FILE NO. $\qquad$ ORDINANCE NO.
[Policy Governing Dogs in City Parks.]

Ordinance amending the Park Code by adding Article 5A governing Dog Play Areas in City parks and providing the site requirements for Dog Play Areas, including requirements for location, size, boundaries, surfacing and amenities; providing the procedure for establishing and eliminating Dog Play Areas; establishing a procedure for entering into partnerships with the City to administer Dog Play Areas; establishing the responsibilities of such partnerships; setting guidelines for the maintenance and management of Dog Play Areas; setting the rules of conduct within Dog Play Areas; creating an Advisory Committee to advise the City regarding Dog Play Area issues; describing the funding for Dog Play Areas; establishing a procedure for handling complaints regarding Dog Play Areas; and setting rules for the use of Dog Play Areas by professional dog walkers

Note: All sections are new.
Be it ordained by the People of the City and County of San Francisco:
Section 1. The San Francisco Park Code is hereby amended by adding Article 5A to read follows:

## Article 5A DOG PLAY AREAS

SEC. 5A. 01 PURPOSE.
Dogs on leash are permitted in all areas of parks with the exception of athletic fields, tennis, basketball and volleyball courts, Sensitive Habitat Areas, and those areas identified in Section 5.02 of the Park Code, which include children's play areas, buildings, the Zoological Gardens and the Arboretum, Japanese Tea Garden and Conservatory Valley in Golden Gate Park. Pursuant to Section 41.12 of the San Francisco Health Code, dogs are permitted offleash only in those areas of parks that have been designated by the Recreation and Park

Commission as animal exercise areas. The purpose of this section is to provide rules and guidelines to allow the Recreation and Park Department to support the on-going use of parks by dogs and their guardians. The Department must also ensure that all citizens can share our scarce urban parks and open spaces without adversely affecting one another or the natural environment.

SEC. 5A. 02 DEFINITIONS. For the purposes of this Article, the following definitions will apply:
(a) Dog Play Areas shall mean those parks or spaces within parks designated by the Recreation and Park Department for off-leash dog use.
(b) Owner shall mean any person who possesses, has title to, has an interest in, harbors an animal, or has control, custody or possession of an animal. The word "own" shall include all these shades of meaning.
(c) Community Partner shall mean an active volunteer group that assists the Department in monitoring and maintaining a Dog Play Area.
(d) Dog Advisory Committee shall mean the committee formed by the General Manager of the Recreation and Park Department to create, monitor, and mediate the community process surrounding Dog Play Areas.
(e) Athletic Fields shall mean any field under the jurisdiction of the Recreation and Park Department and for which it issues permits or accepts reservations.
(f) Children's Play Area shall mean any area that is in immediate proximity to a children's play structure, apparatus or sandbox.
(g) Significant Natural Resource Area shall mean an area designated in the Recreation and Park Commission's Significant Natural Resources Management Plan, which, in 1995, listed over 30 open spaces that are generally remnants of San Francisco’s original landscape and support important plant and animal populations and habitats. The

Department's Natural Areas Program shall conduct a scientific study in order to more clearly designate and define these areas.
(h) Sensitive Habitat Area shall mean those areas within Significant Natural Resource Areas that support or are likely to support locally important, rare, threatened or endangered species. Of the approximately 500 acres of Natural Areas available for recreational use, approximately $20 \%$ would be considered Sensitive Habitat Areas. Sensitive Habitat Areas include sensitive wildlife areas such as breeding habitat for birds, sensitive remnant native plant communities such as wetlands, sensitive plant populations such as locally rare wildflower species, high erosion prone areas, active restoration areas (temporary designation only). The Recreation and Park Department shall conduct a scientific study in order to more clearly designate and define these areas, subject to public review and comment.

SEC. 5A. 03 SITE CRITERIA FOR DOG PLAY AREAS. The Recreation and Park Department shall use the following criteria to evaluate existing and potential new Dog Play Areas.
(a) Location.
(1) The Recreation and Park Department will consider the amount of available park land, the size of the dog population, the proximity to significant natural areas, and the proximity to other Dog Play Areas and other existing park uses in making its determination of the size and nature of each Dog Play Area. The Recreation and Park Department shall attempt to place Dog Play Areas in all neighborhoods with adequate park space and shall work closely with the Dog Advisory Committee and Community Partners to identify suitable spaces for additional Dog Play Areas.
(2) Dog Play Areas should be neighborhood friendly and, at a minimum, shall be located where they will not adversely impact the surrounding neighborhood and open space
by causing ongoing conflicts due to overcrowding, detriment to the surrounding environment due to digging or trampling, displacement of established recreational activities, including passive recreation, or interference with the City's goal of allowing dogs and owners to exercise and socialize in a safe area.
(3) Although some noise is expected and will not preclude the establishment of a Dog Play Area, in siting Dog Play Areas the Recreation and Park Department shall take into account the distance from residences so that noise and activity levels are no more disruptive to neighbors than typical park uses. The Department shall also consider whether the site is in a well drained area of the park, and whether the Department has the financial resources to install the infrastructure necessary for the Dog Play Area. The Department must ensure that all Dog Play Areas meet applicable disability access laws and regulations, including but not limited to the Americans with Disabilities Act and the requirements of Title 24 of the California Code of Regulations.
(b) Size. The size of a Dog Play Area shall reflect the amount of available land, the size of the dog population, and the park size. Wherever possible, Dog play Areas shall be at least 30,000 square feet. The minimum size of a Dog Play Area shall be 10,000 square feet.
(c) Boundaries and Barriers.

The Recreation and Park Department shall ensure that all Dog Play Areas include adequate delineation, natural or man-made, to protect dogs from vehicles, steep cliffs, and other hazards, as well as to prevent conflicts with other park users. The boundaries of Dog Play Areas will be identified with physical enclosures. Although some fencing will be required to separate adjacent land uses, the Recreation and Park Department shall, to the extent possible, utilize non-fence alternatives. The Department shall endeavor to create physical enclosures that are aesthetically pleasing and utilize landscape features such as shrubs and vines. The Department shall determine the type, size and location of the physical enclosure
on a case-by-case basis. In evaluating the type of enclosure, the Department shall consider the adjacent site, size of the Dog Play Area, existing active park uses, proximity to Significant Natural Resource Areas, and historic use patterns.
(d) Surfacing of Dog Play Areas. The Recreation and Park Department may, in accordance with its turf management practices, close Dog Play Areas with turf surfaces during inclement weather and routine maintenance. In these circumstances the Recreation and Park Department shall post signs directing users to the nearest Dog Play Area. If the Recreation and Park Department and the Dog Play Area Community Partners cannot maintain a reasonable turf planting, the Recreation and Park Department and the community shall evaluate alternate materials for these specific sites. The policy of the City and County shall be to favor the use of alternate materials such as sand, gravel, decomposed granite, synthetic turf, or a combination of these materials in smaller Dog Play Areas to allow for regular and appropriate maintenance.
(e) Dog Play Area Amenities. The Recreation and Park Department shall provide the following amenities at all Dog Play Areas:
(1) Bag dispensers.
(2) Signs.
(3) Bench(s).
(4) Surface material.
(5) Barriers.
(6) Trash cans.
(7) Lighting. If it is financially feasible and physically possible, and will not adversely affect surrounding areas, the Recreation and Park Department shall install lighting at Dog Play Areas. The Recreation and Park Department shall work closely with Community

Partners and the Dog Advisory Committee to identify funding sources for additional amenities such as lighting, water fountains, or informational kiosks.

SEC. 5A. 04 NEW DOG PLAY AREAS. In accordance with the following guidelines, the Recreation and Park Department shall initiate a new Dog Play Area if the criteria listed in section 5A.03(a) are met and the Advisory Committee supports the Dog Play Area:
(a) Regional Parks Larger than 35 Acres. The boundaries used shall be soft barriers such as language posts or field markers delineating approved areas, except when in close proximity to conflicting uses such as streams or Sensitive Habitat Areas. The overall park size and topography shall determine the size of the Dog Play Area. The Department will choose the surface materials based on the existing conditions, i.e. turf in meadows and dirt on trails. In addition, all park users must be able to access the facility without encountering offleash dogs, dogs must not be able to directly access prohibited areas such as Sensitive Habitat Areas, and the necessary signage must be installed to designate which areas are open to off-leash use and which are not. The public must be able to use the Dog Play Area at its discretion for other purposes. Finally, the Department may impose additional restrictions in some accessible Natural Areas on a case-by-case basis such as requiring dogs to stay ontrail, under voice control, or on-leash. Some areas may require seasonal restrictions.
(b) Large Parks and Squares Between 10 and 35 Acres. The Department may decide to utilize unfenced Dog Play Areas if paths, boundaries, signs, topographic features, landscaping and/or other use separation features can reasonably define the Dog Play Area. However, partial physical barriers may be required to delineate various uses. These areas will be a minimum of 30,000 square feet. The majority of these Dog Play Areas will be turf surfaces. The Recreation and Park Department shall consider use of mixed surface materials as required to meet optimum maintenance levels. A Dog Play Area in a large park or square shall not be adjacent to a Significant Habitat Area or a playground unless it is enclosed within
a hard barrier. The Dog Play Area should include direct access to at least one edge of the park to help facilitate access. A major access path or trail may be used for this purpose, but dogs must be leashed on the path or trail. The public must be permitted to use these Dog Play Areas at its discretion for other purposes. Finally, the Department may impose additional restrictions in some accessible Natural Areas on a case-by-case basis, such as requiring dogs to stay on-trail, under voice control, or on-leash. Some areas may require seasonal restrictions.
(c) Smaller Parks and Playgrounds Between 0 and 10 Acres. Dog Play Areas shall have physical enclosures. The Recreation and Park Department shall use other measures to the extent possible to screen the effects of the enclosures. These areas will be a minimum of 10,000 square feet. The Department shall endeavor to use surfaces other than turf, or shall consider combinations of turf and more sustainable surfaces. For safety, Dog Play Areas shall include double gates in at least two locations. Finally, the Department may impose additional restrictions in some accessible Natural Areas on a case-by-case basis, such as requiring dogs to stay on-trail, under voice control, or on-leash. Some areas may require seasonal restrictions. If the community cannot reach a reasonable compromise regarding a Dog Play Area in a small park or playground, the Recreation and Park Department shall make a recommendation to the Recreation and Park Commission for final approval.

SEC. 5A. 05 COMMUNITY PARTNERSHIPS. Dog Play Areas require an active volunteer or partner program. The Recreation and Park Department must have an identifiable responsible partner for each new and existing Dog Play Area to assist with monitoring and maintenance. A current "Friends of..." group or a smaller subset or committee of a larger park advocacy group would be sufficient. Community Partners must demonstrate their commitment, organizational skills and willingness to support and promote the Dog Play Area standards.

SEC. 5A. 06 MAINTENANCE AND MANAGEMENT RESPONSIBILITIES. While the Recreation and Park Department has jurisdiction over Dog Play Areas on Recreation and Park Department property, and shall contribute to both the capital and operating expenses, the success of any Dog Play Area is based on the ability of its users to help establish, fund, operate, maintain and monitor the Dog Play Area site. The Recreation and Park Department shall encourage and welcome partnerships in many forms, and shall enter into written agreements with all Community Partners.

SEC. 5A. 07 DOG PLAY AREA RULES AND SIGNAGE. The Advisory Committee and the Recreation and Park Department shall develop standard signage adequate to inform the public of the rules governing Dog Play Areas. The Recreation and Park Department shall consider the following language for inclusion on signs in Dog Play Areas:
(a) Your neighbors and the Recreation and Park Department appreciate responsible dog ownership.
(b) All dogs must be licensed and vaccinated before entering the Dog Play Area.
(c) No dog less than 4 months old shall be permitted in the Dog Play Area.
(d) Female dogs in heat are not allowed.
(e) No more than three dogs per owner are allowed in the Dog Play Area at one time.
(f) Professional dog trainers may not use a Dog Play Area for the conduct of their business, unless they have obtained a permit from the Recreation and Park Department.
(g) Animals must be leashed when entering and exiting the Dog Play Area.
(h) Owners shall be in possession of a leash for each dog at all times.
(i) Dogs must be under control of their owners at all times.
(j) Owners must control excessive barking and noise.
(k) Owners must pick up and dispose of dog waste in a proper manner.
(I) Aggressive dogs (e.g., snarling, unwanted jumping) must be leashed immediately.
(k) Owners must fill holes dug by their dogs prior to leaving the Dog Play Area.

SEC. 5A. 08 RECREATION AND PARK DEPARTMENT AND COMMUNITY PARTNER RESPONSIBILITIES. Community Partners and the Recreation and Park Department shall share the responsibility for maintaining and monitoring Dog Play Areas. The following are general guidelines that the Department shall adhere to in deciding which tasks will be performed by the Community Partner and which will be performed by the Recreation and Park Department:
(a) The Recreation and Park Department shall:
(1) Maintain and repair surface (subject to available resources).
(2) Maintain surrounding landscape.
(3) Repair or replace barriers/boundaries and other basic amenities.
(4) Maintain informational signs.
(5) Empty waste receptacles.
(6) Act as liaison with the Department of Animal Care and Control.
(7) Post hours of operation for Dog Play Areas.
(8) Regulate hours of Dog Play Areas to best serve maintenance needs.
(9) Provide cost estimates for new or renovated Dog Play Areas.
(10) Process necessary regulatory permits.
(11) Provide and mange permits for Professional Dog-Walkers.
(12) Monitor Dog Play Area to determine general compliance and effectiveness.
(13) Report findings to the Advisory Committee and community.
(14) Work with partners and Advisory Committee to remedy any flaws in Dog Play Area design, location, or infrastructure.
(b) The Community Partners shall:
(1) Provide stewardship of Dog Play Area to uphold policy standards.
(2) Distribute Dog Play Area rules and other educational materials to park users.
(3) Serve as good role models.
(4) Ensure Dog Play Area is kept free of animal feces.
(5) Alert Recreation and Park Department and Advisory Committee to maintenance needs.
(6) Help establish priorities for repair and renovation.
(7) Schedule routine cleanup and work days as necessary.
(8) Raise funds to support additional amenities based on Dog Play Area needs.
(9) Enter into an agreement with the Recreation and Park Department under the auspices of the Advisory Committee. If the Community Partner fails to meet the standards and responsibilities set forth in the agreement, the Recreation and Park Department will review the situation and my terminate the agreement with the Community Partner.

SEC. 5A. 09 ADVISORY COMMITTEE.
(a) Membership. The Recreation and Park Department shall form an official Dog Advisory Committee with balanced representation from the Dog Play Area community, children's groups, environmental groups, other park users, and interested government agencies. The General Manager of the Recreation and Park Department shall appoint the members and the chairperson of the Advisory Committee and shall provide staff to moderate the Committee's meetings and support its work. The Advisory Committee shall consist of 11 members, eight of whom will be selected from Citywide park advocacy organizations, and three of whom will represent Citywide government institutions. A partial list of organizations and institutions from whom representatives may be selected includes, but is not limited to:
(1) SFSPCA.
(2) SFDOG.
(3) Coleman Advocates.
(4) Audubon Society.
(5) Sierra Club.
(6) Department of the Environment.
(7) Neighborhood Parks Council.
(8) SF Animal Care \& Control.
(9) SF Police Department Friends of ACC.
(10) PAWS.
(11) Fund for Animals.
(12) Native Plant Society.
(13) Environmental Quality for Urban Parks.
(b) Responsibilities. The Advisory Committee, which shall establish its own rules of procedure and the length of its members' terms of office, shall perform the following duties for the Recreation and Park Department:
(1) Identify partnership opportunities.
(2) Organize educational events such as obedience classes and canine good citizen tests.
(3) Assist in developing and distributing educational information.
(4) Organize collaborative events throughout the City such as vaccination and licensing days.
(5) Assist in the mediation of neighborhood park disputes related to Dog Play Areas.
(6) Recommend community guidelines.
(7) Promote good community relations.
(8) Solicit and identify funding for amenities and improvements not provided by the Recreation and Park Department.
(9) Assist in review and evaluation of Dog Play Areas and Community Partnerships.
(10) Establish a formal complaint evaluation system and Dog Play Area evaluation instrument.
(11) Act as liaison between users, local residents, and relevant citizen associations.
(12) Identify three Dog Play Area trail or meadow experiences (in regional parks).
(13) Draft language for Dog Play Area signs.
(14) Report to the Recreation and Park Department Commission two or three times per year to provide an update on Dog Play Area issues.
(15) Present a recommendation to the Recreation and Park Department on timed use of parks. The Department, with input from the Advisory Committee, shall prepare and deliver a report to the Recreation and Park Commission no later than October, 2002 on timed use.

SEC. 5A. 10 HOURS OF OPERATION. Dog Play Areas shall be open seven days per week, within the posted or legal hours for the park. The Recreation and Park Department shall consult with affected neighbors and residents regarding the hours that Dog Play Area facilities may be lighted. The Recreation and Park Department shall restrict the operating hours of any Dog Play Area as necessary to comport with neighborhood input and maintenance requirements.

SEC. 5A. 11 EVALUATION OF DOG PLAY AREAS. The Recreation and Park Department shall conduct an evaluation of a Dog Play Areas one year after it is sited, established, and/or significant renovation has been completed. Existing Dog Play Areas shall be evaluated within one year of this Ordinance's effective date. Thereafter, the Department shall conduct evaluations every three years. The Department should conduct evaluations in the interim when conditions warrant reconsideration. Dog Play Area evaluations shall be conducted by a committee comprised of representatives from the Recreation and Park Department, the Advisory Committee, the neighborhood, Animal Care and Control, and relevant local citizen associations. The Advisory Committee and Recreation and Park

Department shall develop the evaluation instrument. The evaluations should cover utilization of the Dog Play Area, compliance with rules and regulations, effectiveness of the barriers, and community and fiscal impacts. The evaluations should also include a survey of user and neighborhood satisfaction and consider the number, severity, and resolution of complaints raised during the evaluation period.

SEC. 5A. 12 COMPLAINTS. The Recreation and Park Department shall attempt to resolve any complaints involving Dog Play Areas within 30 days of the date the complaint is made. The Recreation and Park Department shall report to the Advisory Committee on the status of all complaints. Any complaints that are not resolved within 30 days will be referred to the Advisory Committee. The Advisory Committee shall work with the complainant and the Recreation and Park Department to determine an appropriate resolution within 60 days. Final resolution of the complaint is the responsibility of the Recreation and Park Department.

SEC. 5A. 13 SIGNS FOR DOG PLAY AREAS. The Recreation and Park Department shall provide and install signs at all Dog Play Areas that outline the rules and regulations for these spaces. The signs will outline current San Francisco regulations and ordinances regarding off-leash dogs, and information that has proven effective in managing off-leash facilities in other cities. When appropriate, the Recreation and Park Department shall also install directional signs to the Dog Play Area. In addition, the Department shall install informational signs, which shall be placed next to bag dispensers at on-leash sites. The Department shall consider including the following language on those signs: "Your neighbors and the Recreation and Park Department appreciate responsible dog ownership. Please pick up and remove dog waste, leash your dog(s), don't leave your dog unattended, control excessive barking and noise, prevent digging and destructive behavior, and keep your dog's vaccinations and license current. For information regarding dogs in parks, please contact the Recreation and Park Department @ (415) 831-2700 or Animal Care and Control @ (415) 554-
6364. See Health Code Sections 40 (a) - (b); 41.12 (a) - (d); 41.15; Park Code Section 3.02 and 5.02."

SEC. 5A. 14 ENFORCEMENT. The Recreation and Park Department shall pursue enforcement of all state and municipal laws regarding dogs in parks. The Police Department and the Department of Animal Care and Control shall assist the Recreation and Park Department in this effort. For a period of 90 days after the effective date of this Ordinance the Recreation and Park Department shall provide extensive public education and shall, at the end of that 90 -day period, present a joint enforcement policy to the Recreation and Park Commission, for approval. The Recreation and Park Department shall then commence strict and consistent enforcement in accordance with the approved policy. During the 90 -day period the Recreation and Park Department shall install informational signs, appoint the Advisory Committee, and distribute educational materials to support a "soft" enforcement period that will consist of warnings to violators. The Recreation and Park Department will try to designate additional Dog Play Areas during this 90-day period and prior to strict enforcement.

SEC. 5A. 15 PROPOSALS FOR NEW DOG PLAY AREAS. The Recreation and Park Department shall consider all written requests from users, neighbors, and Community Partners regarding the establishment of new Dog Play Areas, and adding or repairing amenities at existing Dog Play Areas. The Recreation and Park Department shall evaluate the request and make a recommendation to the Advisory Committee within 60 days of receiving the request. The Advisory Committee shall manage the public process for consideration of the request. The public process shall comport with the Recreation and Park Department's accepted community-wide planning process, which includes public notification and opportunity for input from users and neighbors, the Recreation and Park Department, and relevant civic associations.

SEC. 5A. 16 MODIFICATION OR ELIMINATION OF DOG PLAY AREAS. If the Recreation and Park Department concludes, after evaluation by the Advisory Committee, relevant park groups and the Department, that a Dog Play Area is not functioning appropriately, the Department shall develop and implement potential solutions. If the Department cannot implement a satisfactory solution, the Recreation and Park Department shall discontinue the Dog Play Area in question.

SEC. 5A. 17 FUNDING. Prior to establishing a Dog Play Area, the Recreation and Park Department, the Advisory Committee and/or the Community Partners shall identify adequate funding for the project. The Recreation and Park Department has the primary responsibility for providing the resources necessary for the establishment, maintenance and management of basic Dog Play Areas. The Recreation and Park Department shall work with Dog Play Area Community Partners, the Dog Advisory Committee and other governmental agencies to identify funding available through additional City monies, grants, private and corporate funding, and agency partnerships.

SEC. 5A. 18 PROFESSIONAL DOG WALKERS. The Recreation and Park Department shall require all professional dog walkers utilizing park property to obtain a Recreation and Park Department Permit and an Animal Care and Control agreement. Dog walkers must have a maximum 8 -foot leash in their possession for each dog being walked. Animal Care and Control recommends that professional dog walkers not have more than six dogs in their control at any time. No person may have more than six dogs off-leash at the same time in a Dog Play Area. Professional Dog Walkers may use Dog Play Areas between the hours of 9:00 a.m. and 4:00 p.m. The Recreation and Park Department shall adopt a sliding scale fee schedule for Professional Dog Walkers so that this Ordinance does not unduly impact their livelihood.

SEC. 5A. 19 PUBLIC INFORMATION. The Recreation and Park Department shall provide outreach information concerning this Ordinance by producing signage and brochures that shall be distributed through a number of means, including veterinary offices, the SFSPCA, pet stores, and Recreation and Park Department facilities as well as the Recreation and Park Department's WEB page, which has links to other support organizations. All Recreation and Park Department facilities that are staffed shall provide information to the public on the closest available official Dog Play Area.

## APPROVED AS TO FORM:

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By:
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