

ORDINANCE NO. .
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO
STATE OF CALIFORNIA

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**INTRODUCTION OF AN ORDINANCE AMENDING SECTION 3.68.180(f) OF
CHAPTER 3.68, MODIFYING THE FINES FOR VIOLATIONS OF DOG-RELATED
RESTRICTIONS FOR SAN MATEO COUNTY PARKS AND RECREATION AREAS**

The Board of Supervisors of the County of San Mateo, State of California,

ORDAINS as follows:

SECTION 1: The Board of Supervisors of the County of San Mateo (“County”) hereby finds and declares as follows:

WHEREAS, the San Mateo County Parks Department (“Department”) manages 22 parks and recreation areas and over 16,000 acres of park land throughout the County; and

WHEREAS, Chapter 3.68 of the County’s Ordinance Code previously prohibited park visitors from recreating in County parks and recreation areas with dogs; and

WHEREAS, on November 6, 2018, the Board of Supervisors adopted Ordinance No. 4805, which amended Chapter 3.68 to allow for legal recreation with dogs in designated and signed areas of certain County parks and recreation areas; and

WHEREAS, the Board of Supervisors adopted Ordinance No. 4805 to resolve conflicts between Chapter 3.68 and the Department’s dog-management practices, provide for fairer and more effective enforcement of Chapter 3.68, implement the recommendations of the Dog Management Committee created by the Parks and Recreation Commission, and provide appropriate opportunities for dog recreation in

County parks and recreation areas while protecting the natural resources of those areas, uses by other visitors, and visitor safety; and

WHEREAS, Ordinance No. 4805 established fines for violations of Section 3.68.180 and, in Section 3.68.180(f), set the fines for such violations at \$100, \$200, and \$500 for the first, second, and subsequent violations, respectively, in a single 12-month period; and

WHEREAS, in the process of establishing the administration system for the fines set in Section 3.68.180(f), the Department learned that the \$100, \$200, and \$500 fines would carry substantial processing costs, such that the actual cost of each fine—the base fine plus processing costs—would far exceed what the Board of Supervisors had envisioned when it adopted Ordinance No. 4805; and

WHEREAS, the Board of Supervisors wishes to amend Section 3.68.180 for the sole purpose of lowering the fines set forth in Section 3.68.180(f), such that the actual costs of the fines approximate the \$100, \$200, and \$500 fines adopted as part of Ordinance No. 4805.

SECTION 2: Section 3.68.180 is hereby amended and shall read, in its entirety, as follows:

3.68.180 - Dogs.

- (a) No dogs shall be permitted in any San Mateo County Park or Recreation Area, unless such area is specifically designated and signed to allow dogs. This subsection shall not apply to (i) service dogs under physical control, specifically trained to assist persons with disabilities in accordance with the American's with Disabilities Act or (ii) a "police dog" under the control of a peace officer.
- (b) In any San Mateo County Park or Recreation Area where dogs are allowed, no person shall have more than three dogs.
- (c) No person shall cause or allow any dog under his or her ownership, possession, or control to enter or remain in any San Mateo County Park or Recreation Area unless

the dog is licensed as required by the County of San Mateo, is wearing around its neck a collar and valid license tag, and the owner or possessor of the dog complies with all other conditions of this section 3.68.180.

- (d) In any San Mateo County Park or Recreation Area where dogs are allowed, no person shall cause or allow any dog under his or her ownership, possession, or control to enter or remain in such area unless such person restrains such dog, at all times, with a leash not to exceed six (6) feet in length (sixteen (16) feet when unretracted) and insures that the leash and control by the person are sufficient to prevent endangering other persons or animals. Where dogs are permitted only on designated trails, any dog shall be restricted to the designated trails at all times and shall not be allowed to enter the natural habitat abutting the designated trails.
- (e) Any person bringing a dog into any San Mateo County Park or Recreation Area shall immediately remove any feces deposited by such dog. Dog feces must be placed in garbage cans or removed from the San Mateo County Park or Recreation Area. No person shall bring a dog into any San Mateo County Park or Recreation Area without carrying at all times a suitable container or other suitable instrument for the removal and disposal of dog feces.
- (f) A violation of the provisions of this section shall be an infraction. Any person to whom a citation is issued for a violation of this section shall be subject to a base fine of:
 - (1) Five Dollars (\$5) for a first violation;
 - (2) Thirty Dollars (\$30) for a second violation within a period of one year from the first violation; and
 - (3) One Hundred Dollars (\$100) for each additional violation within a period of one year from the first violation.

SECTION 3: All other sections of Chapter 3.68 are unchanged by this Ordinance and remain in full force and effect.