

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]
CHRISTINA MEELER
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