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**RESOLUTION NO. 2016-127**

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, CREATING A POLICY REGARDING SPECIAL EVENTS AND FARMER'S MARKETS; CREATING A POLICY TO ALLOW DOGS AT SPECIAL EVENTS AND FARMER'S MARKETS - SPECIFICALLY NOT ALTERING EXISITING POLICY OF PETS/DOGS AT VILLAGE PARKS NOT ASSOCIATED WITH SPECIAL EVENTS AND FARMER'S MARKETS; AND PROVIDING FOR AN EFFECTIVE DATE.** (Sponsored by Mayor Eugene Flinn and Co-Sponsored by Councilmember Karyn Cunningham)

**WHEREAS,** Palmetto Bay wants to foster successful events within our village parks; and

**WHEREAS,** the Village Council is desirous of creating a reasonable policy that allows for dogs, under defined circumstances at the Farmer's Market, as is common in Farmer's Markets in neighboring municipalities; and

**WHEREAS,** the municipal Code of Palmetto Bay, specifically Sec. 20-66. -- Domestic animals, provides that:

Sec. 20-66. - Domestic animals.

(a) No person shall be permitted to take any domestic animal into any park unless the park specifically permits domestic animals. Canines (dogs) are particularly excluded from all parks other than Perrine Wayside Park. The provisions of Chapter 5 (sections 5-3 through 5-15) of the Code of Miami-Dade County (Miami-Dade County Dog Control Ordinance No. 58-28) shall apply to all park property not specifically designated for canine use. The provisions of this rule shall not apply to the use of a special needs service animal. As special needs service animal is defined as any dog guide or other animal individually trained to work or perform tasks for an individual with a disability.

(b) Cattle, mules, swine, sheep, goats, fowl or horses shall be precluded from entry into park property. All owners or attendants of such animals are charged with the duty of preventing such occurrences. However, this prohibition does not apply to animals and fowl kept by the parks department of under its direction. Any person found violating this provision shall receive a \$200.00 civil citation.

(c) Animals may be allowed into the park for special events upon obtaining a written permit from the department director.

(Ord. No. 07-16, § 1(Rule 16), 6-11-2007)

1           **WHEREAS**, the Village Council of the Village of Palmetto Bay has approved events to  
2 be held at parks other than the Perrine Wayside Park (Village Dog Park) including the Dogs of  
3 Summer event held in August, 2016 in cooperation with the Mayors of Cutler Bay, Palmetto Bay,  
4 and Pinecrest, along with our District 8 County Commissioner, and now desires to set a standing  
5 policy for the inclusion of dogs at the Farmer's Market recently created at Coral Reef Park; and  
6

7           **WHEREAS**, the Village Council has the authority pursuant to municipal code to set a  
8 policy allowing for dogs at Farmer's Market and/or as suitable in other special events held at  
9 Palmetto Bay facilities, including the Village Municipal Center and Village Parks.

10           **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE**  
11 **COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**  
12

13           **Section 1.**     The Village of Palmetto Bay hereby creates and adopts a policy to allow  
14 dogs at the Farmer's Market, currently held at Coral Reef Park as of November, 2016, under  
15 specified conditions.  
16

17           **Section 2.**     The Village Council authorizes the Village Manager to take all action  
18 required to facilitate Palmetto Bay's policy to allow dogs at the Farmer's Market, currently held at  
19 Coral Reef Park beginning as of November, 2016, in line with the following:  
20

21           A.     All dogs will have proof of vaccination and comply with all rules and regulations  
22 for dog safety and conduct, as published/maintained regarding the Village Dog Park, with the  
23 exception that, at no time, shall any dog be allowed to be off lead or on lead greater than 4 feet in  
24 length.  
25

26           B.     Regardless of the published applicable rules, referenced above, that at all times, all  
27 dog owners must have with them at all time, and use, when necessary, dog waste disposal bags.  
28 Any bags, once used, shall not be disposed of in any manner that introduces dog refuse into the  
29 common garbage of the Farmer's Market or the Park in general but must be carried out of the  
30 area.  
31

32           C.     That dogs are permitted only in the hard lot of the Farmer's Market. Dogs are  
33 not permitted entrance into any other areas of the parks.  
34

35           D.     That at all times dog owners are to be responsible for their dogs and all dogs are  
36 subject to removal if determined to be aggressive or not sufficiently under control of the  
37 owner/handler.  
38

39           **Section 3.**     The policy specifically excludes the sale of any dogs through public or  
40 private sale at any of the village parks. This policy does allow pet rescue groups and/or Miami-  
41 Dade County Animal Services onto Village Park property, for purpose of participating in an  
42 official village event where the Village Council participates in any dog adoption/rescue events.  
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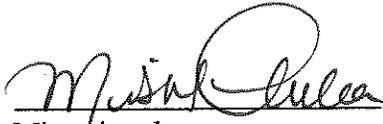
44           **Section 4.**     This policy shall be enforced in the same manner as all village  
45 resolutions/ordinances, operationally through the village manager and as delegated to applicable  
46 village personal, including, but not limited to the Manager, Parks Director and Village Police  
47 Commander.  
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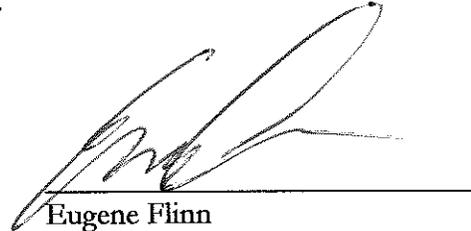
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2 **Section 5.** Nothing in this policy is intended to violate any Federal or State Law or  
3 County Ordinance and this policy is effective only where not in conflict with any Federal or State  
4 Law or County Ordinance.

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6 **Section 6.** This Resolution shall take effect immediately upon adoption.  
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10 PASSED and ADOPTED this 5<sup>th</sup> day of December, 2016.  
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15 Attest:

16   
17 Missy Arocha  
18 Village Clerk

19   
20 Eugene Flinn  
21 Mayor

22 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE  
23 AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:  
24

25   
26 Dexter W. Lehtinen  
27 Village Attorney

28 FINAL VOTE AT ADOPTION:

29  
30 Council Member Karyn Cunningham YES  
31  
32 Council Member David Singer YES  
33  
34 Council Member Larissa Siegel Lara YES  
35  
36 Vice-Mayor John DuBois YES  
37  
38 Mayor Eugene Flinn YES