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ORDINANCE NO. 5200

ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR DOG PARKS

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 9.49 entitled "Dog Parks", is added to Title 9 of the El Dorado County Ordinance Code as follows:

Chapter 9.49 – Dog Parks

Sec. 9.49.010. Title.

This chapter shall be known as the County Dog Park Ordinance.

Sec. 9.49.020. Purpose.

The purpose of this chapter is to establish regulations for the safe use of designated dog park areas within the County. This chapter does not preclude other civil or criminal actions in regard to conduct proscribed herein.

Sec. 9.49.030. Dog Park Rules and Regulations.

A. Definitions. For purposes of this section, the words and phrases set forth below shall mean the following:

1. *Dog park* means any fenced area of any park owned or operated by the County that is designated by the board of supervisors for the exercise and recreation of dogs.
2. *Owner* means a person who possesses, has title to or an interest in, harbors, or has control, custody or possession of an animal, and the verb of "to own" includes all these shades of meaning.

B. Rules and Prohibited Activities at Dog Park. Use of the dog park is subject to rules and regulations adopted by resolution of the board of supervisors. Signs listing the rules and referencing the board resolution shall be posted at the dog park.

C. Use of the dog park where dogs run at large and are not leashed represents a hazardous recreational activity to all persons using or present in the dog park area. Users of the dog park assume the risk of injury or damage to themselves, their dogs, and their property. Dog owners are legally responsible and liable for any injury or damage caused by their dog.

Sec. 9.49.040. Enforcement.

- A. Any violation of the rules and regulations established and adopted by resolution of the board of supervisors pursuant to Section 9.49.030 will result in immediate expulsion from the dog park and may cause loss of the privilege to use a dog park. Three (3) violations within a consecutive 12-month period shall result in the exclusion of the owner and the dog from the dog park for a period of up to one year.
- B. Exclusion of Aggressive Dogs. An aggressive dog whose behavior creates reasonable fear in any other person using the dog park for the person's safety or their dog may be immediately removed and permanently excluded from the dog park.
- C. Violation of the provisions of this chapter and the rules and regulations established and adopted by resolution of the board of supervisors pursuant to Section 9.49.030 shall, in the discretion of the enforcing authority, be deemed an infraction or a misdemeanor and, pursuant to Chapter 1.24, may be subject to punishment according to the general penalties described in Chapter 1.24.
- D. In addition to authorized law enforcement agencies, County parks and recreation staff shall have authority to enforce, issue administrative citations for violations of, and confiscate personal property which are being used or operated in violation of, the provisions of this chapter and the rules and regulations established and adopted by resolution of the board of supervisors pursuant to Section 9.49.030.
- E. Any person who is adversely affected by an enforcement action or issuance of an administrative citation from County parks and recreation staff may appeal said action or citation within ten (10) business days of the citation date by filing a written appeal with the Chief Administrative Office. An appeal hearing will be scheduled within ten (10) business days of the filing of the written appeal. The hearing date may be postponed or continued for good cause. The appellant shall be provided notice of the hearing date, time, and location at least five (5) calendar days prior to the hearing date. A written decision on the appeal will be issued within ten (10) business days of the hearing. The decision of the Chief Administrative Office shall be final.

Section 2. This ordinance shall become effective thirty (30) days following adoption hereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 14th day of May, 2024, by the following vote of said Board:

ATTEST

Kim Dawson

Clerk of the Board of Supervisors

Ayes: Thomas, Hidahl, Turnboo, Parlin, Laine

By: *Thya Schaufsky*
Deputy Clerk Noes: None

Absent: None

Wendy Thomas
Chair, Board of Supervisors
Wendy Thomas

**APPROVED AS TO FORM
DAVID LIVINGSTON
COUNTY COUNSEL**

By: *Janeth San Pedro*

Title: *Assistant County Counsel*