

# MEMORANDUM

Agenda Item No. 11(A)(23)

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**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

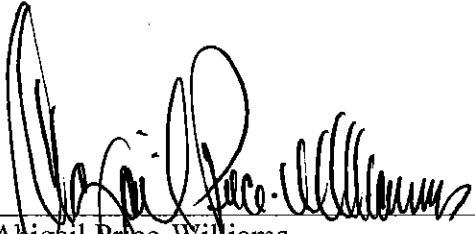
**DATE:** July 6, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution directing the County  
Mayor to investigate potential  
receiving facilities for the  
relocation of nuisance peafowl  
from certain Miami-Dade County  
neighborhoods

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.



Abigail Price-Williams  
County Attorney

APW/smm



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** July 6, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(23)

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
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor'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. 11(A)(23)

7-6-16

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE  
COUNTY MAYOR'S DESIGNEE TO INVESTIGATE  
POTENTIAL RECEIVING FACILITIES FOR THE  
RELOCATION OF NUISANCE PEAFOWL FROM CERTAIN  
MIAMI-DADE COUNTY NEIGHBORHOODS

**WHEREAS**, peafowl are a nonnative species of bird that live in several Counties throughout the State of Florida; and

**WHEREAS**, there has been a proliferation of peafowl in many Miami-Dade County neighborhoods; and

**WHEREAS**, while the Board is committed to the humane treatment of peafowl, many peafowl engage in a variety of nuisance behaviors, including emitting loud noises, destroying landscaping and damaging property; and

**WHEREAS**, the Miami-Dade County Code currently allows property owners to remove nuisance peafowl from their property, if done in a manner that does not injure the animal; and

**WHEREAS**, the Florida Administrative Code and the Florida Wildlife Commission prohibit the release and/or introduction of nonnative species, such as peafowl, within the State of Florida; therefore, in order for property owners to lawfully relocate nuisance peafowl from their property, there must be a secure facility willing to accept the relocated peafowl; and

**WHEREAS**, currently Miami-Dade County Animal Services does not respond to complaints about nuisance peafowl because no suitable facilities have yet been identified to accept the birds, if removed; and

**WHEREAS**, the Board desires to assist residents of the County who seek to have nuisance peafowl on their property humanely removed and relocated; and

**WHEREAS**, in order to facilitate the humane removal and relocation by Miami-Dade County Animal Services of nuisance peafowl at the request of property owners, this Board desires to identify potential facilities willing to accept these relocated peafowl that would also meet the requirements of the Florida Administrative Code and the Florida Wildlife Commission;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that the County Mayor or the County Mayor's designee is directed to investigate potential receiving facilities for the relocation of nuisance peafowl removed by Miami-Dade County Animal Services at the request of property owners. The County Mayor or the County Mayor's designee is directed to return to the Board within 90 days with a report identifying potential receiving facilities and recommendations for the best options for such receiving facilities. The report and recommendations described herein shall be placed on an agenda of the Board, in accordance with Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Xavier L. Suarez. 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:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of July, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.

Sabrina Levin

