



County of San Mateo

Inter-Departmental Correspondence

Department: PARKS

File #: 19-426

Board Meeting Date: 5/14/2019

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Peggy Jensen, Interim Parks Department
Subject: Amendment to the County Ordinance Sections Governing Dog Recreation within San Mateo County Parks and Recreation Areas

RECOMMENDATION:

Adopt 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, previously introduced on April 23, 2019, and waiving the reading of the ordinance in its entirety.

BACKGROUND:

In spring of 2016, the San Mateo County Parks and Recreation Commission ("Commission") formed the Dog Management Committee ("Committee"), which was tasked with advising the Commission on the development of new dog management policies for the Parks Department ("Department"). The Committee was comprised of representatives from the Commission, Department, Midcoast Community Council, Pescadero Municipal Advisory Council, North Fair Oaks Community Council, and dog-owner, environmentalist, equestrian, and cyclist communities. The Department also implemented an extensive communication and community engagement process to support the Committee's work and gather further public input.

After meeting over the course of 15 months, the Committee developed an overarching policy: "It is the policy of the [San Mateo County] Parks Department, in managing dog access to County parks, to promote healthy, safe, and varied experiences for all park users and to protect natural resources." The Committee also developed secondary policies for the Department to use as guiding principles in assessing which County park locations are appropriate for dog recreation. The secondary policies focus on education; providing a variety of experiences; avoiding conflicts; protecting preexisting uses and natural resources; managing access to playgrounds and play areas; considering new areas for dogs; enforcement; and requirements concerning leash length and the number of dogs allowed per person. The Commission adopted these policies (attached as Exhibit A) at its December 7, 2017, meeting.

At the same meeting, the Commission identified recommended next steps, to be implemented in sequential order. The first step was to amend the County ordinance sections that govern dog

recreation within County parks and recreation areas to ensure consistency with existing management practices. This step was completed in fall of 2018. The second step entails developing and implementing a dog management pilot program to inform possible further revisions to the ordinance and/or Department dog-management policies and practices, which is currently underway.

The Committee and the Department have identified the need for enforcement mechanisms that are adequate to deter noncompliant behavior. Under the ordinance approved by the Board at its November 6, 2018, meeting, a tiered enforcement system was established for each violation within a one-year period.

This tiered system set the base fine for each violation. In the process of establishing the administration system for the base fines set by the Board, the Department learned that there are a number of additional processing costs, in addition to the base fine. The base fines currently in place, and the total fine (base fine plus additional fees), are reflected in the chart below, and is based on the number of violations within a one year period:

| Fines currently in place | | |
|--|-----------|------------------|
| | Base fine | Total with fees* |
| 1 st violation (infraction) | \$100.00 | \$485.00 |
| 2 nd violation (infraction) | \$200.00 | \$895.00 |
| Each additional violation (infraction) | \$500.00 | \$2,125.00 |

*This includes a number of fees applied to all infractions processed by the Courts; fees are subject to change by the Courts.

DISCUSSION:

In order to maintain total fine amounts that approximate the base fines approved by the Board, and to avoid unnecessarily punitive total fine amounts, the Parks Department proposes to amend the base fines listed in the County ordinance section for violations of dog-related restrictions, attached as Exhibit B (redline), as follows:

| Updated fines proposed by this Amendment | | |
|---|-----------|------------------|
| | Base fine | Total with fees* |
| 1 st violation (infraction) | \$5.00 | \$110.00 |
| 2 nd violation (infraction) | \$30.00 | \$198.00 |
| Each additional violation (infraction) | \$100.00 | \$485.00 |

*This includes a number of fees applied to all infractions processed by the Courts; fees are subject to change by the Courts.

Stepped infractions are effective at reducing or eliminating recurring, undesirable behavior. By empowering Park Rangers to preserve wildlife and habitat and protect all park users, including the elderly, children, horses, cyclists, and persons who have fears of dogs, the Department is better positioned to satisfy its Mission Statement: Through stewardship, San Mateo County Parks preserves our County’s natural and cultural treasures, and provides safe, accessible parks, recreation, and learning opportunities to enhance the community’s quality of life.

County Counsel has reviewed the Ordinance as to form. Approval of this item contributes to the Shared Vision 2025 outcome of creating healthy, livable and environmentally conscious communities by ensuring Rangers have the necessary tools to preserve wildlife and habitat while at the same time

ensuring all users, including people and dogs, have safe access to County Parks.

FISCAL IMPACT:

Adopting the Amendment would lead to an unknown increase in revenue to the General Fund due to fines assessed for violating the ordinance sections. There is no Net County Cost associated with adopting the Amendment.