



## FINAL DRAFT

# Enforcement and Good Neighbor Policy Recommendations Supporting the Dog Policy

## Background

Many parks with or without Dog Play Areas (DPAs) are experiencing a lack of compliance with the existing leash and pooper scooper laws. The response to the issue of leash laws within park facilities has evoked charged responses from both sides of this issue and many park users become quite agitated when confronted with requests for compliance or a lack of enforcement by relevant agencies. The list of parks known to have off-leash controversies, including those with approved DPAs and those without, is quite long.

## Current RPD Resources

### *RPD Park Patrol*

RPD Patrol Officers visit and respond to calls at 230 Recreation and Park facilities on 3,400 acres of land throughout the City including Neighborhood Parks, Playgrounds, Recreation Centers, Playing Fields, Natural Areas, Tennis Courts, Golf Courses, Park Stadiums and Administrative Park Offices.

- Currently four (4) staff
- Current staffing leaves a four (4) hour gap week days
- 24 hour coverage weekends
- Spot/random enforcement only option with existing staffing levels
- City code specifically empowers Park Rangers to enforce leash law in parks, Park Rangers are also authorized to enforce licensing laws and pooper scooper law under Section 3.02 of the Park code referring to enforcement of all posted signs.

Duties and responsibilities include patrol park areas, perform security checks, enforce park codes, issue citations, respond to park facility burglar alarms, apprehend in crime intervention, aid emergency services personnel (police, fire, and paramedics), monitor for public safety hazards, monitor to protect park wildlife, assist in other temporary emergency situations including road closures & blockades.

Additional resources provided to facilitate enforcement in parks of leash laws include:

- Sponsorship of ACC activities in parks including limited funding for ACC code enforcement activities in parks
- Training of recreation and gardening staff to reduce violations of leash laws - initiated 2002
- “Dog Line” which an administrative operator covers 8:00 am to 12:00 pm & 1:00 pm to 5:00 pm
- Call roster to identify appropriate agency for callers reporting dangerous or aggressive dogs
- Evaluation tool of DPA functionality

## Policy Guidelines

SFRPD Dog Policy - Section 5.3:

*“Although previous enforcement has been inconsistent, RPD intends to pursue enforcement of all related state and municipal laws. Enforcement will necessitate a multi-agency effort to include SFPD, ACC, and RPD. RPD strongly believes the greatest voice for following established rules and policies will be from DPA partners and users. RPD to recommend a joint enforcement policy to the Commission within 90 days of the adoption of this Policy”*



### Existing Laws

**Leash Law** - It shall be unlawful for the owner of any animal, other than a domestic cat, to permit said animal to run at large within the City and County. (Not applicable to areas designated as an animal exercise area under the jurisdiction of the Recreation and Park Commission) (*Health Code Sec. 41.12 (a)*) The fee for violation of the leash law is \$32.

**Owner Presence** - It shall be unlawful for the owner of any animal to permit said animal to be within an area designated as an animal exercise area unless said owner is physically present at all times during which the animal is in said area. (*Health Code Sec. 41.12( a.1)*) The fee for violation of this section of the leash law is also \$32.

### **Pooper Scooper Laws**

- **Must Pick Up** – It shall be unlawful for any person owning or having control or custody of any dog to permit the animal to defecate upon the public property of this City or upon the private property of another unless the person immediately remove the feces and properly dispose of it. (*Health Code Sec. 40 (a)*) There is a \$320 fine for failure to pick up.
- **Must have a Bag** - It shall be unlawful for any person to walk a dog on public property of this City or upon the private property of another without carrying at all times a suitable container or other suitable instrument for the removal and disposal of dog feces. (*Health Code Sec. 40 (b)*) There is a \$320 fine for failure to carry a suitable container.

**License Law** - Every person owning, keeping or having control of any dog over the age of four months within the City and County of San Francisco shall within 30 days after the dog attains the age of four months or within 30 days of obtaining the dog, obtain a current license for each dog so owned, kept or controlled. (*Health Code Sec. 41.15 (a)*) The fee for licensing a dog is \$25/year with discounts for multiple year registration, senior citizens, and, most significantly, altered dogs. The fee for violation of the license law is \$32, with legislation pending to increase to \$100.

### **Proposed Compliance Strategies**

#### ***Enforcement***

RPD will

- Enforce the Park Code and the leash law on park property with first priority to enforce prohibitions of dogs in specified areas and second priority hot spots where heightened conflict arises.
- Strategically deploy limited RPD resources to hot spots as determined by Operation P.A.R.K. meetings, RPD dog message line, public input and staff observations.
- Encourage expansion of the RPD Park Ranger forces to allow more frequent and consistent enforcement of leash laws through out the system including reallocation of funds provided to ACC to the hiring of RPD Park Rangers.
- Provide a message line accessed daily by Park Patrol Officers to which the public can report leash law violations. Rangers will identify hot spots, track all complaints received and actions taken.
- Refer calls for immediate assistance with an aggressive or vicious dog to SFPD and ACC as needed, provide number for such calls in voice mail and published materials.
- Explore opportunities for collaboration with SFPD, ECD and ACC for dispatch.

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- Explore feasibility of the Board of Supervisors increasing fines and expanding collection of fines in order to increase funding for enforcement.
- Explore feasibility of issuing warning citations and appropriate tracking system integrated with ACC current system of issuing warning citation including developing standard procedures for the issuing citations, warnings and escalating fines and training rangers in procedures.
- Implement Professional Dog walkers permitting, including seek Board approval of the permit fee for professional dog walkers.
- Explore feasibility of dispatch for Park Rangers.
- Integrate calls for service for Park Rangers with work order function in TMA
- Include staff training to educate the public responsibilities of dog walking in the parks and employee safety in new employee orientation for recreation and gardening staff

### ***Monitoring***

- Report to the Commission on an annual basis the number of complaints received and citations issued
- Direct Park rangers to collect data of all calls received for violations of leash laws
- Establish protocols for callers to call rangers to report off leash dogs.
- Explore feasibility of annually commissioning statistics for all violations of laws involving dogs, including bites and leash law violations from other agencies
- Encourage staff to report problem facilities.
- Analyze biannual results of condition assessment conducted under Proposition C to identify areas used functionally as DPAs for compliance with leash laws
- Once after DAC approval of a DPA, monitor functionality including compliance with boundaries, pooper scooper laws, and leash laws in surrounding areas of the park utilizing RPD DPA evaluation tool. Review periodically.

### ***Education/Signage***

*Signage* - Continue signage program in compliance with new signage standards. Prioritize signage in parks with DPAs to clearly differentiate off leash areas from restricted access areas. Install way finder signage that includes a map of the park and the boundaries of differing functional or use areas including DPAs where financially feasible.

*Bulletin Boards* - Utilize bulletin boards where available for more detailed information. Install bulletin boards as capital dollars are available. Partner with community sponsors to install as gift in place.

*Brochure* - Update and distribute RPD's tri-fold brochure featuring existing DPAs, relevant laws, and provide one number for reporting problems and public inquiries and one number for requesting immediate assistance.

*Public Service Announcements* – Solicit guardians to include information about the locations, features, and rules of conduct for SFRPD dog play areas in newsletters, brochures, and websites targeting San Francisco dog guardians.

### ***Improving Partnerships***

Increase partnerships with other enforcement agencies as well as community based organizations and related City Departments. For all enforcement agencies, aggressive or malicious dogs are the top priority for leash law enforcement. Resources limit enforcement to spot enforcement. Partnerships

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between RPD and other enforcement agencies should be pursued in support of all compliance strategies: enforcement, education, monitoring.

**City Agencies**

- Animal Care and Control:

RPD should collaborate with ACC in establishing educational materials, training of rangers, opportunities to increase licensing, and explore opportunities for collecting data regarding calls to ACC regarding incidents in parks and sharing input mechanism and tracking system for warning citations. Further, RPD should collaborate with ACC to implement the professional dog walkers permitting program as needed.

- SF Police Department:

RPD can expect support from SFPD as follows. The SFPD will respond when dogs pose an immediate threat to public safety. The Vicious and Dangerous Dog Unit will investigate dog bites and aggressive dog incidents. The SFPD infraction response policy (such as responses to off leash dog or littering) will include complaints in parks. Operation P.A.R.K officer will receive increased training in dog-related issues. ACC is expected to collaborate with SFPD to offer such training to SFPD Operation P.A.R.K officers.

- Department of Public Health:

RPD should approach DPH as a potential partner in establishing educational materials, as resources allow.

- Department of the Environment:

RPD should approach DOE as a potential partner in establishing educational materials, as resources allow.

**Community Based Organizations:**

As stated in Sec. 5.3, of the Policy, “RPD strongly believes the greatest voice for following established rules and policies will be from DPA partners and users.”

*DPA Support Groups* - In order to implement Section 4.2 of the Dog Policy, RPD shall develop a template of standard language for every DPA between the Department and an appropriate DPA sponsor group. The template will include RPD and Partner responsibilities including expectations that partners will:

- Steward DPA to uphold policy standards
- Distribute DPA rules and other educational materials to park users
- Serve as good role models
- Ensure DPA is kept free of animal feces
- Alert RPD/Advisory Committee to maintenance needs
- Help establish priorities for repair and renovation
- Schedule routine cleanup/workdays as necessary
- Fundraise to support additional amenities based on DPA needs

The Policy states, “Partners will enter into a MOU/permit agreement with RPD under the auspices of the Advisory Committee. Failure to meet standards and responsibilities set forth in the MOU agreement will subject DPA to review by RPD. RPD retains the right to discontinue activities with any given

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partnership group.” RPD shall engage DPA support groups in regular dialogues addressing areas of mutual concern.

*Licensing* – Explore feasibility of partnering to increase licensing with SF DOG, SPCA, veterinarians and private pet supply vendors.

*Seniors and Disabled* – RPD enforcement policy should allow the flexibility for a disabled/senior access license, allowing qualifying (temperament tested) dogs and guardians limited off leash access in local parks, not designated as DPAs should such a program be sponsored by the Mayor’s Office of Disability or another third party, such as PAWS. Such a policy should only be pursued if resources exist to strictly enforce the qualifications of participants.

*Other Interested Organizations* - Additional examples of partnerships would include children’s signage programs identifying sensitive areas sponsored by environmental groups, educational materials made available to pet guardians at the time of adoption, or sponsors of public service announcements regarding leash laws throughout the city. RPD should pursue such partnerships as resources and opportunities become available.