
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: September 2, 2004

SUBJECT: Revisions to modify process and evaluation guidelines proposed by the Public Services Department regarding the City's Dogs Off-Leash Program

AFFECTED COUNCIL DISTRICTS: City-wide

STAFF REPORT BY: Jan Aramaki

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Rick Graham and Lisa Romney

WORK SESSION SUMMARY/NEW INFORMATION:

On January 8, 2004, the Council received a briefing from the Administration and held a discussion about the Administration's proposed changes to modify the 1999 resolution approving process and evaluation guidelines regarding the City's dog off-leash program. The following points and comments were expressed by Council Members and the Administration:

- To allow any one person (even outside the City or any location within Utah) to initiate a dogs off-leash area is too broad. A petition requires community-based interest; therefore, more than one person should be required to initiate a petition.
- Expenses should be taken into account. Financial impacts associated with an off-leash designated area are: estimated \$300-500 to install waste facilities and bags; \$200 for signage (the size of the area determines the number of signs); and approximately \$1,000 to set up an off-leash area. Public Services projects cost for waste bags each year is approximately \$13,000. Grass replacement and clean up costs are absorbed into the budget. Amenities, such as jumping apparatus and water amenities will be handled separately based upon budget availability. On-going replacement costs are absorbed within Public Services budget.
- Off-leash areas should not be concentrated into one area of the City.
- 12 months has been identified as the time requirement to test an off-leash site in order to effectively identify problems and impacts that may arise or are associated with four seasons.

- There is a need for more off-leash park areas. As more families and individuals consider Salt Lake City as their place of residence, dog off-leash parks will be considered as an amenity to residents.
- As off-leash sites increase, there is the expectation that more residents outside the City will be drawn to the off-leash areas. Concern was expressed that off-leash areas will be used by dog owners outside the City who do not pay City taxes or bear the responsibility to maintain the parks.

The City Council agreed to form a subcommittee to work with the Administration on issues raised at the briefing, to include: Council Members Christensen, Jergensen, and Buhler. As a result of the Council subcommittee's meeting with the Administration and the Council's January 8th discussion, the Administration has submitted the following proposed modifications:

- a) As part of the process to initiate a dog off-leash area, a signed petition with a minimum of 25 City resident signatures would be required.
- b) Environmental concerns will be reviewed.
- c) A sponsor "(including, but not limited to, individuals who signed a petition, Friends Interested in Dogs and Open Space (FIDOS), a business, community council, or private citizen)" must be willing to adopt the park with the understanding that they would be responsible to keep the park clean of dog feces and litter, and keep waste bag dispensers filled, etc.

Attachment "B" is a letter of understanding that clearly identifies the roles and responsibilities of Salt Lake City and the sponsor group for each off-leash designated site. It states that if sponsor does not fulfill responsibilities as noted in the letter of understanding the City retains the right to eliminate the off-leash designation of the site.

A public hearing is not required, but the City Council always has the option of holding a public hearing on this issue.

POTENTIAL MOTIONS:

1. ["I move that the Council"] **Adopt a resolution approving modified process and evaluation guidelines developed by the Public Services Department regarding the City's Dogs Off-Leash Program.**
2. ["I move that the Council"] **Oppose the proposed resolution approving modified process and evaluation guidelines developed by the Public Services Department regarding the City's Dogs Off-Leash Program.**

MATTERS AT ISSUE/POTENTIAL QUESTIONS FOR ADMINISTRATION:

According to the Administration, areas of interest to designate as an off-leash site are Rotary Glen, Parley's Historic Nature Park, Cottonwood Park, Bonneville Shoreline Trail above 18th Avenue, and Pioneer Park.

Council Member Buhler expressed that due to the dense population surrounding Rotary Glen, he would like to ensure that Administration obtain community input.

In recent months, Animal Services expressed that officers are faced with the challenge to enforce when an off-leash area lacks identifiable boundaries, such as fencing. Open space areas create a challenge for both enforcement officers and dog owners to determine boundaries of designated off-leash areas. For example:

- Millcreek Canyon (County off-leash area) faces ongoing challenges because off-leash boundaries are not marked and easily identifiable. When Animal Services receives a complaint that a dog owner is allowing his/her dog to run off-leash in undesignated areas, enforcement is a challenge because boundaries are not clearly marked.
- Lindsey Gardens is a challenge because the parameters of the designated off-leash area are not identifiable by a fence or other means.
- There is the potential of similar challenges that could be associated to Parley's Historic Nature Park such as, being able to identify the boundary between City and County owned sections of the park. If the City section is designated as off-leash, but the County section is on-leash, this will create a challenge for enforcement.

As designated off-leash areas increase, there is the potential that a need for service will also increase for off-leash areas. According to the City's contract with Animal Services, there are seven full-time enforcement officers. An increase in the number of off-leash sites has the potential to create a shift in enforcement efforts – an increase demand for service for off-leash designated areas could mean a potential delay in response times on other animal enforcement issues. Enforcement issues that are generated from an off-leash sites are: occurrence of a dog sustaining injuries from another dog off-leash, certain dogs are more aggressive with other dogs, increased problem with accumulation of dog feces, dogs running off-leash in non-designated areas, etc.

CHRONOLOGY:

- 1999 – Resolution approving process and evaluation guidelines developed by the Public Services Department regarding the City's dogs off-leash program was enacted.

- January 8, 2004 – Administration proposed modifications to the 1999 Resolution.
- January 20, 2004 -- Council subcommittee met with Administration.

**The following information was provided previously. It is provided again for your reference.
Any new information has been added in italics.**

Currently four dog off-leash parks have been officially designated in the Salt Lake City area: 1) designated areas of Memory “Grove Park known as the Freedom Trail section; 2) Herman Franks Park (except the baseball diamond and children’s playground areas); 3) designated areas of Jordan Park, and 4) designated areas of Lindsey Gardens. In 1999, a resolution was adopted by the City Council approving process and evaluation guidelines developed by the Public Services Department regarding the City’s dogs off-leash program.

The Public Services Department proposes changes to the current process and evaluation guidelines “in order to make the program more manageable and more responsive to public need.” In addition, the Administration states that representatives from the community in off-leash areas and Friends Interested in Dogs and Open Space (FIDOS) express there is a strong demand for additional off-leash sites in the City.

Proposed revisions to the current process and evaluation guidelines:

- The current process states that a local community council must initiate a formal request for a designated off-leash site in an established City park. However, the Administration proposes a change which will broaden the opportunity in the community for those who could initiate a request for a designated off-leash park within the City – proposed change includes a City resident, representative or other interested party.
- The current process states: “Contained in the request is a commitment from the community council to organize and support a community based dog off-leash subcommittee that is empowered to represent residents who own and do not own dogs.”

The Administration proposes that in place of the subcommittee “a community based ‘Parks for Dogs Advisory Panel’ be established that will meet when there is a need to discuss issues relating to the off-leash areas and to solve community concerns that arise from off-leash areas. The panel will monitor off-leash area use, develop education programs, raise funds, and work to make the off-leash area successful for both dog owners and non-dog park users. The panel should consist of a representative from each community council having an off-leash area within its boundaries; a Public Services Department representative, and a County Animal Services representative. The panel’s recommendations shall be advisory only and in no way binding upon the City staff, administration, or Council.”

- Current guideline states that an off-leash area must be designated in an established City park.

The Administration proposes a change which will expand the off-leash areas to be within property owned by Salt Lake City or other consenting government entity instead of restricting areas to an established City park.

- Current guideline states that “the off-leash area must be a minimum of one acre and may not be larger than 10% of the developed area of the park.”

The Administration proposes a change to re-define the off-leash area: “must be appropriate in size in relation to the size of the area and historical uses. The off-leash area will not unduly occupy, interfere, or displace existing activities, facilities, or other historical factors or areas in the park.”

- Current guideline states: “The cost to improve the site of the off-leash area or add features beyond existing conditions will be shared 50/50 between the City and the community. (City will be responsible for signage and waste containers.)”

The Administration proposes a change that states: “Salt Lake City will provide appropriate signage and when budget allows – waste facilities and other amenities relating to dog use.”

Since the January 8, 2004 Council briefing, the Administration revised the guideline relating to waste facilities as: “Salt Lake City will provide appropriate signage, waste facilities, and, when budgets allow, other amenities relating to dog use.”

Proposed additions to the current guidelines:

- #7 – “The need for physical, topographical, or other constructed barriers to assist in avoiding conflict between park users will be considered.”
- #8 – “The potential conflicts with the park master plan or other restrictive covenants will be evaluated.”
- #9 – “Any public health and safety concerns will be reviewed.”
- #10 – “Consideration will be given to park accessibility (Americans with Disabilities Act issues) where feasible.”
- #11 – “Evaluation will be made of other sites in the community that might be more compatible.”
- #12 – “No off-leash area may be located next to a school.”
- #13 – “The ability of the park to support the activity will be reviewed.”

The Administration proposes to eliminate the following current guidelines:

- An off-leash area shall not be established within a one-mile radius of an existing off-leash area.

Council staff communicated to the Administration regarding Council Member Nancy Saxton's interest to have this guideline eliminated.

- An off-leash area may not include a natural or man-made water feature such as a lake, pond, and stream or fountain; or include a documented wildlife habitat.
- The creation of an off-leash site will not impact existing budgets for park maintenance or animal control enforcement.

Although a public hearing is not required, the City Council always has the option to consider a public hearing on this issue.

In April 2001, sections in Herman Franks Park were damaged because of the frequent use as an off-leash park. At that time, Public Services made the decision to close the park temporarily as an off-leash use to allow the City to re-sod the areas that were in need of maintenance.

A Community Council Chair from the surrounding area of Herman Franks Park previously stated that off-leash areas bring the community together. "Dog owners like to interact with each other while their dogs run off-leash – an important component to community building."

However, due to the increase in demand for off-leash areas, although Herman Franks Park was originally created as a community off-leash park, the park has evolved to be a valley-wide used park. Therefore concern was expressed that communities from other areas of the City and outside the City do not have to take the initiative to keep the park clean.

In the past, concerns have been expressed by community members relating to dog off-leash parks. For example, in Herman Franks Park, residents have reported concerns with mixing baseball playing fields with off-leash areas. There were reports that dogs commonly interfered and impacted baseball games and the children's playground area. However, since the installation of fencing and gates around the baseball diamond and playground area, it appears the problem has been resolved.

Also, residents whose backyards face the south side of Herman Franks Park have reported problems with strong offensive odors from dog feces and dogs urinating through the fence onto private property. There were negligent dog owners who failed to clean up their dogs' feces. At one point, the City's Parks Division had to send crews to clean up the dog feces. FIDOS conducted an educational effort regarding the importance of dog owners being responsible in cleaning up after their dogs and a community effort was made to clean the park.

When problems arose in Herman Franks Park with dog owners neglecting to pick up

dog feces in the park, a suggestion was made to include in off-leash resolution language requiring periodic (quarterly, bi-annually, spring) inspections by off-leash committee to determine if continuation of off-leash status is warranted. The Administration proposes an additional guideline that states: “The ability of the park to support the activity will be reviewed,” such guideline will address future similar incidents as mentioned above.

Council staff raised the following issues and concerns:

- The Council office has received calls regarding dogs running off leash in non-designated areas such as Liberty Park, Fairmont Park, Sugar House Park, Bonneville Shoreline Trail, Rotary Glen, Parley’s Historic Nature Park, Tanner Park, and Wasatch Hollow Park.

The Administration mentions plans to test off-leash areas in Parley’s Nature Park and Rotary Park in Emigration Canyon. In addition, residents have expressed interest in off-leash designated sites in Cottonwood Park and on an open space site along the Bonneville Shoreline Trail north of 18th Avenue.

The Administration’s transmittal states “no immediate impact, but as soon as new off-leash areas are opened, there will be budget impacts that will need to be considered.” The Council may wish to ask the Administration what type of budget impacts do they foresee relating to services provided by Public Services and animal control services.

At the January 8th work session, the Administration provided the following information:

Expenses should be taken into account. Financial impacts associated with an off-leash designated area are: estimated \$300-500 to install waste facilities and bags; \$200 for signage (the size of the area determines the number of signs); and approximately \$1000 to set up an off-leash area. Public Services projects cost for waste bags each year is approximately \$13,000. Grass replacement and clean up costs are absorbed into the budget. Amenities, such as jumping apparatus and water amenities will be handled separately based upon budget availability. On-going replacement costs are absorbed within Public Services budget.

- Current process states that “staff will meet with community subcommittee and address any issues related to the request.” In the past, when problems/concerns were associated with an off-leash area, a subcommittee would meet. This was often a problem because in some cases residents who participated on the subcommittee moved from the neighborhood. For example, when the problem in Herman Franks Park regarding some irresponsible dog owners who neglected to clean up dog feces arose, Public Services had to step in to resolve the issue since a subcommittee no longer existed to address the issue.

The Council may wish to ask the Administration to explain how “A Parks for Dogs Advisory Panel” will be a more efficient committee and what steps will be taken to ensure that the Parks for Dogs Advisory Panel remains active at all times or available when needed.

Since the January 8, 2004 Council briefing and as a result of the Council subcommittee’s

meeting, the following additional language has been included as part of the guidelines: “A ‘sponsor’ (including, but not limited to, individuals who signed a petition, FIDOS, a business, community council, or private citizen) must be willing to adopt the off-leash park with the task of keeping the park reasonably clean of dog feces, litter related to off-leash activities, etc. A ‘Letter of Understanding’ will be signed to clarify the roles and responsibilities of Salt Lake City and the sponsor group at each off-leash area.” This proposed language addresses this item.

Also, the Administration’s proposed language states: “The panel should consist of a representative from each community council having an off-leash area within its boundaries; a Public Services Department representative, and a County Animal Services representative. The Council may be interested in asking that “County Animal Services representative” be changed to: “City’s animal control services provider.”

Since the January 8, 2004 Council briefing, County Animal Services representative has been replaced with City’s Animal Control Services Provider.

- Current guideline states that the cost to improve the site of the off-leash area or add features beyond existing conditions will be shared 50/50 between the City and the community. The Administration’s proposed change does not require the community to share 50 percent of costs associated with improving the site.

Proposed change states that Salt Lake City will provide appropriate signage. When budget allows, the City will provide waste facilities and other amenities relating to dog use. The Council may be interested in requiring the City provide waste facilities – not based upon when budget allows. One could argue that if the budget does not allow an area to be maintained to basic standards, it is better not to set up the area in the first place and create a situation where problems are very likely to develop.

Since the January 8, 2004 Council briefing, the Administration has added language to the guidelines stating that waste facilities will be provided when an off-leash area is established; therefore this item has been addressed.

- A resident reported observing a dog owner walking to Herman Franks Park with his dog off-leash and before reaching the parameters of the off-leash area, the dog owner allowed his dog to defecate on private property and neglected to clean up dog feces.

The Council may wish to ask the Administration to what extent have residents expressed their opposition in living near an off-leash park and how the residents can express their concerns.

- Included in the language on signs posted at Herman Franks Park it states: “No more than two dogs per owner are allowed off-leash at any time.” In the past, concerns were expressed that some of the regulations posted at off-leash parks are not mentioned in the adopted official guidelines.

For instance, observations were made when a resident visited Herman Franks Park and allowed six dogs to run off-leash at one time. According to Salt Lake City Code, Section 8.04.390 Animals Running at Large states that “dogs shall at all times remain under

control of the dog's owner or custodian. 'Under control' means that a dog will respond on command to its owner or custodian." It does not seem feasible that one individual would have the ability to have all six dogs respond on command.

The Council may wish to ask to have the language of "no more than two dogs per owner are allowed off-leash at any time" included as a guideline in the modified resolution. The downside to adding this as a guideline is that it would be a challenge to enforce.

- There was a previous request from a community council chair to have a study performed to determine if off-leash areas contribute to reducing crime.

The Council may wish to inquire if there is reported evidence or studies that indicate off-leash areas reduce crime activity.

- Tom Green, Coach for Babe Ruth baseball leagues, stated that since dogs have been restricted from using the Herman Franks baseball field designated areas, the condition of the fields has been excellent. He would like to see this restriction continue.
- Proposed guideline #12 – "No off-leash area may be located next to a school." According to the Administration because dog owners commonly allow dogs to be off-leash, the Parks Division had concerns that an active playground with children would be an attraction for the dogs and create other issues.
- In the past, dog owners have reported problems with determining off-leash designated areas because it is not clearly stated in the language posted on off-leash area signs. The Council may wish to ask the Administration whether they have adequate resources to clearly sign designated areas.

cc: Sam Guevara, Rocky Fluhart, Ed Rutan, Rick Graham, Lisa Romney, Laurie Donnell, Larry Spendlove, Val Pope, Ken Miles, John Moore, Annette Daley, Barry Esham, and Gwen Springmeyer.

File location: Animal Control