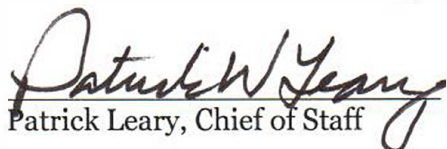




CITY COUNCIL TRANSMITTAL


Patrick Leary, Chief of Staff

Date Received: February 12, 2019
Date sent to Council: February 12, 2019

TO: Salt Lake City Council
Charlie Luke, Chair

DATE: February 1, 2019

FROM: Lisa Shaffer, Public Services Department

SUBJECT: Amendment of Salt Lake City's ordinances regarding dogs in city parks, trails & open spaces

STAFF CONTACTS: Kristin Riker, Public Services Deputy Director; Public Lands
Kristin.Riker@slcgov.com; 801-972-7804

DOCUMENT TYPE: Ordinance

RECOMMENDATION: Salt Lake City Council approve ordinance amendments to designate additional dog parks, areas closed to dogs and process for temporary closure and trial dog park location process

BUDGET IMPACT: NONE

BACKGROUND/DISCUSSION:

On Tuesday, July 31st 2018, Salt Lake City Council discussed proposed changes to simplify and expedite the process for designating dog-off leash areas (often referred to as Resolution 52), by delegating authority to the Administration. The proposed changes were to allow the relevant department director to close parks and open space areas to dogs for reasons of public safety or the protection of sensitive environmental resources.

Council discussed reservations to these changes including the lack of input from the community groups under the proposed ordinance and public recourse for park closures. Council expressed their intent to continue to be a part of the process for policy changes at dog parks, and their desire to create a process for emergency dog park closures. In response, administration has made several changes to the previously presented City Code. These changes will help facilitate the management of dog-related recreation while providing for the enforcement of regulations by Salt Lake County Animal Control.

➤ *Repeal Resolution 52 of 2004 and Add 12-month Off-Leash Trial Areas*

The City has never been able to fully comply with the process set out in Resolution 52 of 2004 to designate or implement new formal off-leash areas. The resolution creates a rigid process that is

out-of-sync with the realities of establishing off-leash sites and amenities. The required Parks for Dogs Advisory Council does not exist; required sponsor agreements for off-leash areas are not always feasible; and the required process provides no direction for situations where an off-leash area is inadvisable due to environmental, recreational, or financial considerations.

Public Lands is currently developing a Needs Assessment for parks, natural lands, trails and other recreational amenities that will guide development and investment for the next ten years. An assessment of current and projected future need for off-leash parks, trails and facilities indicates that Salt Lake City has 3.1 dog parks per 100,000 people. The national average is 2.4 dog parks per 100,000. Salt Lake City exceeds Boise ID, Mesa AZ, Fort Collins CO, and Scottsdale AZ in the number of dog parks per capita ratio.

At the same time, off-leash dog use in Salt Lake City is increasing at many parks and open space areas. To accommodate the continued growth of dog park usage, off-leash trial parks identified for future legislative enactment will help inform the community and City administration of the appropriateness and usefulness of proposed sites in specific locations.

➤ *Facilitate temporary closures in sensitive or hazardous areas*

In some circumstances, it is necessary or advisable for reasons of public safety or for the protection of sensitive resources to prohibit dogs in specific areas of parks and open spaces *on a temporary basis for a maximum of two weeks*. An example of a temporary closure would be at Herman Franks Dog Park every July 24th when fireworks are set off inside the dog park over Liberty Park. Another example may be in Parley's Historic Nature Park when the river is dangerously high, it may be unsafe for dogs to enter the river corridor. Enabling a case-by-case designation of areas temporarily closed to dogs, by the department director, would facilitate more flexible and responsive management. City Council would be notified in writing prior to the closure, or in the case of emergencies, as soon as practical, to provide reasoning and background information explaining the necessity for closure.

➤ *Close designated areas/parks to domesticated animals permanently*

In other circumstances, it is necessary or advisable for reasons of public safety or for the protection of sensitive resources to prohibit dogs in specific areas of parks and open spaces *permanently*. An example of one such area is the northern portion of the recently-restored Wasatch Hollow Preserve, which includes a narrow riparian area that is sensitive to habitat disturbance, and which was recommended for closure to dogs by the 2011 Wasatch Hollow Use, Restoration & Management Plan. In the City's three bicycle jump parks, the presence of leashed or unleashed dogs anywhere on the "jump lines" could put the safety of both dogs and riders at serious risk. We recommend these areas be closed for safety or habitat and nature preservation and will be clearly identified by signage as closed. This would allow Salt Lake County Animal Services to enforce violations of these areas when necessary. Public Lands recommends that City Council make the following areas prohibited to domesticated animals permanently:

- Wasatch Hollow Preserve – North gate entry and trails on north end of preserve.
- I-Street Bike Park
- 900 South Bike Park
- Fred & Ila Rose Fife Wetlands Preserve
- BMX Bike park at Parleys Historic Nature Park
- Parleys Historic Nature Park as described in section 15.10.60 of code

➤ *Establish new areas as off-leash dog parks*

Several new dog parks have exceeded a one year trial period. The dog parks listed below have received Community Council and resident support. Public Lands recommends that City Council make the off-leash designation official and part of City Code for the following sites:

- Designated areas of Fairmont Park
- Designated areas of Rotary Glen Park;
- Designated areas of Wasatch Hollow Park;
- Designated areas of Warm Springs Park;
- Designated areas of Parleys Way Park;
- Designated areas of Jefferson Park.

Next Steps

In order to implement the recommendations, City Council must approve the proposed changes to two sections of City Code, as well as repeal of Resolution 52 of 2004.

PUBLIC PROCESS: (If applicable, the boards, commissions, community groups, and others contacted about the proposed recommendation and a summary of their concerns/opinions.)

- Review of Issues by Council's Off-Leash Working Group. (2014)
- Public Comment opened on Open City Hall. (190 comments received from 2014 to 2016)
- PNUT Board review of Off-Leash Working Group and PPL recommendations.
- PNUT Board review of FY17 and FY18 PPL funding recommendations for dedicated off-leash areas at Rosewood Park, Fairmont Park, and Rotary Glen Park, and improvement of the off-leash area at Jordan Park, as well as recommendations for trial implementation of off-leash hours at select city parks.
- PNUT Board review Council recommended modifications to ordinance and dissolution of Resolution 52 (January 24, 2019)

Notes:

- **Who is going to be at the table presenting to City Council at Work Session?**
- *Kristin Riker, Public Services Deputy Director, Public Lands*

ATTACHMENTS:

- A. Redline Changes to Ordinance
- B. Clean Ordinance
- C. Full text of Resolution 52 and attachments.

ATTACHMENT A

Redline Changes to Ordinance

1 SALT LAKE CITY ORDINANCE

2 No. _____ of 2019

3
4 (Animals running at large; interference with animals or fowl and control of animals)

5
6 An ordinance amending Section 8.04.390 of the Salt Lake City Code, relating to animals
7 running at large, and Section 15.08.070 of the Salt Lake City Code, relating to interference with
8 animals or fowl and control of animals.

9 WHEREAS, the City Council of Salt Lake City, Utah, desires to amend Section 8.04.390
10 of the Salt Lake City Code, relating to animals running at large, and Section 15.08.070 of the
11 Salt Lake City Code, relating to interference with animals or fowl and control of animals.

12 NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah that:

13 SECTION 1. Section 8.04.390 of the Salt Lake City Code, relating to animals running at
14 large, is amended as follows:

15 **8.04.390: ANIMALS RUNNING AT LARGE:**

16
17 A. With the exception set forth in subsection B of this section, it is unlawful for the owner or
18 person having charge, care, custody, or control of any animal to allow such animal at any
19 time to run at large. The owner or person charged with responsibility for an animal found
20 running at large shall be strictly liable for a violation of this section, regardless of the
21 precautions taken to prevent the escape of the animal and regardless of whether or not such
22 owner or person knows that the animal is running at large. Any violation of this section shall
23 constitute a civil violation and will be penalized pursuant to the criteria set forth in
24 sections 8.15.020, 8.15.025, and 8.15.027 of this title.

25
26 B. 1. Dogs shall be permitted to run off leash only in areas of parks and public spaces
27 specifically ~~authorized by~~ designated in city ordinance, specifically designated by the director
28 ~~of public services~~ as "off leash areas" or "off leash trails," and clearly identified by signage
29 as such. Said areas shall be as follows:

30
31 a. Designated areas of Memory Grove Park known as the Freedom Trail section;

32
33 b. The municipal ballpark, also known as Herman Franks Park, except for the fenced
34 youth baseball diamonds and playground area;

35
36 c. Designated areas of Jordan Park;
37

- 38 d. Designated areas of Lindsey Gardens;
39
40 e. Designated areas of Parleys Historic Nature Park, as set forth in title 15, chapter
41 15.10 of this code, or its successor;
42
43 f. Designated areas of Pioneer Park;~~and~~
44
45 g. Designated areas of Cottonwood Park;
46
47 h. Designated areas of Fairmont Park;
48
49 i. Designated areas of Rotary Glen Park;
50
51 j. Designated areas and hours at Wasatch Hollow Park;
52
53 k. Designated areas and hours at Warm Springs Park;
54
55 l. Designated areas and hours at Parley's Way Park; and
56
57 m. Designated areas and hours at Jefferson Park.
58

59 2. While in such areas dogs shall at all times remain under control of the dog's owner or
60 custodian. "Under control" means that a dog will respond on command to its owner or
61 custodian.
62

63 C. 1. ~~The foregoing notwithstanding, the public services relevant department may conduct~~
64 ~~additional experiments in other areas of the city for possible future legislative enactment~~
65 ~~establishing designating such areas as "off leash areas"; provided such experiments are~~
66 ~~conducted in accordance with the guidelines approved by the city council in its resolution 52~~
67 ~~of 2004. The process must be a community friendly process directed at serving the interests~~
68 ~~of Salt Lake City residents. If the location is in an area represented by an active recognized~~
69 ~~neighborhood organization, the request must be forwarded to that organization for comment~~
70 ~~and recommendation. Each new off-leash site must pass through a 12-month test period~~
71 ~~before it can be permanently established. At the conclusion of the test period, the relevant~~
72 ~~department director will review public and administration input and make a final~~
73 ~~recommendation to the mayor or the mayor's designee and the council on whether to make~~
74 ~~the off-leash designation official by ordinance.~~
75

76 2. No domesticated animal, on or off-leash, shall be permitted inside areas of parks and
77 public spaces specifically prohibited by city ordinance. The areas identified below will be
78 closed for habitat and nature preservation and/or public safety issues and must be clearly
79 identified by signage as closed. Said areas shall be as follows:
80

- 81 a. Wasatch Hollow Preserve – North gate entry and trails on the north end of the
82 Preserve;
83

b. I Street Bike Park;

c. 900 South Bike Park;

d. Fred & Ila Rose Fife Wetlands Preserve – 952 S. 11th W;

e. BMX Bike park at Parleys Historic Nature Park; and

f. Parleys Historic Nature Park as described in section 15.10.060 of this code.

3. From time to time, and for reasons of public safety or the protection of wildlife or other sensitive resources, the relevant department director may specifically designate certain areas as closed to domesticated animals, for up to maximum of fourteen (14) days, by clearly identifying the area by signage as closed. It is unlawful for any person to take domesticated animals into such areas whether loose, on a leash, or in arms. The relevant department director will provide notice of this closure to the city council in writing in advance of the closure or, in cases of emergency, within a reasonable time after the closure.

SECTION 2. Section 15.08.070 of the Salt Lake City Code, relating to interference with

animals or fowl and control of animals, is amended as follows:

15.08.070: INTERFERENCE WITH ANIMALS OR FOWL; CONTROL OF ANIMALS:

A. Unlawful Acts: No person shall annoy, injure, release from confinement, feed other than with city provided appropriate food at designated locations, or in any manner interfere with any swan, duck, goose, bird, or animal on the property of the city.

B. Unleashed Dogs:

1. Except as set forth in subsections B2 and B3 of this section, no person shall suffer or permit any dog to enter or remain in a park unless it be led by a leash of suitable strength, not more than six feet (6') in length.

2. Dogs shall be permitted to run off leash only in areas of parks described in section 8.04.390 of this code, specifically authorized by city ordinance, specifically designated by the director of public services as "off leash areas", and clearly identified by signage as such. Said areas shall be as follows:

a. ~~Designated areas of Memory Grove Park known as the Freedom Trail section;~~

b. ~~Herman L. Franks Park, except for the fenced youth baseball diamonds and playground area;~~

c. ~~Designated areas of Jordan Park;~~

d. ~~Designated areas of Lindsey Gardens;~~

e. Designated areas of Parleys Historic Nature Park, as set forth in chapter 15.10 of this title, or its successor,

f. Designated areas of Cottonwood Park,

g. Designated areas of Pioneer Park, and

h. Experimental areas referred to in subsection 8.04.390C of this code.

3. ~~While in such areas dogs shall at all times remain under control of the dog's owner or eustodian. "Under control" means that a dog will respond on command to its owner or eustodian.~~ From time to time, and for reasons of public safety or the protection of wildlife or other sensitive resources, the relevant department director may specifically designate certain areas as closed to dogs, for up to a maximum of fourteen (14) days, by clearly identifying the area by signage as closed. It is unlawful for any person to take a dog into such areas whether loose, on a leash, or in arms. The relevant department director will provide notice of this closure to the city council in writing in advance of the closure, or in cases of emergency, within reasonable timeframe after the closure.

C. Animals ~~To~~ Be Controlled: No person shall ride or drive any horse or animal not well broken and under perfect control of the driver.

D. Livestock ~~And~~ and Animals: No person shall lead or let loose any cattle, horse, mule, goat, sheep, swine, dogs, or fowl of any kind.

E. Tethering Animals: No person shall hitch or fasten any horse or other animal to any tree or any other place or structure not especially designated and provided for such purpose.

SECTION 3. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2019.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

169 Mayor's Action: _____ Approved. _____ Vetoed.
170
171

172 _____
173 MAYOR
174
175

176 _____
177 CITY RECORDER
178
179

180
181 (SEAL)
182
183

184 Bill No. _____ of 2019.

185 Published: _____
186
187

188
189 HB_ATTYY-#75470-v2-Amending_8_04_390_and_15_08_070_re_off_leash_dogs
190

Salt Lake City Attorney's Office
Approved As To Form

By: _____

Boyd Ferguson

Date: _____

ATTACHMENT B

Clean Ordinance

SALT LAKE CITY ORDINANCE

No. _____ of 2019

(Animals running at large; interference with animals or fowl and control of animals)

An ordinance amending Section 8.04.390 of the Salt Lake City Code, relating to animals running at large, and Section 15.08.070 of the Salt Lake City Code, relating to interference with animals or fowl and control of animals.

WHEREAS, the City Council of Salt Lake City, Utah, desires to amend Section 8.04.390 of the Salt Lake City Code, relating to animals running at large, and Section 15.08.070 of the Salt Lake City Code, relating to interference with animals or fowl and control of animals.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah that:

SECTION 1. Section 8.04.390 of the Salt Lake City Code, relating to animals running at large, is amended as follows:

8.04.390: ANIMALS RUNNING AT LARGE:

- A. With the exception set forth in subsection B of this section, it is unlawful for the owner or person having charge, care, custody, or control of any animal to allow such animal at any time to run at large. The owner or person charged with responsibility for an animal found running at large shall be strictly liable for a violation of this section, regardless of the precautions taken to prevent the escape of the animal and regardless of whether or not such owner or person knows that the animal is running at large. Any violation of this section shall constitute a civil violation and will be penalized pursuant to the criteria set forth in sections 8.15.020, 8.15.025, and 8.15.027 of this title.
- B. 1. Dogs shall be permitted to run off leash only in areas of parks and public spaces specifically designated in city ordinance as "off leash areas" or "off leash trails," and clearly identified by signage as such. Said areas shall be as follows:
 - a. Designated areas of Memory Grove Park known as the Freedom Trail section;
 - b. The municipal ballpark, also known as Herman Franks Park, except for the fenced youth baseball diamonds and playground area;
 - c. Designated areas of Jordan Park;
 - d. Designated areas of Lindsey Gardens;

e. Designated areas of Parleys Historic Nature Park, as set forth in title 15, chapter 15.10 of this code, or its successor;

f. Designated areas of Pioneer Park;

g. Designated areas of Cottonwood Park;

h. Designated areas of Fairmont Park;

i. Designated areas of Rotary Glen Park;

j. Designated areas and hours at Wasatch Hollow Park;

k. Designated areas and hours at Warm Springs Park;

l. Designated areas and hours at Parley's Way Park; and

m. Designated areas and hours at Jefferson Park.

2. While in such areas 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.

C. 1. The foregoing notwithstanding, the relevant department may conduct additional experiments in other areas of the city for possible future legislative enactment designating such areas as "off leash areas". The process must be a community friendly process directed at serving the interests of Salt Lake City residents. If the location is in an area represented by an active recognized neighborhood organization, the request must be forwarded to that organization for comment and recommendation. Each new off-leash site must pass through a 12-month test period before it can be permanently established. At the conclusion of the test period, the relevant department director will review public and administration input and make a final recommendation to the mayor or the mayor's designee and the council on whether to make the off-leash designation official by ordinance.

2. No domesticated animal, on or off-leash, shall be permitted inside areas of parks and public spaces specifically prohibited by city ordinance. The areas identified below will be closed for habitat and nature preservation and/or public safety issues and must be clearly identified by signage as closed. Said areas shall be as follows:

a. Wasatch Hollow Preserve – North gate entry and trails on the north end of the Preserve;

b. I Street Bike Park;

c. 900 South Bike Park;

d. Fred & Ila Rose Fife Wetlands Preserve – 952 S. 11th W;

e. BMX Bike park at Parleys Historic Nature Park; and

f. Parleys Historic Nature Park as described in section 15.10.060 of this code.

3. From time to time, and for reasons of public safety or the protection of wildlife or other sensitive resources, the relevant department director may specifically designate certain areas as closed to domesticated animals, for up to maximum of fourteen (14) days, by clearly identifying the area by signage as closed. It is unlawful for any person to take domesticated animals into such areas whether loose, on a leash, or in arms. The relevant department director will provide notice of this closure to the city council in writing in advance of the closure or, in cases of emergency, within a reasonable time after the closure.

SECTION 2. Section 15.08.070 of the Salt Lake City Code, relating to interference with animals or fowl and control of animals, is amended as follows:

15.08.070: INTERFERENCE WITH ANIMALS OR FOWL; CONTROL OF ANIMALS:

A. Unlawful Acts: No person shall annoy, injure, release from confinement, feed other than with city provided appropriate food at designated locations, or in any manner interfere with any swan, duck, goose, bird, or animal on the property of the city.

B. Dogs:

1. Except as set forth in subsections B2 and B3 of this section, no person shall suffer or permit any dog to enter or remain in a park unless it be led by a leash of suitable strength, not more than six feet (6') in length.

2. Dogs shall be permitted to run off leash only in areas of parks described in section 8.04.390 of this code.

3. From time to time, and for reasons of public safety or the protection of wildlife or other sensitive resources, the relevant department director may specifically designate certain areas as closed to dogs, for up to a maximum of fourteen (14) days, by clearly identifying the area by signage as closed. It is unlawful for any person to take a dog into such areas whether loose, on a leash, or in arms. The relevant department director will provide notice of this closure to the city council in writing in advance of the closure, or in cases of emergency, within reasonable timeframe after the closure.

C. Animals to Be Controlled: No person shall ride or drive any horse or animal not well broken and under perfect control of the driver.

D. Livestock and Animals: No person shall lead or let loose any cattle, horse, mule, goat, sheep, swine, dogs, or fowl of any kind.

E. Tethering Animals: No person shall hitch or fasten any horse or other animal to any tree or any other place or structure not especially designated and provided for such purpose.

SECTION 3. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2019.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Salt Lake City Attorney's Office
Approved As To Form

By: _____

Boyd Ferguson

Date: 2-5-19

Bill No. _____ of 2019.

Published: _____.

HB_ATTYY-#75470-v4-Amending_8_04_390_and_15_08_070_re_off_leash_dogs

ATTACHMENT C

Full text of Resolution 52 and attachments

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.



SALT LAKE CITY COUNCIL

By [Signature]
Acting CHAIRPERSON

ATTEST:

[Signature: Christine Meeker]
CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM:
Salt Lake City Attorney's Office

Date 4/23/2004

By [Signature]
Senior City Attorney

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