



## ORDINANCE NO. 1723

AN ORDINANCE AMENDING SECTION 2-202 OF THE GOODLAND MUNICIPAL CODE AND ADDING A NEW SECTION 13-510 “CITY DOG PARKS AND OFF-LEASH AREAS” PROVIDING FOR RULES, REGULATIONS, AND PENALTIES RELATING TO DOG PARKS AND OFF-LEASH AREAS WITHIN THE CITY OF GOODLAND.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GOODLAND, KANSAS:

SECTION 1. That a new Section of the Goodland Municipal Code, Sec. 13-510, is hereby created which shall read as follows:

**Sec. 13-510. City dog parks and off-leash areas.**

- (a) In accordance with **Sec. 2-202**, Dogs may be allowed to run at-large within dog parks and off-leash areas as designated by the governing body. The designation of such parks and off-leash areas shall be made or revoked through resolution and at the recommendation of the City Manager or designee.
- (b) It shall be unlawful for any dog owner to violate any of the following regulations regarding the use of any City designated dog park or off-leash area in a park owned by the City of Goodland:
  - (1) Entrance within the dog park between sunset and sunrise or when otherwise closed is prohibited. No animals other than dogs may be brought into the dog parks.
  - (2) Owners shall immediately close and secure the gate upon entering or exiting the confines of the park's fenced enclosure.
  - (3) No large dogs (over 25 pounds) will be allowed in the small-dog areas of the dog park. Such areas will be clearly marked.
  - (4) No small dogs (under 25 pounds) will be allowed in the large dog areas of the dog parks. Such areas will be clearly marked.
  - (5) All dogs that enter the park must be over five months of age, not in heat, and have proof of current rabies vaccination. Aggressive, vicious or contagious dogs are prohibited from use of the park. Dogs may not be brought into the park if they are sick or unhealthy, have a history of aggressiveness, or have been adjudicated a dangerous dog.

- (6) All dogs must be leashed when entering or leaving the park's fenced enclosures. Dogs must never be left unattended. The dog owner must be in reasonable control of his or her dog(s) at all times and keep a leash available at all times.
  - (7) Owners must be at least 14 years of age and remain within the park's fenced enclosure and in control of all dogs under their care at all times when within the park. Owners are limited to two dogs per visit.
  - (8) Owners shall immediately pick up their dogs' excrement and deposit it in the designated receptacle. All owners must have in his or her possession a baggy or some other form of equipment to clean up after his or her dog(s). All waste must be placed in a bag and placed in a waste receptacle provided at the park.
  - (9) Owners must immediately fill any holes their dogs dig.
  - (10) No alcoholic beverages, glass containers, bicycles, skateboards, motorbikes, scooters, or roller blades will be allowed in the dog park area. Littering is prohibited. Smoking is prohibited inside the park and within ten feet of the park's parameter.
  - (11) Professional dog trainers and behaviorists are not permitted to use the park to conduct their business.
  - (12) All dog bites must be reported to law enforcement and follow the procedure set out in **Sec. 2-207** of the Goodland Municipal Code.
  - (13) The City Manager or designee reserves the right to close a dog park for maintenance and repair, public safety reasons or for special events.
- (c) It is unlawful for any person to:
- (1) Enter or remain in a dog park at such time as such park is closed to the public as set out herein or at such time as provided under the rules and regulations adopted by the governing body.
  - (2) Fail to immediately leash and restrain a dog in the dog park when advised to do so by the City Manager or designee.
  - (3) Fail to immediately leave the dog park when ordered to do so by the City Manager or designee.
- (d) Owners assume all risks, loss or injury for themselves or their dog(s) associated with or resulting from the use of the park. Owners making use of the dog park shall be responsible for injuries caused by their dogs to other persons and dogs. Persons

responsible for any injuries or property damage shall hold the City of Goodland harmless for any such damage.

- (e) Violators of dog park rules and regulations may be subject to one or more of the following:
  - (1) Removal from the park;
  - (2) Suspension of park privileges;
  - (3) Issuance of a Uniform Criminal Complaint or Notice to Appear.
- (f) The City Manager or designee shall promulgate additional regulations as are necessary to address health and safety concerns related to the operation of such parks.

**SECTION 2.** Sec. 2-202 of the Goodland Municipal Code is hereby amended to read as follows:

**Sec. 2-202. - Animal control.**

All dogs must be confined to the premises of the owner or keeper except when taken off the premises on a leash, in a cage, under direct care and control, in a car or other conveyance, or when within a designated dog park or off-leash area in accordance with **Sec. 13-510**. For the purpose of this section "confined to the premises" shall mean confined either inside the resident structure of the owner or, if outside the resident structure of the owner, the dog(s) shall be physically restrained on a tether or within a suitable fence or other proper method of physical restraint from which it cannot escape. If the dog(s) is in the physical presence of its owner on its own property and under his or her direct and immediate control the dog(s) shall be considered confined to the premises.

In this section "tether" shall be defined as a leash, rope, chain, lead or other similar apparatus at least ten feet long and weighing no more than one-eighth of the dog's body weight. Dogs shall be tethered in such a manner as to prevent injury, strangulation, or entanglement on fences, trees, or other man made or natural obstacles.

Cats must be kept under reasonable restraint to prevent nuisance activities as prohibited by this article.

Female animals in season shall not be housed in the same primary enclosure with males, except for breeding purposes and shall be kept securely confined within a building at all times while in heat. A female animal in heat shall be allowed outside a building periodically,

for elimination of bodily waste but shall be kept under physical restraint by a competent person at all times.

SECTION 3. This Ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED AND ADOPTED this 6<sup>th</sup> day of May, 2019 by the Governing Body of the City of Goodland, Kansas.

ATTEST:

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Jay Dee Brumbaugh, Vice-Mayor

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Mary P. Volk, City Clerk