

MEETING DATE: December 2, 2008

AGENDA ITEM: Consideration of a Recommendation to City Council of Designated Dog Paths within Culver City Park.

ATTACHMENTS

	<u>Pages</u>
A. Possible location of designated dog paths in Culver City Park	1
B. August 14, 2006 City Council Agenda Item A-2: <i>(1) Introduction of an Ordinance Amending Sections 9.01.360 and 9.10.055(A), and Adding Subchapter 9.10.600, of the Culver City Municipal Code Relating to Allowing Dogs on Leashes on Designated Dog Paths in Certain City Parks; and, (2) Adoption of a Resolution Designating Certain Pathways or Walkways of Certain Public Parks as "Pooch Path" and related meeting minutes</i>	2-16
C. Excerpts of the Culver City Municipal Code relating to "Pooch Paths" and associated Sections of the Municipal Code	17-19

POSSIBLE LOCATION OF DESIGNATED DOG PATHS IN CULVER CITY PARK



Jefferson & Duquesne

Restrooms

Boneyard

Babe
Ruth
Field

Designated Dog Paths

**EXCERPT OF THE MINUTES OF THE
REGULAR MEETING OF THE
CITY COUNCIL, CITY OF CULVER CITY,
CALIFORNIA**

August 14, 2006
5:30 P.M.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:30 P.M.

Present: Mayor Gary Silbiger
Vice Mayor Alan Corlin
Councilmember Carol Gross
Councilmember D. Scott Malsin
Councilmember Steven Rose

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-----*Excerpt Begins*-----

Item A-2

Introduction of an Ordinance Amending Section 9.01.360 and 9.10.055(A) and Adding Subchapter 9.10.600, of the Culver City Municipal Code Relating to Allowing Dogs on Leashes on Designated Dog Paths in Certain City Parks; and Adoption of a Resolution Designating Certain Pathways or Walkways of Certain Public Parks as "Pooch Paths."

William La Pointe, Director of Parks, Recreation and Community Services gave the staff report.

The following members of the audience addressed the City Council:

Jeannine Stehlin
Jamie Wallace
Judy Scott
Jean Stout
Robin Slater
Charles Deen

Christopher Armenta, City Clerk read written comments submitted by the following:

Patricia Graf

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER CORLIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL INTRODUCE ORDINANCE NO. 2006-008, AMENDING SECTION 9.01.055 (A) AND ADDING SUBCHAPTER 9.10.600, OF THE CULVER CITY MUNICIPAL CODE RELATING TO ALLOWING DOGS ON LEASHES ON DESIGNATED DOG PATHS IN CERTAIN CITY PARKS, WITH THE FOLLOWING AMENDMENTS:

- DELETE THE PROVISION GIVING THE CITY COUNCIL AUTHORITY TO ESTABLISH BY RESOLUTION A "DESIGNATED DOG PATH" AT ANY CULVER CITY PARK, WITH THE EXCEPTION OF THE LANGUAGE THAT DEFINES THE TERM "DESIGNATED DOG PATH".
- REVISE THE EXCEPTION TO ALLOW DOGS ON LEASHES ON ANY DESIGNATED DOG PATH WITHIN ANY CULVER CITY PARK TO MAKE SUCH EXCEPTION FOR THE DESIGNATED DOG PATH IN CULVER WEST ALEXANDER PARK ONLY.
- REVISE THE LANGUAGE AFFIRMING THE LAW PROHIBITING DOGS ON LEASHES IN PARKS EXCEPT ON ANY DESIGNATED DOG PATH TO SPECIFICALLY REFERENCE ONLY THE DESIGNATED DOG PATH IN CULVER WEST ALEXANDER PARK.

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-----Excerpt Ends-----

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 8/14/06		Item Number: <u>A-2</u>	
AGENDA ITEM: Introduction of an Ordinance Amending Sections 9.01.360 and 9.10.055(A), and Adding Subchapter 9.10.600, of the Culver City Municipal Code Relating to Allowing Dogs on Leashes on Designated Dog Paths in Certain City Parks; and Adoption of a Resolution Designating Certain Pathways or Walkways of Certain Public Parks as “Pooch Paths.”			
Contact Person/Dept.: William La Pointe and Heather Iker		Phone Number: (310) 253-6655	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Master Notification List on 8/10/06; all businesses and residents within a 300-foot radius of Culver West Park were notified via postcard (8/4/06).			
Department Approval: Bill La Pointe (08/03/06)		City Manager Approval: Jerry B. Fulwood (08/09/2006)	
City Controller Approval: Marlee Chang (08/09/2006)			
<u>RECOMMENDATION:</u> Staff recommends the City Council: 1) Introduce an Ordinance (Attachment 1) amending sections 9.01.360 and 9.10.055(a), and adding subchapter 9.10.600, of the Culver City Municipal Code relating to allowing dogs on leashes on designated dog paths in certain City Parks; and, 2) Adopt a Resolution (Attachment 2) designating certain pathways or walkways of certain public parks as “Pooch Paths.” <u>BACKGROUND:</u> In the recent past there has been community discussion regarding whether or not to allow dogs in parks within Culver City so long as they are leashed. At the Parks and Recreation Commission’s request, staff brought a proposed pilot program to allow dogs on leashes in Culver West Park for a period of ninety days before the City Council at their July 25, 2005 meeting (Attachment 3). During the public comment portion of the meeting, Culver West Park Neighborhood residents expressed their concerns about having to go out of their way and walk long distances in order to get to the streets and roadways on the other sides of the park in order to avoid crossing the park while walking their dogs. In response to citizens’ concerns, an alternative motion was brought forward by Council and Council directed staff to come back with			

City of Culver City, California
City Council Agenda Item Report

a plan to allow dogs to pass through Culver West Park when leashed and under the control of a responsible party and so long as the dogs remained on concrete walks and not in the grass (5-0).

On August 17 2005, a site visit to Culver West Park was made by Parks and Recreation Commissioner (now Chair) Vicki Daly Redholtz, PRCS Director William La Pointe, Deputy City Attorney Heather Iker, Scott Malsin (now Council member), acting as the representative of the Culver West Park Neighborhood Association, and Patricia Mooney, PRCS Senior Management Analyst. During that visit, various options for the location for the "Pooch Path" were discussed. The consensus of the group was that the best way to allow dogs to pass through the park would be to give community members who are out walking dogs access to the other streets and walkways along those streets via the sidewalk from Mc Connell Boulevard through the pass through easement to the park to the north of the tot lot and on to Wade and Moore Streets (Attachment 4).

The advantages of having the path in this location were discussed at the October 4, 2005 Parks and Recreation Commission meeting (Attachment 5). These advantages were as follows:

1. Convenience – The sidewalk leads directly from the McConnell Boulevard walkway on the east of the Park to the Wade Street easement on the north. The Wade Street easement is easily accessed by those in the surrounding neighborhood, either by car or on foot.
2. Appropriate surface – Council indicated that concrete should be required for the "Pooch Path."
3. Relatively inexpensive signage – In addition to the appropriate standard signage citing the associated Ordinance, paw prints painted on the sidewalk will be the only other cost associated with marking the path for the public.

At that meeting Commissioner Deen asked about the additional cost if a fence were to be constructed along the playground to protect children in the playground area from the dogs passing by with their owners. It was subsequently determined by staff that such a fence could be included as part of the grant-funded Culver West Alexander Park Improvement Project (P-835). Updates on the status of legal issues related to the "Pooch Path" were given to the Parks and Recreation Commission by Deputy City Attorney Heather Iker at its January 3 and February 7, 2006 meetings.

DISCUSSION

It was recommended by the City Attorney's Office that the most appropriate way to designate a "Pooch Path" at a specific park within Culver City (in this case, Culver

City of Culver City, California
City Council Agenda Item Report

West Alexander Park), would be to amend the Culver City Municipal Code to exempt the use of a “Pooch Path” from the prohibition against dogs in parks, and to adopt a Resolution designating certain pathways or walkways of certain public parks as “Pooch Paths.” Designating a “Pooch Path” at Culver West Alexander Park by Resolution, as opposed to amending the Municipal Code to specifically designate such “Pooch Path”, gives the Council the flexibility to designate “Pooch Paths” in other parks within Culver City should they desire to do so.

FISCAL ANALYSIS:

Costs associated with designating the route as a “Pooch Path” are expected to be approximately \$500.00 for sign, paint and stencils (PRCS Parks Account 10133100.514100 – Departmental Special Supplies). Staff time devoted to the project will be approximately five hours (PRCS Parks Account 10133100.411100).

The cost of a fence between the “Pooch Path” and the children’s playground at Culver West Alexander Park has yet to be determined. This fence is still under consideration, with any expenses being included in the Culver West Park Improvement Project (42300835.730100 – Improvements Other Than Building).

ATTACHMENTS:

1. Proposed Ordinance
2. Proposed Resolution
3. Excerpt of the minutes of the July 25, 2005 City Council Meeting
4. Map of proposed Culver West Park “Pooch Path”
5. Excerpt of the minutes of the October 4, 2005 Parks and Recreation Commission Meeting

MOTION:

That the City Council:

1. Introduce an Ordinance amending sections 9.01.360 and 9.10.055(a), and adding subchapter 9.10.600, of the Culver City Municipal Code relating to allowing dogs on leashes on designated dog paths in certain City Parks; and,
2. Adopt a Resolution designating certain pathways or walkways of certain public parks as “Pooch Paths.”

OR

3. Discuss the item and provide further direction to staff.

MEETING DATE: August 14, 2006

AGENDA ITEM : (1) Introduction of an Ordinance Amending Sections 9.01.360 and 9.10.055(A), and Adding Subchapter 9.10.600, of the Culver City Municipal Code Relating to Allowing Dogs on Leashes on Designated Dog Paths in Certain City Parks; and, (2) Adoption of a Resolution Designating Certain Pathways or Walkways of Certain Public Parks as "Pooch Paths."

ATTACHMENTS

	<u>Pages</u>
1. Proposed Ordinance	1-4
2. Proposed Resolution	5
3. Excerpt of the minutes of the July 25, 2005 City Council Meeting	6-7
4. Map of proposed Culver West Park "Pooch Path"	8
5. Excerpt of the minutes of the October 4, 2005 Parks and Recreation Commission Meeting	9

ORDINANCE NO. 2006-__

AN ORDINANCE OF THE CITY OF CULVER CITY,
CALIFORNIA, AMENDING SECTIONS 9.01.360 AND
9.10.055(A), AND ADDING SUBCHAPTER 9.10.600, OF
THE CULVER CITY MUNICIPAL CODE RELATING TO
ALLOWING DOGS ON LEASHES ON DESIGNATED DOG
PATHS IN CERTAIN CITY PARKS.

WHEREAS, Culver City Municipal Code §§ 9.10.360 and 9.10.055 (A),
currently prohibit any dog from being within any public park, except that dogs are allowed in
the Culver City Dog Park per §§ 9.10.400, *et seq.*; and

WHEREAS, Culver West Alexander Park neighborhood residents have
expressed concerns to the City Council about having to walk their dogs around Culver
West Alexander Park, due to traffic and safety issues; and

WHEREAS, in order to alleviate the concerns of these residents, the City
Council has determined that a "Pooch Path" should be designated in Culver West
Alexander Park, upon which residents or other members of the public would be allowed to
walk their dogs in a safe environment and without interfering with the other activities
occurring in the Park.

NOW, THEREFORE, the City Council of the City of Culver City, California,
DOES HEREBY ORDAIN as follows:

SECTION 1. Section 9.01.360 of the Culver City Municipal Code is hereby
amended to read as follows:

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1 **§ 9.01.360 DOGS RUNNING AT LARGE; PROHIBITION.**

2 It shall be unlawful for any person owning or having charge,
3 care, custody or control of any dog in the City to cause, permit, or
4 allow ~~the same~~ that dog to be ~~or to run~~ at large upon any highway,
5 street, lane, alley, sidewalk, square, median, parkway, court or other
6 public place, or upon any private property or premises other than ~~those~~
7 that of the person owning or having charge, care, custody, or control of
8 ~~such the dog, in the City,~~ unless ~~such that dog be~~ is restrained by a
9 substantial chain or leash not exceeding six (6) feet in length and is in
10 ~~the charge, care, custody or control of such a~~ competent person. In
11 ~~addition to the foregoing, Provided, however, that no person shall~~
12 ~~cause, permit or allow a such dog under that person's charge, care,~~
13 ~~custody or control to shall be allowed or permitted in any of the~~
14 following places: any store, market, restaurant, cafe, lunchroom, soda
15 fountain, bakery or kindred establishments wherein foods for human
16 consumption are served, sold or kept for sale,; or, except as permitted
17 by Section 9.10.400 or 9.10.600, in any public park, ~~except as~~
18 permitted by Section 9.10.400.

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20
21
22 **SECTION 2.** Section 9.01.055(A) of the Culver City Municipal Code is hereby
23 amended to read as follows:

24 **§ 9.10.055 PROHIBITIONS.**

25 Within the limits of any public park, it shall be unlawful for any
26 person:
27
28

1 (A) Having charge, care, custody or control of any dog,
2 except as permitted by Section 9.10.400 or 9.10.600, or other animal,
3 fowl, or reptile to cause, permit, or allow the same to be within the
4 limits of any public park within the City, unless such person shall have
5 obtained a special permit from the City Council to conduct an
6 entertainment or exhibition in which an animal is a participant.
7

8 **SECTION 3.** Subchapter 9.01.600 of the Culver City Municipal Code is
9 hereby added to read as follows:
10

11 **DESIGNATED DOG PATHS**

12 **§ 9.10.600 DESIGNATED DOG PATHS.**

13 A. The City Council may, by resolution, designate any
14 pathway or walkway in any public park as a "Pooch Path." In each
15 park that contains a designated "Pooch Path," there shall be a sign
16 conspicuously displayed, which identifies the location of the "Pooch
17 Path." The pathway or walkway itself shall also be clearly marked with
18 pictures of paw prints to identify it as a "Pooch Path."
19

20 B. Notwithstanding any other provision in this Code, a
21 person may have charge, care, custody or control of any dog upon any
22 pathway or walkway of any public park, which has been designated by
23 resolution of the City Council as a "Pooch Path;" provided, that such
24 dog is at all times restrained by a competent person by a substantial
25 chain or leash not exceeding six (6) feet in length. Nothing in this
26 Section shall permit or allow any person having charge, care, custody
27
28

1 or control of any dog to permit or allow that dog to be in any portion of
2 any public park, except for the Culver City Dog Park as permitted by
3 Section 9.10.400, other than on a designated "Pooch Path."

4 **SECTION 4.** Pursuant to Section 619 of the City Charter, this
5 Ordinance shall take effect thirty (30) days after the date of its adoption. Pursuant to
6 Sections 616 and 621 of the City Charter, prior to the expiration of fifteen (15) days after
7 the adoption, the City Clerk shall cause this Ordinance, or a summary thereof, to be
8 published in the Culver City News and shall post this Ordinance or a summary thereof in at
9 least three places within the City.

11 **SECTION 5.** The City Council hereby declares that, if any provision, section,
12 subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared
13 invalid or unconstitutional by any final action in a court of competent jurisdiction or by
14 reason of any preemptive legislation, then the City Council would have independently
15 adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases
16 or words of this ordinance and as such they shall remain in full force and effect.

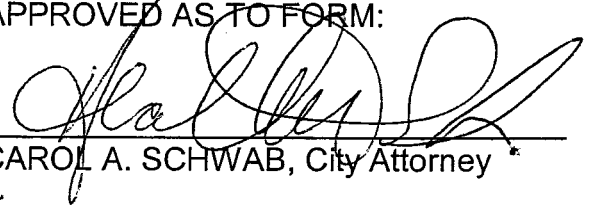
18 APPROVED AND ADOPTED this _____ day of _____, 2006.

23 ATTEST:

25 _____
26 CHRISTOPHER ARMENTA, City Clerk

22 GARY SILBIGEER, Mayor
City of Culver City, California

23 APPROVED AS TO FORM:

24 
25 _____
26 CAROL A. SCHWAB, City Attorney
27 for

Attachment 2

RESOLUTION NO. 2006-R_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY,
CALIFORNIA, DESIGNATING CERTAIN PATHWAYS OR WALKWAYS OF
CERTAIN PUBLIC PARKS AS "POOCH PATHS."**

WHEREAS, Culver City Municipal Code Section 9.10.600(A) provides that the City Council, by resolution, may designate any pathway or walkway in any public park as a "Pooch Path."

NOW, THEREFORE, the City Council of the City of Culver City, California, DOES HEREBY RESOLVE, as follows:

SECTION 1. Each pathway within the public park listed below, which has been clearly marked with pictures of paw prints and identified by a conspicuously displayed sign, shall be designated as a "Pooch Path:"

- Culver West Alexander Park

SECTION 2. This resolution shall take effect concurrently with Ordinance No. 2006-_____.

APPROVED and ADOPTED this _____ day of _____, 2006.

GARY SILBIGER, Mayor
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:

CHRISTOPHER ARMENTA, City Clerk


for CAROL A. SCHWAB, City Attorney

**EXCERPT OF THE MINUTES OF THE
REGULAR MEETING OF THE
CITY COUNCIL, CITY OF CULVER CITY,
CALIFORNIA**

July 25, 2005
6:00 P.M.

Call to Order & Roll Call

The meeting of the City Council was called to order at 6:00 P.M.

Present: Mayor Albert Vera
Vice Mayor Gary Silbiger
Councilmember Alan Corlin
Councilmember Carol Gross
Councilmember Steven Rose

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Item A-2

Consideration of a Proposed Pilot Program to Allow Dogs on Leashes in Culver West Park for a Period of Ninety Days; and Consideration of Introduction of an Ordinance Amending Culver City Municipal Code Sections 9.01.360 and 9.10.055(A), Relating to the Prohibition of Dogs Running at Large and in Public Parks, in Order to Implement the Pilot Program.

Mayor Vera requested that spokespersons be chosen to represent those in favor of the proposed program and to represent those against.

The following members of the audience addressed the City Council, speaking against the proposed pilot program:

Jeannine Stehlin
Jamie Wallace
Dena Snedden
Eleanor Osgood
Rich Waters
Elizabeth Wheat
June Walden
Emily Glick
Anita Shapiro, member, Culver City Parks and Recreation Commission

The following members of the audience addressed the City Council, speaking in favor of the proposed pilot program:

Jay Handal
Patricia Graf
Susan and Josh Kirchoff
Deborah Shands
Judy Scott
Jeff Cooper, member, Culver City Parks and Recreation Commission
David Hoyt
Mary E. McCallum
Judy Leviton
Lisa Michel

William LaPointe, Director of Parks, Recreation and Community Services gave the staff report.

Discussion ensued regarding staffing required for this pilot program; health concerns; and allowing residents near Culver West Park to walk their dogs through the park in order to provide easier access to streets on the other side of the park.

Following discussion, the following motions were made:

MOVED BY COUNCILMEMBER GROSS AND SECONDED BY COUNCILMEMBER ROSE, THAT THE CITY COUNCIL RECONFIRM THE CURRENT ORDINANCE AS IT STANDS WHICH PROHIBITS DOGS IN PARKS WITH THE EXCEPTION OF THE DOG PARK.

AYES: Councilmembers Corlin, Gross, Rose, Vera

NOES: Councilmember Silbiger

ABSTAIN: None

ABSENT: None

MOVED BY COUNCILMEMBER GROSS, SECONDED BY COUNCILMEMBER ROSE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL DIRECT STAFF TO ASSESS AND BRING BACK A RECOMMENDATION AS TO WHETHER THERE IS A WAY IN CULVER WEST PARK TO PERMIT DOGS, ON PAVEMENT, TO GO FROM THE PARKING LOT TO THE PASS-THROUGHS TO THE ADJACENT NEIGHBORHOODS (TO MOORE STREET AND TO MCCONNELL BLVD.).

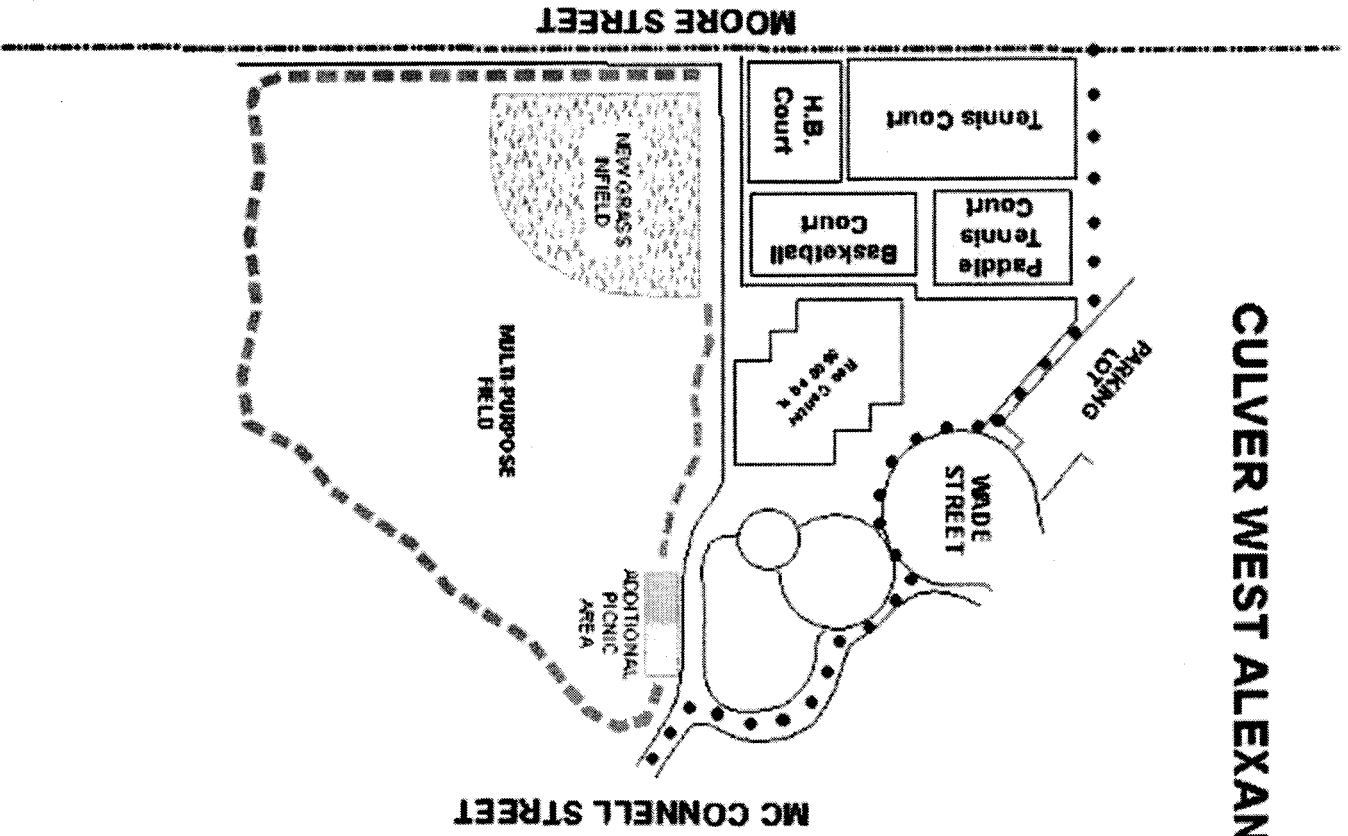
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CULVER WEST
ALEXANDER PARK
4162 WADE ST
CULVER CITY

CULVER WEST ALEXANDER PARK



- City Boundary
- Proposed Jogging Trail
- POOCH PATH



Attachment 5

**EXCERPT OF THE MINUTES OF THE
REGULAR MEETING OF THE
PARKS AND RECREATION COMMISSION
CITY OF CULVER CITY, CALIFORNIA**

October 4, 2005
7:00 p.m.

CHAIR JEANETTE JAMES

Item A-2.
(8:28 p.m.)

Update on the status of the “Pooch Path” at Culver West Park.

Bill La Pointe gave the staff report, pointing out the proposed path on the diagram.

The following members in the audience addressed the Commission:

Scott Malsin said that the path is a great idea, something the neighborhood has been asking for at their regular meetings.

Judy Scott said everyone on Wade Street favors the idea.

Commissioner Deen asked about the cost of a fence along the playground to protect children from dogs.

Mr. La Pointe said staff could get a cost estimate.

Commissioner Cooper asked if this item could be brought back to the Commission next month as an action item.

Staff responded that once the legal issues have been finalized, the item will come back to the Commission before it goes to the City Council for approval.

MOVED BY COMMISSIONER DALY REDHOLTZ, SECONDED BY COMMISSIONER DEEN
AND CARRIED BY A 4-0 VOTE, TO RECEIVE AND FILE THE STAFF REPORT
REGARDING THIS ITEM.

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Attachment C

Excerpts of the Culver City Municipal Code Relating to
"Pooch Paths" and Associated Sections of the Municipal Code

§ 9.01.360 DOGS RUNNING AT LARGE; PROHIBITION.

It shall be unlawful for any person owning or having charge, care, custody or control of dog in the City to cause, permit or allow the same to be or to run at large upon any highway, street, lane, alley, sidewalk, median, parkway, court or other public place, or upon any private property or premises other than those of the person owning or having charge, care, custody or control of such dog, unless that dog be restrained by a substantial chain or leash not exceeding six (6) feet in length, and is in the control of a competent person. In addition to the foregoing, no person shall cause, permit or allow a dog under that person's charge, care, custody or control to be in any of the following places: any store, market, restaurant, cafe, lunchroom, soda fountain, bakery or kindred establishments wherein foods for human consumption are served, sold or kept for sale; or, except as permitted by § 9.10.400 or § 9.10.600, in any public park.

('65 Code, § 5-42) (Ord. No. CS-415 §3.1; Ord. No. 2004-015 §1; Ord. No. 2006-008 §1)

§ 9.10.055 PROHIBITIONS.

Within the limits of any public park it shall be unlawful for any person:

A. Having charge, care, custody or control of any dog, except as permitted by § 9.10.400 or § 9.10.600, or other animal, fowl, or reptile to cause, permit or allow the same to be within the limits of any public park within the City, unless such person shall have obtained a special permit from the City Council to conduct an entertainment or exhibition in which an animal is a participant.

('65 Code, § 5-12) (Ord. No. CS-290; Ord. No. CS-405 § 1; Ord. No. 2004-015 § 2; Ord. No. 2006-008 § 2)

OFF-LEASH DOG PARK

§ 9.10.400 RULES AND REGULATIONS.

Notwithstanding any other provision in this Code, a person may have charge, care, custody or control of any dog in that portion of Culver City Park designated as the Culver City Dog Park (the "Dog Park"), subject to all the following conditions enumerated in this Section.

A. The person who has charge, care, custody or control of any dog:

1. Must ensure the dog is currently licensed, vaccinated and over the age of four (4) months, and provide proof of licensing upon request by any City official;
2. Must not allow more than three (3) dogs to be in his or her charge, care, custody or control while in the Dog Park;

Excerpts of the Culver City Municipal Code Relating to
"Pooch Paths" and Associated Sections of the Municipal Code

3. Must use the appropriate areas of the Dog Park designated for "Small/Timid" or "Large" dogs;

4. Is required to pick-up and dispose of the dog's feces in trash receptacles both in and out of the Dog Park;

5. Must remain with the dog at all times while using the Dog Park, and is solely liable for any and all injuries and/or damage caused by the dog;

6. Shall not permit a dog with a known communicable disease in the Dog Park at any time;

7. Shall not permit a female dog in heat in the Dog Park;

8. Shall not permit an aggressive dog in the Dog Park;

9. Must have the dog restrained by a substantial chain or leash not exceeding six (6) feet in length at all times, except while inside the fenced areas of the Dog Park; and

10. Must remove any pronged or spiked collar or choke collar from the dog prior to entry.

B. Children twelve (12) years of age and under are not permitted in the Dog Park, unless accompanied and supervised by an adult at all times.

C. No person shall bring a stroller, carriage, baby carrier, bicycle, skateboard, scooter, children's toy, food, dog toy, dog treat or dog food in the Dog Park.

D. No person shall bring any animal, other than a dog, into the Dog Park.

E. 1. No person shall conduct any activity at the Dog Park which may be an immediate danger to the public's health, safety and welfare.

2. Such activity must cease immediately when asked to do so by a City official.

F. 1. Smoking is prohibited in the Dog Park.

2. The inhaling, exhaling, burning or carrying of any lighted pipe, cigar, cigarette, weed, plant or other combustible substance in any manner or any form is prohibited.

G. No person shall enter or use the Dog Park when it is closed.

H. No person shall operate or conduct a business within the Dog Park, unless permitted by the City.

Excerpts of the Culver City Municipal Code Relating to “Pooch Paths” and Associated Sections of the Municipal Code

I. The use of the Dog Park in the City by an owner of a dog or by a person having charge, care, custody or control of a dog shall constitute an agreement, by said owner or person having charge, care, custody or control of a dog, to protect, indemnify, defend and hold harmless the City from any claim of injury or damage arising from or in connection with the use of the Dog Park, including but not limited to, injuries arising from dog bites.

J. 1. A person entering, using or visiting the Dog Park expressly assumes the risk of any injury or damage which may arise from or in connection with such entrance, visit or use of the Dog Park, including but not limited to, injuries resulting from dog bites.

2. The City shall not be liable for injuries or damages arising from or in connection with the use of the Dog Park, including but not limited to, injuries resulting from dog bites, by an owner of a dog or by a person having charge, care, custody or control of a dog.

(Ord. No. 2004-015, § 3)

§ 9.10.405 PENALTIES.

Any person who violates or fails to comply with any provision of § 9.10.400 shall be guilty of an infraction, and may be subject to a fine not to exceed \$100 per violation.

(Ord. No. 2004-015, § 4)

DESIGNATED DOG PATHS

§ 9.10.600 DESIGNATED DOG PATHS.

A. Notwithstanding any other provision in this Code, a person may have charge, care, custody or control of any dog upon the designated dog path in Culver West Alexander Park; provided such dog is at all times restrained by a substantial chain or leash not exceeding six (6) feet in length, in the control of a competent person.

B. For purposes of this Section, **DESIGNATED DOG PATH** shall mean the pathway in Culver West Alexander Park that is identified by a conspicuously displayed sign indicating that it is a **DESIGNATED DOG PATH**, and where the pathway itself is marked with pictures of paw prints.

C. Nothing in this Section shall permit or allow any person having charge, care, custody or control of any dog to permit or allow that dog to be in any portion of any public park, except as permitted by § 9.10.400, other than on the designated dog path in Culver West Alexander Park.

(Ord. No. 2006-008 § 3)