

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Eric Carpenter, City Manager

DATE: January 29, 2025

TITLE: DISCUSS A PROPOSED ORDINANCE TO REQUIRE NOTICE TO NEIGHBORS OF IMPENDING TRAPPING AND EXTERMINATION SERVICES

RECOMMENDATION

The Administration recommends the adoption of the proposed amendments to Section 58-298.

BACKGROUND/HISTORY

On December 11, 2024, at the request of Commissioner Kristen Rosen Gonzalez, the Mayor and City Commission approved a referral (Item C4 P) to the Public Safety and Neighborhood Quality of Life Committee (PSNQLC) to discuss the proposed amendment for Section 58-298, entitled *Responsibilities of Owners and Occupants*, to add subsection (r) to require owners and occupants within the City of Miami Beach to provide notice to surrounding neighbors of an impending planned animal trapping or extermination services, enabling these neighbors to protect their own pets from unintended harm resulting from the trapping or extermination services.

ANALYSIS

The proposed ordinance amendment falls under *Chapter 58 Article III Property Maintenance Standards*. Violations cited under Section 58-298 do not have an immediate penalty, but rather, are scheduled before the Special Magistrate. Specifically, a Code Compliance Officer will provide notice to the person responsible for such violation, cease the trapping or extermination services immediately, outline the course of remedial action, and ensure compliance is obtained. If the violation is not corrected, the Code Compliance Officer will execute an Affidavit of Non-Compliance and escalate the violation to the Special Magistrate Office to schedule a hearing. The Special Magistrate will then review the violation and determine the corrective action and penalty.

The Code Compliance Department envisions that these types of cases will be complaint-driven and/or referrals from Public Work's Cat Program staff. The Cat Program staff has indicated they'd like to receive courtesy copies of the notices, as well, although not currently prescribed in the proposed ordinance amendment.

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate? No
(FOR ORDINANCES ONLY)

The Business Impact Estimate (BIE) was published on .

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

CONCLUSION

Code Compliance will be collaborating with Public Works Department as they oversee the City's Cat Program.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

Yes

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Code Compliance

Sponsor(s)

Commissioner Kristen Rosen Gonzalez

Co-sponsor(s)

Condensed Title

Provide Notice of Impending Trapping and Extermination Services