



Date: July 13, 2017

TO: Mayor Blad and Council Members

From: John Banks, Parks & Recreation Director

RE: Chapter 6.04 Animal Services – City Code Revision Recommendations

Current City Code for Animal Services (Section 6.04.030) prohibits any animal from being at large in any section of a park or public recreation area without being controlled by a leash no longer than ten feet (10'), or similar physical restraint. In addition, dogs are prohibited, whether on or off leash, from the following City property and recreation areas:

- Alameda Park: Both baseball fields
- Halliwell Park: Bill Derham Baseball Field
- Hawthorne Park: Both baseball fields; both soccer fields; both Wilcox soccer fields
- Indian Hills School: All soccer fields
- NOP Park: Little League Baseball Complex; Brown Field; Watkins Softball Complex; Gate City soccer fields
- OK Ward Park: Simplot Softball Complex; green area during special events & tournaments
- Optimist and Tydeman Park: Both baseball/softball fields
- Ross Park: All three (3) baseball fields
- Rainey Park: Softball field
- Mountain View Cemetery
- Restlawn Cemetery

There are several main purposes of the City code language, as follows:

- To prevent conduct that could cause an animal to become a public nuisance to patrons utilizing City property and recreation areas.
- To protect the safety of dogs at actively programmed park facilities (i.e. ballfields/soccer fields, etc.).
- To prevent dog waste at actively programmed park facilities.
- To identify certain other City facilities that are not appropriate venues for dogs.

The Golf Advisory Committee has expressed concern to Staff that dogs are also an on-going challenge at the Highland and Riverside golf courses. Specifically in regards to dogs being off leash on the courses during the annual golf season and the associated safety concerns, as well as excessive dog waste on the courses.

For these reasons, the Golf Advisory Committee is requesting that City Council consider revising current City Code language for Section 6.04.030 to include the Highland and Riverside Golf Courses, making the golf courses consistent with the list of other actively programmed recreation areas where dogs are not allowed (service dogs exempted). Additional Golf Advisory Committee recommended language is as follows:

-Highland and Riverside Golf Courses: At a minimum, during the stated annual golfing season of March 1 through October 31 yearly, as indicated in the Golf Concession Agreement, and at other times when play is active on the golf courses. Properly documented service dogs exempted.

**Note: Dogs shall be permitted on the Highland and Riverside Golf Courses during the annual off-season period for golf operations, per standard leash ordinance regulations (6.04.030 – C-2)*

Surrounding City Golf Course Regulations

For Council reference, the following table provides information on the policies of surrounding cities in regards to dogs on City golf courses:

City	Policy Regarding Dogs on City Golf Courses
Idaho Falls	Dogs/pets not allowed on golf courses, except service animals.
Blackfoot	Dogs/pets not allowed on golf courses during times of play.
Twin Falls	Dogs/pets not allowed on golf courses during times of play.

Chapter 6.04 ANIMAL SERVICES

6.04.020: AUTHORITY TO ENFORCE:

6.04.030: NUISANCES PROHIBITED:

6.04.020: AUTHORITY TO ENFORCE:

- A. Animal services officers, in addition to Pocatello police officers, are hereby authorized to carry out the duties necessary to enforce this chapter, including licensing, inspections, and enforcement, including issuance of Idaho uniform citations for any violations of this chapter.
- B. It shall be unlawful for any person to hinder or obstruct, or attempt to hinder or obstruct, an animal services officer in the discharge of his duties. (Ord. 2975, 2016; Ord. 2667 § 2, 2001)

6.04.030: NUISANCES PROHIBITED:

- A. It shall be unlawful for any person to keep any animal on any property located within the city when the keeping of such animal, or the method of keeping or harboring such animal(s), constitutes a public nuisance or menace to public health or safety.
- B. No person owning, harboring, keeping, or in charge of any animal shall cause unsanitary, dangerous, or offensive condition(s) by virtue of the size or number of animals maintained at a single location or due to the inadequacy of the facilities. It shall be a violation of this section if the number of animals maintained at a single residence or the condition of the facilities is offensive, injurious, or dangerous to the public health or the neighbors in close proximity to the premises, regardless of whether or not a multiple animal housing license has been obtained. The animal services director may revoke the multiple animal housing permit of any person found in violation of this section.
- C. It shall be unlawful for any person to allow any animal in his/her care to become a public nuisance animal. Conduct which renders an animal a public nuisance shall include, but not be limited to:
 - 1. Repeated running at large (more than 2 violations).
 - 2. Being at large in any section of a park or public recreation area without being controlled by a leash no longer than ten feet (10') or similar physical restraint. Dogs are prohibited, whether on or off leash, from the following city property and recreation areas:

- Alameda Park: Both baseball fields
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- Hawthorne Park: Both baseball fields; both soccer fields; both Wilcox soccer fields
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D. Any owner or custodian whose animal has become a public nuisance animal may be issued a notice of violation and assessed the fee per occurrence as set by annual resolution of the city council, to be paid at the animal services center. The notice of violation shall be independent of any criminal misdemeanor or infraction proceedings which might be instituted under this section.

E. After the conviction of an owner or custodian for allowing his animal to become a nuisance for more than two (2) running at large violations, the owner or custodian shall have the animal neutered or spayed by a licensed veterinarian and provide proof to the animal services department of such alteration within thirty (30) days of sentencing.

F. After the conviction of an owner or custodian for allowing his animal to become a nuisance, the owner or custodian, at his own expense, may be required by the court to successfully complete a city approved animal obedience program with the nuisance animal, to the satisfaction of the animal services director. (Ord. 2975, 2016: Ord. 2963, 2015: Ord. 2884, 2010: Ord. 2838 § 1, 2008: Ord. 2764 § 1, 2005: Ord. 2697 § 9, 2002: Ord. 2667 § 2, 2001)