



Legislation Text

File #: 2024-0243, Version: 1

Report to Mayor and City Council

Tuesday, May 07, 2024

Discussion

SUBJECT:

CONSIDER INTRODUCING ORDINANCE NO. 24-2403 THAT WOULD AMEND SECTION 3301 (ADDITION TO ANIMAL CONTROL ORDINANCE) OF CHAPTER 3 (POUND REGULATIONS) OF ARTICLE III (PUBLIC SAFETY) OF THE CARSON MUNICIPAL CODE TO CLARIFY AND UPDATE THE REQUIREMENTS FOR ENTRY AND LEASHING OF DOGS IN PUBLIC PARKS (CITY COUNCIL)

I. SUMMARY

The City of Carson has historically permitted service animals at its parks pursuant to City's policy against discrimination and harassment codified in Carson Municipal Code ("CMC") Sections 21100-21101. On November 7, 2018, the City Council approved Ordinance 18-1812 which amended CMC Section 3301 to restate and reaffirm an exception from the prohibition of dogs in public parks for service dogs pursuant to the Americans with Disabilities Act (ADA) and California Civil Code Sections 54.1 and 54.2 (Exhibit No. 2).

Since then, there has been some confusion among the public as to the scope of the exceptions from the City's general prohibition and the requirements for leashing of dogs in parks. The ordinance was intended to, and did, provide that dogs *that are allowed in City parks pursuant to the exceptions to the City's general prohibition* against dogs in parks (including service dogs under the ADA and California Civil Code Sections 54.1 and 54.2, as well as dogs approved for teaching uses by the Director of Community Services) must be leashed, to the extent consistent with the ADA (which places limits on the City's ability to require leashing of ADA service dogs in some circumstances). However, some people may have misinterpreted the ordinance as generally permitting dogs in City parks provided they are leashed.

To provide clarity, staff is requesting that the City Council review and approve Ordinance No. 24-2403 (Exhibit 1). It would modify CMC Section 3301 to further clarify, restate, and reaffirm:

- (1) the general prohibition on dogs in City parks:
- (2) the exceptions from the prohibition, including for service dogs as provided in the ADA

and California Civil Code Sections 54.1 and 54.2, dogs that are in training to become service dogs as provided in California Civil Code Sections 54.1 and 54.2, and dogs that are approved by the Community Services Director for teaching uses; and

(3) the requirements for leashing of dogs that are allowed in City parks pursuant to the exception(s) from the general prohibition, including the Council's intent to require that such dogs be leashed except to the extent such a leashing requirement is precluded by the aforementioned state and/or federal laws.

Additionally, with the City's plans to develop its first dog park as part of the Carriage Crest Park expansion project, there is even greater need for this proposed amendment. Specifically, the proposed ordinance amendment would provide that dogs in designated dog park areas would be exempt from the general prohibition on dogs in parks and from the leashing requirements, but would also make clear that residents shall be required comply with the requirements of CMC 3301 when accessing or leaving the dog park (e.g., residents will be required to use the new parking lot that will be immediately adjacent to the dog park area to access it rather than walking their dog across areas of the park that are not designated dog park areas in violation of CMC 3301 in order to reach the dog park area).

II. RECOMMENDATION

INTRODUCE for first reading, by title only and with full reading waived, Ordinance No. 24-2403, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 3301 (ADDITION TO ANIMAL CONTROL ORDINANCE) OF CHAPTER 3 (POUND REGULATIONS) OF ARTICLE III (PUBLIC SAFETY) OF THE CARSON MUNICIPAL CODE TO CLARIFY AND UPDATE THE REQUIREMENTS FOR ENTRY AND LEASHING OF DOGS IN PUBLIC PARKS." (Exhibit No. 1)

III. ALTERNATIVES

DO NOT APPROVE the recommendation.

IV. BACKGROUND

See Summary section above.

V. FISCAL IMPACT

None.

VI. EXHIBITS

1. Ordinance No. 24-2403 (pgs. 4 - 6)
2. Staff Report 2018-815 (pgs. 8 - 30)

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