



Administrative Report

N.2., File #19-0496

Council Action Date: 2/18/2020

To: MAYOR AND CITY COUNCIL

From: JOHN LA ROCK, COMMUNITY SERVICES DIRECTOR

TITLE

DISCUSSION AND POSSIBLE ACTION ON A RECOMMENDATION FROM THE RECREATION AND PARKS COMMISSION FOR UPDATES TO THE MUNICIPAL CODE, TITLE 4 PUBLIC WELFARE, MORALS AND CONDUCT, CHAPTER 35 PARKS AND RECREATION FACILITIES, PERTAINING TO THE PROHIBITION OF DOGS IN PARKS

EXECUTIVE SUMMARY

The Recreation and Parks Commission has made a recommendation to the City Council regarding a change to the City's Municipal Code to allow dogs in certain City parks. A sub-committee of the Recreation and Parks Commission has compiled an extensive report on the subject and the subject has also been considered by the Public Works Commission.

There are many factors to consider regarding dogs in parks. Ultimately, regardless of City laws, regulations and policies, the overriding issue is the potential behavior of dog handlers, some of whom may be irresponsible in the management of their dogs in the parks, in particular the attention to detail regarding a dog's urination and fecal matter activity and the proper disposal therein.

The City's Municipal Code currently prohibits dogs in parks, except for the Dominguez Park Dog Park, an enclosed, off-leash canine facility. Tonight, the Council may provide direction as to whether the Municipal Code pertaining to dogs in parks should be amended. In the event the Council provides direction for amendments to the Municipal Code pertaining to dogs in parks, staff would draft an ordinance and return to the Council at a future meeting date for consideration to adopt the ordinance and effectuate the amendments.

BACKGROUND

The City's Municipal Code, Title 4 Public Welfare, Morals and Conduct, Chapter 35 Parks and Recreation Facilities, prohibits dogs in City Parks. It should be noted that dogs are prohibited from the City pier and wharves under Title 12 Harbor and Beaches, Chapter 2 Piers and Wharves. Dogs are allowed to traverse with their handlers along the sidewalks and pathways that connect the Dominguez Park parking lots to the Dominguez Park Dog Park.

At their meeting on July 10, 2019, the Recreation and Parks Commission received a verbal report and supporting documentation from a sub-committee of the Commission regarding the allowance of dogs in City parks. The sub-committee report was agendaized for the Commission's September 11,

2019 meeting, to allow the report to be distributed to the Commission members and the public in advance of substantive discussion. The item was also agendized on November 13, 2019 wherein staff provided recommendations to the Commission regarding parks that should not be included in the consideration to allow dogs in parks due to the nature and/or operation of certain parks. Additionally, staff recommended specific areas within select parks where dogs should not be permitted. These recommendations were an effort to preserve existing play and recreation facilities. Finally, the item was agendized for a special meeting of the Public Works Commission on December 13, 2019. The minutes from the meetings noted above are attached to this report.

The Recreation and Parks Commission has recommended that the City Council consider changing the Municipal Code to end the prohibition of dogs in the following City Parks and Parkettes:

Parks: Andrews, Czuleger, Dale Page, Dominguez, Lilenthal, Perry Allison, Veterans, Vincent

Parkettes: Redondo Bikepath, Flagler/Ripley, General Eaton A, Greene, Gregg, Huntington, La Paz, Massena, Matthews, McNeill/Jaycee, Rivera, Townsend

(A City map showing these park locations is attached to this report.)

The Commission recommendation also includes the identification of areas within these parks/parkettes that would be off-limits to dogs. These areas are generally inclusive of playgrounds, regular event areas, sports fields, monuments and park facilities, including restrooms. The Commission recommendation also includes that dogs remain on a leash of no more than 6 feet in length and be under the control of a handler at all times.

The Public Works Commission did not make a recommendation regarding changing the prohibition of dogs in City Parks. The minutes from the Public Works Commission meeting of December 13, 2019 provide detail on the issues discussed and varying support for maintaining or changing the prohibition.

Prior Considerations for dogs in parks

On August 3, 1993, the City Council approved resolution No. 7608 creating the Dominguez Park Dog Park. The Dominguez Park Dog Park is a fenced three-acre dog run with separate areas for both large and small dogs. Dominguez Park is open at 5:30 a.m. until 10:00 p.m. every day. The Dog Park areas are closed on Wednesdays until 12:00 noon for maintenance and upkeep. The Park is maintained and operated through a partnership with the City of Redondo Beach and the Friends of the Redondo Beach Dog Park. The Friends of the Redondo Beach Dog Park is dedicated to preserving and expanding safe, responsible off-leash access for dogs. The Friends is a non-profit 501C (3) California corporation that is funded solely by the generous donations of its patrons.

At their meeting on August 19, 2008, the City Council amended the Municipal Code Title 4, Chapter 35 to allow dogs under the control of a handler to traverse the Dominguez Park concrete and dirt pathways that connect the parking lots to the fenced dog park section of the park. The minutes from the August 19, 2008 meeting are attached to this report.

At their meeting on March 2, 2010, the City Council considered a recommendation by the Recreation and Parks Commission to allow a pilot program for dogs in Czuleger Park, along with an increase to dog license fees to mitigate the impacts of maintenance and enforcement demands. Ultimately the

City Council passed a motion to maintain the prohibition of dogs in parks. The minutes from the March 2, 2010 meeting are attached to this report.

Current Consideration

As was the case in 2010, the current issues identified for consideration regarding allowing dogs in the City parks, which were discussed by the Recreation and Parks and Public Works Commissions and raised by City staff include, but are not limited to:

- The general expectation of park conditions by the public (excrement, safety)
- Community members who may be adversely affected by dogs (allergy, anxiety)
- Dog handlers who violate an on-leash requirement or other regulations
- Infrastructure and on-going expenses for dog waste dispensers and waste bags
- Lack of personnel for enforcement; lack of personnel for maintenance
- Damage to park equipment and facilities by dogs (excrement, urine, other)

Any consideration to allow dogs in City parks should include identifying areas in which dogs would not be permitted, regardless of a policy change. This would be to protect those areas in parks where a conflict between park users, dog handlers and dogs could occur, such as a playground. Additionally, it is intended to protect programmatic use of specific sections of a park, such as the ceremony lawn in Veterans Park, or to protect sensitive infrastructure that could be degraded by exposure to the behaviors, urine and/or feces of dogs, such as the Veterans Memorial structure. Images of those parks that include no-dogs allowed zones are attached to this report.

Methods of informing the public regarding those areas in parks that would be off-limits have yet to be determined. Objectively, the placement of myriad signage would be expensive, unsightly and likely ignored by the public. Therefore, the City Council could provide direction on methods that could be used to educate the public, specifically dog handlers, regarding those park areas where dogs would not be permitted.

Any recommended policy change by the City Council could include, but not be limited to, the following details:

- Dogs allowed travel in selected parks in all spaces; or
- Dogs allowed travel in selected parks along pathways only; or
- Dogs allowed travel in selected parks in all spaces except in those areas designated as not permitted for dogs
- Dogs allowed travel in selected parks along pathways only except in those areas designated as not permitted for dogs
- Dog(s) must be on leash
- Dog leash maximum length (i.e. 6 ft.); restricted leashes, i.e. extending beyond 6 ft., electronic
- Dog handlers maintain control of dog(s) at all times
- Dog(s) may not be tied up at any location in a park
- Dog handlers shall clean up and properly dispose of all dog waste
- Dogs must not interfere, bother or harass other park users, other animals or wildlife
- Maximum number of dogs per individual permitted in park

- Dogs not permitted inside park facilities including restrooms
- Dog activity is recreational only; dog training, obedience or related programming is prohibited

In the event the prohibition of dogs in parks is changed, it would be recommended that the City Council provide direction regarding recommended infrastructure expenses to provide equipment in the parks to help manage the presence of dogs and specifically the management of dog waste by their handlers.

On average, a park would be recommended to receive 3 dog waste bag dispensers; parkettes would be recommended to receive 1 dog waste bag dispenser. The one-time expense for one dog waste bag dispenser is \$165. It is estimated that with normal use, dispensers use 3 cases of waste bags per year at an ongoing annual cost of \$195 per dispenser.

However, given the City's experience with dog waste dispensers on the Esplanade, and the tendency of users to remove a far greater number of bags at one time, it would be recommended that waste bag inventory for dispensers in parks/parkettes be 5 cases per year at an ongoing annual cost of \$325 per dispenser. Given the number of parks and parkettes recommended by the Recreation and Parks Commission to allow dogs, the one-time and ongoing waste management costs are as follows:

8 Parks:	24 dispensers	\$3,960 one-time expense
	120 cases bags	\$7,800 on-going expense
12 Parkettes	12 dispensers	\$1,980 on-time expense
	60 cases	\$3,900 on-going expense
Total one-time		\$5,940
Total on-going annual		\$11,700

Dog Licensing

As per the research of the Commission sub-committee, more than two-thirds of the dogs living in the City are unregistered. To register a dog, owners need a copy of the current rabies certificate. Owners can receive an altered dog discount by providing a copy of the certificate of sterilization. Dog owners 60 years and older receive a fifty percent (50%) discount on fees. The dog license fees are as follows:

Unaltered Dog License	\$60.00
Altered Dog (Spayed/Neutered) License	\$20.00
Unaltered Dog License - Owners 60 years and above	\$30.00
Altered Dog License - Owners 60 years and above	\$10.00
Late Fee (applied after due date)	\$25.00

City Liability

California has strict liability when it comes to dog bites which helps to protect Cities from litigation. The State's dog bite statute is available at the following web link:

<https://www.nolo.com/legal-encyclopedia/california-dog-bite-laws.html>

California is one of the states with “strict liability” laws that make pet owners responsible for most dog-bite injuries. When the victims sue to get compensation for their damages, it doesn’t matter whether the owners knew their dogs had ever been vicious before.

Policy and Municipal Code Examples

Attached to this report are samples of information and municipal code language from Hermosa Beach, Manhattan Beach, Torrance, Santa Monica, Placentia and Beverly Hills regarding dogs in parks. Some cities refer to “dog runs” which are essentially mini off-leash dog parks carved out of existing park space utilizing fencing and other infrastructure.

In the event the City Council provides direction to amend the Municipal Code regarding the current prohibition of dogs in parks, it is recommended that specific direction be given to inform new Municipal Code language, including determinations on the following:

- The selected parks and parkettes to permit dogs
- The manner of dogs in parks, i.e. generally, on sidewalks, etc.
- The in-park areas and facilities that would be restricted to dogs
- That dogs are on leash at all times
- The length of dog leashes (i.e. 6 ft.)
- That dogs are under control of a handler at all times
- That dogs are not to be tied up in the parks
- That dog handlers shall clean up and properly dispose of all dog waste
- That dogs shall not interfere, bother or harass other park users, other animals or wildlife
- That the maximum number of dogs per individual be ____ (i.e. 4)
- That dogs are not permitted inside park facilities including restrooms
- That dog activity is recreational only; dog training, obedience or related programming is prohibited

Additionally, it is recommended that consideration be given to updating the Master Fee Schedule to increase dog license fees as part of the FY 2019-20 mid-year budget.

Concluding Considerations

The question of whether to allow dogs in City parks has been raised over the years. The past rationale to maintain the prohibition due to maintenance and enforcement concerns remains true today, although opinions differ on whether circumstances have changed since the last consideration 10 years ago.

The City’s parks are intended for the universal enjoyment of the community; the consideration of dogs in parks includes balancing the needs of dog owners versus the overall community who use the parks for organic and organized recreation and sports activities. All of the currently established park rules, including the prohibition of dogs in parks, have widespread compliance.

Any potential change in policy that permits dogs would require a substantial information and education campaign by the City. In doing so, it is anticipated that the allowance of dogs in parks will cause a sustained increase in the usage of parks by dog owners and their dogs from Redondo Beach

and elsewhere, and therefore a likewise sustained increase in the parks maintenance work program, which is currently unaccounted for in the City's staffing and budget. It should be noted that the enforcement and parks maintenance support for a potential dogs in park policy would be entirely reactive and that responsiveness to customer service referrals regarding fecal matter, dogs off leash, dogs in unauthorized areas of a park, vicious dogs, etc. could potentially burden the Police and Public Works Departments.

The Council may provide direction as to whether the Municipal Code pertaining to dogs in parks should be amended. In the event the Council provides direction for amendments to the Municipal Code pertaining to dogs in parks, staff would draft an ordinance and return to the Council at a future meeting date for their consideration to adopt the ordinance and implement the amendments.

Public comment received prior to the publication of the agenda is attached to this report. Additional public comment received prior to the meeting will be submitted as a blue folder item.

COORDINATION

This report was coordinated with the Office of the City Manager, Public Works Department and Risk Management Division.

FISCAL IMPACT

Exact personnel costs that would be associated with allowing dogs in certain City parks are unknown. The Public Works Department has considered the impacts of allowing dogs in certain City Parks and projected a deficiency in parks maintenance staffing to adequately monitor, maintain and respond to service requests regarding dogs and dog waste. The following breakdown of 2 potential staffing scenarios may be recommended by the Public Works Department in response to any change in the current prohibition of dogs from City parks.

Personnel expenses (2 scenarios-estimated)

1) Additional rotation of 1 existing Public Works staff to refill bag stations	\$20,000
2) Addition of 1 new full-time Public Works staff to manage all dog-related park and Esplanade issues	\$70,000

Increases to the dog license fee could partially offset the following infrastructure expenses that would be recommended in response to any change in the current prohibition of dogs from City parks:

Infrastructure expenses

Dog waste bag dispensers	\$ 5,940	(one-time expense)
Dog waste bags	\$11,700	(ongoing expense)
Total and ongoing expense)	\$17,640	(one-time

APPROVED BY:

Joe Hoefgen, City Manager

ATTACHMENTS

1. Recreation and Parks Commission sub-committee report on dogs in parks
2. Recreation and Parks Commission meeting minutes 7-10-2019
3. Recreation and Parks Commission meeting minutes 9-11-2019
4. Recreation and Parks Commission meeting minutes 11-13-2019
5. Public Works Commission meeting minutes 12-13-2019
6. RBMC Title 4 dogs prohibited in parks
7. Dog restricted areas in proposed dogs permitted parks
8. City Council meeting minutes 8-19-2008
9. City Council meeting minutes 3-2-2010
10. Program and municipal code examples from other CA cities
11. City map of proposed parks for dog activity
12. Public Comment
13. PowerPoint presentation