

MEMORANDUM

TO:	Honorable Chairman Anthony Rodriguez and Members, Board of County Commissioners	DATE:	Agenda Item No. 7(A) (Second Reading: 3-4-25) January 22, 2025
FROM:	Geri Bonzon-Keenan County Attorney	SUBJECT:	Ordinance relating to animals; amending section 5-18 of the Code; extending the confinement period for animals impounded under certain circumstances

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kevin Marino Cabrera, and Co-Sponsors Commissioner Marleine Bastien, Senator René García and Commissioner Micky Steinberg.



Geri Bonzon-Keenan
County Attorney

GBK/gh

MDC001

Memorandum



Date: March 4, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Fiscal Impact Statement for Ordinance Relating to Amending Sec 5-18 Code Extending Confinement Period

The implementation of this ordinance will require the Department of Animal Services to confine an animal for 14 days should the owner be unable to care for the animal due to injury, illness, incarceration, or other involuntary absence. Based on the department's historical intake data of roughly 650 animals per year, extending the current holding period to 14 days is estimated to result in a yearly fiscal impact of approximately \$300,000 to Miami-Dade County. The average cost per day per animal is \$35, which includes all costs related to onboarding, care, treatment, and staffing. In the event some of these animals require medical attention, an additional \$40,000.00 could be expended to treat these animals through private vet care.

A handwritten signature in black ink that appears to read "C. Burgos".

Cathy Burgos, LCSW
Chief Community Services Officer

Memorandum



Date: March 4, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Social Equity Statement for Ordinance Relating to Amending Sec 5-18 Code Extending Confinement Period

This ordinance, if approved, would require the Department of Animal Services to hold an animal for 14 days if the owner is unable to care for the animal due to injury, illness, incarceration, or other involuntary absence. It is anticipated that the implementation of this ordinance will significantly increase the chances of pet owners in Miami-Dade County being reunited with their animal companions. This extension from 3 days to 14 days would provide a social benefit to impacted residents by giving pet owners additional time to make arrangements for their pet's care, contact the shelter, and reclaim their animal thus decreasing the likelihood of a pet being adopted out while its owner is incapacitated and unable to claim it.

A handwritten signature in black ink that appears to read "C. Burgos".

Cathy Burgos, LCSW
Chief Community Services Officer



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: March 4, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(A)

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 present ____, 2/3 membership ____, 3/5’s ____, unanimous ____, majority plus one ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3) (h) or (4)(c) ____, CDMP 9 vote requirement per 2-116.1(4)(c) (2) ____)** 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(A)
3-4-25

ORDINANCE NO. _____

ORDINANCE RELATING TO ANIMALS; AMENDING SECTION 5-18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; EXTENDING THE CONFINEMENT PERIOD FOR ANIMALS IMPOUNDED UNDER CERTAIN CIRCUMSTANCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Code of Miami-Dade County, Florida (the “Code”) authorizes the Animal Services Department (the “Department”) to impound animals under certain circumstances; and

WHEREAS, section 5-18(a) of the Code provides that animals may be impounded if “[a]n Animal Control Officer finds that an animal is or will be without proper care because the owner is unable to care for the animal due to injury, illness, incarceration, or other involuntary absence,” or if “[t]he Department receives an animal from a law enforcement agency”; and

WHEREAS, pursuant to section 5-18(c)(1), “[t]he confinement period shall be three (3) business days for: animals impounded because the owner is unable to care for the animal due to injury, illness, incarceration, or other involuntary absence; and animals received from a law enforcement agency where there is a known owner”; and

WHEREAS, section 5-18(e) of the Code provides that animals not redeemed by their owners during the foregoing confinement period may “be put up for adoption, released to approved animal rescue organizations, humanely euthanized, or such other humane disposition as the [Department’s] Director or designee shall deem appropriate”; and

WHEREAS, animal owners may remain hospitalized, incarcerated, or otherwise involuntarily absent for prolonged periods; and

WHEREAS, consequently, such animal owners may be unable to reclaim or otherwise arrange for the custody of their animals during this confinement period of three business days; and

WHEREAS, this Board wishes to promote the reunification of impounded animals with their owners by extending the confinement period for animals impounded because the owner is involuntarily absent,

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

Section 1. The foregoing recitals are approved and incorporated herein.

Section 2. Section 5-18 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

**Sec. 5-18. – Impounding; animals found in distress;
redeeming by owner; disposition of unredeemed
animals; livestock at large.**

* * *

(c) *Confinement period.* Animals impounded pursuant to this section shall be confined by the Department for a period of three (3) days, except as provided herein.

(1) The confinement period shall be ~~[[three (3) business]]~~
>>14<< days for: animals impounded because the owner is
unable to care for the animal due to injury, illness,
incarceration, or other involuntary absence; and animals
received from a law enforcement agency where there is a
known owner.

* * *

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.

Section 3. 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 4. 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 a 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 5. 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:

Cristina M. Rabionet

Prime Sponsor: Commissioner Kevin Marino Cabrera
Co-sponsors: Commissioner Marleine Bastien
Senator René García
Commissioner Micky Steinberg

The block contains two handwritten signatures. The top signature is in cursive and appears to read 'J. E. For'. The bottom signature is also in cursive and appears to read 'CMR'.