



City of Miami Legislation Ordinance

City Hall
3500 Pan American
Drive
Miami, FL 33133
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File Number: 08-00384

Final Action Date:

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 6/ARTICLE II OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "ANIMALS/DOGS," MORE PARTICULARLY BE AMENDING SECTION 6-41, ENTITLED "CRUELTY TO DOGS; PENALTIES;" TO PROHIBIT TETHERING UNDER CERTAIN CONDITIONS; PROVIDING DEFINITIONS AND PENALTIES; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Miami ("City") finds extreme importance in protecting animals and preventing animal cruelty; and

WHEREAS, to promote the animal safety and prevent abuse and cruelty to animals, the City requires pet owners to properly care for the animals for which they are responsible; and

WHEREAS, improper tethering and care of dogs is atrocious and made worse by the extreme heat in South Florida; and

WHEREAS, improper tethering of dogs is problematic, injurious and can be life threatening to dogs;

NOW, THEREFORE BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. Chapter 6/Article II/Section 6-41 of the Code of the City of Miami, Florida, as amended ("City Code"), entitled "Cruelty to Dogs; Penalties," is further amended in the following particulars :{1}

"CHAPTER 6

ANIMALS

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ARTICLE II. DOGS

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Sec. 6-41. Cruelty to dogs; penalties.

(a) It shall be unlawful for any person keeping, harboring or owning a dog to be cruel and inhumane to the animal. "Cruelty" and "inhumanness" shall include all provisions as set forth in F.S. Ch. 828, and all amendments thereto, including unnecessarily beating or torturing or mutilating or cruelly killing or failing or neglecting to provide suitable food or drink in sufficient quantities, together with adequate shelter for such dog.

(b) Tethering means to restrain a dog by tying the dog to any object or structure, including, but not limited to a house, tree, fence, post, garage, or shed, by any means, including, but not limited to a chain, rope, cord, leash or running line. This shall not include using a leash for walking purposes.

(c) It shall be unlawful for a responsible party to tether a dog while outdoors, except when all of the following conditions are met:

1. The dog is visible to the responsible party at all times and the responsible party is outside with the dog;
2. The tether is connected to the dog with a buckle-type collar or a body harness made of nylon or leather, not less than one (1) inch in width;
3. The tether has the following properties:
 - a. it must be at least five (5) times the length of the dog's body, as measured from the tip of the nose to the base of the tail; and
 - b. it terminates at both ends with a swivel; and
 - c. it does not weigh more than one eighth (1/8) of the dog's weight; and
 - d. it is free of tangles.
4. The dog is tethered so as to prevent injury, strangulation, or entanglement.
5. The dog is not outside during extreme weather, including, but not limited to, extreme heat or near-freezing temperatures, thunderstorms, tornadoes, tropical storms, or hurricanes.
6. The dog has access to water, shelter and dry ground.
7. The dog is a least six (6) months of age.
8. The dog is not sick or injured.
9. Pulley, running line or trolley systems are at least fifteen (15) feet in length and are less than seven (7) feet above ground.
10. If there are multiple dogs, each dog is tethered separately.

(b d) An individual found to be in violation of this section shall be subject to all enforcement regulations as contained in this chapter and all penalties as set forth in F.S. Ch. 828, and all amendments thereto.

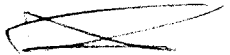
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Section 3. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

Section 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of the Ordinance shall not be affected.

Section 5. This Ordinance shall become effective thirty (30) days after final reading and adoption thereof. {2}

APPROVED AS TO FORM AND CORRECTNESS: 



JULIE O. BRU
CITY ATTORNEY 

Footnotes:

{1} Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

{2} This Ordinance shall become effective as specified herein unless vetoed by the mayor within ten days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.

