

R5 U AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 10 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ANIMALS," BY AMENDING SECTION 10-2 THEREOF, ENTITLED "FINES FOR VIOLATIONS OF ANIMAL CONTROL ORDINANCES; UNPAID FINES TO CONSTITUTE LIEN AND BASIS FOR REVOCATION OF CITY PARKING PERMITS/DECALS," BY AMENDING AND IDENTIFYING THOSE SECTIONS OF THE CITY CODE TO WHICH THE GENERAL PENALTY PROVISIONS SET FORTH IN SECTION 10-2 DO NOT APPLY; AND BY AMENDING SECTION 10-11 THEREOF, ENTITLED "RUNNING AT LARGE PROHIBITED; EXCEPTIONS," BY PROVIDING ENHANCED CIVIL PENALTIES FOR ANIMALS RUNNING AT LARGE; 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: April 22, 2026 10:30 a.m. Second Reading Public Hearing

TITLE: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 10 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ANIMALS," BY AMENDING SECTION 10-2 THEREOF, ENTITLED "FINES FOR VIOLATIONS OF ANIMAL CONTROL ORDINANCES; UNPAID FINES TO CONSTITUTE LIEN AND BASIS FOR REVOCATION OF CITY PARKING PERMITS/DECALS," BY AMENDING AND IDENTIFYING THOSE SECTIONS OF THE CITY CODE TO WHICH THE GENERAL PENALTY PROVISIONS SET FORTH IN SECTION 10-2 DO NOT APPLY; AND BY AMENDING SECTION 10-11 THEREOF, ENTITLED "RUNNING AT LARGE PROHIBITED; EXCEPTIONS," BY PROVIDING ENHANCED CIVIL PENALTIES FOR ANIMALS RUNNING AT LARGE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

The proposed Ordinance, sponsored by Commissioner Tanya K. Bhatt, has been submitted for consideration by the Mayor and City Commission.

Chapter 10 of the Code of the City of Miami Beach ("City Code") regulates animals within the City in order to protect the public health, safety, and welfare. In particular, Section 10-11 of the City Code prohibits animals from running at large within the City, subject to limited exceptions and areas designated by the City Manager.

Moreover, Section 10-2 of the City Code establishes general penalties applicable to violations of most of the sections within Chapter 10. However, in adopting the proposed Ordinance, the Mayor and City Commission would find that animals running at large pose significant risks to public safety, including traffic hazards, injuries to persons and other animals, and interference with the peaceful enjoyment of public spaces.

Therefore, in adopted the proposed Ordinance, the Mayor and City Commission would express their desire to enhance the penalties specifically applicable to violations of section 10-11, and to clarify that the general penalty provisions set forth in section 10-2 do not apply to violations of section 10-11.

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: 4/8/2026
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 Tanya K. Bhatt

Co-sponsor(s)

Condensed Title

10:30 a.m. 2nd Rdg, Enhance Civil Penalties for Animals Off Leash. (Bhatt) CA

Previous Action (For City Clerk Use Only)

First Reading Public Hearing on 3/18/2026 - R5 W

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 10 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ANIMALS," BY AMENDING SECTION 10-2 THEREOF, ENTITLED "FINES FOR VIOLATIONS OF ANIMAL CONTROL ORDINANCES; UNPAID FINES TO CONSTITUTE LIEN AND BASIS FOR REVOCATION OF CITY PARKING PERMITS/DECALS," BY AMENDING AND IDENTIFYING THOSE SECTIONS OF THE CITY CODE TO WHICH THE GENERAL PENALTY PROVISIONS SET FORTH IN SECTION 10-2 DO NOT APPLY; AND BY AMENDING SECTION 10-11 THEREOF, ENTITLED "RUNNING AT LARGE PROHIBITED; EXCEPTIONS," BY PROVIDING ENHANCED CIVIL PENALTIES FOR ANIMALS RUNNING AT LARGE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, Chapter 10 of the Code of the City of Miami Beach ("City Code") regulates animals within the City in order to protect the public health, safety, and welfare; and

WHEREAS, Section 10-11 of the City Code currently prohibits animals from running at large within the City, subject to limited exceptions; and

WHEREAS, unless excepted, Section 10-2 of the City Code establishes general penalties applicable to violations of the various Sections within Chapter 10; and

WHEREAS, the Mayor and City Commission find that animals running at large pose significant risks to public safety, including traffic hazards, injuries to pedestrians and other animals, and interference with the peaceful enjoyment of public spaces; and

WHEREAS, the Mayor and City Commission desire to enhance the penalties specifically applicable to violations of Section 10-11, and to clarify that the general penalty provisions set forth in Section 10-2 do not apply to violations of Section 10-11.

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

SECTION 1. That Section 10-2 of Chapter 10 of the Miami Beach City Code is hereby amended as follows:

CHAPTER 10

ANIMALS

* * *

Sec. 10-2. - Fines for violations of animal control ordinances; unpaid fines to constitute lien and basis for revocation of city parking permits/decals.

- (a) All violations of this chapter are civil infractions, except as otherwise provided in section 10-5. Each violation of this chapter shall constitute a separate offense. Violations of this chapter, except as otherwise provided in sections 10-9, 10-11, 10-15, 10-17, 10-18, and 10-19, and 10-20 will be punished as follows:
- (1) For a first offense, a \$50.00 fine.

(2) For a second offense within the preceding 12 months, a \$100.00 fine.

(3) For each additional offense within the preceding 12 months, a \$200.00 fine.

For purposes of this section, an offense shall be deemed to have occurred on the date that the violation occurred. An offense occurring 12 months after the last offense shall be treated as a first offense for purposes of incurring new fines. However, any fines imposed in any prior 12-month period shall not be waived.

(b) The failure of any person to pay the appropriate fine within the time allowed or to appeal the violation shall constitute a waiver of the right to an administrative hearing before the special magistrate and fines may be assessed accordingly.

(c) A certified copy of an order imposing a fine may be recorded in the public records and thereafter shall constitute a lien upon any real or personal property owned by the violator and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the violator's personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After two months from the recording of any such lien that which remains unpaid, the city may foreclose or otherwise execute upon the lien. In addition, any order of the special magistrate imposing a fine for a violation of section 10-11 that remains unpaid two months after the date of the order shall be grounds for the revocation of any and all residential parking permits or decals issued to the violator by the city.

SECTION 2. That Section 10-11 of Chapter 10 of the Miami Beach City Code is hereby amended as follows:

CHAPTER 10

ANIMALS

* * *

Sec. 10-11. - Running at large prohibited; exceptions.

(a) It shall be prohibited for the owner or person in control of any animal to permit the animal to run at large. All animals, when not on the premises of their owner or of the person in control, must be on a leash or contained in a carrier device and under the control of a competent person, except that a dog may be unrestrained and shall not be deemed to be at large if it is supervised by a competent person and is in:

(1) South Pointe Park, in the designated area south and west of the Washington Avenue entry plaza, from sunrise to 10:00 a.m. daily, or from 6:00 p.m. to 9:00 p.m. on Monday through Friday, or during such other days and hours, or in such other park or beach areas therein, as may be specifically designated by the city manager; or

(2) North Shore Open Space Park, in the designated beach area between 80th and 82nd Streets, from 3:00 p.m. to 7:00 p.m. on Friday, Saturday, and Sunday, or during such other days and hours, or in such other park areas, or beaches therein, as may be specifically designated by the city manager; or

(3) An area of a public park, or beach area therein, specifically designated by the city manager, and during such days and hours as may be specifically designated by the city manager.

(b) This section shall be enforced by the Miami Beach Police Department, the Miami Beach Park Rangers, and the Code Compliance Department. This shall not preclude other law enforcement agencies or regulatory bodies from taking action to assure compliance with this section, and all applicable laws. Any person who violates this section may be issued a notice of violation shall be subjecting such person to the following fines:

- (1) For a first violation, a \$250 fine;
- (2) For a second violation within the preceding 12 months, a \$500 fine; and
- (3) For a third or subsequent violation within the preceding 12 months, a \$1,000 fine.

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.
~~Strikethrough~~ denotes deletions.
Double Underline denotes additions after first reading.
~~Double Strikethrough~~ denotes deletions after first reading.

(Sponsored by Commissioner Tanya K. Bhatt)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

4/14/2026
Date

MAF