

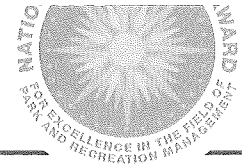


CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE

2760 N. Studebaker Road, Long Beach, CA 90815-1697
(562) 570-3100 • FAX (562) 570-3109
www.LBParks.org

ORD-22



selected
best in the nation

March 17, 2015

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Declare Ordinance amending Section 6.16.310 of the Long Beach Municipal Code, relating to the dog exercise area on the beach, read the first time and laid over to the next regular meeting of the City Council for final reading. (District 3)

DISCUSSION

On June 11, 2003, the California Coastal Commission (Coastal Commission) approved Coastal Development Permit No. 5-03-030 designating a 2.9-acre beach area, located at 4300 E. Ocean Boulevard, as an unfenced off-leash dog exercise/play zone area for a 12-month pilot period. Since that time, the permit has been amended to eliminate the pilot period and to expand the dog exercise/play zone area from 2.9 acres to 4.1 acres. On December 11, 2014, the Coastal Commission approved the installation of 12 removable dog-themed delineators that will easily identify the boundaries of the 4.1-acre dog exercise/play zone area. The proposed Ordinance will reflect the revised boundaries as approved by the Coastal Commission.

This matter was reviewed by Deputy City Attorney Kendra L. Carney on February 2, 2015, and by Budget Management Officer Victoria Bell on January 29, 2015.

TIMING CONSIDERATIONS

City Council action is requested on March 17, 2015, in order to implement the Ordinance in a timely manner, and to ensure compliance with Coastal Development Permit No. 5-03-030.

HONORABLE MAYOR AND CITY COUNCIL
March 17, 2015
Page 2

FISCAL IMPACT

There is no fiscal impact or job impact associated with the recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION AND MARINE

GC:EH

Attachments: Ordinance
Redline

APPROVED:



PATRICK H. WEST
CITY MANAGER

OFFICE OF THE CITY ATTORNEY
CHARLES PARKER, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

REDLINE

6.16.310 Dog exercise area on the beach.

Notwithstanding any other ordinance or rules of the City of Long Beach, dogs may be permitted, during the below mentioned times of day, on that part of the beach of the City of Long Beach bounded between ~~the halfway point between Argonne and St. Joseph Avenues~~ Granada Avenue (the eastern boundary) and ~~the halfway point between Roycroft and Quincy Avenues~~ (the western boundary) from the water line to the designated boundary markers located approximately sixty (60) yards from the water line (the northern boundary) to be designated by appropriate posting by the Department of Parks, Recreation and Marine. Dogs are permitted on this designated part of the beach for the purpose of exercise. The hours that dogs may be so on the beach shall be set at the discretion of the Director of the Department of Parks, Recreation and Marine.

Permission for dogs to be on this designated area of the beaches of the City of Long Beach may be revoked at any time by the Director of the Department of Parks, Recreation and Marine by appropriate posting at the designated area mentioned above.

With regard to said use of this designated part of the beach of the City of Long Beach:

- A. The dog exercise area must be accessed from the adjacent parking lot in a ninety degree (90°) angle to the marked boundaries of the dog exercise area.
- B. Each dog must be under the control of an adult person responsible for the dog, and only one (1) dog per adult is permitted. The dog must be under visual and voice control by the person responsible at all times. Dogs that do not respond to voice commands are not permitted.
- C. All dogs must wear a collar with current tags.
- D. All dogs must have current vaccinations and licenses.
- E. As a condition of admission to such dog exercise area, the person responsible for such dog shall use a suitable container or instrument to remove dog feces and shall dispose of it in waste containers provided for that purpose.

1 F. Dogs previously declared vicious pursuant to this Chapter, and/or
2 any other State law or local ordinance, and aggressive dogs are not permitted. The
3 persons responsible for such dogs are legally responsible for any injury caused by their
4 dog(s).

5 G. Dogs shall not be left unattended.

6 H. Dogs under four (4) months old are not permitted.

7 I. Female dogs in estrus (heat cycle) are not permitted.

8 J. Professional dog trainers may not use the dog exercise area to
9 conduct classes or individual instruction.

10 K. Children shall be accompanied by an adult and shall not run, shout,
11 scream, wave their arms, or otherwise excite or antagonize dogs.

12 L. Bicycles, rollerblades, roller skates, skateboards, strollers and the
13 like, are not permitted. Wheelchairs and other aids for the disabled are permitted.

14 M. Spiked collars on dogs are not permitted.

15 N. The person responsible for a dog must have in his/her possession a
16 leash for the dog which shall be worn by the dog at all times that the dog is
17 ingressing/egressing the dog exercise area.

18 O. The person responsible for a dog shall provide drinking water for
19 their dog.

20 P. No food of any kind is permitted in the dog exercise area during the
21 designated hours.

22 Q. The person responsible for a dog shall otherwise comply with all
23 rules governing the beaches and relevant parking regulations.

24 R. No one shall play any team sport including, but not limited to,
25 football, baseball, soccer, rugby and volleyball during the designated dog exercise hours.
26 The use of a frisbee or a small, retrievable ball is permitted.

27 S. Use of the dog exercise area by the dog shall constitute implied
28 consent of the person responsible for the dog to all regulations and shall constitute a

1 waiver of liability to the City of Long Beach and an agreement to protect, defend,
2 indemnify, and hold harmless the City of Long Beach, its officials and employees for any
3 injury or damage caused by a dog when the dog is not on a leash.

4 T. The Director of the Department of Parks, Recreation and Marine shall have the
5 discretion to terminate the program.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

OFFICE OF THE CITY ATTORNEY
CHARLES PAINO, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona Beach, CA 90802-4664

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SECTION 6.16.310 RELATING TO THE EXERCISE OF DOGS UPON A DESIGNATED PORTION OF THE BEACH OF THE CITY OF LONG BEACH

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 6.16.310 of the Long Beach Municipal Code is amended to read as follows:

6.16.310 Dog exercise area on the beach.

Notwithstanding any other ordinance or rules of the City of Long Beach, dogs may be permitted, during the below mentioned times of day, on that part of the beach of the City of Long Beach bounded between Granada Avenue (the eastern boundary) and Roycroft Avenue (the western boundary) from the water line to the designated boundary markers located approximately sixty (60) yards from the water line (the northern boundary) to be designated by appropriate posting by the Department of Parks, Recreation and Marine. Dogs are permitted on this designated part of the beach for the purpose of exercise. The hours that dogs may be so on the beach shall be set at the discretion of the Director of the Department of Parks, Recreation and Marine. Permission for dogs to be on this designated area of the beaches of the City of Long Beach may be revoked at any time by the Director of the Department of Parks, Recreation and Marine by appropriate posting at the designated area mentioned above.

1 With regard to said use of this designated part of the beach of the City of
2 Long Beach:

3 A. The dog exercise area must be accessed from the
4 adjacent parking lot in a ninety degree (90°) angle to the marked
5 boundaries of the dog exercise area.

6 B. Each dog must be under the control of an adult person
7 responsible for the dog, and only one (1) dog per adult is permitted. The
8 dog must be under visual and voice control by the person responsible at all
9 times. Dogs that do not respond to voice commands are not permitted.

10 C. All dogs must wear a collar with current tags.

11 D. All dogs must have current vaccinations and licenses.

12 E. As a condition of admission to such dog exercise area,
13 the person responsible for such dog shall use a suitable container or
14 instrument to remove dog feces and shall dispose of it in waste containers
15 provided for that purpose.

16 F. Dogs previously declared vicious pursuant to this
17 Chapter, and/or any other State law or local ordinance, and aggressive
18 dogs are not permitted. The persons responsible for such dogs are legally
19 responsible for any injury caused by their dog(s).

20 G. Dogs shall not be left unattended.

21 H. Dogs under four (4) months old are not permitted.

22 I. Female dogs in estrus (heat cycle) are not permitted.

23 J. Professional dog trainers may not use the dog
24 exercise area to conduct classes or individual instruction.

25 K. Children shall be accompanied by an adult and shall
26 not run, shout, scream, wave their arms, or otherwise excite or antagonize
27 dogs.

28 L. Bicycles, rollerblades, roller skates, skateboards,

1 strollers and the like, are not permitted. Wheelchairs and other aids for the
2 disabled are permitted.

3 M. Spiked collars on dogs are not permitted.

4 N. The person responsible for a dog must have in his/her
5 possession a leash for the dog which shall be worn by the dog at all times
6 that the dog is ingressing/egressing the dog exercise area.

7 O. The person responsible for a dog shall provide drinking
8 water for their dog.

9 P. No food of any kind is permitted in the dog exercise
10 area during the designated hours.

11 Q. The person responsible for a dog shall otherwise
12 comply with all rules governing the beaches and relevant parking
13 regulations.

14 R. No one shall play any team sport including, but not
15 limited to, football, baseball, soccer, rugby and volleyball during the
16 designated dog exercise hours. The use of a frisbee or a small, retrievable
17 ball is permitted.

18 S. Use of the dog exercise area by the dog shall
19 constitute implied consent of the person responsible for the dog to all
20 regulations and shall constitute a waiver of liability to the City of Long
21 Beach and an agreement to protect, defend, indemnify, and hold harmless
22 the City of Long Beach, its officials and employees for any injury or
23 damage caused by a dog when the dog is not on a leash.

24 T. The Director of the Department of Parks, Recreation
25 and Marine shall have the discretion to terminate the program.

26
27 Section 2. The City Clerk shall certify to the passage of this ordinance by
28 the City Council and cause it to be posted in three (3) conspicuous places in the City of

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the
2 Mayor.

3 I hereby certify that the foregoing ordinance was adopted by the City
4 Council of the City of Long Beach at its meeting of _____,
5 2015, by the following vote:

6
7 Ayes: Councilmembers: _____
8 _____
9 _____
10 _____

11 Noes: Councilmembers: _____
12 _____

13 Absent: Councilmembers: _____
14 _____

15
16
17 _____
18 City Clerk

19
20 Approved: _____
21 (Date) Mayor

22
23
24
25
26
27
28