

15. DISCUSSION REGARDING THE COSTS ASSOCIATED WITH THE DOG BEACH
ACCESS PROGRAM IN THE BUDGET PROCESS FOR THE 2025 FISCAL YEAR

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Rafael A. Paz, City Attorney
DATE: April 3, 2024

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO IDENTIFY BEACH AREAS IN SOUTH BEACH, MID BEACH AND NORTH BEACH TO BE DESIGNATED BY THE CITY MANAGER AS DOG ACCESS BEACH AREAS DAILY FROM 7:00 A.M. TO 9:00 A.M. ON SPECIFIED DAYS (DOG BEACH ACCESS PROGRAM) IN ACCORDANCE WITH SECTION 10-11(C) OF THE CITY CODE; AND FURTHER, DIRECTING THE ADMINISTRATION TO PROMULGATE REASONABLE RULES FOR THE DOG BEACH ACCESS PROGRAM; AND FURTHER, DIRECTING THE ADMINISTRATION TO PREPARE A BUDGET TO PROVIDE FOR THE POSTING OF APPROPRIATE SIGNAGE, THE INSTALLATION OF PET WASTE STATIONS AND THE PROVISION OF PARK RANGER SUPERVISION AT A COST NOT TO EXCEED \$75,000 IN THE AGGREGATE FOR THE 2024 FISCAL YEAR; AND FURTHER, REFERRING THIS ITEM TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO INCLUDE THE COSTS ASSOCIATED WITH THE DOG BEACH ACCESS PROGRAM IN THE BUDGET PROCESS FOR THE 2025 FISCAL YEAR.

BACKGROUND/HISTORY

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 name of lobbyist(s) and principal(s): N/A

ANALYSIS

The attached Resolution was prepared at the request of the sponsor, Commissioner David Suarez.

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

As referenced in the Resolution, the fiscal impact of this item will not exceed \$75,000.

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Office of the City Attorney

Sponsor

Commissioner David Suarez

ATTACHMENTS:

Description

- ▢ Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO IDENTIFY BEACH AREAS IN SOUTH BEACH, MID BEACH AND NORTH BEACH TO BE DESIGNATED BY THE CITY MANAGER AS DOG ACCESS BEACH AREAS DAILY FROM 7:00 A.M. TO 9:00 A.M. ON SPECIFIED DAYS (DOG BEACH ACCESS PROGRAM) IN ACCORDANCE WITH SECTION 10-11(C) OF THE CITY CODE; AND FURTHER, DIRECTING THE ADMINISTRATION TO PROMULGATE REASONABLE RULES FOR THE DOG BEACH ACCESS PROGRAM; AND FURTHER, DIRECTING THE ADMINISTRATION TO PREPARE A BUDGET TO PROVIDE FOR THE POSTING OF APPROPRIATE SIGNAGE, THE INSTALLATION OF PET WASTE STATIONS AND THE PROVISION OF PARK RANGER SUPERVISION AT A COST NOT TO EXCEED \$75,000 IN THE AGGREGATE FOR THE 2024 FISCAL YEAR; AND FURTHER, REFERRING THIS ITEM TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO INCLUDE THE COSTS ASSOCIATED WITH THE DOG BEACH ACCESS PROGRAM IN THE BUDGET PROCESS FOR THE 2025 FISCAL YEAR.

WHEREAS, providing designated dog access beach areas within public parks or beaches can serve as a valuable amenity for residents and visitors, allowing them to enjoy recreational activities with their furry companions; and

WHEREAS, Section 10-11(c) of the City Code authorizes the City Manager to designate specific areas of public parks or beaches, along with specifying days and hours, for dog access; and

WHEREAS, designating specific areas with certain days and times available to dog owners and their furry companions will enhance the quality of life for residents and foster community engagement; and

WHEREAS, for the foregoing reasons, the Mayor and City Commission wish to direct the Administration to identify beach areas in South Beach, Mid Beach and North Beach ("Dog Friendly Beaches") as dog access areas daily from 7:00 a.m. to 9:00 a.m. on specified days ("Dog Beach Access Program"), taking into account sea turtle nesting; and

WHEREAS, access for dogs at Dog Friendly Beaches shall be subject to reasonable rules (the "Rules") to be promulgated by the Administration; and

WHEREAS, appropriate signage setting forth the Rules, as well as signage alerting beachgoers that off-leash dogs may be present during posted hours should be placed at entrances to the Dog Beaches; and

WHEREAS, a pet waste station shall be placed at the entrance to each Dog Friendly Beach to facilitate the proper disposal of pet waste; and

WHEREAS, the Parks and Recreation Department should assign Park Rangers to supervise the Dog Friendly Beaches to ensure dog owners are in compliance with the Rules; and

WHEREAS, the Mayor and City Commission wish to direct the Administration to prepare a budget to provide for the posting of appropriate signage, the installation of pet waste stations and the provision of park ranger supervision at a cost not to exceed \$75,000 in the aggregate for the 2024 fiscal year; and

WHEREAS, the Mayor and City Commission desire to refer this item to the Finance and Economic Resiliency committee to include the costs associated with the Dog Beach Access Program in the budget process for the 2025 fiscal year.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby direct the Administration to identify beach areas in South Beach, Mid Beach and North Beach to be designated by the City Manager as dog access beach areas from 7:00 a.m. to 9:00 a.m. on specified days ("Dog Beach Access Program") in accordance with Section 10-11(c) of the City Code; and further, direct the Administration to promulgate reasonable rules for the Dog Beach Access Program; and further, direct the Administration to prepare a budget to provide for the posting of appropriate signage, the installation of pet waste stations and the provision of Park Ranger supervision at a cost not to exceed \$75,000 in the aggregate for the 2024 Fiscal Year; and further, refer this item to the Finance and Economic Resiliency Committee to include the costs associated with the Dog Beach Access Program in the budget process for the 2025 Fiscal Year.

PASSED and ADOPTED THIS ____ day of _____ 2024.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner David Suarez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney *RD* 3-27-24
Date

The Florida Department of Health does not have authority to prevent animals on marine beaches. Although there is no official Department of Health policy or jurisdiction about dogs on beaches, the Healthy Beaches program office does have a concern. There is a potential exposure to parasites and other diseases because of the presence of fecal matter from animals on beaches and anywhere humans and animals interact. See http://www.cdc.gov/healthypets/browse_by_animal.htm.

If dogs and other animals are allowed at the marine beaches, we would recommend that the beach be 'supervised' for licenses, vaccinations, poop scooping, and general sanitary conditions. We would add that children should not be allowed to play in this area because of the higher potential exposure to parasites/disease. If a beach area is part of the Healthy Beach monitoring program, we would expect high bacterial counts more frequently so swimming advisories would be more frequent or of longer duration. We know that the dog beach in Miami posts more poor water quality advisories than other Miami-Dade marine beaches. However, if owners cleanup the fecal material left by their animals, the risk of disease is reduced.

We have some recommendations that will reduce some risk of illness or injury.

DOG BEACH POLICY RECOMMENDATIONS:

- 1) Establish policies requiring the dogs to have rabies vaccinations with proof of licensing, and requesting animals not up to date on other vaccines or not currently on a regular parasite prevention program to refrain from entering the park area.
- 2) Establish a procedure for patrons if fights or bites occur, for instance collect dog owner name, dog license number, and owner car license plate number.
- 3) Owners should immediately clean up fecal material after pets. Providing easy access to a disposal area with disposal bags may help facilitate compliance related to prompt fecal clean-up.
- 4) Facilities for rinsing off sand and beach water should be available, as well as restrooms with soap and water for hand washing. These facilities are useful for preventing both zoonotic and non-zoonotic illnesses, and are especially important for children and immunosuppressed persons.
- 5) Basic personal hygiene should be practiced such as food should not come into direct contact with sand, and hand washing is always recommended after using the rest room, handling animals, and prior to eating help reduce the risk of illness.
- 6) Signage alerting beachgoers that off-leash dogs may be present and to ensure children are supervised and taught not to offer food or approach dogs without parent and dog owner permission, although any injuries that occur are ultimately the responsibility of the dog owner.
- 7) Alternative beach choices should be readily available and listed for people who do not feel comfortable around dogs.

8) The option to provide suggestions and comments is a great one and any human health illness should be reported to the county health department.

9) Evaluate the facility after 6 months for sanitary conditions or anytime a serious injury or a suspected outbreak of any sort is linked to the park.

10) Consult with Florida Fish and Wildlife Commission on location suitability, particularly related to the sea turtles and sensitive shore bird habitat.

OTHER RECOMMENDATIONS TO PROTECT PEOPLE, THE ANIMALS AND THE ENVIRONMENT:

- * The dog park should be located above the highest high tide line. (FYI - "Heal the Bay" does not support dog beaches that allow dogs in the water and also the dog park located below the highest high tide line.)
- * The dog park should be fully enclosed by fencing or other means to ensure dogs stay within the designated area.

SUGGESTED DOG PARK ETIQUETTE:

- * Dogs must be leashed prior to arriving and leaving the designated off-leash area. Owners/handlers must carry one leash per dog while in an off-leash area.
- * Dogs must be properly licensed, inoculated against rabies, and healthy. No dog less than four months of age is permitted in the off-leash area.
- * Female dogs in heat are not permitted within a dog park.
- * Aggressive and menacing behavior is not allowed. Any dog exhibiting aggressive behavior must be removed from the facility immediately.
- * Owner/handler shall carry a suitable container and/or equipment for removal and disposal of dog feces. Dog feces shall be immediately removed and properly disposed of in the covered trash cans.
- * Dogs must be in sight and under the control of the owner/handler at all times.
- * No more than two dogs per owner/handler is allowed in the facility at any one time.
- * An adult must supervise children under the age of 14.
- * The facility is open only during posted hours.
- * Owners accept responsibility for the actions of their dogs.
- * One major beach, The Long Beach Dog Zone also limits the number of dogs to one per adult to ensure that each dog can be adequately supervised at all times.