exception approval.

Any use within a zoning district that is classified or categorized in these Land Development Regulations as a special exception use may be conveyed without further special exception use approval, except for the following:

4.10.1. [Repealed];

4.10.2. Day care centers, nursery schools, primary and secondary schools, and similar uses involving the care or education of minors, the elderly and the disabled;

4.10.3. Special Residential Facility Use, Category 3;

4.10.4. Pawn shops;

4.10.5. Service stations and convenience stores;

4.10.6. Vehicular sales, display, storage, or repair, including repair garages, new and used car agencies or lots, and car washes;

4.10.7. Any use subject to Section 4.8 of this part;

4.10.8. Bars, nightclubs, lounges, pubs and taverns, and package stores but excluding restaurant bars.

SECTION 4. That Schedule A, "Land Use Classifications" of the Land Development Regulations, is hereby amended as follows (underline is added; ~~strike-through~~ is deleted):

SCHEDULE A. - LAND USE CLASSIFICATIONS

ALCOHOLIC BEVERAGE ESTABLISHMENT: An establishment that is licensed by the State of Florida to sell alcoholic beverages. Alcoholic beverage establishments fall into one (1) of several categories:

(1) *Bars, nightclubs and taverns*: Means any establishment devoted primarily to the retailing and consumption on premises of alcoholic beverages,

(2) *Bottle clubs*: Means any establishment engaged in the business of catering to patrons who bring alcoholic beverages for consumption on the premises with a mixer or other beverage, ice, food, or container furnished by the establishment for a consideration, or in connection with the viewing of, entertainment for a consideration, or where admission to the premises is for a consideration.

(3) *Cigar bar*: An establishment designed for smoking of tobacco products sold at the establishment is permitted on the premises this use excludes hookah lounge. Florida Building Code ventilations requirements apply.

(4) *Hookah lounge/bar*: a commercial establishment that has water pipes (also known as a hookah shisha, boory, argileh, nargile, hubble-bubble, goza, meassel, sheesha) for people to share pipefuls of either tobacco, dried fruit, or a combination of those which is

burnt using coal and becomes smoke, then passes through an ornate water vessel and is inhaled through a hose.

(5) *Hotel bar*: Means a bar or tavern operated in connection with a hotel with more than fifty (50) hotel rooms.

(6) *Package store*: Means vendors licensed to sell all alcoholic beverages, but in sealed containers only, and for consumption off the premises. The sealed package must not be broken, and the contents must not be consumed in or on the premises, under a package store license.

(7) *Restaurant*: See listing under restaurant for additional requirements.

(8) *Restaurant bar*: Means a bar operated in connection with a restaurant.

LIVE ENTERTAINMENT, INDOOR: A commercial recreation use established for the purpose of allowing the performance of a musical, theatrical, dance, cabaret, comedy or similar act by one (1) or more persons, including a disk jockey, or for the purpose of allowing dancing by patrons and guests within a completely enclosed building. This land use includes such uses as a dance hall, dinner theatre, nightclub, and similar facility. This land use may be classified as a recreation use if not primarily established for financial gain and if located within a recreational zoning district or within a residential zoning district and intended to serve the residents of the residential development. A live entertainment (indoors) use shall not be interpreted to include any "sexually oriented business" ~~or an alcoholic beverage establishment.~~

LIVE ENTERTAINMENT (OUTDOORS): A use whereby a musical, theatrical, dance, cabaret or comedy act is performed by one (1) or more persons, including a disk jockey, within any partially enclosed building structure or open space area. Live entertainment (outdoors) use does not include "adult entertainment establishment or use."

NIGHTCLUBS: A nightclub is a place of entertainment that provides on-site entertainment in the form of live performances, dancing, billiards, comedic performances, or other entertainment activities. This use may also offer food and alcoholic beverages for onsite consumption. This use does not include a sexually oriented business.

SOUNDPROOFED: A design and construction of such substance as to preclude sound from emanating from the source and traveling to the exterior of the premises, whether through walls, windows, doors or other openings, such that sound may be heard from anywhere outside such premises.

SECTION 5. That Schedule B, “Allowable Uses” of the Land Development Regulations, is hereby amended as follows (underline is added; ~~strike through~~ is deleted):

SCHEDULE B. – ALLOWABLE USES

B-1. Uses Allowed in Residential Districts.

Land Use Category	CO	CN	CG	CC	CW	CE	IL	PO	PL	PR	CR	S-1	CF	UT
Accessory Uses ¹	A	A	A		A	A	A	A	A	A	A	A	A	A
...														
Alcoholic beverage establishment														
• Bars, nightclubs and taverns	SE		SE	SE	P 2	P 2								
• Hotel Bar	SE		SE	SE										
• Package Store			SE	SE										
• Restaurant bar	SE		P	P	P	P								
Amphitheatre, arena, movie theatres and performing arts center ¹														
• Minor with 499 seats or less						P			SE	P			P	
• Major with 500 seats or more						SE			SE	SE			SE	
...														
Live entertainment														
• Indoors	<u>A</u>		SE A	SE A	P A	P A			P A	P A	P A		P A	
• Outdoors	SP		SP	SP	SP	P	SP	SE <u>SP</u>	SP	SE <u>SP</u>	SP	SP	SP	
Manufacturing														
...														

SECTION 6. Conflicts. That all Ordinances or parts of Ordinances, Resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 7. Severability. Should any section, provision, paragraph, sentence, clause or word of this Ordinance or portion hereof be held or declared by any court of competent jurisdiction to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remaining portions or applications of this Ordinance.

SECTION 8. Codification. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lauderhill, Florida, and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "section", "article" or such other word or phrase in order to accomplish such intentions.

SECTION 9. Effective Date. This Ordinance shall take effect immediately upon its adoption.

PASSED on first reading this _____ day of _____ 2026.

PASSED and ADOPTED on second reading this _____ day of _____, 2026.

DENISE D. GRANT, MAYOR
PRESIDING OFFICER

ATTEST:

ANDREA M. ANDERSON, MMC
CITY CLERK

Approved as to Form

Hans Ottinot, City Attorney

	First Reading	Second Reading
MOTION	_____	_____
SECOND	_____	_____
R. CAMPBELL	_____	_____
M. DUNN	_____	_____
D. GRANT	_____	_____
J. HODGSON	_____	_____
S. MARTIN	_____	_____