



STAFF REPORT

Agenda Item: 5A

Report To: Open Space Advisory Committee
and Parks and Recreation Commission

Meeting Date: July 18, 2022

Staff Contact: Lyndsey Boyer, Open Space Manager, lboyer@carson.org
Jennifer Budge, CPRP, Parks and Recreation Director, jbudge@carson.org

Agenda Title: For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors or staff regarding the draft Dog Rules and Regulations Policy.

Staff Summary: This item, if approved, would recommend policies and guidelines related to dog use within parks, trails, and open space, for future consideration by the Board of Supervisors.

Agenda Action: Formal Action/Motion

Time Requested: 45 minutes

Proposed Motion

I move to recommend the draft Dog Rules and Regulations Policy to the Board of Supervisors.

Board's Strategic Goal

Quality of Life

Previous Action

Background/Issues & Analysis

This item, if approved, would recommend policies and guidelines related to dog use within parks, trails, and open space, for future consideration of the Board of Supervisors. Due to the challenges with inconsistent signage, locations and regulations throughout Parks, Open Space and trails, more consistent policies are desired by staff for transparency with the public. The Dog Rules and Regulations Policy was drafted by Department staff based on feedback provided by Carson City residents and users in a public survey from June 2021, as well as extensive discussion and feedback from the Parks and Recreation Commission ("PRC") and Open Space Advisory Committee ("OSAC") over the course of three joint meetings and two individual meetings held in 2020-2021.

ATTACHMENTS:

Attachment 1: Dog Rules and Regulations Policy

Applicable Statute, Code, Policy, Rule or Regulation

CCMC provisions related to dogs:

13.02.090 - *Dogs in park.*

13.02.120 - *Animals.*

13.02.140 - *Flora and fauna.*

7.13.080 - *Responsibilities of owner: Duty to restrain; duty to provide food and water; duty to dispose of animal's solid waste; prohibition against causing offensive conditions; duty to arrange for medical care and report results that are positive for the rabies virus.*

Financial Information

Is there a fiscal impact? Yes No

If yes, account name/number:

Is it currently budgeted? Yes No

Explanation of Fiscal Impact: Additional costs will be incurred by expanding the areas where dogs are allowed, and as a result more infrastructure such as dog waste stations and signage will be required.

Alternatives

Do not recommend the draft policy and provide alternative direction to staff.

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____

Aye/Nay

(Vote Recorded By)



DOG RULES AND REGULATIONS POLICY

Title/Topic: Dog Rules and Regulations	Number: 2022-1
Authors: Lyndsey Boyer, Open Space Manager Jennifer Budge, Parks and Recreation Director	Effective Date:
Reviewed by: OSAC: 7/18/22 PRC: 7/18/22 DDA: Risk:	Revision Date:
Department Approval: 7/7/22 City Manager Approval: Board of Supervisors Approval:	Number of pages:
	Attachments: A. Dog Rules and Regulations Map B. Carson City Park System List C. Dog Waste Receptacles Map D. Resolution No. 2005-R-14
Applies to: Residents and visitors to Carson City’s parks, trails and open space; City staff within the Parks, Recreation and Open Space Department; Nevada Humane Society staff; Carson City Animal Services Officers; Carson City Sheriff’s Office and Carson City Park Rangers.	

1.0 PURPOSE

To provide consistent public education and enforceable regulations related to dog use throughout Carson City’s Park System.

2.0 DEFINITIONS

Animal Services - The department(s) or organization(s) authorized by direction of or contract with the Carson City Board of Supervisors for the licensing, regulating, policing, enforcing, receiving, impounding, care and disposal of animals that come into the custody of Carson City. (CCMC 7.13.010(5))

CCMC - Carson City Municipal Code

Department - Carson City Parks, Recreation and Open Space Department (CCMC 13.02.010)

Designated Off-Leash areas - Areas within Carson City’s Park System where dogs are allowed to be unrestrained (off-leash) while under voice command/control. (CCMC 13.02.120)

Director - Director of Carson City Parks, Recreation and Open Space Department (CCMC 13.02.010(3))

License – Evidence or proof (usually a tag) that a dog is registered with an animal control authority.

Nevada Humane Society - A private, non-profit organization under contract with Carson City, to manage the Carson City Animal Shelter and is authorized to provide services related to animals on behalf of the City. (CCMC 7.13.010(5))

NRS - Nevada Revised Statutes

Open Space - Undeveloped natural areas managed through the Carson City Parks, Recreation and Open Space Department.

Owner – Any person owning, keeping, possessing, harboring, or having the care, custody or control of any animal, or allowing any animal to be or remain on, or be lodged or fed within such person's house, yard or premises or furnishing a medical certificate, bill of sale, or other indication of ownership or possession. (CCMC 7.13.010(18))

Park - An area of land set aside for recreation or its beauty; includes any area designated by the Board of Supervisors as a public park, playground or recreational facility. (CCMC 13.02.010(4))

Park System - All parks, trails, open space, recreation facilities and properties owned by Carson City and managed through the Parks, Recreation and Open Space Department or through a third-party contract. Generally, the Park System includes public parks, trailheads, trails, open space, natural areas, wetlands, cemeteries, municipal golf courses, and specialty facilities.

Service Animal/Service Animal in Training - A dog or a miniature horse that is being trained as a service animal, to do work, or perform tasks for the benefit of a person with a disability. (NRS 426.097, NRS 426.099, 28 C.F.R. § 36.104)

Stray Animal - Any domestic animal at large, excluding livestock, whose owner is unknown, who has no owner or no apparent home. (CCMC 7.13.10(25))

Trail - An off-street path, with either a paved, unpaved, or natural surface, that may be used for recreation or alternative transportation, and may be used as individually designated for various modes of travel including walking, running, riding road bikes, riding mountain bikes, horseback riding, skateboarding, rollerblading and off-highway vehicles.

Trailhead - A designated vehicle parking area or staging area from which a trail(s) is accessed.

Unrestrained – A dog off-leash, or not restrained.

Voice Command/Voice Control - (and within sight distance) as used in this policy, the term “voice command/control” means that the dog returns immediately to and remains by the side of the owner or keeper in response to the owner or keepers verbal command, whistle or hand signal. If a dog approaches or remains within 10 feet of any other person other than the owner or keeper,

that dog is not under voice command/control and shall be deemed to be “at large”, unless such person (or in the case of a minor child, an adult present with the child) has communicated to the owner or keeper by spoken word or gesture that such person consents to the presence of the dog.

Wildlife - Any animal found naturally in the wild state, whether indigenous to the State of Nevada or not and whether raised in captivity or not. (CCMC 7.13.010(29))

3.0 BASIS AND GUIDING PRINCIPLES

3.1 Responsibility of the Department

- 3.1.1 The Department shall reasonably provide a safe and user-friendly experience for all residents and visitors through the implementation of best management practices.
- 3.1.2 The Department shall reasonably protect the health and safety of the natural environment and reduce dog and wildlife conflicts.
- 3.1.3 The Department shall reasonably protect environmentally sensitive areas which may include seasonal nesting habitat, wetlands, riparian areas with critical cottonwood galleries or similar areas.
- 3.1.4 The Department shall reasonably reduce impacts to historic and cultural sites.
- 3.1.5 The Department and approved user groups shall be able to conduct activities, including maintenance, operations and programming, with minimal disruption to the public.
- 3.1.6 The Department shall provide a robust education campaign in conjunction with community partners, encouraging responsible ownership and best management practices. Education shall be provided through a variety of mediums encouraging community stewardship, volunteerism and responsible pet ownership.
- 3.1.7 The Department shall provide opportunities for sponsorships, volunteerism, adoption programs (Adopt-A-Park, Adopt-A-Trail, Adopt-An-Open Space, Adopt-A-Watershed, Adopt-A-Spot, Park and Trail Ambassadors) to encourage community stewardship, and reduce impacts to the City’s staff and financial resources.
- 3.1.8 The Department’s philosophy is education first and shall reasonably educate the public, prior to enforcement when possible.
- 3.1.9 The Department shall reasonably provide clear and consistent signage, compliant with the Department Signage Master Plan, to assist users in making informed decisions prior to recreating within Carson City’s Park System.
- 3.1.10 The Department shall reasonably provide dog waste receptacles with disposal bags in a variety of locations throughout the City.
- 3.1.11 The Department shall comply with all state and federal laws regarding public accommodations and service animals.
 - 3.1.11.1 Department staff may:
 - 3.1.11.1.1 Ask a person accompanied by an animal:
 - (a) If the animal is a service animal or service animal in training; and

(b) What tasks the animal is trained to perform or is being trained to perform.

(c) Ask a person to remove a service animal or service animal in training if the animal:

(1) Is out of control and the person accompanying the animal fails to take effective action to control it; or

(2) Poses a direct threat to the health or safety of others.

3.1.12 A service animal may not be presumed dangerous by reason of the fact it is not muzzled.

3.2 Responsibility of dog owners

3.2.1 Dog owners shall be stewards of Carson City's public lands; protecting parks, trails, open space and the watershed from preventable contamination related to dog waste. It is the responsibility of dog owners to pick up after their dog and properly dispose of the dog's waste. (CCMC 7.13.080(3))

3.2.2 Dog owners have a duty to restrain their dog, maintain voice command/control and keep their dog within sight distance; Owners shall ensure that other Park System users shall be provided the opportunity to recreate in a safe and reasonable manner without fear of conflict from owners or their dogs. (CCMC 7.13.80)

3.2.3 Dog owners shall recreate in public spaces only when their dogs are healthy. Unhealthy dogs are recommended to remain at home to not expose other animals to Parvovirus, Kennel Cough, and other contagious conditions.

3.2.4 Dog owners shall not fraudulently misrepresent an animal as a service animal or service animal in training. (NRS 426.805)

4.0 POLICY FOR DOGS IN CARSON CITY'S PARK SYSTEM

4.1 Pursuant to CCMC 13.02.090, dogs are prohibited in all parks unless the park has been exempted by the Board of Supervisors.

4.2 The Board of Supervisors adopted Resolution No. _____ on (date) exempting all the parks, trails and open space areas, except the following locations, pursuant to CCMC 13.01.090:

4.2.1 Dogs (except service animals) remain prohibited in the following areas of the Park System consistent with CCMC 13.02.090:

4.2.1.1 Dogs remain prohibited on these trails:

- a) North Kings Loop Trail
- b) Waterfall Trail

4.2.2 Dogs (except service animals) remain prohibited at cemeteries, specialty parks, sports complexes, buildings, agricultural pastures and facilities including:

- a) Aquatics Facility
- b) Bob Crowell Multipurpose Athletic Center (MAC)

- c) Buzzy's Ranch pasture
- d) Capital City Gun Club
- e) Carson Ridge Disc Golf Park Community Center
- f) Empire Cemetery
- g) Foreman-Robert's House
- h) Lone Mountain Cemetery
- i) Governor's Field
- j) JohnD Winters Centennial Park
(includes Eagle Valley Golf Course)
- k) Pete Livermore Sports Complex
- l) Pioneer Cemetery
- m) Pony Express Airpark
- n) Rifle and Pistol Range
- o) Silver Saddle Ranch – pastures and Red House only
- p) Tom Miggs Archery Range
- q) Wungnema House

4.3 Dogs are required to be on a leash at all times in the following areas:

- a) Buzzy's Ranch Trail
- b) Foothill Trail (first 500 ft per Carson Tahoe Health)
- c) Fulstone Wetlands
- d) Washoe Wetlands
- e) Parks as identified on Attachments A and B
- f) Trailheads as identified on Attachments A and B

4.4 Certain areas in the Park System are designated for unrestrained/off-leash use per CCMC 13.02.120 and exempt from the effects of CCMC 13.02.090. Dogs off-leash in designated areas must be under voice command/control and within sight of the owner.

4.4.1 The following areas are designated for unrestrained/off-leash use:

- a) Fenced dog parks (Sonoma and Fuji Parks)
- b) Open Space as identified on Attachments A and B
- c) Trails as identified on Attachments A and B

4.5 The parks, trails and open space areas that are exempt from CCMC 13.02.090 pursuant to Resolution No. _____ are subject to the rules set forth in this policy, CCMC and NRS.

4.6 Dogs ages 3 months or older are required to be licensed and healthy, including current vaccinations. A license tag must be visible and always attached to the dog's collar or harness. (CCMC 7.13.050(1) (2))

4.7 Dogs are required to be restrained/on a leash at all times, except in designated areas and as identified in Attachments A and B. (CCMC 13.02.090(1)(2) and CCMC 13.02.120)

4.8 Dog owners must carry one leash for each dog under his or her control at all times.

4.9 Powers of the Department

4.9.1 Director

4.9.1.1 The Director may authorize temporary dog use restrictions within the Park System and/or for health/safety reasons. This may include, but is not limited to implementation of leash requirements, including seasonal or temporary closures. Restrictions may be enacted for environmental concerns, nesting habitat, grazing operations and protection of City resources (natural, cultural, historic). Examples may include, but are not limited to, protections for sheep/goat grazing, ranching activities at Silver Saddle Ranch, nesting season along the Linear Ditch Trail or portions of the Carson River corridor, wetland enhancement projects, restoration, fire rehabilitation areas and fuels management. (CCMC 13.02.060, 13.05.040)

4.9.1.2 The Director may authorize dog classes (dog training, dog obedience, rattlesnake avoidance etc.), dog adoption events, and other pet outreach and education programs or similar activities in cooperation with community partners at certain locations within the Park System. (CCMC 13.02.090)

4.9.2 Park Rangers

4.9.2.1 Park Rangers, as a unit of specialized law enforcement established pursuant to NRS 280.125, are authorized by the Board of Supervisors to prepare, sign and serve citations by Resolution No. 2005-R-14, within the field of enforcement in which he/she works.

4.9.2.2 Park Rangers are authorized to serve citations related to CCMC Title 7 Animals (portions) and Title 13 Parks and Recreation.

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RESOLUTION NO. 2005-R- 14

A RESOLUTION OF THE BOARD OF SUPERVISORS OF
CARSON CITY DESIGNATING WHO MAY PREPARE, SIGN
AND SERVE CITATIONS AND OTHER MATTERS PROPERLY
RELATED THERETO.

WHEREAS, the Carson City Board of Supervisors has adopted ordinances for the public
health, safety and welfare of the citizens of Carson City; and

WHEREAS, Nevada Revised Statute (NRS) 171.17751 provides that the Carson City Board
of Supervisors may designate certain employees to prepare, sign and serve written citations on
persons accused of violating an ordinance of the Carson City Municipal Code;

NOW, THEREFORE THE BOARD OF SUPERVISORS OF CARSON CITY DOES
HEREBY RESOLVE AS FOLLOWS:

1. That the following persons are designated to prepare, sign and serve written citations
on persons accused of violating an ordinance adopted by the Carson City Board of
Supervisors:
 - a. The Carson City Fire Chief and any employees designated by him.
 - b. Inspectors of solid waste management.
 - c. Building, housing and licensing inspectors.
 - d. Zoning enforcement officers.
 - e. Parking enforcement officers.
 - f. Animal control officers.
 - g. Traffic engineers.
 - e. Marshalls and Park Rangers of units of specialized law enforcement
established pursuant to NRS. 280.125
2. An employee(s) designated pursuant to this resolution:
 - a. May exercise the authority to prepare, sign and serve citations only within the
field of enforcement in which he/she works.

RECORDED AT THE
REQUEST OF
CARSON CITY CLERK TO
THE BOARD

2005 APR -8 AM 11:17

FILE NO. 334524

ALAN GLOVER
CARSON CITY RECORDER

FEE \$ 10 DEP 63

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FOR RECORDER'S USE ONLY

TITLE OF DOCUMENT:

Resolution No. 2005-R-14

WHEN RECORDED MAIL TO:

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- b. May prepare, sign and serve a citation only to enforce an ordinance of Carson City; and
- c. Shall comply with the provisions of NRS 171.1773.

ADOPTED THIS 7th day of April, 2005.

AYES: Members Robin Williamson

Shelly Aldean

Pete Livermore

Richard Staub

NAYES: Members None

ABSENT: Members Marv Teixeira, Mayor

Marv Teixeira
(MARV TEIXEIRA, MAYOR)

