

MEMORANDUM

Agenda Item No. 11(A)(26)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: September 10, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to allow proceeds
from the existing \$5 surcharge
on civil penalties for violating
animal control and cruelty
ordinances to be used for
animal shelter operating
expenses

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

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County Attorney

SUBJECT: Agenda Item No. 11(A)(26)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 11(A)(26)
9-10-10

Veto _____

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA
LEGISLATURE TO ALLOW PROCEEDS FROM THE
EXISTING \$5 SURCHARGE ON CIVIL PENALTIES
FOR VIOLATING ANIMAL CONTROL AND
CRUELTY ORDINANCES TO BE USED FOR ANIMAL
SHELTER OPERATING EXPENSES

WHEREAS, section 828.27, Florida Statutes, currently authorizes counties and municipalities to impose a \$5 surcharge on civil penalties for animal control and cruelty ordinances; and

WHEREAS, the statute currently requires the proceeds from this existing \$5 surcharge to be used solely to pay the costs of training for animal control officers; and

WHEREAS, city and county animal services departments have come under increasing budget pressures in recent years; and

WHEREAS, expanding the uses of the existing \$5 surcharge so that it could be used for shelter operating expenses in addition to training of animal control officers and other enforcement related duties, can greatly assist city and county animal control departments in carrying out their mission,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to allow proceeds from the existing \$5 surcharge on civil penalties for violating animal control and cruelty ordinances to be used for animal shelter operating expenses in addition to training of animal control officers and other enforcement related duties.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, Chair and Members of the Miami-Dade County State Legislative Delegation, and the Executive Directors of the Florida Association of Counties and the Florida League of Cities.

Section 3. Directs the County's state lobbyists to advocate for the legislation set forth in Section 1 above, and authorizes and directs that the 2011 State Legislative Package be amended to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 10th day of September, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Jess M. McCarty

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