

**ORDINANCE NO. .**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO  
STATE OF CALIFORNIA**

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**ORDINANCE AMENDING CHAPTER 3.68, CONSISTING OF SECTIONS 3.68.080  
AND 3.68.180, TO TITLE 3 OF THE SAN MATEO COUNTY ORDINANCE CODE,  
ESTABLISHING SPECIFIED LEGAL OPPORTUNITIES FOR DOG RECREATION  
WITHIN 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 24 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 prohibits park visitors from recreating in County parks and recreation areas with dogs that are not on a leash; and

**WHEREAS**, in October 2018, the San Mateo County Board of Supervisors directed the Department to develop a recommendation for an off-leash dog recreation pilot program; and

**WHEREAS**, the Department formed the San Mateo County Parks Dog Work Group (“Work Group”) to solicit stakeholder input and public feedback and to develop a recommendation for the Department to consider regarding possible off-leash dog pilot locations and management policies; and

**WHEREAS**, using the Work Group's recommendation as a guide, the Department developed a recommendation for an off-leash dog recreation pilot program; and

**WHEREAS**, in order to initiate an off-leash dog recreation pilot program, the Board of Supervisors must amend the County Ordinance Code to authorize dogs to be in designated and specified areas within a County park without being on a leash.

**SECTION 2:** Chapter 3.68, consisting of Sections 3.68.080, and 3.68.180, is hereby amended and shall read, in its entirety, as follows:

Chapter 3.68 - COUNTY PARK AND RECREATION AREA RULES

**Sections:**

3.68.080 - General protective regulations.

- (y) Any person found to be in violation of this Section 3.68 or any of its subsections shall be subject to removal from the County Park and/or Recreation Area upon the directive of Department personnel or law enforcement. It is unlawful for any person so directed to fail to leave the County Park and/or Recreation Area.

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 by the Department to allow dogs. This subsection shall not apply to (i) service dogs under physical control of the owner/handler, 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 at any time, provided that all dogs are leashed at all times.
- (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 the dog from endangering other persons or animals. Where dogs are permitted only on designated trails, all dogs 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) Notwithstanding any other provision of this section or of Ordinance Code Section 6.04.070, in any San Mateo County Park or Recreation Area specifically designated and signed by the Department to allow off-leash dogs, the following additional requirements must be observed:
- (1) No person shall have more than two off-leash dogs under their control at any time or more than three dogs under their control at any given time including two dogs off-leash and one dog on-leash.
  - (2) For each off-leash dog, the owner/handler must have in the owner/handler's immediate possession a leash which meets the specifications described in subsection (d) of this section.
  - (3) Off-leash dogs must be under voice and sight control of the owner/handler at all times. Voice and sight control means that the owner/handler must be in control of the dog(s) at all times and at any time must be able to recall and leash the dog(s) within ten (10) seconds. Dogs are presumed to not be under control under any of the following circumstances:
    - i. The dog threatens, harasses, chases or otherwise displays aggression towards any person, animal or wildlife;
    - ii. The dog physically harms a person, animal, or wildlife directly or indirectly by their actions;
    - iii. The dog touches or jumps on other park users who have not invited or engaged in interaction with the dog; or
    - iv. The dog does not return to its owner/handler within ten seconds of being recalled.
  - (4) On designated trails where off-leash dogs are permitted, each off-leash dog must remain on the designated trail, in front of its owner/handler, within the

view and earshot of the owner/handler, and no more than twenty-five (25) feet away from the owner/handler.

- (5) On designated trails where off-leash dogs are permitted, each off-leash dog shall be physically restrained and/or leashed by the owner/handler when encountering other park users with no dogs or with leashed dogs.
  - (6) All dogs must be on-leash in developed areas, which are defined as areas open to vehicle traffic, playgrounds, parking lots, lawn or play fields, decks, picnic areas, restrooms, or any other area specifically designated as so restricted.
  - (7) Off-leash dogs must be recalled and/or leashed at the directive of any Department personnel or law enforcement.
- (g) In addition to any violation of Title 6 of this Ordinance Code which may apply, 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 (\$5.00) for a first violation;
  - 2) Thirty Dollars (\$30.00) for a second violation within a period of one year from the first violation; and
  - 3) One Hundred Dollars (\$100.00) for each additional violation within a period of one year from the first violation.

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