

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b> June 13, 2011
	<b>Agenda Item No.</b> 49 <b>Roll Call No.</b> <u>11-1025</u> <b>Communication No.</b> <u>11-363</u> <b>Submitted by:</b> Donald M. Tripp, <b>Director of Park and Recreation</b>

**AGENDA HEADING:**

Approval of dog park rules and requirements to purchase a City of Des Moines dog park permit and amending Chapters 18 and 74 of the Municipal Code regarding designated off-leash areas for dogs.

**SYNOPSIS:**

Approval of dog park facility rules and requirements to purchase a dog park permit and amending Municipal Code Sec 18-55(a) and Sec. 74-100 with the addition of the same.

**FISCAL IMPACT: NONE**

Amount: N/A

Funding Source: N/A

**ADDITIONAL INFORMATION:**

On April 11, 2011, by Roll Call No. 11-0637, City Council approved development of the City’s first dog park at Ewing Park. This action necessitates amendments to Municipal Code Sections 18-55(a) and 74-100, and approval of rules for the operation and management of this and future dog parks, to assure the enjoyment and safety of humans and dogs, as well as policies for the issuance of dog park permits, which will be required for each dog that owners wish to have admitted to these City facilities.

The Park and Recreation Board approved the attached rules and permit requirements on May 24, 2011, by Roll Call No. 11-061. Park and Recreation Department staff researched dog park policies in force by several jurisdictions and worked in collaboration with the City’s Chief Humane Officer and Risk Manager, as well as Legal Counsel to develop these recommended policies. Established City park rules and daily, year-round hours of 6:00 a.m. – sunset would also pertain to this specialized facility.

As indicated on the proposed dog park permit requirements, the permit and related tag cannot be transferred from one dog or dog owner to another. At this time, staff does not plan to recommend that the City establish reciprocity with regard to dog park permits with other jurisdictions issuing them. There is no residency requirement associated with issuance of the dog park permits.

Des Moines Municipal Code Sec. 74-100 currently only allows service dogs to be off-leash in City parks. On March 22, 2011, by Roll Call No. 11-027 the Park and Recreation Board approved the proposed amendment to Sec. 74-100, which, together with the proposed amendment to Chapter 18, will allow dogs

to be off-leash in designated areas in City parks, on other City property, and parks operated by other governmental entities. As indicated, while visiting City dog parks, vicious dogs must remain on-leash, in compliance with Chapter 18, and a certificate of insurance must be in the dog handler's possession.

Municipal Code Chapter 18 regulates dogs and only allows them to be off-leash on private property; it defines dogs as "at large" if they are off-leash on City property. Park and Recreation Department staff has worked with the Chief Humane Officer to prepare the necessary companion amendment to Chapter 18, which would allow dogs to be off-leash on City property. The proposed amendment to Sec. 74-100 referred to in this action will allow dogs that meet these proposed Chapter 18 requirements to be off-leash in designated areas in parks and other City property.

Changes in these ordinances will also allow Des Moines Water Works, which has designated an area of their park as an off-leash area subject to approval of the referenced amendments to Chapters 74 and 18, to be in compliance.

### **PREVIOUS COUNCIL ACTION(S):**

Date: April 11, 2011

Roll Call Number: 11-0637

Action: [Development](#) of a Dog Park at Ewing Park. ([Council Communication No. 11-220](#)) Moved by Mahaffey to approve. Motion Carried 6-1.

### **BOARD/COMMISSION ACTION(S):**

Board: Park and Recreation Board

Date: May 24, 2011

Resolution Number: 11-061

Action: Approval of dog park rules and permit requirements

Board: Park and Recreation Board

Date: April 26, 2011

Resolution Number: 11-046

Action: Approval of dog park permit fees

Board: Park and Recreation Board

Date: April 1, 2011

Resolution Number: 11-036

Action: Approval of development of the first dog park at Ewing Park

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Approval to award contract for dog park fencing.

Approval to approve dog park fees.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).