MEMORANDUM

Agenda Item No. 7(D)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 2, 2012

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

SUBJECT: Ordinance pertaining animals; amending regulations pertaining to dangerous dogs, adoption of animals from the department, and pet care centers

This item was amended at the Public Safety and Healthcare Administration Committee on 9-11-12 to specify that animal rescue groups that are registered with the County are not subject to the insurance requirement; and to increase the applicable civil penalties.

The accompanying ordinance was placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman and Co-Sponsors Commissioner Esteban L. Bovo, Jr., Commissioner Jose "Pepe" Diaz and Commissioner Barbara J. Jordan.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum

MIAMI-DADE COUNTY

Date: October 2, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Amending Regulations Pertaining to Dangerous Dogs

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The proposed ordinance calls for the creation of a Dangerous Dog Registry. The labor to develop and post the registry online is minimal and can be absorbed by existing resources. The ordinance also codifies the ability of the Department to reduce fees for adopters. In addition, this ordinance also requires owners of dangerous dogs to provide evidence of financial ability to cover bodily injury up to $50,000. The implementation of this ordinance will not have a fiscal impact to the County.

Alina T. Hudak
Deputy Mayor/County Manager

Fis9312

MEMORANDUM
(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: October 2, 2012

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

SUBJECT: Agenda Item No. 7(D)

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

Veto _____

Override _____

Agenda Item No. 7(D)

10-2-12

ORDINANCE NO. _____

ORDINANCE PERTAINING TO ANIMALS; AMENDING REGULATIONS PERTAINING TO DANGEROUS DOGS, ADOPTION OF ANIMALS FROM THE DEPARTMENT, AND PET CARE CENTERS; AMENDING SECTIONS 5-2, 5-5, 5-9, 5-13, 5-22, 5-23 AND 8CC-10 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 5-2 of the Code of Miami-Dade County is hereby amended to read as follows: [1]

Sec. 5-2. - Enforcement.

(a) The provisions of this chapter shall apply in the incorporated and unincorporated areas of Miami-Dade County. The Department, through Miami-Dade County Animal Control Officers, shall be responsible for enforcing the sections of this chapter. County and municipal law enforcement officers shall also be authorized to enforce the provisions of this chapter relating to cruelty to animals >>and confiscation of dangerous dogs and dogs subject to dangerous dog investigations<<. The Director shall have the authority to amend and modify the administration of the Department's operating procedures and to establish rules, procedures, and forms to carry out the Department's responsibilities pursuant to this chapter.

* * * *

(h) In addition to the foregoing, any person who violates a provision of this chapter or any lawful rule, regulation, or written order promulgated under this chapter is subject to the judicial imposition of a civil penalty for each offense of an amount not to exceed five thousand dollars ($5,000.00) per offense, >>except that violations of Sections 5-22 and 5-23 of this

[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

chapter, related to dangerous dogs, are subject to the judicial imposition of a civil penalty for each offense of an amount not to exceed ten thousand dollars ($10,000) per offense<<. In assessing the penalty, the court may receive evidence in mitigation. Each day during any portion of which a violation occurs constitutes a separate offense.

* * * *

Section 2. Section 5-5 of the Code of Miami-Dade County is hereby amended to read as follows:

Sec. 5-5. - Adoption of animals from the department; sterilization requirements; requirements for animal rescue organizations; authority to negotiate and enter into agreements.

(a) The Department shall encourage the adoption of animals in its custody. The Department may charge fees for transferring ownership of such animals and for vaccination, sterilization, and other medical care provided to such animals. Fees shall be fixed by implementing order approved by the Board of County Commissioners, provided that animal rescue organizations >>and other adopters<< acquiring ownership of animals may be charged reduced fees in accordance with this section.

* * * *

Section 3. Section 5-9 of the Code of Miami-Dade County is hereby amended to read as follows:

Sec. 5-9. - Standards of care for kennels, pet dealers, and pet care centers.

In addition to complying with the provisions of Section 5-4 of this Code regarding cruelty to animals, all kennels, pet dealers, and pet care centers, >>including providers of mobile grooming services,<< located in or engaging in business in Miami-Dade County shall comply with the following minimum standards for the care of animals:

* * * *

Section 4. Section 5-13 of the Code of Miami-Dade County is hereby amended to read as follows:

Sec. 5-13. - Kennel, pet dealer, pet care center, and hobby breeder license requirements; appeal procedures.

* * * *

(h) The Director may deny, suspend, or revoke a license or renewal where the applicant/licensee:

(1) Has refused to allow the Department to inspect the premises on which animals are kept >>, the mobile unit in which services are provided to animals,<< or the records required to be maintained by this chapter or by state law, provided that the first such refusal shall result in suspension of the license until inspection is allowed;

* * * *

Section 5. Section 5-22 of the Code of Miami-Dade County is hereby amended to read as follows:

Sec. 5-22. - Dangerous dogs; authority to designate dog as dangerous; confiscation; appeal procedures.

(a) >>*Legislative Intent.* This section and Section 5-23 are intended to utilize the authority and powers of Miami-Dade County in order to secure for the citizens of this County the protection of their health, safety and welfare. It is intended to be applicable to dangerous dogs, which are defined herein. This section is designed to identify and regulate these dangerous dogs and to ensure responsible handling by their owners through confinement, registration, and liability insurance. Dangerous dogs have caused extensive damage to persons, other domestic animals, and property, and have been determined to require the special regulations and provisions contained within this section, which the County Commission hereby finds reasonable and necessary.<<

>>(b)<< For purposes of this section and Section 5-23 of this chapter, the following definitions shall apply:

(1) "Dangerous dog" means any dog that has been designated as dangerous by the Department pursuant to this section.

(2) "Unprovoked" means that the victim was acting peacefully and lawfully when encountering the dog and that the dog was not acting defensively or responding to a threat.

(3) "Severe injury" means any physical injury that results in: wounds from >>a bite or<< [[~~multiple~~]] bites; a deep puncture wound that requires drainage; a broken bone; or a disfiguring laceration requiring sutures or reconstructive surgery.

(4) "Proper enclosure of a dangerous dog" means that, while on the responsible party's property, a dangerous dog is securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have >>four (4)<< secure sides >>, each at least six (6) feet high,<< and a secure top to prevent the dog from escaping over, under, or through the structure, and shall also provide protection from the elements. The pen or structure shall allow the dog to make normal postural movements and to walk around and shall also comply with the minimum standards for primary enclosures set forth in Section 5-9(d)(1)-(3) of this chapter.

[[~~(b)~~]] >>(c)<< The responsible party shall be liable [[~~if a dog commits~~]] >>for<< any of the following acts:

(1) >>His or her dog<< [[~~To~~]], when unprovoked, endanger>>s<<, attack>>s<<, or bite>>s<< a human;

(2) >>His or her dog<< [[~~To~~]], when unprovoked and while off the responsible party's property, >>attacks or bites<< [[~~severely injure or kill~~]] a domestic animal;

(3) >>He or she uses or trains a dog<< [[~~To have been used~~]] for dog fighting[[~~, or to be trained for dog fighting~~]]; or

(4) >>His or her dog<< [[~~To~~]], when unprovoked, chase>>s<< or approach>>es<< a human in a menacing fashion or apparent attitude of attack upon the streets, sidewalks, or any other public property or common area of a private building or development.

[[~~(c)~~]] >>(d)<< The Director or designee shall designate a dog as dangerous if the dog commits one (1) or more of the [[~~acts specified in subsection (b) above.~~]] >>following acts:

(1) To, when unprovoked, endanger, attack, or bite a human;

(2) To, when unprovoked and while off the responsible party's property, severely injure or kill a domestic animal more than once;

(3) To, when unprovoked, chase or approach a human in a menacing fashion or apparent attitude of attack upon the streets, sidewalks, or any other public property or common area of a private building or development.<<

>>(e)<< An individual desiring to have a dog designated as dangerous shall attest in a sworn affidavit to the incident giving rise to the request >>or shall file a police report and provide a copy of the police report to the Department<<, but the Department may commence an investigation prior to receiving an affidavit >>or police report<<. The Department shall not investigate anonymous complaints.

[[~~(d)~~]] >>(f)<< Notwithstanding any other provision of this section, the responsible party shall not be liable, and the dog shall not be designated as dangerous, if the threat, injury, or damage was sustained:

(1) By a human who, at the time, was unlawfully on the property of the responsible party; or

(2) By a human who, while lawfully on the property of the responsible party, was tormenting, abusing, or assaulting the dog, the responsible party, or another person lawfully on the property; or

(3) While the dog was protecting or defending a human within the immediate vicinity of the dog from an unjustified attack or assault; or

(4) By a human who was engaged in or attempting to engage in a criminal activity at the time of the attack; or

(5) While the dog was engaged in a legal hunt or in a legal sport or exhibition such as an obedience trial, conformation show, field trial, hunting/retrieving trial, or herding trial; or

(6) While the dog was engaged in law enforcement work under the direction of a law enforcement officer.

[[~~(e)~~]] >>(g)<< Confiscation and confinement. Animal Control Officers >>and law enforcement officers<< are hereby authorized to confiscate dogs that are the subject of dangerous dog investigations, and the Director is hereby authorized to institute appropriate proceedings in any court of competent jurisdiction if necessary to effectuate the seizure of the dog. The Animal Control Officer >>or law enforcement officer<< shall issue the responsible party a written notice of the confiscation. Any animal that is the subject of a dangerous dog investigation and that is not impounded by the Department shall be humanely and safely confined by the responsible party in a securely fenced or enclosed area, pending the outcome of the investigation and resolution of any hearings related to the dangerous dog designation. The address of where the animal resides shall be provided to the Department. The responsible party shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedures.

[[~~(f)~~]] >>(h)<< A dog that is the subject of a dangerous dog investigation shall not be relocated or have its ownership transferred pending the

outcome of an investigation or any hearings related to the determination of a dangerous dog designation >>, unless with the express written permission of the Department<<. In the event that a dog is to be euthanized, the dog shall not be relocated, and ownership of the dog shall not be transferred >>, unless with the express written permission of the Department.<<

[[(g)]] >>(i)<< If the Director or designee determines that there is sufficient cause to designate the dog as dangerous, written notification of that determination shall be delivered to the responsible party by registered mail, certified hand delivery, or service of process in conformance with Chapter 48, Florida Statutes. That determination, and any related fines issued pursuant to Chapter 8CC of this Code, may be appealed by providing, within seven (7) calendar days of receipt of the written notification, a written request for an administrative hearing; the request shall be delivered to the address provided on the written notice. If a request for a hearing is received more than seven (7) calendar days from the receipt of the written notification, the hearing officer shall be precluded from exercising jurisdiction, and the appeal shall be dismissed as untimely.

[[(h)]] >>(j)<< Appeal procedures. Upon receipt of a timely written request for an administrative hearing, the Director or designee shall schedule an administrative hearing to be held not later than 21 calendar days, and not sooner than 5 days, after receipt of the written request. The administrative hearing shall be conducted in accordance with the provisions set forth in Chapter 8CC of this Code. Determinations of dangerousness and fines based on the same incident shall be heard at the same administrative hearing. No person aggrieved by a determination to designate a dog as dangerous may apply to the Court for relief unless he has first exhausted the remedies provided for herein and taken all available steps provided in this section. While an appeal is pending, the determination shall be stayed; provided, however, that pending resolution of the appeal, the responsible party shall confine the dog in a securely fenced or enclosed area. If the Department has confiscated the dog, the responsible party shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the dog during any appeal procedures.

[[(i)]] >>(k)<< The responsible party shall be liable for failing to properly confine a dog pending an appeal.

[[~~(i)~~]] >>(*l*)<< The responsible party shall be liable if a dog that has not previously been declared dangerous attacks and causes severe injury or death to a human when unprovoked.

(1) The dog shall be immediately confiscated by the Department, placed in quarantine and impounded, held for ten (10) business days after the responsible party is given written notice of the confiscation and the determination of the Department to euthanize the dog, and thereafter euthanized in accordance with Section 5-24 of this chapter.

(2) The euthanasia determination, and any related fines issued pursuant to Chapter 8CC of this Code, may be appealed by providing, within the ten-day impoundment period, a written request for an administrative hearing; the request shall be delivered to the address provided on the confiscation notice. The administrative hearing shall be conducted in accordance with this section. If a request for a hearing is received after the expiration of the ten-day impoundment period, the hearing officer shall be precluded from exercising jurisdiction, and the appeal shall be dismissed as untimely.

Section 6. Section 5-23 of the Code of Miami-Dade County is hereby amended to read as follows:

Sec. 5-23. - Additional regulations relating to dangerous dogs.

(a) Within fourteen (14) days after a dog has been designated as dangerous, or a dangerous dog designation is upheld on appeal, the responsible party shall obtain a certificate of registration for the dog from the Department. The responsible party shall renew the certificate annually. >>The registration shall include the following: Name, address and telephone number of the dog's owner; the address where the dog is harbored, if different from the owner's address; a complete identification of the dog, including the dog's sex, color, and any other distinguishing physical characteristics; and a color photograph of the dog.<< Certificates of registration and renewals thereof shall only be issued to competent persons who are at least eighteen (18) years of age and who present to the Department sufficient evidence that:

(1) The dog has been vaccinated in accordance with Section 5-6 of this chapter;

(2) The dog has been sterilized;

(3) The dog has been implanted with a microchip, the microchip has been registered with the national registry applicable to the microchip, and the microchip number and other identifying information have been provided to the Department;

(4) >>Because of the danger posed to humans and animals alike by dangerous dogs running loose or while running together in a pack, the dog is at all times<< [[~~The dog shall be~~]] confined in a proper enclosure of a dangerous dog, >>except as otherwise provided in this section<<; [[~~and~~]]

(5) A clearly visible warning sign at all entry points >>conspicuously displaying the words "Dangerous Dog"<< informs both children and adults of the presence of a dangerous dog on the property >>; and

(6) The owner of the dog is financially responsible in accordance with the following. In order to protect the public and to afford relief from the severe harm and injury which is likely to result from a dangerous dog attack, every owner of a dangerous dog shall maintain and be able to provide evidence of the owner's financial ability to respond in damages up to and including the amount of fifty thousand dollars ($50,000.00) for bodily injury to or death of any person or damage to property which may result from the ownership, keeping or maintenance of such dog. Proof of ability to respond in damages shall be given by filing with the Department a certificate of insurance from an insurance company authorized to do business in the State, stating that the owner is and will be insured against liability for such damages; or by posting with the Department a surety bond conditioned upon the payment of such damages during the period of such registration; or by posting a personal bond secured by a mortgage in real property or security interest in personal property; or a sworn statement of the owner of his/her financial ability to respond in damages up to and including the amount of fifty thousand dollars ($50,000.00) .<<
>>Animal rescue groups that have been registered with the Department in accordance with Section 5-5 of this chapter shall not be subject to the requirements of this paragraph.<<[2]

(b) Prior to issuance of the certificate of registration and renewals thereof, the responsible party shall pay the Department a fee set by implementing order approved by the Board of County Commissioners.

(c) The responsible party shall immediately notify the Department in writing:

(1) When a dangerous dog is loose or unconfined;

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[2] Committee amendments are indicated as follows: Words double stricken through and/or [[double bracketed]] are deleted, words double underlined and/or >>double arrowed<< are added.

(2) When a dangerous dog has bitten a human or attacked another animal;
(3) Prior to a dangerous dog being sold or given away, or when a dangerous dog dies; or
(4) When a dangerous dog is moved to another address.

(d) If a dangerous dog is sold or given away, the former responsible party shall provide the name, address, and telephone number of the new responsible party to the Department, shall update all relevant information with the national registry applicable to the microchip, and shall provide the Department with confirmation that the microchip information has been updated. The new responsible party shall comply with all of the requirements of this chapter, even if the animal is later moved from this County to another county within the State. If a dog that has been designated by another jurisdiction as dangerous, aggressive, or similar classification is brought into Miami-Dade County, the responsible party shall immediately register the dog with the Department in accordance with this section.

(e) >>*Exceptions to Confinement Requirement.*
(1) The dog is muzzled and restrained by a chain or leash and under the control of a competent person.<< It shall be unlawful for the responsible party to permit a dangerous dog to be outside a proper enclosure unless the dog is muzzled and restrained by a chain or leash, and under the control of a competent person. >>It is provided, however, that no dangerous dog may be walked within fifty (50) feet of any school ground nor enter onto such school ground even if restrained and muzzled.<< The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision >>,<< [[~~or~~]] respiration >>, or hydration<<, but will prevent it from biting any person or animal. When being transported, a dangerous dog shall be safely and securely restrained within a vehicle, provided, however, that nothing contained herein shall be construed to excuse a violation of Section 5-15 of this chapter.
>>(2)<< The responsible party may exercise the dog on the responsible party's property in a securely [[~~fenced or~~]] enclosed area that does not have a top, without a muzzle or leash, if >>the area is completely enclosed by fences or walls at least six (6) feet in height,<< the responsible party remains outside with the dog >>,<< and only members of the responsible party's immediate household or persons eighteen (18) years of age or older are allowed in the enclosure when the dog is present.

>>(3) A dangerous dog being used as a guard dog to protect vacant property may remain outside provided that (i) the owner provides to the Department certification from an animal training professional that the dog has been properly trained as a guard dog and (ii) the dog remains at all times in a securely enclosed area that is completely enclosed by fences or walls at least six (6) feet in height. The responsible party shall be liable if the dangerous dog escapes from the vacant property.

(4) A dangerous dog is in attendance at, and participating in, any lawful dog show, contest, or exhibition sponsored by a dog club, association, society, or similar organization, and the dog is supervised by a competent person.

(5) A dangerous dog is actually engaged in the sport of hunting in an authorized area and supervised by a competent person.<<

(f) The responsible party shall be liable if a dangerous dog attacks or bites a human or a domestic animal when unprovoked.

(1) The dog shall be immediately confiscated by the Department, placed in quarantine and impounded, held for ten (10) business days after the responsible party is given written notice of the confiscation and the determination of the Department to euthanize the dog, and thereafter euthanized in accordance with Section 5-24 of this chapter.

(2) The euthanasia determination, and any related fines issued pursuant to Chapter 8CC of this Code, may be appealed by providing, within the ten-day impoundment period, a written request for an administrative hearing; the request shall be delivered to the address provided on the confiscation notice. If a request for a hearing is received after the expiration of the ten-day impoundment period, the hearing officer shall be precluded from exercising jurisdiction, and the appeal shall be dismissed as untimely. The administrative hearing shall be conducted in accordance with Section 5-22 of this chapter.

(3) The Director is hereby authorized to institute appropriate proceedings in any court of competent jurisdiction if necessary to effectuate the seizure of a dog while a violation of this section is under investigation.

(4) Notwithstanding any other provision in this section, an attack or bite by a dangerous dog shall not be a violation of this section if the dog could not be designated as dangerous for the same conduct pursuant to Section 5-22(d) of this chapter.

(g) Upon the euthanasia of a dog based on a violation of Section 5-22 or of this section:

(1) The Department shall provide the responsible party written notice containing all costs and fees incurred by the Department in the confiscation, maintenance, quarantine and euthanasia of the dog, with a deadline of not less than thirty (30) days from receipt of the notice of payment of the costs and fees.

(2) Miami-Dade County may thereafter institute proceedings in a court of competent jurisdiction to compel payment of the fees and costs incurred by the Department in the confiscation, maintenance, quarantine and euthanasia of the dog. A certified copy of an order awarding the County its fees and costs may be recorded in the public records and thereafter shall constitute a lien against the land of the violator or, if the violator does not own the land, upon any other real or personal property owned by the violator; and it may be enforced in the same manner as a court judgment by the sheriffs of this State, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After one (1) year from the filing of any such lien which remains unpaid, Miami-Dade County may foreclose on the lien.

(h) Nothing contained herein shall prevent any person from applying to a court of competent jurisdiction for the seizure, impoundment, or euthanasia of a dangerous dog based on the responsible party's failure to comply with the requirements of this section.

Section 7. Section 8CC-10 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 8CC-10. Schedule of civil penalties.

The following table shows the sections of this Code, as they may be amended from time to time, which may be enforced pursuant to the provisions of this chapter; and the dollar amount of civil penalty for the violation of these sections as they may be amended.

* * * *

Code Section	*Description of Violation*	*Civil Penalty*
	* * * *	
5-22 [[~~(b)(1)~~]]	Dog endangers, attacks, or bites a human	500.00

Code Section	*Description of Violation*	*Civil Penalty*
[[~~5-22(b)(2)~~]]	Dog severely injures or kills domestic animal	500.00
[[~~5-22(b)(3)~~]]	Dog used for or trained for dog fighting	500.00
[[~~5-22(b)(4)~~]]	Dog chases or approaches human in menacing fashion	500.00
[[~~5-22(e)~~]]	Failure to confine dog during dangerous dog investigation or hearings	100.00
	Failure to provide address where the animal resides	100.00
[[~~5-22(f)~~]]	Relocating dog during dangerousness investigation or hearing	100.00
	Transfer of ownership during dangerousness investigation or hearing	100.00
[[~~5-22(i)~~]]	Failure to confine dog pending resolution of appeal	250.00
[[~~5-22(j)~~]]	Dog not previously classified as dangerous severely injures or kills human	500.00
	>>Violation of 5-22 not specified above	>>$1,000.00< < [[~~500.00~~]]
5-23 [[~~(a)~~]]	Failure to register, or timely renew registration of, dangerous dog	500.00
[[~~5-23(c)(1)~~]]	Failure to notify Department that dangerous dog is loose or unconfined	500.00
[[~~5-23(c)(2)~~]]	Failure to notify Department that dangerous dog has bitten a human or attacked another animal	500.00
[[~~5-23(c)(3)~~]]	Failure to notify Department that dangerous dog has been sold, given away, or died	500.00
[[~~5-23(c)(4)~~]]	Failure to notify Department that dangerous dog has been moved to another address	500.00
[[~~5-23(d)~~]]	Failure to notify Department of new owner of dangerous dog	500.00
[[~~5-23(e)~~]]	Failure to muzzle dangerous dog	500.00
	Failure to restrain dangerous dog	500.00
[[~~5-23(f)~~]]	Dangerous dog attacks/bites human or domestic animal	500.00
	>>Violation of 5-23 not specified above	>>$1,000.00<< [[~~500.00~~]]

Code Section	*Description of Violation*	*Civil Penalty*
	* * * *	

Section 8. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 9. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 10. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel

Prime Sponsor: Commissioner Sally A. Heyman
Co-sponsors: Commissioner Esteban L. Bovo, Jr.
Commissioner Jose "Pepe" Diaz
Commissioner Barbara J. Jordan