Legislation Details (With Text)

File #:	31942	**Version:**	1	**Name:**	Dog parks
Type:	Ordinance			**Status:**	Passed
File created:	10/18/2013			**In control:**	BOARD OF PARK COMMISSIONERS
On agenda:	10/29/2013			**Final action:**	11/19/2013
Enactment date:	11/27/2013			**Enactment #:**	ORD-13-00198

Title: Repealing and recreating Section 28.32(2) of the Madison General Ordinances to clarify the subsection outlining the City dog parks and applicable rules and adding two new off-leash dog park locations.

Sponsors: Joseph R. Clausius, Mark Clear, Maurice S. Cheeks, Paul E. Skidmore, Steve King

Indexes:

Code sections:

Attachments: 1. Body

Date	Ver.	Action By	Action	Result
11/19/2013	1	COMMON COUNCIL	Adopt	Pass
11/13/2013	1	BOARD OF PARK COMMISSIONERS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
10/29/2013	1	COMMON COUNCIL	Referred	
10/18/2013	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

Infrastructure costs for items such as fencing associated with the establishment of these dog parks will be funded using available resources in the Dogs in Parks Fund. Estimated annual operating costs of $18,000 will be provided in the Parks Operating Budget, funded with revenue from Annual Dog Park Permits. There is no anticipated impact upon the tax levy. No appropriation is required.

Title

Repealing and recreating Section 28.32(2) of the Madison General Ordinances to clarify the subsection outlining the City dog parks and applicable rules and adding two new off-leash dog park locations.

Body

DRAFTER'S ANALYSIS: This ordinance repeals and recreates Section 23.32(2) to make it clear that this is the subsection that creates the City dog parks and the rules applicable to users of the dog parks. By recreating and reorganizing this subsection, the ordinance is more comprehensible. The only substantive change to the ordinance itself is that two new park locations are being added as permissible off-leash dog parks, Odana School Park and Walnut Grove Park.

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

1. Subsection (2) of Section 23.32 entitled “Regulation of Dogs and Cats Running at Large” of the Madison General Ordinances is hereby repealed and recreated to read as follows:

““(2) Dog Parks.

(a) Dog Park Locations. Subject to the conditions set forth in Subsection (b), dogs are permitted to run unleashed in the posted areas of the following locations:

1. Brittingham Park, at Broom Street.
2. Demetral Field.
3. Lucia Crest Park, between 5:00 a.m. and 7:30 a.m. only.
4. The McCormick Avenue Greenway (located west of McCormick Ave., north of

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Commercial Ave., east of Starkweather Creek, and south of Aberg Ave.).
5. Odana School Park.
6. Quann Park.
7. Sycamore Park.
8. Walnut Grove Park.
9. Warner Park, in the area south of the lagoon.

(b) Conditions of Dog Park Use. All users of the designated dog parks set forth in Subsection (a) must comply with the following conditions:
1. The owner or keeper of the dog must be present;
2. The dog must be under the voice control of the owner or keeper at all times;
3. The dog must wear a rabies vaccination tag as required by Sec. 23.39(3), MGO, owner identification as required by Sec. 23.33(7)(a), a license tag as required by Sec. 23.33(7)(c), and a permit tag as required by paragraph 5. below;
4. Feces must be properly removed and disposed of in compliance with Section 7.322, Madison General Ordinances; and,
5. 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."

2. Subdivision (a) of Subsection (3) entitled "Schedule of Deposits" of Section 1.08 entitled "Issuance of Citations for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits" of the Madison General Ordinances is amended by amending therein the following:

"Offense	Ord. No./Adopted Statute No.	Deposit
~~Dogs permitted to be at large under certain conditions in designated parks~~ .	23.32(2)	$25, 1st $100, 2nd
Failure to comply with conditions of dog park use.		$200, 3rd $300, 4th & sub."

EDITOR'S NOTE: Section 23.32(2) currently reads as follows:

"(2) Dogs are permitted to run unleashed in the posted areas of Brittingham Park at Broom Street, Quann Park, Sycamore Park, Lucia Crest Park between 5:00 a.m. and 7:30 a.m. only, Demetral Field, the McCormick Avenue Greenway (located west of McCormick Ave., north of Commercial Ave., east of Starkweather Creek, and south of Aberg Ave.), and south of the lagoon in Warner Park under all of the following conditions:
(a) The owner or keeper of the dog must be present; and
(b) The dog must be under the voice control of the owner or keeper at all times; and
(c) The dog must wear a rabies vaccination tag as required by Section 23.39(3), Madison General Ordinances, owner identification as required by Section 23.33(7)(a), a license tag as required by Section 23.33(7)(c), and a permit tag as required by subsection (2)(e) below; and
(d) Feces must be properly removed and disposed of in compliance with Section 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."