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OAKLAND

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APPROVED AS TO FORM AND LEGALITY

  
Deputy City Attorney

**OAKLAND CITY COUNCIL**  
**ORDINANCE No. 13220 C.M.S.**

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**AN ORDINANCE AMENDING SECTION 6.04.080 OF THE OAKLAND MUNICIPAL CODE, *DOGS AT LARGE IN PARKS*, TO DESIGNATE ADDITIONAL AREAS AS PERMITTED ON-LEASH AND OFF-LEASH AREAS**

**WHEREAS**, 40 percent of the households in the United States are home to one or more dogs, according to the American Veterinary Medical Association; and

**WHEREAS**, well-exercised dogs are less likely to have behavioral problems, including chronic barking, which results in a decrease in the number of dogs given up to the City Animal Shelter, and a decrease in the number of calls to police for noise abatement; and

**WHEREAS**, the City has the responsibility for ensuring the health, safety and well being of animals within the City of Oakland; and

**WHEREAS**, there is an increasing demand for areas in the City of Oakland for dog owners to exercise their dogs; and

**WHEREAS**, designating areas for dogs on or off leash provide residents and their canine companions safe areas in which to exercise and socialize in an urban environment; and

**WHEREAS**, the Parks and Recreation Advisory Commission, in their meeting of January 8, 2014, considered amendments to the Oakland Municipal Code; now, therefore

**THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

**Section 1.** The Oakland Municipal Code is hereby amended to add, delete or modify sections as set forth below; additions are indicated by underscoring and deletions by ~~strike-through type~~.

**6.04.080 Dogs at large in parks**

A. Except as provided below, it is unlawful for any person owning or having in charge, care, control or custody any dog, except a "Seeing Eye dog" actually being used by a blind person, a "signal dog" actually being used by hearing impaired person, a "service dog" actually being used by a handicapped person, or a police dog being used by any federal, State, county, City, City and county, or City and county enforcement agency for any law enforcement purpose, to permit or allow any such dog, whether leashed or unleashed, to be in a public park, school yard or public playground, or other place controlled by the Board of Education or the City Director of Parks and Recreation for special events or special occasions.

1. Permitted On-Leash Areas. Dogs are ~~only~~ allowed on-leash only in the following designated parks: Joaquin Miller Park excluding the amphitheater, and Leona Parks east of Mountain Boulevard, Dimond Park, east of El Centro Avenue, Knowland Park east of Golf Links Road, Glen Daniel/King Estate Park north of Fontaine Street, the Montclair Railroad Trail, and in Mosswood Park, on designated hardscape paths at the Broadway entrance nearest to I-580 overpass, the West MacArthur Boulevard entrance at Shafter Avenue and the Webster Street entrance at 36th Street, Jefferson Square Park, Snow Park, Athol Park, Pine Knoll Park, Mandana Plaza, hardscape paths in Grove Shafter Park, specifically in the northwest quadrant of the park, which is bordered by Martin Luther King Jr. Way, 37th Street, Grove Shafter Freeway and the MacArthur Freeway Hardy Park, Rockridge-Temescal Greenbelt, Union Point Park, Eastshore Park, Oak Glen Park, and Lakeside Park. Additional areas may be added as authorized in writing or resolution by the Parks and Recreation Advisory Commission and then as amended ~~therein~~ herein. Otherwise, dogs are not allowed in other Oakland parks at any time.

2. Service and Licensed Work Dogs. Service dogs and licensed work dogs authorized by City or other government personnel for special purposes are permitted in any City park when on official duty.

B. Nothing herein shall prevent or limit the duly authorized use of trained dogs for special purposes, by the City or other government personnel.

C. Dogs are permitted to be off-leash when authorized in a writing or ~~resolution~~ by the Parks and Recreation Advisory Commission and then as amended ~~therein~~ herein. Dogs are permitted to be off-leash in the areas set forth below.

~~1.~~ Permitted Off-Leash Areas. Dogs are permitted off-leash only in the following designated off-leash areas: Estuary Park, South Prescott Park, Park Boulevard Plaza, Glen Daniel/King Estates Park, and the Hardy Park, Mosswood Park, Grove Shafter Park, Jefferson Square Park, and Joaquin Miller Park fenced; dog play areas. Additional areas may be added as authorized in writing or resolution by the Parks and Recreation Advisory Commission and then as amended herein.

**Section 2.** Severability: If any article, section, subsection sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional, the offending portion shall be severed and shall not affect the validity of remaining portions which shall remain in full force and effect.

**Section 3.** Effective date: This Ordinance shall become effective immediately upon final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 01 2014, 20    

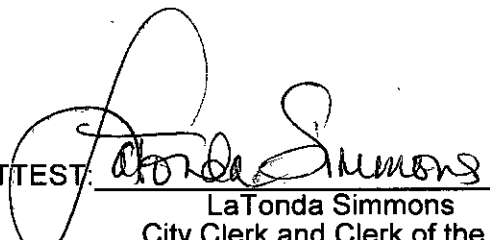
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND PRESIDENT KERNIGHAN - 8

NOES-

ABSENT-

ABSTENTION-

ATTEST:   
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

Introduction Date **MAR 18 2014**

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**NOTICE AND DIGEST**

This Ordinance amends Section 6.04.080 of the Oakland Municipal Code, pertaining to dogs at large in parks, to designate additional areas as permitted on-leash and off-leash areas as authorized by the Parks and Recreation Advisory Commission. Additional on-leash areas include portions of Dimond Park, portions of Mosswood Park, Jefferson Square Park, Snow Park, Athol Park, Pine Knoll Park, Mandana Plaza, portions of Grove Shafter Park, Hardy Park, Rockridge-Temescal Greenbelt, Union Point Park, Eastshore Park, Oak Glen Park and Lakeside Park. Additional off-leash areas include Estuary Park, South Prescott Park, Park Boulevard Plaza, Glen Daniel/King Estates Park and the Jefferson Square Park dog play area.