

TITLE

AN ORDINANCE TO AMEND TITLE 10, TITLED "ANIMAL CONTROL" OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE," BY CREATING A NEW CHAPTER 4, TITLED "DOG PARKS," TO ESTABLISH PERMISSION FOR DOGS TO BE OFF-LEASH IN CITY-OWNED DOG PARKS AND TO ESTABLISH CERTAIN REQUIREMENTS FOR USE.

WHEREAS, by Resolution 6-41-2012, City Council supported and encouraged citizen efforts to establish a dog park and sought grant funding; and

WHEREAS, the City has received a grant in the amount of \$100,000.00 for use in constructing and equipping a dog park; and

WHEREAS, creation of a dog park will result in the need for an ordinance amendment to allow designated off-leash areas and to set forth certain requirements for use of the dog park.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. Title 10, titled "Animal Control," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by creating a new Chapter 4, titled "Dog Parks," which new chapter shall read as follows:

CHAPTER 4

DOG PARKS

Sec. 10-401. Dog Park, Off-Leash Area.

The City has the authority to designate areas as dog parks. Dogs are permitted to be off-leash within the confines of any City-owned dog park area without being in violation of the City's leash (animal at large) law provided the provisions of this chapter are followed at all times.

Sec. 10-402. Requirements.

It is unlawful for any person to fail to follow the requirements for use of the dog park as set forth below and each and every violation per dog may be treated as a separate offense:

- (1) A person shall not bring any animal into the dog park other than a dog. This prohibition is not applicable to a service animal in performance of, or in training for, its duties to provide assistance to a person with disabilities.
- (2) A person having charge, custody, care or control of a dog shall not bring a dog to the dog park that has been declared vicious by any governmental entity.
- (3) A person having charge, custody, care or control of a dog shall not bring a dog in heat into the dog park.
- (4) A person having charge, custody, care or control of a dog shall only bring a dog(s) to the dog park if the dog is healthy and properly vaccinated.
- (5) Current proof of rabies vaccination (ex. rabies tag) must be attached to the vaccinated dog's collar at all times, and may be inspected by any city employee or city dog park volunteer at any time while entering, inside, or exiting the dog park.

- (6) If the dog park has a designated area for small dogs, no dogs over twenty pounds (20 lbs) may be in the small dog area.
- (7) All dogs must be leashed when entering and exiting the dog park, and the person having charge, custody, care or control of the dog must keep the leash in their possession at all times inside the dog park.
- (8) The person having charge, custody, care or control of the dog must promptly remove and dispose of any waste deposited by their dog. Trash receptacles will be available within the dog park.
- (9) The person having charge, custody, care or control of the dog must repair any damage caused by their dog including filling in holes dug by the dog.
- (10) The person having charge, custody, care of control of the dog must immediately remove the dog if the dog shows signs of aggression toward people or other dogs within the dog park.
- (11) Weapons are not permitted within the dog park.
- (12) Dogs may not be left in the dog park unattended.

Sec. 10-403. Rules.

In addition to the requirements set forth in this chapter, the City has the authority to establish and post rules and regulations pertaining to use of the dog park. Dog park rules will be posted at the main entrance to the dog park and on the City's website and must be followed.

Sec. 10-404. Violations.

A person in violation of the requirements set forth in this chapter and/or the posted rules for the dog park may be banned from the dog park for a designated or indefinite time period. In addition, a person in violation of the requirements of this chapter may be cited for the violation(s) in city court.

Sec. 10-405. Implied Consent.

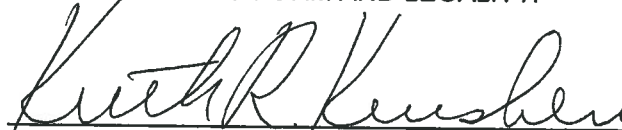
Use of the dog park shall constitute implied consent of the owner and any person have charge, custody, care or control of the dog to strictly follow the requirements and rules set forth in this chapter, and shall constitute a waiver of liability to the City, its officials, officers, and employees, an assumption of all risks, and an agreement and undertaking to protect, indemnify, defend and hold harmless the City, its officials, officers, and employees for any injury or damage to persons or property during any time that the dog is in the dog park.

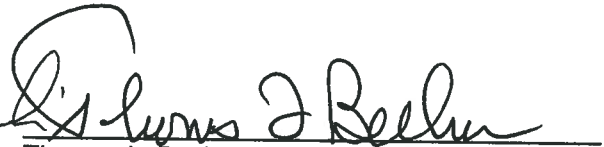
Sec. 10-406. Responsibility and Liability.

The provisions of this chapter do not relieve the owner or person have charge, custody, care, or control of a dog from the responsibility to maintain proper control over the dog nor shall the provisions of this chapter be construed to relieve such person from any liability for any damages arising out of his or her use of the dog park.

Section 2. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:


Kenneth R. Krushenski, City Attorney


Thomas L. Beehan, Mayor


Diana R. Stanley, City Clerk

First Reading:	<u>06/10/2013</u>
Publication Date:	<u>06/17/2013</u>
Second Reading:	<u>07/08/2013</u>
Publication Date:	<u>07/15/2013</u>
Effective Date:	<u>07/18/2013</u>