

**LEGISTAR 45918 – Substitute Body**

DRAFTER'S ANALYSIS: This ordinance repeals and recreates the existing on-leash dog park ordinance to add additional parks, while reorganizing the ordinance itself. Substantively, the main changes here are to add in an additional 14 parks to the list of permissible on-leash dog parks, consistent with the successful pilot programs implemented pursuant to RES-15-00611 (File ID No. 39163) and RES-16-00371 (File ID No. 42700). Under this ordinance, these additional 14 parks would join the existing 12 parks where dogs are permitted on-leash in posted areas. It is the intent that within these new parks, dogs will be limited to the paved paths, or within six-feet thereof, which will be posted as such at the entrances, subject to the existing requirements that the dog be under the owner or handler's control, the dog is licensed and has a permit to use dog exercise areas. The rest of the ordinance is being restructured so that it is easier to understand.

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The Common Council of the City of Madison do hereby ordain as follows:

Subsection (1) entitled "Dogs Prohibited in Certain Areas" of Section 8.19 entitled "Animals Prohibited in Certain Areas" of the Madison General Ordinances is hereby repealed and recreated to read as follows:

"(1) Dogs Prohibited in Parks and on School Grounds.

- (a) Prohibition. Except as provided for under Subdivision (b), no owner, keeper or handler of a dog shall allow, cause or permit such dog to enter or remain in either:
  - 1. Any public park in the City of Madison; or,
  - 2. Any school grounds in the City of Madison as have been designated by order of the Board of Education as areas in which dogs are prohibited.
- (b) Exceptions. The prohibition in Subdivision (a) shall not apply to the following:
  - 1. Service Dogs. Dogs specially trained, or dogs being specially trained, to lead visually- or hearing-impaired persons or to provide support for mobility-impaired persons when leading or accompanying a visually impaired, hearing-impaired or mobility impaired person.
  - 2. Law Enforcement Dogs. Dogs used by or under the auspices of the City of Madison Police Department or other law enforcement department in the course of official police business.
  - 3. On-Leash Dog Parks.
    - a. On-Leash Dog Park Locations. Subject to the conditions set forth in sub. b, dogs are permitted to be in posted areas of the following parks or any other area so designated by the Board of Park Commissioners and confirmed by the Common Council:

Acewood Park	Law Park
Baxter Park	Marlborough Park
Blackhawk Park	Norman Clayton Park
Brittingham Park, from Bassett St. to Bedford St.	North Star Park
Demetral Park	Peace (Elizabeth Link) Park
Door Creek Park	Quarry Park
Elver Park, from March 15 to November 15	Richmond Hill Park
Garner Park	Spring Harbor Park, the eastern portion thereof
Glen Oak Hills Park	Sycamore Park
Greentree Park	Walnut Grove Park
High Point Park	Warner Park
Hoyt Park, along Owen Parkway	Wingra Park
James Madison Park	Yahara River Parkway (including Burr Jones Field)

- b. Conditions of On-Leash Dog Park Use. All users of the designated on-leash dog parks set forth in sub. a. must comply with the following conditions:
  - i. The dog must be restrained by a chain, rope, cord or leash of sufficient strength to control the action of such dog. The length of the chain, rope, cord or leash shall not exceed six (6) feet when the owner or keeper and the dog are proceeding along any pedestrian or transportation corridor.
  - ii. The dog is licensed and must wear a rabies vaccination tag as required by Sec. 23.39(3), owner identification as required by Sec. 23.33(6)(a), a license tag as required by Sec. 23.33(6)(c), and a permit tag as required in sub. iv. below.
  - iii. Dog feces shall be removed and disposed of in compliance with Sec. 7.322.
  - iv. The owner of the dog must have secured a permit for use of dog exercise areas in city and county parks.
- 4. Off-Leash Dog Parks. Dogs are permitted to run at large, off-leash, in certain parks, as set forth in Sec. 23.32.
- (c) The Board of Park Commissioners shall cause signs to be posted in parks or park areas where dogs are permitted and the School Board shall do likewise in school grounds or school ground areas wherein dogs are prohibited.”

EDITOR’S NOTE:

Section 8.19(1) currently reads as follows:

- “(1) Dogs Prohibited in Certain Areas. No owner or keeper of a dog shall suffer or permit such dog to enter or remain in any public park in the City of Madison unless so designated by the Park Commission and confirmed by the Common Council. Nor shall an owner or keeper of a dog suffer or permit such dog to enter or remain in any school grounds in the City of Madison as have been designated by order of the Board of Education as areas in which dogs are prohibited.
  - (a) The provisions of this ordinance shall not apply to:
    - 1. Visually-impaired, hearing-impaired or mobility-impaired persons for the reason that the person is being led by a dog specially trained, or being specially trained, to lead visually- or hearing-impaired persons or to provide support for mobility-impaired persons;
    - 2. Dogs used by or under the auspices of the City of Madison Police Department in the course of official police business;
    - 3. Dogs restrained by a chain, rope, cord or leash of sufficient strength to control the action of such dog under all of the following conditions:
      - a. The length of the chain, rope, cord or leash shall not exceed six (6) feet when the owner or keeper and the dog are proceeding along any pedestrian or transportation corridor; and
      - b. The owner or keeper and dog are in posted areas of Brittingham Park from Bassett Street to Bedford Street, paved walkways in Demetral Park, Glen Oak Hills Park, Law Park, Marlborough Park, Hoyt Park along Owen Parkway, Elver Park (from March 15 to November 15), Quarry Park, walkways to and from Sycamore Park, the eastern portion of Spring Harbor Park, Yahara River Parkway including Burr Jones Field, along paths or roadways only of Warner Park, or any other area so designated by the Park Commission and confirmed by the Common Council; and

- c. The dog is licensed and must wear a rabies vaccination tag as required by Sec. 23.39(3), Madison General Ordinances, owner identification as required by Sec. 23.33(7)(a), Madison General Ordinances, a license tag as required by Sec. 23.33(7)(c), Madison General Ordinances, and a permit tag as required in subparagraph 3.e. below; and
  - d. The owner of the dog shall remove and dispose of feces in compliance with Sec. 7.322, Madison General Ordinances; and
  - e. The owner of the dog must have secured a permit for use of dog exercise areas in city and county parks. The revenue from the permit fee shall be put in a segregated fund to be used in the establishment and maintenance of dog exercise areas. The permit fee shall be established by the Park Commission subject to approval by the Common Council.
  - 4. Dogs permitted to run at large pursuant to and in compliance with Sec. 23.32, Madison General Ordinances.
- (b) The Park Commission shall cause signs to be posted in parks or park areas where dogs are permitted or prohibited and the School Board in school grounds or school ground areas wherein dogs are prohibited.”