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2 **Ordinance #09-08**

3 **AN ORDINANCE OF THE ALBANY CITY COUNCIL AMENDING SECTION 10-4.2**  
4 **ANIMALS AT-LARGE, OF THE ALBANY MUNICIPAL CODE**

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6 **WHEREAS**, the Parks and Recreation Commission recommends that additional  
7 language be added to the Albany Municipal Code to provide for flexibility in designating areas  
8 and times when dogs can be in parks; and

9 **WHEREAS**, meetings with neighbors have solicited input and have indicated  
10 concurrence with the recommendations of the Parks and Recreation Commission.  
11

12 **NOW, THEREFORE, THE ALBANY CITY COUNCIL ORDAINS THAT**  
13 **SECTION 10-4.2 IS HEREBY REPEALED IN ITS ENTIRETY AND IS AMENDED TO**  
14 **READ AS FOLLOWS:**

15 **Section 1: Section 10-4.2, entitled Animals At-Large is hereby enacted and shall read as**  
16 **follows:**

17 a. Except as otherwise provided, no domestic animal, except cats, shall be permitted to be  
18 on public property or the private property of anyone other than the guardian/owner unless under  
proper control and supervision by a capable person. Any domestic animal found at-large within  
City limits shall be impounded.

19 b. It shall be unlawful for dogs to be in designated areas during designated times and days in  
20 Albany's parks as set forth by the Albany City Council. The specific days, areas, and hours shall  
21 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 of any of  
Albany's parks.

22 **Section 2: Publication**

23 This ordinance shall be published in a newspaper of general circulation in the City of  
24 Albany, which said newspaper is designated for that purpose, or it shall be posted in three  
locations.

25 **Section 3: Severability**

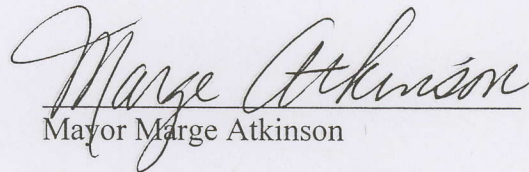
26 If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason  
27 held to be invalid, such decision shall not affect the validity of the remaining portions of the  
28

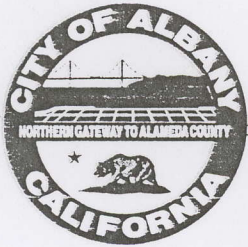
1 ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the  
2 fact that any one or more sections, subsections, sentences, clause or phrases be declared invalid.

3 **Section 4: Effective Date**

4 This ordinance shall become effective 30 days on or after its final passage and adoption.

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6 Date:

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10 Mayor Marge Atkinson  
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# City of Albany

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FAX (510) 526-9190

**CITY CLERK**  
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**CITY COUNCIL**  
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FAX (510) 524-8940
- Teen Center  
PH. (510) 525-0576

STATE OF CALIFORNIA )  
COUNTY OF ALAMEDA ) ss  
CITY OF ALBANY )

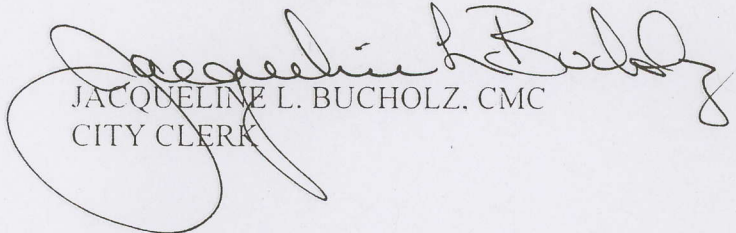
I, **JACQUELINE L. BUCHOLZ**, City Clerk of the City of Albany, California, do hereby certify that the whole number of members of the City Council of said City of Albany is five and that the foregoing Ordinance, being Ordinance No. 09-08 was passed and adopted by the said City Council, approved and signed by the Mayor of said City, and attested by the City Clerk of said City, all at a regular meeting of the Said Council on the 15<sup>th</sup> day of June 20 09 A.D., and that the same was so passed and adopted by the following votes:

AYES: Council Members Javandel, Thomsen, Wile & Mayor Atkinson

NOES: None

ABSENT: Council Member Lieber

In witness whereof, I have hereunto set my hand and affixed the official seal of the City of Albany, this 16<sup>th</sup> day of June, 2009.

  
JACQUELINE L. BUCHOLZ, CMC  
CITY CLERK

*The City of Albany is dedicated to maintaining its small town ambience, responding to the needs of the community, and providing a safe, healthy environment now and in the future.*



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