

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda date: June 1, 2009
Reviewed by: BP

SUBJECT: Dogs in Albany Parks

REPORTED BY: Penelope Leach, Recreation and Community Services Director

STAFF AND PARK AND RECREATION COMMISSION RECOMMENDATIONS

- (1) That Council approve the Albany Community Foundation's donation of four doggie bag stations to be installed at Albany Parks: Terrace Park, Memorial Park, and Ocean View Park.
- (2) That Council introduce and pass for first reading, waiving formal reading of ordinance 09-08.

BACKGROUND

At the January 2009 Commission meeting, the Commission recommended that staff hold community meetings for each of Albany's parks: Memorial Park, Ocean View Park, the Ohlone Greenway, and Terrace Park. The purpose of the meetings was to hear from the community concerns regarding dogs in Albany's parks. On a number of occasions over the years, the Commission has heard from concerned citizens regarding how best to share the limited park space with the large number of dogs in Albany's parks. There have been concerns raised regarding safety, the need for a leash law, limiting hours in the parks when owners can bring their dogs to the parks, etc.

Neighbors within 150 feet of each park were sent notices with the dates, times, and location for all four of the meetings. Additionally, volunteers handed out flyers along the Ohlone Greenway, the information was posted on signs at each of the parks, and the information regarding the meetings was highlighted on the City's website.

As would be expected the meeting pertaining to Terrace Park and Memorial Park were well attended as the Commission has historically heard from neighbors frequenting Terrace and Memorial parks the most. There were no attendees at the Ocean View Park meeting except for staff and the assigned Dog ad Hoc Committee member. There were only two in attendance at the Ohlone Greenway meeting.

The Albany Dog ad Hoc Committee held two special meetings regarding the issues being raised at the Commission meetings. They support the Commission's recommendations contained in this staff report.

DISCUSSION

Residents from the Memorial Park meeting and the Terrace Park meeting highly recommended two things: (1) better signage listing the applicable City ordinances regarding dogs; and (2) doggie-bag dispensers strategically located in the parks where the dogs play and exercise.

There are currently two applicable ordinances:

- (1) It shall be unlawful for the guardian/owner to fail to immediately remove and dispose of in a sanitary manner any feces deposited by their dog. (Municipal Code 10-3.2)
- (2) Dogs must be under proper control and supervision of a capable person. (Municipal Code 10-4.2)

Staff is making arrangements to post signs with the above ordinances at each of the parks. Staff will also be adding to the signs the message, "Help keep our parks clean by placing trash in the proper receptacle."

Regarding the doggie bag stations, staff researched several and is recommending a station that has biodegradable bags with an attached garbage container so that the used bags can be easily disposed of. Please see the photo of the station at the end of the staff report.

The Albany Community Foundation would like to donate funds for four of the six stations needed. The Parks and Recreation Commission was very thankful for the proposed donation and is seeking formal approval from the Council, as is City policy for accepting donations.

At the Memorial Park meeting, citizens came to a consensus that they would be supportive of having two afternoon/evenings per week where no dogs were allowed in the park until after dark. Having a cut-off time of dark seemed to appeal to attendees as they reasoned that most families with their children would not play at the park after dark, but some dog owners might like to be in the park after dark. As a reminder, the City's current ordinance allows people to be in Memorial Park until 11:00 p.m. It should be mentioned that the discussion centered on the ball field area at Memorial Park.

Staff and the Commissioners recognized that without an ordinance, having times when dogs were not allowed in the park would be difficult to enforce. Staff suggested that the Commission consider recommending an ordinance that was general enough to empower the City to enforce, but left the specifics as to the days of the week and times to be adopted by resolution, which can be more easily modified. Also, staff suggested that it may be beneficial to keep the ordinance general enough that it could be applied to any of Albany's parks should the need arise in the future. Staff spoke with the Police Chief regarding such an ordinance and he is supportive of the suggested language below. He did, however, suggest that when times are set for no dogs in the parks, that staff use the official sunset times rather than "dark" so that there is more of an exactness to what time residents may

not have dogs at the park. This will help with enforcement should the need arise. The proposed ordinance reads as follows:

It shall be unlawful for dogs to be in designated areas during designated times and days in Albany's parks as set forth by the Albany City Council. The specific days, areas, and hours shall be adopted by resolution after considering recommendations from the Parks and Recreation Commission. At no time shall dogs be permitted inside the play structure areas at any of Albany's parks.

The Parks and Recreation Commission met jointly with the Waterfront Committee as they have been discussing dogs at the waterfront including the Bulb. Staff asked if they would be interested in adding language to the ordinance that included the waterfront, but Waterfront Committee has not gone through an extensive community discussion process, as has the Commission, they supported the ordinance, but suggested leaving out the waterfront at this time. They further explained that their issues are more complicated given that the City does not own the beach area or plateau where many of the dog concerns exist, and that the East Bay Regional Park District has a set "no dogs off-leash" requirement.

SUSTAINABILITY IMPACT

By providing residents with a convenient way to pick up and dispose of dog waste, there should be less dog waste at the parks. Additionally, the dispensers have bags that are biodegradable.

FISCAL IMPACT

Six doggie bag stations, including tax, and shipping costs \$1458.95. With the donation from the Community Foundation, the City's cost is approximately \$487. The stations are \$225 each.

