



VILLAGE OF PALMETTO BAY

AGENDA SUNSHINE MEETING

COUNCILMEMBER DAVID SINGER AND COUNCILMEMBER MARSHA MATSON

MONDAY, JANUARY 13, 2020 – 6:00 PM
Village Municipal Center, 9705 East Hibiscus Street, Palmetto Bay, FL
(305) 259-1234

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Village Clerk at (305) 259-1234 for assistance no later than four days prior to the meeting.

1. WELCOME

2. PUBLIC COMMENTS

3. DISCUSSION TOPIC:

I. PROPOSED ORDINANCE:

- a. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING CHAPTER 15 OF THE VILLAGE OF PALMETTO BAY'S CODE OF ORDINANCES ENTITLED "ENVIRONMENT". BY ADDING SECTION 15-2 STYLED "BIRD SANCTUARY"; ESTABLISHING THE VILLAGE AS A BIRD SANCTUARY; PROVIDING FOR DEFINITIONS, PROVIDING FOR PENALTIES, AND PROVIDING AN EFFECTIVE DATE. (*Sponsored by Councilmember David Singer*)

The meeting will be solely for a discussion of the language of the Ordinance. No official action will be taken, and the Ordinance shall be heard at the next Regular Village Council meeting on February 3, 2020.

4. ADJOURNMENT

1 **Section 1.** That Section 15 of the Village of Palmetto Bay’s Code
2 of Ordinances entitled “Environment” is amended by the addition of
3 Section 15-2 styled “Bird Sanctuary”.
4

5 **Section 2.** That Section 15-2 shall read as follows:

6 “Section 15-2 - Bird Sanctuary

7 (i) The Village of Palmetto Bay shall be known as a bird sanctuary
8 for the protection and conservation of all species of birds.

9 (ii) The entire area now embraced within the boundaries known
10 as the corporate limits of the Village of Palmetto Bay is hereby des-
11 ignated as a bird sanctuary.

12 (iii) “Bird” shall be defined as “a warm-blooded, egg laying verte-
13 brate distinguished by the possession of feathers, wings, a beak and,
14 typically, being able to fly.

15 (iv) These species include not only chickens, hens, ducks and
16 peacocks, but all species of birds, even if a species does not have a
17 natural habitat within the borders of the Village.

18 (v) It shall be unlawful for any person to hunt, kill, maim, hurt or
19 trap, or in any manner to attempt to kill, maim, hurt or trap or otherwise
20 molest any domestic bird, except:

21 (a) Birds or fowl raised in captivity for human consumption;

22 (b) Individuals or entities duly licensed by the State of Florida to
23 humanly euthanize Muscovy ducks.

24 (c) The removal and transport by Miami-Dade Animal Control of
25 ducks, chickens and other fowl from any Village Park upon a complaint
26 from park patrons that nuisance or aggressive behavior being exhibited.

27 (vi) The Village shall require a Village Registration for all individu-
28 als who possess a valid, government issued permit or license permitting
29 the capturing, caging or transport of any bird species to register with the
30 Village Clerk and provide copies of all documentation to be kept on file
31 with the Village. This Registration shall cost the individual Five Hundred
32 Dollars per annum.

33 (vii) Any person, firm or entity violating any provision of this Sec-
34 tion 15-2 for which another penalty is not specifically provided for under
35 the laws of the State shall, upon conviction of an act prohibited by this
36 Section 15-2, be subject to a fine not exceeding One Thousand Dollars
37 (\$1,000) for the first offense and Two Thousand, Five Hundred Dollars
38 (\$2,500) for each and every subsequent offense.
39

1 (viii) The provisions of this section are in addition to and independ-
2 ent from the provisions of Section 828.12, Florida Statutes, the “Cruelty
3 to Animals” law of the State.

4
5 **Section 3.** This Ordinance shall become effective upon second
6 reading.

7
8 **PASSED** and **ADOPTED** on First Reading this ____ day of
9 _____, 2020

10
11 **PASSED** and **ADOPTED** on Second Reading this _____ day
12 of _____, 2020.

13
14
15 Attest:

16
17 _____
18 **Missy Arocha**
19 **Village Clerk**

Karyn Cunningham
Mayor

20
21 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
22 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLOR-
23 IDA ONLY:

24
25 _____
26 **John C. Dellagloria**
27 **Village Attorney**

28
29 **VOTE ON FIRST READING:**

30
31 Council Member David Singer _____

32
33 Council Member Marsha Mason _____

34
35 Council Member Patrick Fiore _____

36
37 Vice-Mayor John DuBois _____

38
39 Mayor Karyn Cunningham _____

1 **FINAL VOTE AT SECOND READING AND ADOPTION:**

2

3 Council Member David Singer _____

4

5 Council Member Marsha Matson _____

6

7 Council Member Patrick Fiore _____

8

9 Vice-Mayor John DuBois _____

10

11 Mayor Karyn Cunningham _____