

R5 AF AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART A OF THE CITY CODE, ENTITLED "GENERAL ORDINANCES," BY AMENDING CHAPTER 10, ENTITLED "ANIMALS," BY CREATING SECTION 10-20, ENTITLED "INTERFERENCE WITH TRAP-NEUTER-VACCINATION-RETURN ACTIVITIES PROHIBITED; DEFINITIONS; PENALTIES" TO PROHIBIT INTERFERENCE WITH SPECIFIED TRAP-NEUTER-VACCINATION-RETURN ACTIVITIES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: December 17, 2025 3:15 p.m. First Reading Public Hearing

TITLE: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART A OF THE CITY CODE, ENTITLED "GENERAL ORDINANCES," BY AMENDING CHAPTER 10, ENTITLED "ANIMALS," BY CREATING SECTION 10-20, ENTITLED "INTERFERENCE WITH TRAP-NEUTER-VACCINATION-RETURN ACTIVITIES PROHIBITED; DEFINITIONS; PENALTIES" TO PROHIBIT INTERFERENCE WITH SPECIFIED TRAP-NEUTER-VACCINATION-RETURN ACTIVITIES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

The proposed ordinance, sponsored by Commissioner Laura Dominguez, is submitted for consideration by the Mayor and City Commission.

Miami-Dade County has established a countywide Community Cat/TNVR Program, which authorizes the trapping, neutering, vaccinating, ear-tipping, and returning of community cats as a recognized humane method of population management. Moreover, Miami-Dade County's policies expressly support the lawful participation of caretakers, volunteers, and nonprofit animal-welfare organizations in carrying out TNVR activities.

By adopting the proposed Ordinance, which prohibits feeding interference, trap tampering, and harassment of caretakers and volunteers, the City seeks to ensure uniformity and alignment with Miami-Dade County's Community Cat Program while strengthening humane cat-management practices within the City. To that effect, the City recognizes that interference with authorized TNVR activities (including feeding interference, trap tampering, and harassment of caretakers and volunteers) undermines both City and County goals related to public health, humane animal treatment, and sustainable community-cat population control.

Accordingly, adopting the proposed Ordinance would reinforce Miami-Dade County's TNVR framework, protect caretakers and volunteers, and ensure orderly and humane community-cat management in the City.

FISCAL IMPACT STATEMENT

None.

Does this Ordinance require a Business Impact Estimate? Yes
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

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

No

**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

City Attorney

Sponsor(s)

Commissioner Laura Dominguez

Co-sponsor(s)

Condensed Title

3:15 p.m. 1st Rdg, Interference w/ TNVR Activities Prohibited. (Dominguez) CA

Previous Action (For City Clerk Use Only)

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART A OF THE CITY CODE, ENTITLED "GENERAL ORDINANCES," BY AMENDING CHAPTER 10, ENTITLED "ANIMALS," BY CREATING SECTION 10-20, ENTITLED "INTERFERENCE WITH TRAP-NEUTER-VACCINATION-RETURN ACTIVITIES PROHIBITED; DEFINITIONS; PENALTIES" TO PROHIBIT INTERFERENCE WITH SPECIFIED TRAP-NEUTER-VACCINATION-RETURN ACTIVITIES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, Miami-Dade County has established a countywide Community Cat/TNVR Program, which authorizes the trapping, neutering, vaccinating, ear-tipping, and returning of community cats as a recognized humane method of population management; and

WHEREAS, Miami-Dade County's policies expressly support the lawful participation of caretakers, volunteers, and nonprofit animal-welfare organizations in carrying out TNVR activities; and

WHEREAS, the City of Miami Beach ("City") seeks to ensure uniformity and alignment with Miami-Dade County's Community Cat Program while strengthening humane cat-management practices within the City; and

WHEREAS, the City recognizes that interference with authorized TNVR activities (including feeding interference, trap tampering, and harassment of caretakers and volunteers) undermines both City and County goals related to public health, humane animal treatment, and sustainable community-cat population control; and

WHEREAS, the City recognizes and acknowledges the contributions of nonprofit organizations, including SoBe Cats, Inc., a 501(c)(3) corporation, which performs TNVR activities within the City and typically provides temporary informational signage during active operations to discourage public interference; and

WHEREAS, the Mayor and City Commission hereby desire to adopt the following ordinance in order to reinforce Miami-Dade County's TNVR framework, protect caretakers and volunteers, and ensure orderly and humane community-cat management in the City.

NOW, THEREFORE, BE IT DULY ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS:

SECTION 2. That Section 10-20 of the City Code shall be created as follows, and as hereinafter set forth below:

SUBPART A – GENERAL ORDINANCES

* * *

CHAPTER 10

ANIMALS

Sec. 10-20. Interference with trap-neuter-vaccination-return activities prohibited; definitions; penalties.

(a) Definitions. For purposes of this section, the following terms shall have the definitions provided herein.

- (1) Community cat means an unowned and free-roaming cat, which may or may not be feral, that is cared for, managed, or monitored as part of a recognized TNVR program.
- (2) TNVR program is a program in which community cats are humanely trapped, neutered, vaccinated and returned to their outdoor homes.
- (3) TNVR activities or TNVR purposes means the trapping, transporting, neutering, vaccinating, returning, monitoring, or caring for community cats as part of an authorized TNVR program.
- (4) Caretaker or Volunteer means any individual engaged in lawful TNVR activity, whether independently, in coordination with a nonprofit, or under City/County-recognized protocols.
- (5) Humane trap means any live, non-injurious trapping device used for the purpose of carrying out TNVR activities.

(b) Prohibitions.

(1) Feeding Interference. It shall be unlawful for any person to:

- a. Provide food to community cats in a manner that disrupts, undermines, or interferes with active or scheduled trapping efforts; or
- b. Place food or attractants in any location during an active trapping operation where such placement reasonably hinders the ability to humanely trap community cats for TNVR purposes.

(2) Tampering Interference. It shall be unlawful for any person to:

- a. Remove, damage, move, disable, or disturb any humane trap that is set, staged, or in active use for TNVR activities;
- b. Relocate, transport, abandon, or otherwise release community cats in a manner that frustrates, prevents, or circumvents their participation in a TNVR program; or
- c. Interfere with the transport of community cats participating in a TNVR program.

(3) Harassment Interference. It shall be unlawful for any person to:

- a. Threaten, intimidate, or harass any caretaker or volunteer engaged in lawful TNVR activities;
- b. Hinder, impede, or obstruct a caretaker or volunteer performing duties reasonably associated with TNVR activities; or

c. Authorize, instruct, or encourage another person to engage in conduct prohibited by this section.

(c) Penalties. Violations of this section shall be punished as provided in section 10-2 of the City Code.

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. SEVERABILITY.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 5. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect the ____ day of _____, 2026.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

Underline denotes additions.

(Sponsored by Commissioner Laura Dominguez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

12/5/2025

Date