

Memorandum

To: Mayor and Council

From: Tom Baker, Town Administrator

Date: August 6, 2013

Re: Policy Discussion: Dogs in Burning Mountain Park

As all of you likely know, the Community Market is even more fabulous than last year and it is getting better every week. The Community Market fills the park with people. Many people attend the Market as part of other trips. One of the trips we have noticed is that more people are stopping as part of walking their dog(s). At past Markets, we have had a collection of well behaved dogs, generally on leashes. At the park entrance we have a dog waste station that includes a sign that states, "All dogs must be kept on a leash." And "Please clean-up after your pet." Two feet away from the dog waste station is a sign that states, "No Dogs Allowed In The Park". Two town parks have the "No Dogs Allowed In The Park" signs – Kay Williams Tot Lot on Alder and Burning Mountain Park. From my informal survey it seems the "No Dogs Allowed..." sign has been in place for over 20 years at Burning Mountain Park.

Over the past 20 years people's attitudes and habits with their dogs have changed. People travel with their dogs, hotels allow dogs, dogs come to work, dogs are seen as an asset in therapeutic settings, self clean-up of dog waste is becoming more common and communities install dog waste stations.

In New Castle, we allow dogs in most parks. I can guess that the reason for the "No Dogs..." sign at Burning Mountain Park is that the park is small and often intensely utilized – Burning Mountain Festival, Community Market Day or other community events. When BMP is full of people, dogs can be a nuisance to picnicking families or even a danger to little children if inadvertently stepped on. The "No Dogs..." sign addresses the problems of a full park, but also prohibits dog owners for using the park at low use times. For example, dog owners who live downtown have few options for dog walking. Burning Mountain Park seems to be an appropriate place for responsible dog owners to walk their dogs and a total ban on use of the park may not serve the community well.

Community Policing: One of the tenets of community policing is to strive for voluntary compliance of community laws. Voluntary compliance from our community members is likely driven, in part, on how reasonable the law or rule seems. One question in this discussion is how reasonable is this particular law? The current situation puts the police in a difficult position as many feel dogs in the park on Market Day is an attribute for the Market and the existing signage is confusing. At a time when the police department is

striving to build relationships in the community, this situation puts the officers in a position to come into conflict with community members, needlessly perhaps.

Alternatives:

1. Continue the existing policy of no dogs in Burning Mountain Park – 24/7/365. If this is Council’s direction, staff will move the dog waste station and leash sign to another downtown location to eliminate confusion.
2. Allow dogs in Burning Mountain Park and give special event applicants the opportunity to ban dogs for the duration of their event. Enforcement of this ban will fall to the event organizers and be the task of event volunteers or security persons.
3. Post a sign that prohibits dogs in the park during community events. (This may be too vague for enforcement – what constitutes a community event?)

Recommendation: Staff suggests experimenting with alternative 2. Staff will remove the “No Dogs...” sign and add a line item to the Special Events application that provides the applicant the option to prohibit dogs for their event. (All dogs must still be on a leash.)