

DRAFT  
**ALBANY DOG POLICY**  
**CITY OF ALBANY**  
**WATERFRONT COMMITTEE**

**1. BACKGROUND**

The Albany Waterfront Committee (“WFC”) on a multitude of times over the past year(s) has included dog management on the waterfront as an agenda item. The City of Albany encourages dog guardians to enjoy their pet ownership in a responsible manner that co-exists with flora and fauna.

**2. INLAND PARK POLICY**

In 2009, the Albany Parks & Recreation Commission recommended a policy change for the inland parks to provide flexibility in designating areas and times when dogs can be in parks, but excluded the Albany Bay Trail and other waterfront areas from this action.

This was adopted by the Albany City Council and made part of an ordinance (Section 10-4.2 of the Albany Municipal Code). The new policy for inland parks is dogs under voice control, but also excludes dogs from certain designated areas of those parks (i.e., swing and slide areas) and timeframes.

**3. COMMUNITY OUTREACH**

The recently completed Voices-to-Vision activity sponsored by the City of Albany includes a poll of the citizens on dogs at the waterfront (*Section 16, Survey Results – overview page 461*). Following that, the WFC conducted preliminary polling separately on two occasions.

**4. GENERAL POLICY**

As a general proposition, the rule in Albany in public areas outside the parks is that dogs be under voice control at all times, but different once inside the parks.

**5. WATERFRONT DOG DEFINITIONS**

“Dog Walker” means a Dog Guardian, who has a valid license on display, with more than three but not to exceed six dogs.

“On-Leash” means being securely attached to the Dog Guardian with a short six foot leash or retractable leash not to exceed 20 feet. If more than three dogs accompany a Dog Walker, then all but one dog must be On-Leash when in Voice Control areas.

“Restricted Area” means designated areas where neither dogs nor their guardians are allowed to enter, whether the dogs are On-Leash or Off-Leash.

“Transition Area” means the area between the various designated areas: On-Leash, Off-Leash, Restricted.

“Voice Control/Off-Leash” as used herein means the Dog Guardian shall have no more than three dogs under supervision within a distance not to exceed six feet from their person.

“Coded Map” means the map issued by the City of Albany that indicates the areas in which dog use is designated “On-Leash”, “Off-Leash”, or “Restricted Area”.

## **6. MULTIPLE JURISDICTIONS**

The Albany Waterfront is comprised of lands owned and/or operated by several different jurisdictions; for example, the Albany Bay Trail is owned and operated by the City of Albany; Golden Gate Fields is under private ownership by Magna Development International with 102 acres in Albany and about 30 acres in Berkeley; Albany Beach, the Plateau, and along the shore sides of the Neck are already included in the Eastshore State Park, which is owned by the State of California and operated by the East Bay Regional Park District ([EBRPD](#)).

The City of Albany currently retains a right of way along the middle of the Neck leading to the Bulb, both of which are designated for inclusion in the Eastshore State Park by 2053 or earlier transfer, whichever occurs first.

Nothing herein is intended to contravene the applicable rules of the State of California, the EBRPD, or the private land-owner on their respective property.

## **7. VARYING LAWS**

As a result of the multiple land ownership, issues may arise as to jurisdictional differences between the Albany Beach (State Parks) and the Albany Bay Trail. This presents a possible dilemma for enforcement where one area may require “Voice Control”, another requires dogs to be “On-Leash”, or a third designated “Restricted Area”.

## **8. TOWARD AN UNIFIED POLICY**

In order to reduce any confusion for dog owners and their pets, the WFC proposes a new policy for the areas under the City of Albany’s jurisdictional control at the waterfront:

## 9. DOGS ON-LEASH

For all areas on the Albany Bay Trail, the Golden Gate Fields-provided parking areas, [Albany Plateau, Albany Neck \(east portion\)](#), and in other designated areas (see coded map), dogs shall be On-Leash.

Patrons park their vehicles and promptly attach leash(es) before unloading dogs. Interaction between park users and dogs is especially intense in this area. And as dogs exit vehicles they are in transition and must adjust to the new surroundings. Other On-Leash areas are designated to protect the habitat and wildlife.

People without dogs may reasonably expect that any dogs in an “On-Leash” area are under control so that any dogs will not be approaching them or their children uninvited.

Going from and returning into vehicles, dogs should be under closer supervision since the likelihood of interaction with other park patrons is increased.

[On-Leash regulations from EBRPD Ordinance 38 are incorporated herein:](#)

- [801.2 Leash Required Areas \(Developed Areas\). No person shall bring into, or permit any dog, cat, or animal, to enter any Developed Area, unless such animal is securely leashed and under control of that person.](#)
- [a. Developed Areas are defined as any public road open to vehicular traffic, lawn or play field, deck, parking lot, picnic area, campground, concession area, equestrian center, archery facility, gun range, paved multi-use Regional Trail, or any other area specifically designated from time to time by the Board as so restricted.](#)
  - [b. Other Leash Required areas may be designated from time to time by the Board or the General Manager or his/her designee.](#)
  - [c. Leash Required Areas designated by the General Manager or his/her designee shall be subject to Board approval within 60 days of the designation.](#)
  - [d. The number of dogs shall not exceed three per person, except as permitted in 801.11.](#)
  - [e. An animal is leashed within the meaning of this section when such animal is securely tied, or otherwise attached, to one end of a chain, rope, or other type of leash or restraining device, or such animal is otherwise physically restrained \(excluding electronic collars\).](#)
  - [f. Such leashes or devices shall be no longer than six feet, the other end of which is either securely attached to a stationary object or retained in the possession of a person capable of exercising control.](#)
  - [g. Extendable leashes are permissible providing they are not extended beyond 6 feet in leash-required areas.](#)
  - [h. No dog, cat, or other animal may be left unattended \(if not contained\) at any parkland.](#)
  - [i. At campgrounds, dogs, cats, or other animals must be attended and either leashed, or contained within a vehicle, tent or other type of physical confinement.](#)

## 10. DOGS OFF-LEASH AND UNDER VOICE CONTROL

Outside On-Leash designated areas, where permitted, the Dog Guardian may remove the leash from the dog, which then remain under Voice Control.

Until such time as City owned portions of the middle-of-the Neck and the Bulb are transferred into the Eastshore State Park, these western half of the Neck, and the Bulb areas shall be in-designated areas-beas Off-Leash but under Voice Control.

Off-Leash regulations from EBRPD Ordinance 38 are incorporated herein:

- 801.3 Leash Optional Areas (Undeveloped Areas). A dog may run at large under the control of its owner or handler within undeveloped areas of the District, provided, however, that the owner or handler shall have a leash in his/her possession and keep the dog under control at all times.
- a) This Leash Option provision does not apply in areas regulated under subsections 801.1 and 801.2 above.
  - b) For the purpose of this subsection, a dog is considered under control when the owner or handler is aware of its conduct and when it returns to the owner or handler when called. The owner or handler may not be aware of the animal's conduct when it is out of sight.
  - c) Dogs are presumed to not be under control when:
    - i. They threaten, harass, chase or harm other animals or wildlife. This does not include play chase with other dogs.
    - ii. They display threatening behavior.
    - iii. They physically harm people directly or indirectly by their actions.
    - iv. They run at large in leash-required areas or enter dog-prohibited areas.
    - v. They touch or jump on other park users who have not invited or engaged in interaction with the dog.
  - d) The number of dogs shall not exceed three per person, except as permitted in 801.11.

## 11. RESTRICTED (PROHIBITED) AREA

The waterfront is a key area within the Pacific Flyway where migrating birds seasonally stop to rest and feed, generally from October to March. Moreover, the mud flats are home to other more permanent birds and wildlife.

As such, dogs are not allowed on the mudflats, inside the Burrowing Owl fenced area on the Plateau, the far west lagoon, or on the Albany Beach (see Coded Map). Likewise, certain areas may be seasonally adjusted to protect nesting birds; for example, where the pertinent authority may from time to time tape off and post signs.

## **12. ENFORCEMENT**

The City of Albany contracts with the City of Berkeley for animal control. The Eastshore State Park (i.e., Albany Beach, Neck shorelines, and Plateau) is subject to patrol by Park Police. The City of Albany patrols the Albany Bay Trail and the Neck and Bulb. South of Golden Gate Fields, at the foot of Gilman Street, is supervised by the City of Berkeley and/or the EBRPD for the Eastshore State Park.

Failure to obey dog walking policy may result in penalties and/or fines issued by any of the enforcement agencies then in the area without regard for lines of ownership. This is true whether enforcing dog policies or other violations unrelated to dogs.

## **13. DOG CLEAN UP**

No matter the location, owners should clean up after their dogs. Owners are encouraged to carry dog pickup bags and deposit same in the proper receptacle, where available.

## **14. DOG MISBEHAVIOR**

The various policing entities have agreements that extend the limits of their authority across ownership lines; such that, the animal control officer may enforce policies equally on the Beach, the Plateau, or the Bulb, for example.

Dogs that fight or bite should be reported. Certain misbehavior may be elevated from animal control authorities to local or park police action.

## **15. EDUCATION, SIGNAGE AND OUTREACH**

The City of Albany encourages interested groups to educate the public about responsible dog usage on the Albany Waterfront. Please refer to the color-coded map, which designates “Off-Leash”, “On-Leash”, and “Restricted” areas.

Signage should clearly state rules and identify “Off-Leash”, “On-Leash”, “Restricted”, and “Transition” areas (e.g., “Approaching Off-Leash Area”). Signs should be used to educate, and provide reasons for “Restricted” areas (e.g., migratory bird habitat, erosion, fragile vegetation). Signs may provide historical information, identify points of interest, types of plants and birds at the Waterfront, or suggest alternative areas for dogs (e.g., Point Isabel, [swimming area in Berkeley – to be clarified.]

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