



Office of the City Manager

ACTION CALENDAR  
January 30, 2018

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted By: Jovan Grogan, Deputy City Manager  
 Subject: Companion Report: Cesar Chavez Off-Leash Dog Park, Limit Number of Dogs Per Person

RECOMMENDATION

Consider requesting a written report from the Parks and Waterfront Commission regarding the number of “off leash” dogs per person at Cesar Chavez Off-Leash Dog Park, prior to considering adoption of the recommendation from the Animal Care Commission.

FISCAL IMPACTS OF RECOMMENDATION

No Financial Implications

CURRENT SITUATION AND ITS EFFECTS

Berkeley Municipal Code Chapter 10.04, Section 120 (B) states: In any "dog park" or "off-leash" area set aside and designated as such by the City Council, no more than four (4) dogs per owner/guardian, or per responsible party shall be allowed at any one time, and the owner/guardian, or responsible party, must be physically present at all times. Any dog whose owner/guardian, or responsible party, is not physically present shall be impounded pursuant to Section [10.04.200](#) of the Berkeley Municipal Code.

In recent years, there has been an increase in the number of professional dog walkers utilizing Cesar Chavez Off-Leash Dog Area to exercise their client’s dogs. It is common for professional dog walkers to have more than four (4) dogs in their care at any one time. Animal Services has received complaints regarding professional dog walkers with dogs in Cesar Chavez Off-Leash Dog Area with as many as 15 dogs per dog walker.

BACKGROUND

On January 18, 2017, Animal Care Services reviewed the situation and approved a recommendation, that the City Council consider adopting an amendment to the Berkeley Municipal Code Chapter 10.04, to increase the number of dogs allowed at any “dog park” or “off leash” area from four (4) to eight (8), with the reasoning that establishing a safe and practical limit of eight (8) dogs per owner/guardian will allow for more consistent and reasonable enforcement of Berkeley Municipal Code Chapter

10.04, Section 120 (B). On January 26, 2017 the Chairman of the Animal Care Commission sent a letter to the Parks and Waterfront Commission Secretary, informing him of the Animal Care Commission's recommendation and suggesting that the Parks and Waterfront Commission also consider the item.

The item was considered by the Parks and Waterfront Commission on May 10, 2017; however, no action was taken by that Commission at that time.

RATIONALE FOR RECOMMENDATION

Because the issue was considered by two separate commissions, City Council should be aware of the actions taken by both commissions, and be able to request the full input from both commissions as it considers adopting the amendment to the Municipal Code.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

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