

COUNTY OF SAN MATEO  
PARKS DEPARTMENT

DATE: October 4, 2018

**TO:** Honorable Parks Commissioners  
**FROM:** Peggy Jensen, Interim Parks Director  
**SUBJECT:** Amendment to the County ordinance governing dog recreation within San Mateo County Parks and Recreation Areas

**RECOMMENDATION**

1. Receive and accept the proposed amendment to the County ordinance governing dog recreation within San Mateo County Parks and Recreation Areas; and
2. Make a recommendation to the Board of Supervisors to adopt the proposed amendment to the County ordinance governing dog recreation within San Mateo County Parks and Recreation Areas

**BACKGROUND**

In the spring of 2016, the Parks Commission established the Dog Management Committee, which was tasked with developing new dog management policies for the San Mateo County Parks Department. At the same time, it was determined that the County ordinance governing dog recreation in County Parks and Recreation Areas also needed to be amended. The amending of the ordinance and adoption of new management policies will be presented to the commission in two phases. The first phase, being presented to the commission herein, is reconciling the County ordinance with current management practices. The second phase, expected to be presented to the commission in early 2019, consists of the recommended departmental policies on managing how and where dogs can recreate in County Parks and Recreation Areas as developed by the Dog Management Committee.

Section 3.68.080(i) of San Mateo County's Ordinance Code prohibits park visitors from recreating in County Parks and Recreation Areas with dogs. However, since the ordinance's adoption, the County has accepted ownership of park properties that have historically been, and continue to be available to the public for recreation with dogs. These properties include Pillar Point Bluff and Quarry Park. Additionally, segments of the California Coastal Trail and San Francisco Bay Trail, which are both accessible to dogs, traverse several County Parks and Recreation Areas. For this reason, there are direct conflicts between the County's existing ordinance and desired management practices.

Further, while violation of the existing ordinance is a misdemeanor offense, due to the low probability of a jury conviction, the District Attorney's Office has not traditionally pursued charges. For this reason, Park Rangers are unable to effectively protect the natural resources in the parks and park visitors through enforcement of the current ordinance.

## **DISCUSSION**

The proposed amendment to the County ordinance governing dog recreation within County Parks and Recreation Areas, which is attached as Exhibit A, would revise the ordinance to read, in part, "No dogs shall be permitted in any San Mateo County Park or Recreation Area, unless such area is specifically designated and signed to allow dogs." This language would make current park management practices and the County ordinance consistent.

As violators of the existing ordinance are not facing the intended consequences because of the low probability of conviction by a jury, the public continues to openly violate the regulations. To empower Rangers to protect the Department's natural resources and ensure all park visitors have a safe and enjoyable experience, it is proposed to amend the existing ordinance to include a stepped infraction system for offenders. This system would consist of the following: first infraction - \$50; second infraction - \$100; and third infraction - \$300. Repeat offenders would be cited with a misdemeanor offense and up to a \$1,000 fine after their third infraction in a 12-month period. The District Attorney's Office would then have a case to pursue the misdemeanor offense with the escalating documentation. The District Attorney's Office has reviewed the proposed amendment to the ordinance and is in support of the change.

The current ordinance also fails to regulate the behavior of individuals recreating in County Parks and Recreation Areas with dogs. The proposed amendment includes provisions, developed by the Dog Committee, which would govern the behavior of recreationalists. Provisions include:

1. Requiring dogs to be on a six-foot leash and held by a person who can control the dog;
2. All dog waste must be picked up and disposed of in a designated receptacle;
3. No more than three dogs per person;
4. Dogs must stay on designated trails;
5. Dogs must be licensed in accordance with County ordinance

## **FISCAL IMPACT**

Amendment of the County's ordinance governing dog recreation within County Parks and Recreation Areas will have no fiscal impact on the Department's budget.