

BEFORE THE CITY COUNCIL OF THE CITY OF ORINDA

Ordinance 25-01

In the Matter of:

An Ordinance Amending the Orinda Municipal Code Section 12.28.230 to Authorize Off-Leash Dogs at Designated Areas of City Parks Consistent with Posted Regulations

WHEREAS, section 12.28.230(D) of the Parks Chapter of the Orinda Municipal Code generally prohibits off-leash dogs in City parks;

WHEREAS, section 12.28.230 of the Parks Chapter of the Orinda Municipal Code additionally prohibits dogs on all sports fields, tot lots and sand play areas, unless they are performing duties as service animals as required by the Americans with Disabilities Act and other similar laws; and

WHEREAS, the City Council would like to allow for limited off-leash dog access to certain park properties;

NOW THEREFORE, the City Council of the City of Orinda does ORDAIN as follows:

**SECTION 1.** The City Council of the City of Orinda intends, by adopting this ordinance, to create the opportunity for park visitors to allow their dogs off-leash in designated areas of City parks, consistent with posted regulations. The City Council intends for such regulations to be established pursuant to Orinda Municipal Code section 12.28.040 (Adoption of regulations), which states: "Subject to review and approval by the Parks and Recreation Commission, the Director may adopt and shall post regulations governing the use of a park facility. Each regulation shall be consistent with this chapter." The City Council intends for the designated off-leash areas to be in City parks used for open space recreation, not in developed and/or programmed areas such as sports fields, tot lots, sand play areas, and picnic areas rented to the public. If the City constructs a fenced dog park in the future, off-leash dogs would be allowed in that amenity.

**SECTION 2.** The following section of the Municipal Code is amended as specified below and in Exhibit A. Exhibit A shows additions with double underline text and deletions with strike-out text.

Provision	Action
Section 12.28.230(D)	New text to be added as shown in Exhibit A

**SECTION 3.** This ordinance becomes effective 30 days after adoption.

**SECTION 4.** The City Clerk shall either (a) have this ordinance published once within 15 days after adoption in a newspaper of general circulation, or (b) have a summary of this ordinance published twice in a newspaper of general circulation, once five (5) days before its adoption and again within 15 days after adoption.

Following a duly noticed public hearing, the foregoing ordinance was introduced at a regular meeting of the City Council of the City of Orinda held on December 3, 2024 and was adopted and ordered published at a regular meeting held on January 7, 2025 by the following vote:

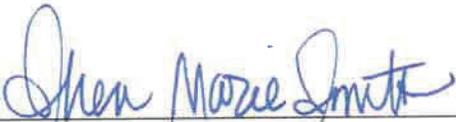
AYES: COUNCILMEMBERS: Gee, Hoxie, Iverson, Malkani  
NOES: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: Riley



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Latika Malkani, Mayor

ATTEST:



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Sheri M. Smith, City Clerk

Exhibit A: Changes to Municipal Code

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12.28.230 - Animals.

It is a violation of this chapter to do any of the following acts in a City park:

- A. Hunt, molest, harm, provide a noxious substance to, frighten, kill, trap, chase, tease, shoot or throw a missile at an animal or remove the young, eggs or nest of an animal;
- B. Abandon an animal, dead or alive;
- C. Remove an animal one does not own;
- D. Permit a dog owned or in one's possession in a City park, unless the dog is under complete control at all times by a leash, except that dogs may be allowed off leash in designated areas, consistent with posted regulations~~or~~;
- E. Permit a dog on a City sports field at any time, except as otherwise provided by subsection J. below;
- F. Permit a dog owned or in one's possession to defecate on a public street, sidewalk, parkway or facility in a park without immediately removing the resulting excrement. A person shall properly dispose of the excrement by placement in a public refuse receptacle at the time of occurrence;
- G. Permit a dog to go into City tot lots or sand play areas, except as otherwise provided by subsection J. below;
- H. Permit cattle, sheep, goats, horses or other animals owned or in one's possession to graze within the boundaries of a City park without the prior written approval of the Director;
- I. Ride or lead a horse, pony, mule, burro or other animal onto or over real property within a City park other than at times and upon roads or trails designated and posted for riding of animals;
- J. Notwithstanding the above, where required for compliance with the Americans with Disabilities Act and other similar laws, this section shall not apply to any service animal used to assist a person with a disability.

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