

# MEMORANDUM

Agenda Item No. 4(C)

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

**DATE:** 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

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kevin Marino Cabrera.

  
Geri Bonzon-Keenan  
County Attorney

GBK/gh

MDC001



**MEMORANDUM**  
(Revised)

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

**DATE:** January 22, 2025

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 4(C)

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. 4(C)  
1-22-25

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:<sup>1</sup>

**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.

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<sup>1</sup> 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