

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2022-59

A RESOLUTION OF THE CITY COMMISSION DIRECTING CITY STAFF TO DRAFT A PEAFOWL MITIGATION PLAN TO SUBMIT TO THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS IN ACCORDANCE WITH THE RECENTLY ADOPTED COUNTY LEGISLATION.

WHEREAS, section 5-16 of the Miami-Dade County Code makes it unlawful for any person to take any peafowl, except when (i) done on property zoned for agricultural use and used for a bona fide agricultural purpose or, (ii) a property owner removes peafowl from his or her own property in a manner that does not physically injure the peafowl; and

WHEREAS, this County Code provision, in conjunction with regulations from the Florida Fish and Wildlife Conservation Commission have limited the options residents have in dealing with nuisance peafowl; and

WHEREAS, in Resolution 2017-204 the City of Coral Gables City Commission adopted a Resolution requesting that Miami-Dade County amend the relevant code section and recognize municipal authority to regulate peafowl; and

WHEREAS, in February of 2022, the Miami-Dade County Board of County Commissioners adopted Ordinance 22-14 amending Section 5-16 of the Code of Miami-Dade County to allow municipalities to opt out of regulations relating to peafowl; and

WHEREAS, in order to opt out of the relevant Miami-Dade County Code provision, a municipality must adopt a peafowl mitigation plan that provides for humane removal of peafowl, provided that the plan is also approved by action of the Board of County Commissioners; and

WHEREAS, the City Commission wishes to empower private property owners to address nuisance peafowl within the City; and

WHEREAS, the City Commission hereby directs staff to draft a peafowl mitigation plan that comports with all relevant legislation, including relevant Florida Fish and Wildlife Conservation Commission regulations;

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 directs that City staff draft a peafowl mitigation plan for City Commission review in order to submit said plan to the Miami-Dade County Board of County Commissioners in accordance with the recently adopted County legislation.


SECTION 3. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS EIGHTH DAY OF MARCH, A.D., 2022.
(Moved: Anderson / Seconded: Menendez)
(Yeas: Menendez, Anderson, Fors, Jr., Lago)
(Absent: Mena)
(Unanimous: 4-0 Vote)
(Agenda Item: G-2)


APPROVED:

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VINCE LAGO
MAYOR

ATTEST:

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BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

DocuSigned by:

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MIRIAM SOLER RAMOS
CITY ATTORNEY