

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

**ITEM NUMBER:** 19

**DATE:** February 16, 1999

**STAFF:** Tom Shoemaker/  
Virgil Taylor

### **SUBJECT:**

First Reading of Ordinance No. 29, 1999, Amending Chapter 4 of the City Code to Add an Exception to the Prohibition Against Animals at Large and Clarify the Existing Exception for Police Dogs.

### **RECOMMENDATION:**

Staff recommends adoption of the Ordinance on First Reading.

### **EXECUTIVE SUMMARY:**

This Ordinance is a companion to the previous ordinances that establish regulatory provisions for activities in the City's natural areas, and recreation areas. The natural areas ordinance allows the City's Office of Community Planning and Development Services ("CPES") to permit certain activities, including training of search and rescue dogs, off leash on selected sites in the City's natural areas. The parks and recreation areas ordinance allows the City's Office of Cultural, Library and Recreational Services ("CLRS") to permit certain activities, including training of search and rescue dogs, off leash on selected sites in the City's recreation areas. This amendment to the provision relating to animals at large is needed to implement those ordinances.

### **BACKGROUND:**

CPES is presenting an ordinance (also on the February 16 agenda) governing management of natural areas. The ordinance contains provisions which would allow the department to permit certain activities, including training of search and rescue dogs, off leash in certain natural areas. The actual sites for which permits will be issued will be determined by staff, with the first permit expected to have a two year term.

CLRS is also presenting an ordinance (also on the February 16 agenda) governing management of parks and recreation areas. The ordinance contains provisions which would allow the department to permit certain activities, including training of search and rescue dogs, off leash in certain recreation areas. The actual sites for which permits will be issued will be determined by staff, with the first permit expected to have a two year term.

Detailed information on this issue appears in the agenda material for the natural areas ordinance and recreation areas ordinance. The existing animals at large provision in the Code does not allow for any variance to the requirement that animals be on leash. The proposed change would simply allow

CPES and CLRS to issue permits for specified activities pursuant to the new Code provisions to be established in new Articles XIII and IX of Chapter 23 of the City Code, respectively.

In addition, in view of discussions that have taken place regarding the issue of search and rescue dog training, staff is proposing that the "police dog" exception to the provision be revised to clarify the scope of that exception.

ORDINANCE NO. 29, 1999  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING CHAPTER 4 OF THE CODE OF THE CITY  
TO ADD AN EXCEPTION TO THE PROHIBITION AGAINST  
ANIMALS AT LARGE AND TO CLARIFY THE EXISTING  
EXCEPTION FOR POLICE DOGS

WHEREAS, the City, pursuant to Section 25-72 (a) of the Code, has acquired and designated natural areas to benefit the citizens of Fort Collins; and

WHEREAS, the City is responsible for managing its natural areas in a manner that protects the natural features and functions for which the sites were acquired, and for managing human use of the natural areas so that visitor enjoyment and safety and the features and functions of the natural areas are appropriately protected; and

WHEREAS, the City has acquired and developed an extensive system of parks, trails, and recreation areas (hereafter collectively referred to as "recreation areas") including numerous community and neighborhood parks, designated trails, and three public golf courses for the benefit of the citizens of Fort Collins; and

WHEREAS, the City desires to manage the use of the natural areas and recreation areas so that visitor enjoyment, safety and the areas themselves are appropriately protected; and

WHEREAS, the Council has determined that a system to permit the limited use of some portions of those areas for activities expressly permitted in natural areas and recreation areas, such as the training of search and rescue dogs by governmental or non-profit organizations, could be administered in a manner consistent with the City's responsibilities for the management of the natural areas and recreation areas; and

WHEREAS, based on the foregoing, the Council desires to amend the existing prohibition against animals at large in the city to allow the issuance of permits for unrestrained dogs on city natural areas and recreation areas for the purposes described above; and

WHEREAS, the Council has also determined that clarification of the existing language regarding law enforcement dogs to minimize future confusion with regard to the scope of that exception would be beneficial.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Section 4-93 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 4-93. Animals at large prohibited.**

(a) All pet animals, except birds, shall be kept under restraint. It shall be unlawful for the owner or keeper of any pet animal, except birds, to permit such animal to be at large in the city. The following shall be exempt from this prohibition:

- (1) Dogs under the control of a public law enforcement agency ~~Police dogs on duty or in training shall be exempt from this provision.~~
- (2) Dogs not under restraint in a city natural area or recreation area pursuant to an applicable permit issued under Article VIII or Article IX of Chapter 23.

Introduced, considered favorably on first reading, and ordered published this 16th day of February, A.D. 1999, and to be presented for final passage on the 2nd day of March, A.D. 1999.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading this 2nd day of March, A.D. 1999.

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Mayor

ATTEST:

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City Clerk