

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2022-285**

A RESOLUTION OF THE CITY COMMISSION AMENDING RESOLUTION NO. 2022-175, TO ESTABLISH A REVISED PEAFAWL MITIGATION POLICY PURSUANT TO THE CODE OF MIAMI-DADE COUNTY, CHAPTER 5 "ANIMALS AND FOWL", SECTION 5-16 "TAKING OF PEAFAWL PROHIBITED; MUNICIPAL OPT OUT."

**WHEREAS**, Chapter 5 "Animals and Fowl", Section 5-16 "Taking of peafowl prohibited; municipal opt-out" makes it unlawful for any person to take, attempt to take, hunt, molest, capture, or kill any peafowl, their nests or eggs, by any means; but allows a municipality to opt out of the prohibition by adopting a peafowl mitigation plan that provides for humane removal of peafowl, if approved by the Board of County Commissioners; and

**WHEREAS**, Chapter 10 "Animals", Article I "In General", Section 10-7 "Peafowl" of the City Code of Coral Gables grants the City the authority to take any remedial action deemed appropriate to address the proliferation of peafowl within the City.; and

**WHEREAS**, peafowl are a non-native and invasive species and compete with indigenous bird species throughout South Florida; and

**WHEREAS**, peafowl can cause property damage, transmit parasites, create substantial noise pollution, and block traffic in the City; and

**WHEREAS**, the City Commission finds that the proliferation of peafowl within the City is harmful to the public welfare; and

**WHEREAS**, the City Commission wishes to provide residents with additional options to humanely remove peafowl from their private property and to authorize City staff to engage one or more qualified private companies to humanely remove peafowl from the public rights-of-way or City-owned property; and

**WHEREAS**, the City Commission also desires to encourage neighboring municipalities to take steps to address peafowl, which travel and procreate without regard to municipal boundaries; and

**WHEREAS**, the City Commission therefore amends Resolution No. 2022-175 by establishing a revised Peafowl Mitigation Policy that satisfies the BCC's conditions as stated in the BCC meeting of October 18, 2022; and

**WHEREAS**, the BCC requested that the City’s policy be clarified to provide for both the humane removal and relocation of peafowl and to explore the feasibility of implementing a neutering program;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** That the foregoing "**WHEREAS**" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the City Commission hereby adopts this Resolution to amend Resolution Number 2022-175.


**SECTION 3.** That this Resolution establishes a revised peafowl mitigation policy pursuant to the Code of Miami-Dade County, Chapter 5 “Animals and Fowl”, Section 5-16 “Taking of peafowl prohibited; municipal opt out.

**SECTION 4.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS NINTH DAY OF NOVEMBER, A.D., 2022.


(Moved: Anderson / Seconded: Menendez)  
(Yeas: Menendez, Anderson, Fors, Jr., Mena, Lago)  
(Unanimous: 5-0 Vote)  
(Agenda Item: F-6)

APPROVED:

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VINCE LAGO  
MAYOR

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

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MIRIAM SOLER RAMOS  
CITY ATTORNEY

ATTEST:

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BILLY Y. URQUIA  
CITY CLERK

## **PEAFOWL MITIGATION POLICY**

This Policy is established pursuant to Resolution No. 2022-285 and formalizes the City's approach to addressing the proliferation of peafowl on private and public property.

### **PRIVATE PROPERTY:**

Residents and business owners may contract with a private entity that specializes in the humane removal and relocation of peafowl to address peafowl on private property. Peafowl, their nests, and eggs may not be harmed or killed in the process of removal and relocation. The City does not have an animal control department and shall not address any nuisance animal complaints related to privately owned property.

### **PUBLIC RIGHTS OF WAY AND CITY-OWNED PROPERTY:**

The City shall annually budget five thousand dollars (\$5000.00) for the removal and relocation of peafowl from the public rights-of-way and City-owned property. Peafowl, their nests, and eggs may not be harmed or killed in the process of removal and relocation. The Code Enforcement Division shall be responsible for administering the fund and coordinating the removal of peafowl using one or more private companies that specializes in the humane removal and relocation of peafowl.

### **HUMANE NEUTERING PROGRAM:**

The City shall research and investigate options to professionally and humanely sterilize or neuter peacocks in order to manage the peafowl population in the City. Any neutering program implemented by the City will be done so without causing harm or death to peafowl, their nests or eggs.