
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: January 7, 2007

SUBJECT: Proposal to designate Parley's Historic Nature Park as an off-leash area

AFFECTED COUNCIL DISTRICTS: District 7

STAFF REPORT BY: Jan Aramaki

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Rick Graham

NOTICE REQUIREMENTS: Regular public notice for agenda

KEY ELEMENTS: (ordinance)

The Administration recommends that the City Council consider adopting an amendment to Section 8.04.390 of Salt Lake City Code to include Parley's Historic Nature Park located at approximately 2700 East and 2760 South as a designated dog off-leash area. According to current Salt Lake City Code, there are four permitted off-leash areas located in Salt Lake City:

- 1) designated areas of Memory Grove park known as the Freedom Trail section,
- 2) the municipal ballpark, also known as Herman Franks park, except for the fenced youth baseball diamonds and playground area,
- 3) designated areas of Jordan park, and
- 4) designated areas Lindsey Gardens.

The process for adding off-leash areas is outlined in Resolution 52 of 2004, The resolution includes a requirement for a one-year test, and includes evaluation criteria.

According to the Administration's paperwork, on October 12, 2005, the administrative staff made a recommendation to Mayor Anderson to have Parley's Historic Nature Park undergo a 12-month test period as an off-leash area, on the condition that 15 identified action steps were achieved by Public Services Department, Millcreek F.I.D.O.S (Friends Interested in Dogs and Open Space, petitioner), and other partners during the 12-month trial. (Please refer to the Administration's paperwork for a complete list of the 15 requirements.) In meeting a requirement of the modified process outlined in Resolution 52 of 2004, a Parks for Dogs Advisory Panel was established to discuss issues relating to the off-leash area and to solve community issues associated with the off-leash area. Upon agreement of the panel, Millcreek F.I.D.O.S. took the lead position to develop educational programs and fund raising initiatives, conducted and coordinated clean up and educational days, distributed and paid for educational materials, coordinated with the Public Services Department to conduct projects to improve the

park, obtained a charitable contribution permit from the State of Utah, and placed information signs throughout the park.

Monitoring of the park during the 12-month trial revealed:

- During a period of time in the spring of 2006, a University of Utah writing class organized and monitored visitors' use of the park and provided information to help the City better understand who uses the park and visitors' patterns in the park.
- Salt Lake County Animal Services reported: 1) they received ten calls relating to the off-leash area, 2) no citations were issued, 3) no dog bites were reported, 4) designating the entire park as an off-leash area has proven to work well, and 5) Animal Services is in support of the area being designated as off-leash.
- Parks Division conducted monthly visits to the park.
- Based upon the use patterns of visitors, the Administration identified that control barriers in hillside areas and along stream banks for erosion control and to redirect public access are needed and will require CIP funding.

Administration's Recommendation Based on Findings from the One-Year Trial:

The Administration supports designating Parley's Historic Nature Park as an off-leash area based upon their findings during the one-year trial which included:

- 1) Dog owners, for the most part, demonstrated to be responsible dog owners;
- 2) Millcreek F.I.D.O.S. as the petitioner demonstrated commitment in their involvement during the 12-month trial and completely fulfilled its responsibilities according to the Letter of Understanding (which has no termination date therefore F.I.D.O.S. is obligated to continue its lead position with carrying out responsibilities associated with Parley's Historic Nature Park).

MATTERS AT ISSUE/POTENTIAL QUESTIONS FOR ADMINISTRATION:

POLICY CONSIDERATIONS:

1. According to the Administration, in the mid 1970s, the park was created with the help of the local community to assemble and purchase land parcels. At that time, the idea of dogs running off-leash was not envisioned. The Administration states that the passage of time, a change in the culture of recreation, and the needs expressed by the public have brought about a shift in public use policy. Parley's Historic Nature Park, consisting of 88 acres and a natural environment, fulfills the public's need to allow dogs to run off-leash in an undeveloped natural setting since the canyons and other natural open spaces that surround Salt Lake City restrict dogs off-leash.
2. Some community members have expressed concern that private property owners donated the land to the City in the late 1970s to create a nature park and that Parley's Historic Nature Park should be preserved and protected. One individual characterized the request as being "antagonistic to the values that the community shares in protecting our streams, watersheds and providing valuable recreational opportunities for the whole community." Concerns expressed include:

- Erosion problems to the hillsides
- Protection of wetlands, springs, and stream banks
- Protection of fish habitat in the waterway, assertion of potential endangered species at risk
- Dog behavior management
- Protection of the wildlife population and habitat
- Potential of impact on fish due to dogs in water
- The loss of native plants, including species within the water, due to the number of dogs that visit the park.

Concern also expressed that there are numerous residents who are discouraged from using the park as a result of the number of dogs using the park. Therefore, a request was made asking the City to restrict the south side of Parley's Creek to off-leash dogs in an effort to preserve and protect native plant areas and designate only the north side of the creek as off-leash.

- The City Council may wish to ask the Administration as to the potential challenges associated with designating a section of the park for off-leash rather than the entire park. What are the anticipated costs associated with designating only a section as off-leash; and what type of enforcement challenges would Animal Services anticipate?

For example, Animal Services has stated when an off-leash park is designated in an open space area, such as Lindsey Gardens, more enforcement calls are generated – i.e. people are reporting individuals for allowing their dogs to be off-leash before they actually reach the off-leash area parameters. When an area is fenced in, there is no question regarding parameters of the park. It helps enforcement officers to clearly make the distinction on the boundaries of the park, and therefore, officers can enforce without question.

In addition, the City Council may wish to inquire with the Administration:

- Has the Administration considered the water-related issues that have been raised – is it appropriate /necessary to test the water areas for levels of fecal matter contamination?
- What are the Administration's findings in meeting the evaluation guideline that states: "The need for physical, topographical, or other constructed barriers to assist in avoiding conflict between park users will be considered and the ability of the park to support the activity has been reviewed"?
- What are the Administration's findings regarding their evaluation of the guideline that states: "the potential conflicts with the park master plan or other restrictive covenants" -- in relationship to the original agreed designation as a nature park?

3. Testimony before the Council from those in favor of this change and those opposed differs dramatically with regard to the number of dog owners in the City and the surrounding area. The Council has received figures between one percent and 60 percent. Staff believes that reliable data is simply not available. Council staff inquired with Salt Lake County Animal Services as to whether they have a reliable outside source that provides statistics/percentage on the number of Salt Lake City residents that are dog owners. They reported that 8,620 dog licenses were sold to Salt Lake City residents in 2006. "National animal service agencies estimate that only 20% of licensable animals are licensed." They are

not aware of any one agency tracking the number of animals. At one time, they made a request to census officials to include the number of animals in a household on their questionnaire, but they report nothing has transpired. While specific data isn't available, it is safe to say that there is significant community interest in establishing off-leash areas, and that use of current off-leash areas is very high.

- The City Council may wish to inquire with the Administration as to the status of Cottonwood Park (District 1) and Pioneer Park (District 4) as potential off-leash areas.
 - Are there other areas within the City wherein community members have expressed interest in having designated as off-leash to meet the public's need to create more off-leash areas?
4. In the past, the City Council Office has received calls from residents who live near the entrance of Parley's Historic Nature Park and who have expressed concerns regarding dogs running off-leash on private property.
- The Council may wish to inquire with the Administration as to whether educational information reminds dog owners that dogs are to remain on-leash until they enter the boundaries of Parley's Historic Nature Park.
 - According to Animal Services, signs are clearly marked to inform dog owners to keep dogs on-leash while in Tanner Park until they enter off-leash boundaries in Parley's Historic Nature Park.
5. In the past, the question has been raised: does an open off-leash area create a greater liability for the City? For example, a reported incident by Animal Services in Wasatch Hollow involved an owner whose dog was off-leash which engaged in a fight with a dog that was on-leash. Another individual who stopped to help break up the dogs was bitten by the dog that was on-leash. The dog owner (who was acting responsibly by keeping his/her dog on-leash) was cited because the dog bit the person who attempted to help break up the dogs. There was no legal action taken relating to the City.
- The City Council may wish to inquire with the City Attorney's Office on whether they perceive that an open off-leash area creates a greater liability for the City, or whether specific steps for notification and signage are advisable to minimize any risk.
6. Previously, Animal Services made a clarification for the City that because Tanner Park is maintained, owned, and operated by the county, but within Salt Lake City boundaries, any citations issued by Animal Services are made according to Salt Lake City Code. However, because the abutting Parley's Historic Nature Park is located in the county but is a city park, citations are issued according to county code.

Animal Services also notes they commonly monitor the Tanner Park area but they do not routinely monitor east into Parley's Historic Nature Park, unless a complaint is received.

- The Council may wish to ask the Administration if they have checked with County Attorney's Office to see if there are any legal concerns or implications about developing an off-leash area within Salt Lake County's jurisdiction but on property that is under the

ownership of Salt Lake City

- Since Animal Services officials do not routinely monitor Parley's Historic Nature Park, concerns have been expressed that dog owners tend to be relaxed in following off-leash regulations and therefore neglect to monitor their dogs to ensure that wildlife and native plant life are not disturbed. Concern also expressed that if a dog owner is in violation of an off-leash rule(s), the chances of having Animal Services dispatched in time to issue a citation is slim – therefore, there is the perception that complaints are low because of the difficulty in being successful in having Animal Services dispatched in a timely manner.
 - The Administration's transmittal notes that 10 complaints were received by Animal Control during the test period. Because the City does not have a central complaint tracking system, it is possible that this number does not represent an accurate count of complaints received. For example, complaints – if any -- to the Mayor's Office and City Council Office may not be included in this total. As the City refines its Geographic Information System, information of this nature may be readily available for future requests for off-leash areas but it is not available in this circumstance.
7. Rick Graham, Public Services Director, reported to the Council Office that at the Sugar House Community Council meeting held on Wednesday, January 3, 2007, the off-leash proposal for Parley's Historic Nature Park was discussed. A motion was made by a trustee member to “send a letter to Council Member Simonsen requesting that he ask the City Council to put together a small committee to see if a compromise position could be reached.”
- Is the City Council interested in forming a committee to include a representative from the Sugar House Board of Trustees, F.I.D.O.S., Canyon Rim community, Sugar House community, Public Services Department, and a wildlife representative?
 - Because opinion is so strongly divided on this issue, would the Council like to consider other tools to gain public input, for example:
 - A public hearing.
 - A 30 day period for written comment, with an emphasis on suggestions for mitigating concerns that have been raised while still addressing needs expressed for off-leash areas within the City.
 - A series of perhaps 3 facilitated meetings designed to allow all sides to identify options and proposals, followed by a comment period where all information is made available to the public.
 - Additional information for the Council in the Council's 'fact finding' extended briefing format.
 - Other?

BUDGET RELATED FACTS

The Administration identifies that CIP funding will be required to “install control barriers in hillside areas and along stream banks to control erosion and re-direct public access.” The City Council may wish to inquire with the Administration as to the anticipated costs associated to install the control barriers that are needed. Are there other associated costs that the Administration anticipates with its current proposal? In addition, what would the anticipated costs be if only a section of Parley's Historic Nature Park were designated as off-

leash rather than the entire park?

Council may wish to ask whether:

- Additional CIP funding is required whether or not the area is designated as an off-leash area.
- Any of the need for the CIP funding can be attributed to the use of an area as off-leash in the past.
- Assertions about erosion and other concerns attributable to the off-leash situation are a function of heavy public use of the area.

12 MONTH TEST PERIOD CHRONOLOGY:

- October 12, 2004: Millcreek F.I.D.O.S. (Friends Interested in Dogs and Open Space) submitted a petition to the Public Services Department requesting that Parley's Historic Nature Park be designated as an off-leash area for dogs.
- October 12, 2005: Public Services Department recommended to Mayor Anderson that the park undergo a one-year trial period as a designated off-leash area.
- November 1, 2005: one-year trial began
- November 1, 2006: Conclusion of the one-year trial

BACKGROUND:

On September 14, 2004, the City Council adopted Resolution 52 of 2004 approving modified process and evaluation guidelines developed by the Public Services Department regarding the City's dog off-leash program. The proposal to designate Parley's Historic Nature Park is the first proposal to be considered by the City Council since the adoption of Resolution 52 of 2004. The resolution specifies a process that includes: 1) a petition signed by at least 25 Salt Lake City residents as long as the area is represented by an active community council; 2) City Parks Division personnel evaluates the proposal and will make a final recommendation to the Public Services Department Director; 3) requests that meet development guidelines will be recommended to the City Administration for review and endorsement; 4) a community-based "parks for dogs advisory panel" shall be established; 5) a proposal for a designated off-leash area must conduct a 12-month test period; 6) Animal Control Services and City parks staff are to monitor the activities within the proposed off-leash area during the 12 month trial; 7) at the conclusion of the 12-month period, City Parks staff makes a final recommendation to the City Administration and City Council; 8) if approved, the official designation is included in City Code. (Refer to Administration's paperwork for a copy of the Resolution.)

cc: Cindy Gust-Jenson, Sam Guevara, Rocky Fluhart, Rick Graham, Val Pope, Ken Miles, Shon Hardy, Peggy Raddon, Millcreek F.I.D.O.S., Gina Chamness, Diana Karrenberg, Barry Esham, Gwen Springmeyer, Michael Stott

File location: Parley's Historic Nature Park/Designated Off-leash area

COUNCIL TRANSMITTAL

TO: Sam Guevara *SGM*
Chief of Staff

DATE: November 29, 2006

FROM: Rick Graham *RG*
Director of Public Services Department

SUBJECT: Parley's Historic Nature Park – Dog Off-leash Designation Issue

STAFF CONTACT: Rick Graham 535-7774

DOCUMENT TYPE: Ordinance Amendment

RECOMMENDATION: That the City Council approve an amendment to the City Code that will designate the Parley's Historic Nature Park as a permitted dog off-leash area.

BUDGET IMPACT: None

BACKGROUND/DISCUSSION: Sections 8.04.390 and 15.080.070 of the City Code state that with the exception set forth in Subsection B of each Section, it is unlawful for the owner or a person having charge, care, custody or control of any animal to allow such animal at anytime to run at large. Subsection B states that dogs shall be permitted to run off-leash only in areas of parks or public spaces specifically authorized by City ordinance. It further states that the Public Services Department may conduct additional experiments in other areas of the City for possible future legislative enactment establishing such areas as "off-leash areas" provided such experiments are conducted in accordance with the guidelines approved by the City Council in its Resolution 101 of 1999. Resolution 101, as enacted, created and approved a process and evaluation guidelines developed by the Public Services Department. In September, 2004, Resolution 52 of 2004, approving a modified process and evaluation guidelines developed by the Public Services Department, was passed by the City Council. (See attached.)

The Evaluation Process consists of eight (8) steps:

1. A City resident, City official, or other interested party may petition the City to initiate the process to designate an area as off-leash. Such petition requires

the signature of at least 25 City residents. If the area requested is located within the boundaries of an active community council, the request must be forwarded to that community council for comment and recommendation.

2. The Salt Lake City Parks Division will evaluate the proposal and make a recommendation to the Public Services Department Director.
3. Proposals that meet the evaluation guidelines will be recommended to the Administration for review and endorsement.
4. A community based, "Parks for Dogs Advisory Panel" will be established to meet as needed to discuss issues relating to the off-leash areas. The panel will have responsibilities to monitor off-leash area use, develop education programs, raise funds and work to make the off-leash program successful.
5. Each new off-leash site must pass a 12 month test period before it can be permanently established.
6. During the test period City Parks' staff and animal control service providers will monitor the off-leash area.
7. At the conclusion of the test period City Parks' staff will make a final recommendation to the Administration and City Council on whether to make the designation official.
8. Official designation will be included in the City Code.

On October 12, 2004, the Public Services Department received a written petition from Millcreek F.I.D.O.S. requesting that the Parley's Historic Nature Park be designated an off-leash area for dogs. The Public Services Department followed the evaluation process outlined in the Resolution.

In a letter to Mayor Anderson dated October 12, 2005, the Public Services' Department recommended that the park be designated off-leash for dogs for a one (1) year trial period. Mayor Anderson supported the recommendation and on November 1, 2005 the one-year trial period began. The trial period concluded on November 1, 2006.

As a condition of its recommendation to the Mayor to conduct the one-year trial, the Public Services Department identified 15 action steps that it would take. They are as follows.

1. Convene the one-year test period effective November 1, 2005.
2. Millcreek F.I.D.O.S. to sign Letter-of-Understanding.

3. Convene the "Parks for Dogs Advisory Panel"; develop a plan for reviewing compliance, monitoring park use, developing educational programs, and fund raise. Meet when needed.
4. Petition Group to assign an official contact person; meet with the City to develop an annual training program and a schedule for area clean-up; develop a monitoring schedule.
5. Have an independent organization to monitor environmental impacts at the park, such as University of Utah Student Learning Project or another interested environmental organization.
6. Take pictures of the park and document site.
7. Install appropriate signage in Tanner Park parking lot, adjacent cul-de-sac, at the entry to the off-leash area and in park.
8. Work with the County to create a reasonable barrier between the parking lot, Tanner Park and entry to the off-leash area.
9. Meet with County Animal Control Services and discuss and arrange a monitoring schedule.
10. For the test period Park Divisions managers will walk park monthly and create a report.
11. Monitor park use; install appropriate barriers when needed to keep access away from historical sites, stream banks and hillsides.
12. Establish regular trash collection schedule for park.
13. Meet with the community association and discuss future improvement programs for the park; and public amenities; establish funding schedule.
14. Work with Advisory Panel and Petitioner to schedule and conduct off-leash education days in the park.
15. Work with the County to address park and off-leash issues.

The following information explains the actions taken by the Public Services Department, the petitioner and other partners during the trial period in response to the 15 recommended action steps.

1. Convene the one-year test period? Completed.

2. Letter of Understanding? Millcreek F.I.D.O.S. and the City signed the agreement prior to the start of the test period.
3. Convene the Parks for Dogs Advisory Panel? A panel was convened that included a community representative for each existing off-leash area including the Parley's Historic Nature Park. The panel met twice, participated in several phone call discussions and conducted several site visits with Parks Division staff. The panel agreed that Millcreek F.I.D.O.S. would take the lead position in developing education programs and fund raising initiatives for the park. F.I.D.O.S. organized and conducted several group clean-up and education days. It also took the initiative to make improvements to the park to support off-leash use. Clean up days were held on March 2nd and April 22nd. One of the clean up days focused on the removal of thistle weed that is invading the park. Education days were held on November 1st, 2nd, 8th and 9th in 2005; and March 4th and 22nd, April 22nd, and September 24th in 2006. Education materials paid for by F.I.D.O.S. was distributed at these events. F.I.D.O.S. volunteers coordinated work projects with the Parks Division to improve the park. It cleaned drain lines; installed new sections of drain line to de-water a boggy section of a trail; built an 18 foot section of boardwalk across a muddy area of a walking path; placed wood chips on trails; built and installed poop bag dispensers; and built and installed a lost and found box. It obtained a charitable contribution permit from the State of Utah. It placed information signs throughout the park; and it distributed materials to park visitors.
4. Official contract person for the petitioner? Rita Lund.
5. Independent organization to monitor impacts? A University of Utah Writing Class working through the Bennion Center organized a study group to monitor and evaluate visitor use of the park for a period of time in the spring of 2006. The group conducted on-site visits, and surveyed park users and property owners living along the perimeter of the park. Though not scientific in its approach the group provided information that was useful to the City to better understand who uses the park and the patterns of use in the park.
6. Pictures to document public use impacts? Completed.
7. Install signage? Completed and maintained during the test period.
8. Install a barrier between Parley's Historic Nature Park and Tanner Park? Completed.
9. Animal Control to monitor off-leash activity? Met with Animal Control at the beginning of the test period and at the end of the period. Because of its workload Animal Control was not able to set and follow a continuous routine site visit schedule. It also reported to the City that the need for routine visits was not needed because the agency was not receiving calls to report problems

in the park. Animal Control reported that it only received 10 calls for this park and that this site presented no problems different from other off-leash areas in the City. It reported that during the test period no citations were issued and no dog bites were reported. It reported that the park works well as an off-leash area because the entire park is designated off-leash. It said it would support a decision to keep the park as an off-leash area if the City chose to do so.

10. Parks Division monthly visits to the park? Completed.
11. Monitor use and install barriers where needed? No barriers were installed, but based on the use patterns the City will need to install control barriers in hillside areas and along stream banks to control erosion and re-direct public access. This is an issue that will require CIP funding.
12. Regular trash collection? Two times per week.
13. Meet with community to discuss future improvements? Has not been done, but will be scheduled this coming year as part of the CIP process.
14. Schedule and conduct education days in the park? See #3.
15. Work with County to address issues? Completed; see #'s 7 and 8.

The Administration believes that the test period has shown that the Parley's Historic Nature Park can support off-leash dog use, and it recommends that the City Council authorize the use by amending the City Code. The Public Services Department believes the one year trial period successfully demonstrated that off leash use is an appropriate permitted use in the park and that dog owners, for the most part, can observe use rules and fulfill their personal responsibilities as dog owners. Critical to the success of the trial period was the involvement of the petitioner, Millcreek F.I.D.O.S. It completely fulfilled its responsibilities as agreed to in the Letter of Understanding. The agreement has no termination date so F.I.D.O.S. remains obligated to continue its role and presence in the park.

Parley's Historic Nature Park is a unique natural asset of the City. In the mid 1970's with the help of the local community land parcels were assembled and purchased that resulted in the creation of the park. Allowing dogs to run off-leash was not envisioned by the City or the community when the park was created. Time, along with a change in the recreation culture and public needs of the City residents has necessitated a shift in public use policy. Parley's Historic Nature Park would become the City's fifth permitted off-leash area. This park will be unique from the other four sites because of its size, 88 acres, and because of its unique setting. Allowing dog owners to unleash their dogs in an undeveloped natural setting represents a bold step, but a needed step. The canyons and natural open spaces that surround Salt Lake City heavily restrict dog use. City residents

who own dogs and wish to use the local canyons and open spaces are not able to do so with their dogs. Parley's Historic Nature Park fills that need in a controlled setting.

The Administration fully understands that a decision to officially designate the park as an off-leash area will be met with some resistance from community members living near the park and other who wish to restrict use of the park. The decision to recommend dedicated off-leash use is partly about balance. The City has hundreds of acres of developed park space that restrict dogs and their owners to on-leash use. Additionally, Salt Lake City is surrounded by thousands of acres of natural open space and canyons that are easily accessed, and that are heavily controlled by leash laws. Allowing dogs to run off-leash in Parley's Historic Nature Park fills a large public need that cannot be met in any other way.

PUBLIC PROCESS: Meetings were held and public input was received prior to the one-year trial period.

Resolution 52 of 2004/approving modified process for guidelines for dogs off-leash program.

RESOLUTION NO. 52 OF 2004
APPROVING MODIFIED PROCESS AND EVALUATION
GUIDELINES DEVELOPED BY THE
PUBLIC SERVICES DEPARTMENT REGARDING
THE CITY'S DOGS OFF-LEASH PROGRAM

WHEREAS, the City Council has heretofore enacted ordinances establishing designated areas of certain city parks as areas where dogs may run without leashes under controlled conditions and has heretofore enacted Resolution No. 101 of 1999, approving process and evaluation guidelines developed by the Public Services Department regarding the City's dogs off-leash program; and

WHEREAS, the City's Public Services Department ("the Department") has developed modified process and evaluation guidelines from those previously developed in determining the propriety of establishing additional off-leash areas within the City in the future as well as a form letter of understanding to be entered into between the City and sponsors willing to accept certain responsibilities regarding off-leash parks/areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Salt Lake City, Utah:

That it does hereby express its approval of the modified process and evaluation guidelines developed by the City's Public Services Department ("the Department") regarding establishing additional areas within the City for dogs to run off-leash, as set forth in Attachment "A" and the *Salt Lake City Letter of Understanding - Off-leash Dog Park/Area* set forth as Attachment "B," attached hereto and made a part hereof by this reference.

Passed by the City Council of Salt Lake City, Utah, this 9th day of September, 2004.

ATTACHMENT "A"

**Public Services Department
Modified Process and Evaluation Guidelines
Regarding Future Dogs Off-Leash Areas**

The Public Services Department proposes the following modified process and development guidelines:

PROCESS

1. The process is a community friendly process directed at serving the interests of Salt Lake City residents. A Salt Lake City resident, city official, or other interested party must provide Salt Lake City Public Services a petition signed by at least 25 Salt Lake City residents in order to initiate the process to designate an area as off-leash. If the location is in an area represented by an active Community Council, the request must be forwarded to that Community Council for comment and recommendation.
2. City Parks Division personnel will receive and evaluate the proposal. Staff will meet with interested parties and address any issues related to the request. Staff will make final recommendations to the Public Services Department Director.
3. Requests that meet development guidelines will be recommended to the City Administration for review and endorsement.
4. A community based "Parks for Dogs Advisory Panel" will be established that will meet as needed to discuss issues relating to the off-leash areas and to solve community problems. 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 Service 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.
5. Each new off-leash site must pass through a 12-month test period before it can be permanently established.
6. During the trial period City parks staff and animal control services will monitor the activities within the off-leash area.
7. At the conclusion of the trial period City parks staff will make a final recommendation to the City Administration and City Council on whether to make the off-leash designation official. Each new site will be considered for establishment by ordinance after the 12-month test period.
8. Official designation will be included in the City code.

EVALUATION GUIDELINES

The criteria used by the City to establish an off-leash area in a City park will be as follows:

1. The prospective off-leash area must exist within property owned by Salt Lake City or other consenting governmental entity.
2. 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.
3. Areas within Liberty Park, City Cemetery, public squares, plazas and designated watershed areas will not be considered appropriate sites for an off-leash area.
4. An area proposed as an off-leash site must be consistent with established use and/or must meet arising community needs. Special care will be taken to avoid children's play areas.
5. An off-leash area must be accessible to support enforcement.
6. Salt Lake City will provide appropriate signage, waste facilities, and, when budgets allow, other amenities relating to dog use.
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, environmental 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.

14. 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.

ATTACHMENT "B"

Salt Lake City Letter of Understanding Off-leash Dog Park/Area

I. Purpose

The purpose of this agreement is to outline the duties of Salt Lake City (SLC) and _____ (sponsor) for the operation of the _____ (site name) off-leash area. This agreement lays out the responsibilities a sponsor will carry out in support of the program, describes the limits of a sponsor's responsibilities, and clarifies the roles of SLC. If a site sponsor fails to meet the responsibilities outlined in this agreement, the City retains the right to eliminate the off-leash designation of the site.

II. Effective Date

This agreement will be in effect upon signature by the Salt Lake City Public Services Department Director and the off-leash area sponsor. It shall continue, with amendments or revisions as necessary, unless terminated by the City.

III. Responsibilities

Administration of Agreement: Sponsors from each Salt Lake City Off-Leash Area and a representative from SLC Parks Division will meet on a regular basis, but at least bi-annually, to discuss off-leash areas managed by SLC and supported by the sponsor. Such meetings shall be open to the public. The purpose of these meetings is to discuss clarifications, additions or amendments to this agreement. City staff from the Parks Division and the Mayor's Office shall provide oversight required to carry out duties under this agreement, and shall monitor and administer it.

1. Operations. SLC has primary responsibility for maintenance of all off-leash areas. Parks staff will ensure that maintenance and improvements initiated and carried out by the park sponsor are done according to SLC specifications. SLC Parks will inform individual site sponsors of issues relating to the maintenance or operation of off-leash areas, and may request the sponsor's help in resolving them.

SLC Parks staff will ensure that all responsibilities and duties under this agreement are carried out according to City policies, rules and ordinances, and will provide the off-leash area sponsor with copies of all such off-leash areas policies, rules and ordinances.

A single person or group will be assigned by the sponsor to carry out duties at each off-leash site. Each person or group will provide SLC Parks with a number where the City can reach, or leave a message for, the designated representative. The designated representative will respond to City inquiries within a reasonable time. SLC shall respond to the sponsor and its site stewards' inquiries within a reasonable time. If there is a change in the lead site sponsor, the sponsor will notify SLC staff by telephone, written correspondence or another mutually agreed-upon method.

2. Education, Training and Information. On a bi-annual basis, the City expects sponsors and their volunteers to provide, with prior notice to and approval from SLC, education events for dogs and their owners. Topics may include issues reasonably related to off-leash dog areas or dogs and their owners.

Sponsors and their volunteers may provide the public with written materials regarding off-leash areas and other information of interest to dog owners without prior notification to the SLC Parks Division staff. Written materials may not unduly litter an off-leash area.

3. General Maintenance (Cleanup) of Off-Leash Areas. Sponsors and their volunteers will provide for general cleanup and maintenance activities relating to the implementation and operation of off-leash sites. These duties include, but are not limited to, clean-ups of a frequency

necessary to keep the site reasonably clean of feces and litter, and refilling “poop” bag dispensers.

SLC will provide each site with relevant signage regarding off-leash park policy and site maps, adequate number garbage cans, garbage bags, bag dispensers and bags for cleaning up dog feces and reasonable maintenance of grounds. SLC will be responsible for trash removal from off-leash areas.

4. Off-Leash Site Improvements. Sponsors may help with improvements to an off-leash area. SLC and off-leash area sponsors may work together on such improvements. All improvements must be to SLC specifications, which shall be provided to the off-leash area sponsor. Improvements may include:

- Installation of lighting;
- Installation or maintenance of fencing and gates;
- Installation or maintenance of signs;
- Trimming of weeds or other undesirable vegetation;
- Maintenance of paths or trails;
- Rehabilitation of lands, turf and vegetation; and
- Adding park furniture or other amenities mutually agreed upon by SLC and area sponsors.

SLC will not unreasonably withhold consent for improvements done at the sponsors expense, and will provide a written reason for denial of permission if it opposes the sponsors proposed improvements.

5. Monitoring Off-Leash Areas: Sponsors duties include performing monitoring activities that may include:

- Inspecting off-leash sites to identify and report to SLC maintenance staff any damage to fencing, signs or other fixtures that may impair operations;
- Notifying SLC maintenance staff of hazardous materials, debris or

conditions in or around the site.

6. Fundraising. Sponsors and their volunteers may engage in private fundraising efforts for the purpose of making improvements to off-leash areas or carrying out other duties outlined in this agreement.

IV. REPRESENTATION REGARDING ETHICAL STANDARDS FOR CITY OFFICERS AND EMPLOYEES AND FORMER CITY OFFICERS AND EMPLOYEES.

Sponsor represents that it has not: (1) provided an illegal gift or payoff to a city officer or employee or former city officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this agreement upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees or bona fide commercial selling agencies for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in the city's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code; or (4) knowingly influenced, and hereby promises that it will not knowingly influence, a city officer or employee or former city officer or employee to breach any of the ethical standards set forth in the City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code.

IN WITNESS WHEREOF, the parties hereto have executed this agreement by having their respective representatives affix their signatures in the spaces below:

Rick Graham, Director
Department of Public Services

Date

Off-leash Area Sponsor

Date