



Legislation Text

File #: 24-0465, **Version:** 3

Chief Administrative Office, Parks Division, recommending the Board:

- 1) Approve the **Final Passage** (Second Reading) of Ordinance **5200** amending the El Dorado County Ordinance Code, Title 9, Public Peace, Morals and Welfare, adding Chapter 9.49, Dog Parks, establishing rules and regulations for dog parks; and
- 2) Approve and authorize the Chair to sign Resolution ~~072-2024~~ **078-2024** establishing rules and regulations for dog parks.(Cont. 4/30/2024, Item 31)

FUNDING: N/A

DISCUSSION / BACKGROUND

On April 30, 2024, the Board heard Ordinance **5200** amending the El Dorado County Ordinance Code, Title 9, Public Peace, Morals and Welfare, adding Chapter 9.49, Dog Parks, establishing rules and regulations for dog and Continued the matter to May 14, 2024 for Final Passage (Second Reading).

On April 23, 2024, the Board conducted the First Reading of the new Chapter 9.49 for Dog Parks, and provided direction to Parks staff to explore modifying the proposed Ordinance and the proposed Resolution. Parks staff addressed this with the following modifications:

- 1) The Parks Division phone number and Sheriff's Non-Emergency phone number will be included on the signage posted at the Dog Park.
- 2) Replaced the definition of "handler" with the definition of "owner" to be consistent with El Dorado County Code section 6.12.050 in the Ordinance. Replaced the term "handler" with "owner" throughout the Resolution.

- 3) Updated Enforcement Section E. to clarify that the 10-day time period starts from the citation date.

Parks staff, with guidance from Counsel, made additional modifications per the Board discussion, including the following updates:

- Updated Enforcement Section A. to clarify the exclusion of owners based on three violations to a period of up to one year. Staff and counsel discussed this section and determined that some flexibility is necessary due to differences in severity of potential violations.
- Reviewed Enforcement Section C. and determined the language of "infraction or a misdemeanor" is appropriate pursuant to code Section 1.24, and provides the flexibility for the Sheriff to issue a misdemeanor when addressing a violation.
- Parks staff reviewed County Code section 6.16.090 for dog licensing, tag, and vaccine requirements. The code section was added to Resolution Exhibit A, rule #21.
- Per Animal Services, added the language, "Dogs are not permitted without their owner" to Resolution Exhibit A rule #3 to provide clarity that owners must be with their dog(s) when visiting the park at all times.

The draft resolution is attached for review, and the final resolution for adoption will be presented to the Board on May 14, 2024 with the final passage of the ordinance.

On March 23, 2021, the Board approved the Parks Division to apply for Parks and Water Bond Act of 2018 (Prop 68) Per Capita Grant Program for the dog park, along with two other projects. On May 16, 2023, the Board approved the relocation of the Dog Park to the Rail Park location at 4650 Oriental Street in El Dorado.

On January 9, 2024, the Board conceptually approved the Parks Division to work with the Parks Commission to draft a new chapter in the El Dorado County Ordinance Code for dog parks. On January 18, 2024, the Parks & Recreation Commission reviewed and provided input on a new draft ordinance chapter on dog parks, labeled Chapter 9.49 prepared by the Parks Division.

As of March 2024, Parks staff finished installing the fencing for the Dog Park after placing the project on hold due to wet weather in January. Two bear boxes to hold trash cans and a dog waste bag station were installed. Once the Dog Park Ordinance approved and in effect, and following the adoption of the resolution on dog park rules, Parks staff will install signage at the dog park and officially open to the public. The ordinance will take effect 30 days following Final Passage.

ALTERNATIVES

The Board could choose not to approve this ordinance and direct staff to return with an updated ordinance.

PRIOR BOARD ACTION

24-0171 1/18/24 - Parks & Rec Commission reviewed and provided input to draft Ordinance Chapter 9.49

23-2170 1/9/24 - Approval to amend Ordinance Chapter 9.46

23-0937 5/16/23 - Relocation of Dog Park

21-1452 9/21/21 - Approval of Dog Park

21-0162 3/23/21 - Approval to submit grant application

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

Animal Services

FINANCIAL IMPACT

There is no financial impact with this item.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Following Board approval:

- 1) Continue this matter to the Board of Supervisors regular meeting scheduled on May 14, 2024 for Final Passage (Second Reading) along with an action item for the Board to adopt and authorize the Chair to sign the Resolution on dog park rules.
- 2) Publish the ordinance Summary in the local newspaper no less than 5 days prior to Final Passage.
- 3) Publish the ordinance within 15 days after its passage in a newspaper of general circulation published and circulated in the County and send the full ordinance to Municode for codification following Final Passage.

STRATEGIC PLAN COMPONENT

N/A

CONTACT

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